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भारत सरकार
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
निर्माण भवन, नई दिल्ली - 110011
GOVERNMENT OF INDIA
MINISTRY OF HEALTH & FAMILY WELFARE
NIRMAN BHAVAN, NEW DELHI - 110011

D.O.No. P-16012/14 /2017-TC

Dated, 21st September, 2017

Respected Sir,

The Central Government has enacted the Cigarettes and other Tobacco products (Prohibition of Advertisement and Regulations of Trade and Commerce Production, Supply and Distribution) Act, 2003(COTPA), to discourage the use of tobacco, with emphasis on protection of children and young people from being addicted to the use of tobacco, with a view to achieve improvement of public health in general as enshrined in Article 47 of the Constitution.

2. The Central Government has also enacted the Juvenile Justice (Care and Protection of Children) Act, 2015, that makes giving or causing to be given, to any child any tobacco products punishable with rigorous imprisonment for a term which may extend to seven years. Further the Food Safety and Standards Act, 2006 (FSS Act, 2006) ensures availability of safe and wholesome food for human consumption and inter-alia prohibits using of tobacco and nicotine as ingredients in any food products.

3. COTPA, 2003 specifically prohibits smoking in all public places, prohibition of direct and indirect advertisement, promotion and sponsorship of cigarettes and other tobacco products, prohibition of sale of cigarettes and other tobacco products to minors and within 100 yards of any educational institution and display of health warning including pictorial warning on ill effects of tobacco use on the packages of all tobacco products.

4. In this regard, it is felt that the regulation of tobacco products can be made more effective with the development of a mechanism to provide permission/authorization through Municipal Authority to the retails shops who are selling tobacco products. Further, it would also be appropriate to make a condition/provision in the authorization that the shops authorized for selling tobacco products, cannot sell any non - tobacco products such as toffees, candies, chips, biscuits, soft drinks etc., which are essentially meant for non-user, especially children.

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Healthy Village, Healthy Nation

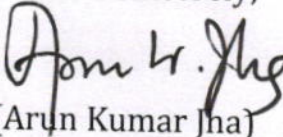


एड्स - जानकारी ही बचाव है
Talking about AIDS is taking care of each other

5. I would be grateful if you could kindly consider developing a mechanism to provide permission/authorization through Municipal Authority/Local Authority to the retails shops who are selling tobacco products with a condition/provision in the authorization that the shops authorized for selling tobacco products, cannot sell any non - tobacco products such as toffees, candies, chips, biscuits, soft drinks etc., which are essentially meant for children. We believe that such as initiative will prove to be beneficial in achieving the objective of preventing the children / non-user from the exposure to tobacco products. We would be happy to extend any technical support which you may need.

With regards!

Yours sincerely,


(Arun Kumar Jha)

To,

Shri Anjani Kumar Singh,
Chief Secretary,
Government of Bihar,
Old Secretariat, Patna - 800015.