

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

**RAJYA SABHA
STARRED QUESTION NO.203
TO BE ANSWERED ON THE 22ND MARCH, 2022**

POLICY TO DISCOURAGE THE CONSUMPTION OF TOBACCO

203 DR. L. HANUMANTHAI AH:

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

- (a) whether Government has drafted new policies to combat the use of tobacco;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) the details of action taken by Government to discourage the purchase of tobacco as here has been no change in the taxation levied on the price of tobacco for FY 2023;
- (d) what measures have been implemented to curb the consumption of tobacco by minors; and
- (e) whether Government plans to revise its policy banning e-cigarettes considering that e-cigarettes have been granted FDA approval and that after their ban, underage smoking has increased?

**ANSWER
THE MINISTER OF HEALTH AND FAMILY WELFARE
(DR MANSUKH MANDAVIYA)**

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

**STATEMENT REFERRED TO IN REPLY TO RAJYA SABHA
STARRED QUESTION NO. 203* FOR 22ND MARCH, 2022**

(a) & (b): The Ministry of Health & Family Welfare 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 [COTPA], 2003 to discourage the consumption of tobacco products in order to protect the masses from the health hazards attributable to tobacco use.

The **draft** Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (**Amendment**) **Bill, 2020**, was prepared and hosted in public domain for pre-legislative consultation. The Ministry is examining representations, comments and suggestions on the draft Bill.

(c): The Ministry has been undertaking various measures for reducing tobacco use;

- The National Tobacco Control Programme (NTCP) was launched in 2007- 08 with the aim to (i) create **awareness** about the harmful effects of tobacco consumption, (ii) reduce the production and supply of tobacco products, (iii) ensure effective implementation of the provisions of COTPA, 2003 (iv) **help people quit tobacco** use, and (v) facilitate implementation of strategies for prevention and control of tobacco advocated by WHO Framework Convention of Tobacco Control.
- Enforcement efforts are also monitored by the **State Tobacco Control Cells (STCCs)** and **District Tobacco Control Cells (DTCCs)**.
- The stakeholders are being made aware on a regular basis about the adverse effects of tobacco usage on health through various **anti-tobacco campaigns**.
- The Government of India has notified rules to **regulate films and TV programmes depicting scenes of tobacco usage** to spread awareness. Such films and TV programmes are statutorily required to run anti-tobacco health spots, disclaimers and static health warnings.
- **Specified health warnings on tobacco products** is enhanced w.e.f. 1st April, 2016 to 85% of the principal display area of tobacco product packs. Quitline number has been included in new specified health warnings with Quitline number which came into effect on 1st September, 2018.
- The Ministry has started **National Tobacco Quitline to provide tobacco cessation services** to the community and has launched a pan-India “mCessation” initiative to reach out to tobacco users who are willing to quit tobacco use and to support them towards successful quitting through text-messaging via mobile phones. Tobacco cessation centers have also been set up in Dental Colleges/Institutions across the country.

- (Revised) **Guidelines for Tobacco Free Educational Institutions (ToFEI)** to implement Section-6 of COTPA, 2003 have been disseminated/implemented.
- The Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011, **Regulation 2.3.4, issued under the Food Safety & Standards Act, 2006**, provides that tobacco and nicotine cannot be used as ingredients in Food Products.

(d): As per Section 6 (a) of Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003) read with Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Amendment Rules, 2011, there is **prohibition on sale of tobacco products to and by persons below the age of 18 years** and as per Section 6 (b) of 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 Ministry has also issued the “**Guidelines for Tobacco Free Educational Institution (Revised)**” for effective implementation of Section-6 of COTPA, 2003, on 31st May, 2019; States are taking effective measures with Education departments for implementation of these Guidelines.

Public Health is a State subject and the primary responsibility for enforcement of the Act, lies with the State Governments. Central Government in collaboration with State Governments are taking necessary measures for effective implementation of these provisions of COTPA, 2003, and Guidelines for Tobacco Free Educational Institution 2019, to dissuade young children and youth from tobacco use.

(e). **The Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage and Advertisement) Act, 2019** has been enacted by the Parliament after due considerations and deliberations. Govt. of India’s sustained efforts in fight against tobacco led to a 17.3% decline (relative reduction) in tobacco use from 2009 to 2016; and with increasing awareness about harms due to tobacco and rigorous implementation of the law, Govt. of India is witnessing a steady decline in tobacco prevalence. Considering the National Health Policy, 2017 targets and strong tobacco control measures, **Govt. is focused on reducing prevalence of tobacco use and not replacing one form of addiction with another.** The pre-emptive decision for prohibiting Electronic Cigarettes and like devices, has been taken in the **larger interest of public health.**
