

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO. 4926
TO BE ANSWERED ON 31ST MARCH 2023**

PREVENTION OF SMOKING AT PUBLIC PLACES

**4926 DR. KALANIDHI VEERASWAMY:
SHRI M. SELVARAJ:**

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether the Government has taken any steps to reduce smoking at public places in order to prevent the women and children from the harmful effects of passive smoking;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) the number of persons penalised for smoking at public places during the last three years and current year, State/UT-wise;
- (d) whether the Government has any plan to increase in the penalty amount for smoking at public places in violation of COTPA 2003; and
- (e) if so, the details thereof?

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(DR. BHARATI PRAVIN PAWAR)**

(a) to (c): To reduce smoking at public places and to protect women and children from involuntary exposure to tobacco smoke, the government has enacted a comprehensive legislation, namely the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA 2003) to regulate the use of tobacco products. Section-4 of the COTPA, 2003, prohibits smoking in public places, including restaurants, provided that in a hotel having thirty rooms or a restaurant having seating capacity of thirty persons or more and in airports, there is a separate provision of smoking area. Further, as per Rules made under the Act, no service shall be allowed in any smoking area or space provided for smoking. The stakeholders are made aware about the adverse effect of tobacco usage, including passive smoking, on a regular basis through anti-tobacco campaigns.

The enforcement of provisions of Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003) and Rules made thereunder primarily lies with the States/Union Territories. The information received from States/Union Territories, regarding violation of

Section 4 of COTPA,2003 during the last three years viz. 2019-20; 2020-21 and 2021-22 is enclosed at **Annexure**.

(d) & (e): The draft Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Amendment) Bill, 2020, was hosted in public domain for pre-legislative consultation.

Annexure

Total number of smokers penalized under Section 4 of COTPA, 2003

S. No.	Name of State/UT	2019-20	2020-21	2021-22
1.	Andhra Pradesh	1275	946	10360
2.	Andaman & Nicobar	0	0	0
3.	Arunachal Pradesh	7	46	21
4.	Assam	212	50	42
5.	Bihar	2,164	-	2,442
6.	Chandigarh	1,578	523	739
7.	Chhattisgarh	2,718	983	2,817
8.	Dadra & Nagar Haveli and Daman & Diu	0	0	50
9.	Delhi	51,896	12,350	8,730
10.	Goa	17,598	5,256	4,758
11.	Gujarat	72,623	38,302	20,449
12.	Haryana	4,335	3,330	3,648
13.	Himachal Pradesh	48,107	43,695	72,572
14.	Jammu & Kashmir (Jammu Division)	426	5,679	5,111
	Kashmir Division			1355
15.	Jharkhand	232	982	660
16.	Ladakh	76	12	32
17.	Lakshadweep	30	21	1
18.	Karnataka	1,80,688	1,79,756	1,47,319
19.	Kerala	86,034	51,959	73,464
20.	Madhya Pradesh	1,897	1,356	1,780
21.	Maharashtra	25,194	6,670	28,293
22.	Manipur	1	5	0
23.	Meghalaya	14	22	52
24.	Mizoram	568	196	126
25.	Nagaland	0	0	0
26.	Odisha	4,981	2,404	1767
27.	Puducherry	0	0	0
28.	Punjab	21,633	8,609	13,956
29.	Rajasthan	28,546*	13,842*	27,666
30.	Sikkim	133	36	44
31.	Tamil Nadu	20,134	2,444	17,862
32.	Telangana	15,126	5,218	28,035
33.	Tripura	0	0	35
34.	Uttarakhand	7,447	3,998	18,041
35.	Uttar Pradesh	6,628	2,561	1,989
36.	West Bengal	9,400	6,859	3,578

* Total number of persons fined under Section-4 and Section-6 of COTPA, 2003 collectively.