

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

**LOK SABHA
UNSTARRED QUESTION NO. 1499
TO BE ANSWERED ON 28TH JULY 2023**

NOTIFICATION ON ANTI-TOBACCO WARNING

1499. SHRI KARTI P. CHIDAMBARAM:

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

- (a) the reason for issuance of a notification regarding anti-tobacco warnings on OTT Platforms;
- (b) whether the consultations and impact assessment studies were conducted before the issuance of the notification and if so, the details thereof;
- (c) whether the issuance of such warning leads to lesser consumption of tobacco and if so, the details thereof;
- (d) whether the issuance of such warnings leads to a poor viewing experience for the consumers and if so, the details thereof;
- (e) whether the Government is cognizant about the studies stating that OTT content does/does not influence the smoking habits in India and if so, the comments thereon;
- (f) whether the rules are applicable for foreign streaming providers without a physical office in India and if so, the details thereof; and
- (g) the details of the revenue generated by the Government since imposing tax on tobacco starting from 2008, year-wise?

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(PROF. S.P. SINGH BAGHEL)**

(a) to (f): Government of India enacted the Cigarettes and Other Tobacco Products Act (COTPA), 2003 to discourage tobacco use and eliminate all direct and indirect advertising, promotion and sponsorship of tobacco products. Under COTPA, 2003, the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Rules, 2004, were amended from time to time to regulate depiction of tobacco imagery in Films and TV Programmes. The extant COTPA Amendment Rules of 2012 regulates depiction of tobacco products or its use in films shown on theatres and TV programmes.

However, the Over-The-Top (OTT) platform has largely been left unregulated. With the advent of the internet, the viewership of on-demand streaming platforms in India has

increased, especially amongst children and youth, and it was observed that use of tobacco and tobacco related products is promoted through the OTT platforms. Hence, there is imperative need to regulate depiction of tobacco products and its use, on these OTT platforms also.

Taking into cognizance to protect the youth from unnecessary exposure to tobacco imagery / advertisement, Government of India has notified Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) [COTP] Amendment Rules, 2023 vide GSR No. 400 (E) dated 31st May, 2023 whereby every publisher of online curated contents displaying tobacco products or their use has to comply with (a) display anti-tobacco health spots, of minimum thirty seconds duration each at the beginning and middle of the programme; (b) display anti-tobacco health warning as a prominent static message at the bottom of the screen during the period of display of the tobacco products or their use in the programme; (c) display an audio-visual disclaimer on the ill-effects of tobacco use, of minimum twenty seconds duration each, in the beginning and middle of the programme. The 2023 Rules were enacted after due consultation with Ministry of Information and Broadcasting, Ministry of Electronics and Information and Technology. The Rules are applicable to all the contents that are streamed in India.

(g): As per information received from Tax Research Unit, Department of Revenue, Ministry of Finance, Revenue collection from excise duties from tobacco and tobacco products is as under:

Financial year	Value in Rupees Crores
2008-09	12,526
2009-10	13,853
2010-11	15,502
2011-12	17,413
2012-13	19,892
2013-14	17,855
2014-15	19,232
2015-16	21,463
2016-17	21,719
2017-18	6,569
2018-19	1,234
2019-20	1,610
2020-21	4,962
2021-22	5,807
2022-23	7,058

Source: DoDM/DGS

GST and Compensation paid (in cash) by suppliers registered for supply of tobacco and tobacco products covered by tariff headings 2401, 2402, 2403 and pan masala is as below:

Financial year	Value in Rupees Crores
2017-18*	37,491
2018-19	52,449
2019-20	53,540
2020-21	47,800
2021-22	56,198
2022-23	65,730

*Source: GSTN; * means from 1st July, 2017; Note: These figures include applicable CGST, SGST, IGST, as the case may be, and Compensation Cess on all supplies made by such suppliers.*
