

- To improve availability of personnel in difficult and remote areas, monetary incentives are provided to staff posted in hard to reach and inaccessible areas.

Free distribution of tobacco products to children

†1018. SHRI RASHEED MASOOD: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) the measures taken by Government to check the practice of distributing free bidi, cigarettes and pouches of tobacco by tobacco companies among children;
- (b) whether World Health Organisation has apprised and warned Government on this issue;
- (c) if so, the action taken in this regard; and
- (d) if not, the reasons therefor?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) The Government has enacted "Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act (COTPA) in 2003. Section 5 of the COTPA prohibits all forms of advertisement, promotion and sponsorship of tobacco products. Free distribution of tobacco products amounts to promotion which is prohibited under the Act.

Any violation of this provision is a punishable offence with imprisonment for a term which may extend to two years or with fine which may extend to one thousand rupees or with both for first offence AND in the case of second or subsequent conviction with imprisonment for a term which may extend to five years and with fine which may extend to five thousand rupees.

Further as per Section - 6 COTPA, 2003, prohibits sale to and by minors (below 18 years of age) and within a radius of 100 yards of all educational institutions.

Any violation of this provision is a punishable offence with fine which may extend to two hundred rupees.

(b) Yes. Article 13 of WHO Framework Convention on Tobacco Control (FCTC) on Prohibition on tobacco advertising, promotion and sponsorship (including cross-border advertising) and Article 16 on Prohibition on sale of tobacco products to and by minors are both relevant in this context.

WHO FCTC is the first global public health treaty and it enlists key strategies for reduction of demand and supply of tobacco. Government of India has signed

†Original notice of the question was received in Hindi.

and ratified the WHO FCTC and in now a party and hence is obligated to take systematic steps for reduction of demand and supply of tobacco products.

(c) and (d) The Government has notified the Rules related to prohibition on sale to and by minors has *vide* G.S.R 619 (E) dated 11th August, 2011. The extant Rule also mandates display of warning board at point of sale alongwith pictorial depiction of ill effect of tobacco use on health. A set of 12 officials from different departments have been notified to enforce these provisions. The Rules related to prohibition on sale of tobacco products within a radius of 100 yards of all educational institutions has been notified *vide* G.S.R 40(E) dated 11th January, 2010.

Further Government has also notified the Rules to regulate the depiction of tobacco scenes in movies and TV programmes *vide* G.S.R 786 dated 27th October, 2011 and implemented *w.e.f.* 14th November, 2011. These Rules prohibit the depiction of tobacco products or their usage in promos and posters of films and television programmes thereby protecting the children from unnecessary exposure of tobacco products.

In order to implement the Rules under COTPA regular communications have been sent to various departments of the State/UTs Government including Home Secretary, Director General of Police and Transport Commissioners, and to Panchayati Raj Institutions to sensitize them about the harmful effects of tobacco consumption and requesting them to ensure effective compliance of the provisions of Tobacco Control Act (COTPA), 2003. Guidelines for implementation of Section 4, 6 and 7 of COTPA, 2003 have also been sent to all the State/UTs to facilitate the implementation of the provisions of COTPA. Under the National Tobacco Control Programme (NTCP), which is currently under implementation in 21 States covering 42 districts, school Programme is a very important activity at district level. Through this activity children are made aware on the harmful effects of tobacco use as well as the different provisions under COTPA.

In addition to the above, as a part of the national level public awareness campaign under the NTCP, public notices on various sections of COTPA have been published in leading national and regional dailies from time to time.

Death of children due to encephalitis

1019. DR. JANARDHAN WAGHMARE:

SHRI N.K. SINGH:

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

(a) whether Government is aware that 100 children below 13 years of age have died because of suspected encephalitis;