

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

**LOK SABHA
UNSTARRED QUESTION NO. 2114
TO BE ANSWERED ON 29TH JULY, 2022**

SMOKING AT PUBLIC PLACES

**2114 DR. KALANIDHI VEERASWAMY:
SHRI. M. SELVARAJ:**

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

- (a) the steps taken by the Government to reduce smoking at public places and save women and children from the ill-effects of second hand smoking;
- (b) the number of smokers penalized for smoking at public places during the last three years in the country, State/UT-wise including Tamil Nadu;
- (c) whether the penalty amount for smoking at public places has been increased in the COTPA amendment Bill 2020 and if so, the details thereof; and
- (d) whether the smoking in public places is proposed to be treated as severely punishable offence under the COTPA amendment Bill, 2020 and if so, the details thereof?

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

- (a): To reduce smoking at public places and to protect non-smokers 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 through anti-tobacco campaigns.
- (b): 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 under the Act 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**.
- (c) & (d): 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. The Ministry has received representations, comments and suggestions on the draft Bill.

LS PQ No. 2114 FOR 29.07.2022

The data of Number of persons fined (challaned) under Section 4 of COTPA 2003,
as received from States/UTs

S. No.	Name of State/UT	2019-20	2020-21	2021-22
1.	Andhra Pradesh	1275	946	9150
2.	Andaman & Nicobar	0	0	0
3.	Arunachal Pradesh	7	46	0
4.	Assam	212	50	42
5.	Bihar	3702		
6.	Chandigarh	1578	523	739
7.	Chhattisgarh	2718	983	1403
8.	Dadra & Nagar Haveli and Daman & Diu	26		
9.	Delhi*	45393	49	196
10.	Goa	17598	5256	5707
11.	Gujarat	72623	38302	17005
12.	Haryana	4335	3330	3648
13.	Himachal Pradesh	48107	43695	72572
14.	Jammu & Kashmir (Jammu Division)	426	5679	3363
15.	Jharkhand	232	982	527
16.	Ladakh	76	12	32
17.	Lakshadweep	30	21	1
18.	Karnataka	180688	179756	147319
19.	Kerala	86034	51959	73464
20.	Madhya Pradesh	1897	890	1780
21.	Maharashtra	22313	6543	28293
22.	Manipur	1	5	0
23.	Meghalaya	14	22	52
24.	Mizoram	568	196	63
25.	Nagaland	0	0	0
26.	Odisha	4981	2404	338
27.	Puducherry	0	0	0
28.	Punjab	21581	8609	13956
29.	Rajasthan*	28546	13842	12558
30.	Sikkim	133	36	44
31.	Tamil Nadu	20001	2432	15697
32.	Telangana	15126	5218	28035
33.	Tripura	0	0	35
34.	Uttarakhand	7447	3998	10728
35.	Uttar Pradesh	6628	2561	1553
36.	West Bengal	9400	6859	3578

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