

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

**LOK SABHA
UNSTARRED QUESTION NO.4332
TO BE ANSWERED ON 13TH DECEMBER, 2019**

VENDOR LICENSES FOR SELLING OF TOBACCO PRODUCTS

†4332. SHRI PANKAJ CHAUDHARY:

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

- (a) whether the Government had issued an advisory in September 2017 to the States/UTs for issuing vendor licenses for selling of tobacco products;
- (b) whether the guidelines/directions that tobacco products should not be allowed to be sold within the 100 yards of schools have been issued to the States;
- (c) whether the Government has reviewed the guidelines and advisory, if so, the details thereof;
- (d) whether the Government is aware that spurious tobacco products and loose cigarettes are being sold on small shops and carts on road, if so, the details thereof; and
- (e) whether the Government proposes to make the provisions of Cigarette and Other Tobacco Products Act, 2003 more effective, if so, the details thereof?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SHRI ASHWINI KUMAR CHOUBEY)**

(a): Vender Licensing is under the purview of State/UT Government and Local Bodies.

This Ministry has written letter to States/Union Territories on 21st September, 2017 to consider developing a mechanism to provide permission/authorization through Municipal Authority/Local Authority to the retail shops who are selling tobacco products with a condition/provision in the authorization that the shops authorized for selling tobacco products, cannot sell any non-tobacco product such as toffees, candies, chips, biscuits, soft-drinks, etc., which are essentially meant for children.

(b) & (c) : Section- 6(b) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003) prohibits sale of cigarettes or any other tobacco products in an area within a radius of one hundred yards of any educational institution.

The enforcement of provisions of COTPA, 2003 and Rules made thereunder is the responsibility of the States/Union Territories. For effective implementation of this Section, Central Government has notified authorized officers from various Departments and also advised States/Union Territories, from time to time, for strict compliance of COTPA, 2003.

The Ministry has also issued the revised “Guidelines for Tobacco Free Educational Institution” which also stipulate that the Educational Institution Management should ensure that no tobacco products are sold inside the premises and in an area within a 100 yards from the premises.

(d): No such specific information is available with the Ministry. However, as per Second Round of Global Adult Tobacco Survey (GATS-2) report loose cigarettes are sold in the country.

(e): No such proposal is under consideration at present.