

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

**LOK SABHA
STARRED QUESTION NO. 174
TO BE ANSWERED ON THE 12TH FEBRUARY, 2021
COTPA, 2003**

***174. DR. (PROF.)**

KIRIT PREMJBHAI SOLANKI:

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

(a) whether the Government is considering any proposal to remove the provision of allowing designated smoking areas and point of sale advertising under the COTPA, 2003 for tobacco control;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

**ANSWER
THE MINISTER OF HEALTH AND FAMILY WELFARE
(DR. HARSH VARDHAN)**

(a) to (c) A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO LOK SABHA
STARRED QUESTION NO.174* FOR 12TH FEBRUARY, 2021**

(a) to (c) Section 4 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (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.

Section-5 of the Act prohibits advertisement of cigarettes and other tobacco products, provided that as per Proviso (b) of Section 5 of COTPA, 2003, the prohibition does not apply to advertisements at the point of sale. However, the Government, vide regulations, has specified the manner in which such point of sale displays can be done. Any violation of these provisions is punishable under COTPA, 2003.

The Government of India had placed the draft Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Amendment) Bill, 2020 in public domain, as part of pre-legislative consultations, with a view to elicit the comments/views of public.
