

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

**LOK SABHA
UNSTARRED QUESTION NO.970
TO BE ANSWERED ON 22ND NOVEMBER, 2019**

VIOLATION OF COTPA, 2003

**970. DR. (PROF.) KIRIT PREMJI BHAI SOLANKI:
SHRI RAJENDRA AGRAWAL:**

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

(a) whether the Government is aware of rampant violations of the 100 yard distance limit for tobacco sellers from schools and universities as prescribed by COTPA, 2003 and proposes to set up a task force and also sought report from States/UTs, if so, the details thereof;

(b) whether the Government has taken steps to ensure the designated smoking areas are complying with the specifications laid down in the Cigarettes & Other Tobacco Products Act (COTPA), 2003, if so, the details thereof;

(c) whether the Government has taken any steps or proposes to take steps to remove designated smoking area from various Airports in India in the interest of public health and if so, the details thereof;

(d) whether Government has taken steps to re-introduce the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Amendment) Bill, if so, the details thereof and if not, the reasons therefor; and

(e) whether the process of reintroduction of the said Bill is likely to be steered by a task force/reconstituted COTPA Committee, if so, the details thereof?

ANSWER

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

(a): As per Section 6 (b) of Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003), there is prohibition on sale of 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. States/UTs are required to submit a quarterly report on the violation of COTPA, 2003 including Section-6(b) of the COTPA, 2003 and as reported by States/Union Territories, violation of Section-6 is noticed.

No such proposal to set up a task force at Central level is under consideration. 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 Section-6 of COTPA, 2003. The Ministry has also issued the revised “Guidelines for Tobacco Free Educational Institution”.

(b): Section-4 of COTPA, 2003 prohibits smoking in public places provided that in a hotel having thirty rooms or a restaurant having seating capacity of thirty persons or more and in the airports, a separate provision for a designated smoking area or space may be made.

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.

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

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