



# Tobacco Control



## MANT

in collaboration with  
Department of Health and Family Welfare,  
West Bengal

Supported by



International Union  
Against Tuberculosis  
and Lung Disease

**TOBACCO**

**• KILLS • DISABLES • CAUSES DISEASE**



## COTPA 2003

To safeguard the health of the people, Government of India has passed a comprehensive legislation that would act as the blow that has to be struck - to sound the death knell to an industry which by social sanction and legitimate means is killing millions and maiming equal numbers annually in India and worldwide.

The Cigarettes and Other Tobacco Products Act (COTPA) 2003 is applicable to all products containing tobacco in any form and it extends to whole of India.

Prohibition on smoking in public places - Section 4 of COTPA 2003 and Prohibition of smoking in public places rules, 2008:

Smoking in all "public places" is prohibited. The term public place is defined and it refers to any place to which the public have access, whether as of right or not, and includes auditorium, hospital buildings, railway waiting room, amusement centers, restaurants, public offices, court buildings, educational institutions, libraries, public conveyances and like which are visited by general public.

There are two exemptions; designated smoking zone or areas are allowed in restaurants (with seating capacity of 30), hotels (more than 30 rooms) and airports. These smoking areas are to be physically segregated in such a manner that the air from these areas does not circulate to the non-smoking areas. Nothing can be served/provided in these smoking areas. Hotels (more than 30 rooms) can additionally have smoking rooms under certain restrictions.



Specification of the signage to be displayed in public places



Display of non smoking signages i.e "Smoking here is strictly prohibited" is mandatory at all public places at prominent places. Outside the building name and contact no. of nodal Officer has to be mentioned.

Penalties:

a) To the individual offender: Up to Rs. 200/- b) To owner, manager or authorised officer: Fine equivalent to number of offences in public place.

Prohibition of Advertisement, Promotion and Sponsorship of all Tobacco Products- Section 5 of COTPA 2003.

Both direct & indirect advertisement of tobacco products is prohibited in all forms of audio, visual, print and outdoor media.

Total ban on sponsoring of any sports and cultural event by tobacco company.

No trade mark or brand name of Cigarettes or any Tobacco product to be promoted in exchange for sponsorship, gift, prize or scholarship.



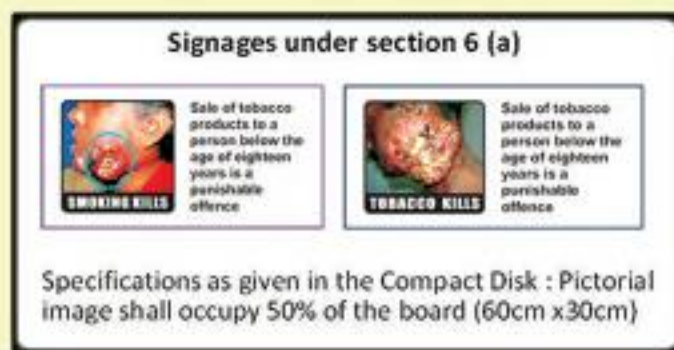
No person, under contract or otherwise, to promote or agree to promote any tobacco product.

Penalties:

1st offence: 2 years/ Rs. 1000/- 2nd Offence: 5 years/ Rs. 5000/-

Prohibition of Sale to and by Minors - Section 6 (a) of Tobacco Control Act, 2003:

Sale of tobacco products to persons under the age of 18 is prohibited.



Tobacco vendors must ensure that the person who is buying the tobacco product is not a minor.

A display board to be put up at the point of sale declaring that "Sale of tobacco products to minors is prohibited"

Prohibition of Sale of Tobacco products within a radius of 100 yards of educational institutes - Section 6 (b) of COTPA, 2003:

In order to restrict access of youth for tobacco products, the sale of the tobacco products is prohibited within a radius of 100 yards of any educational institution.

A display board has to be put up outside the educational institutions declaring the same.



Sample signage to be displayed in an educational institute

Sale of cigarettes and other tobacco products in an area within a radius of one hundred yards of educational institution is strictly prohibited and that it is an offence punishable under Section 24 of the Act with fine which may extend to two hundred rupees

Penalties:

Violators for not complying to Section 6 of COTPA can be fined for a amount up to Rs. 200/-

Health warnings on tobacco products packs - Section 7, 8 &9 of COTPA 2003:

All tobacco product packages need to carry prominent and legible health warnings.

These warning shall also be pictorial in nature.

The warnings will be given in the same language as given on the pack.

All imported tobacco products should also carry the specified warnings.





These warning shall also be pictorial in nature.  
The warnings will be given in the same language as given on the pack.

All imported tobacco products should also carry the specified warnings.

### **Penalties:**

a) Manufacturer: 1st offence: 2 years/ Rs. 5000/-  
2nd offence: 5 years/ Rs. 10,000/-

b) Selling/Retailing: 1st offence: 1 year/ Rs. 1000/-  
2nd offence: 2 years/ Rs. 3000/-

**Violations can also be  
reported to National  
Helpline: 1800-110-456**

- Remember-clean air is a basic human right.
- Second-hand smoke exposure is deadly.
- Only 100% smoke-free environments protect health.
- Smokefree laws do not hurt business.
- Smokefree laws protect workers' health.
- Smokefree laws help smokers quit.
- Smoke-free laws lead to smoke-free homes.
- Smokefree laws change social norms.
- Counter tobacco industry myths.
- Enforcement is necessary for implementation of COTPA.