PUNJAB

TOBACCO CONTROL PROGRAM
Introduction

• **TOBACCO CONTROL ACT, 2003**
  – Cigarette and Other Tobacco Products Act’ 2003 has been implemented in the State of Punjab in letter & spirit.
    
    Click here to view [http://pbhealth.gov.in/tob/TOBACCO%20CONTROL%20ACT,%2018th%20May%2020203.pdf](http://pbhealth.gov.in/tob/TOBACCO%20CONTROL%20ACT,%2018th%20May%2020203.pdf)

• **SCOPE OF THE ACT**
  – The Act is applicable to all products containing Tobacco in any form i.e. Cigarettes, Cigars, Cheroots, Bidis, Gutkha, Pan masala (containing tobacco) Khaini, Mawa, Mishri, Snuff etc. as detailed in the schedule to the Act.
  – The Act extends to whole of India.
Why Implementation Of Anti-tobacco Law (COTPA) Is Important

- **Tobacco Usage is**
  - Possibly one of the greatest causes of preventable and premature deaths in human history.
  - Single most important risk factor for major non-communicable diseases.
  - Cause of cancer in about 40% of all Cancer cases.
  - Cause of 90% of all oral Cancers.

- **Prevalence of Tobacco Use**
  - As per GATS 2010 report, 12% of population in Punjab uses Tobacco in any form. Considering the population of 2.75 Crores, 33 lakh population in Punjab uses Tobacco in some form or the other.
  - Worldwide around 1.1 billion people smoke tobacco. This is expected to increase to 1.6 billion by the year 2025
  - **More than 2200 Indians die every day due to tobacco use........**
In the developed countries, smoking has been in overall decline for decades, although it continues to rise in some groups.

In developing countries, by contrast, cigarette consumption has been increasing. In India, it is estimated that ten lakh fatalities occur every year due to tobacco smoking.

**Second Hand Smoke**

- Smoking also affects the health of non-smokers.
- Babies born to smoking mothers have lower birth weight and are more likely to die of sudden infant death syndrome than babies born to non-smokers.
- Adult non-smokers face small but increased risks of fatal and disabling disease from second hand smoke.
<table>
<thead>
<tr>
<th>Sections of COTPA</th>
<th>Penalties (Fine or imprisonment or both)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 4: Prohibition on smoking in a public place</td>
<td>a) To the individual offender: Up to Rs. 200/-</td>
</tr>
<tr>
<td></td>
<td>b) To owner, manager or authorised officer: Fine equivalent to number of offences in public place</td>
</tr>
<tr>
<td>Section 5: Prohibition on advertisements of cigarettes and other tobacco products</td>
<td>a) 1st Offence: 2 years/ Rs. 1000/-</td>
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<td></td>
<td>b) 2nd Offence: 5 years/ Rs. 5000/-</td>
</tr>
<tr>
<td>Section 6: Prohibition on the sale to minors and around educational institutes</td>
<td>Up to Rs. 200/-</td>
</tr>
</tbody>
</table>
| Sections 7,8 and 9: Prohibition on the sale of cigarettes and other tobacco products without specified health warnings | 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/- |
Tobacco Prevalence in Punjab
As per GATS 2010 report, 12% of population in Punjab uses Tobacco in any form.

Considering the population of 2.75 Crores, 33 lakh population in Punjab uses Tobacco in some form or the other.

Worldwide around 1.1 billion people smoke tobacco. This is expected to increase to 1.6 billion by the year 2025

More than 2200 Indians die every day due to tobacco use.......

Tobacco Smoke Free Districts of Punjab

• Under the campaign of making Punjab Tobacco Smoke Free:
  – Seventeen Districts SAS Nagar (Mohali), Mansa, Amritsar, Roopnagar, Gurdaspur, Fatehgarh Sahib, Saheed Bhagat Singh Nagar (Nawanshar), Sangrur, Hoshiarpur, Kapurthala, Sri Muktsar Sahib, Bathinda, Faridkot, Ferozepur, Fazilka Patiala & Jalandhar have been declared as 'Tobacco Smoke Free' (TSF) on the basis of compliance study report by School of Public Health, PGIMER Chandigarh.
  – Efforts are under way to declare Tarn-Taran as ‘Tobacco Smoke Free’.
  – Reassessment of four (4) Tobacco Smoke Free Districts which were declared as TSF for more than one year will be done soon by School of Public Health, PGI Chandigarh.
MAIN OUTCOMES (IN TERMS OF SEC-4, SEC 6) % OF COMPLIANCE AS REPORTED BY PGI CHANDIGARH

Tobacco Smoke Free Districts of Punjab
State/District Level Activities

• Every year 31st May is celebrated as “World No Tobacco Day”.
• This year World No Tobacco Day was celebrated as "NO TOBACCO PLEDGE DAY" in all Govt. & private educational institutions
• Meeting of State level Coordination Committee held under the chairpersonship of Principal Secretary, Health & Family Welfare, Punjab.
• Monthly monitoring at State level in Civil Surgeon Conference and at District level in District Health Society.
• Guidelines for implementation of "Smoke Free Rules" and Health Workers Guide released on 20-4-13.
• Section 5 (Tobacco Advertisement Point of Sale) of COTPA is also being implemented simultaneously. Survey has been done in all the districts to assess the implementation. The implementation has been found to be satisfactory.
## STATUS OF IMPLEMENTATION OF ANTI-TOBACCO LAW (COTPA) IN PUNJAB

<table>
<thead>
<tr>
<th>MPOWER Action Area</th>
<th>Main Challenges and Barriers</th>
<th>Present Status</th>
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</table>
| Monitor the tobacco epidemic | • Plethora of tobacco products available  
  • Surveillance of tobacco use not integrated with on-going health surveys. [NCD Steps] | • GATS-Global Adult Tobacco Survey.  
  • Tobacco prevalence data is available from:  
  • National Family Health Survey (NFHS)-Expenditure surveys such as National Sample Survey Organization (NSSO) Global Youth Tobacco Survey |
| Protect people from tobacco smoke | • Low level of awareness about the harmful effects of tobacco use.  
  • Limited capacity of the states to implement the provisions of COTPA.  
  • Limited reach of the NTCP (21 states covering 42 districts only) Punjab still not covered under NTCP | • “The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade & Commerce, Production, Supply and Distribution) Act, 2003 (COTPA)”, Prohibits Smoking in all Public Places.  
  • SAS Nagar, Mansa, Amritsar, Roop Nagar, Shaheed Bhagat Singh Nagar, Fatehgarh Sahib, Gurdaspur, Sangrur, Sri Muktsar Sahib, Kapurthala, Hoshiarpur, Bathinda, Faridkot, Fazilka, Ferozepur Patiala & Jalandhar have already been declared as “Tobacco Smoke Free Districts” on the basis of Compliance Study by the School of Public Health, PGIMER, Chandigarh. Compliance study going on in district Jalandhar.  
  • Regular monthly monitoring of implementation of COTPA.  
  • DO No. P-16012/1/05-PH-1 dated 9-12-11 written to all State DGP's regarding steps to be taken to incorporate COTPA violations as a part of the monthly crime review.  
  • Permanent District Task Force has been constituted in all the districts for monitoring of COTPA and abuse of Nicotine January 2013 to Dec 2013, 22099 violators have been challaned. In the year 2014, 5176 violators have been Challaned wef Jan.to March.  
  • Govt. of Punjab issued DO letters to all the Deputy Commissioners & Civil Surgeons to promulgate Section 144 against Hukkah bars as they violate all section of COTPA.  
  • State Level Coordination Committee for Tobacco Control has been notified. |
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| **Offer** help to those who want to quit | • Lack of cessation facilities.  
• Limited trained manpower on cessation.  
• Cessation services not mainstreamed in the primary health care delivery mechanism | • Limited trained manpower on cessation.  
• De-addiction centres present in all Districts.  
• They are providing cessation services. |
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| Warn about the harm of tobacco | • Many tobacco products are unbranded, so they do not have pictorial warnings.  
• PW’s cover only the front panel and size is not compliant to FCTC standards, whereas Mass media campaigns on air only for 3-4 months in a year.  
• No comprehensive media strategy. | • Section 7 -COTPA 2003  
The COTPA,2003 mandates display of Pictorial Health Warnings on all tobacco product packs.  
The health warnings occupy 40% of principal display area only on front side of the pack |
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| **Enforce bans on advertising, promotions & sponsorship** | • Multiple litigations by tobacco Industry and its front groups.  
• Loop hole in COTPA which allows point of sale advertisement of tobacco products.  
• Other laws are not aligned to COTPA will gives space for surrogate advertisement.  
• Limited capacity of the states to implement TAPS (Tobacco Adult Promotion & sponsorship).  
• No guidelines for its implementation. | • **Section 5- COTPA 2003** : The anti-tobacco legislation, COTPA, prohibits direct/indirect advertising, promotion and sponsorship of tobacco products  
**The amended rules of 2005 provide for:**  
• Ban on sale of tobacco products through vending machines  
• Ban on sale of tobacco products by minors  
• Restrictions on the content, size and number of point of sale of advertisements  
• Ban on visible stacking of tobacco products at the point of sale to prevent easy access to minors  
• To prevent brand sharing and surrogate advertising of tobacco products; ‘indirect advertising’ has been comprehensively defined.  
• Restrictions on display of tobacco products or their use in movies or television.  
• DO No. P-16011/04/09-PH-1 dated 24-11-11 written to all State Transport Commissioners /secretaries regarding banning of advertisement of Tobacco products.  
• **Recently notices have been issued to Tobacco product vendors to remove advertisement on point of sale. In many districts, Compliance has been good.**  
• Section 5 (Tobacco Advertisement Point of Sale) of COTPA is also being implemented simultaneously. Survey has been done in all the districts to assess the implementation. The implementation has been found to be satisfactory. |
| **Raise taxes on tobacco products** | • Plethora of tobacco products and large unregulated and unorganised market  
• Differential taxation of tobacco products.  
• Distinction between handmade and machine made bidi and bidi units producing less than 2 million sticks/per annum exempted from paying taxes. | • Taxes on tobacco products in India fall well below the rate recommended by the World Bank from 65% to 80% of retail price. VAT on cigarettes in Punjab has been reduced from 55% to 22.5% as the VAT in the neighbouring states was less leading to smuggling of cigarettes from neighbouring states. |
### Action taken under Food Safety Standard Act (FSSAI)

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<tr>
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<tr>
<td>Smokeless Tobacco products/chewable tobacco</td>
<td>Gutka/Pan masala and other chewable tobacco products are freely available in market in small pouches of Rs1/- each. Can be readily purchased by even students and low income group people. 90% of the oral Cancers are attributed to consumption of chewable tobacco products</td>
<td>• Prohibition of Manufacture, sale &amp; Consumption of Smoke Less/chewable products in Punjab has been done w.e.f dated 05/09/12 under section 2.3.4.of FSSA as 90% * of the Oral Cancer cases are attributed to consumption of chewable tobacco products.</td>
</tr>
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* Source: GATS Survey
### Action to be taken against Sale of Electronic Nicotine Delivery System (ENDS)/ E-Cigarettes

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<td>Electronic Nicotine Delivery System (E-Cigarettes)</td>
<td>These are comparatively new developments. These devices contain nicotine in chemical form which is highly addictive and can be lethal if ingested accidently especially by children.</td>
<td>A meeting was organised by MoHFW on 10-07-13 to formulate guidelines for regulating manufacture and sale of E-Cigarettes in India under the chairpersonship of JS (SG), MohFW, Gol. State Drug Controller, FDA Punjab &amp; State Nodal Officer, Tobacco control cell, Punjab participated &amp; presented a protocol which can be followed for this purpose. Minutes of Meeting have been circulated to all participants. SDC has issued a letter to all DIs that sale of E-Cigarettes is illegal under Drugs and Cosmetics act.</td>
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Notifications for COTPA Implementation
Notifications for COTPA Implementation

Notification to authorize the competent persons to Act against any person who commits any offence under Section 4 or Section 6 of the said Act, at any Public Place issued on 24th May 2010.

Click here to view

http://pbhealth.gov.in/tob/Authorized%20officials%20under%20Section%204%20&%206%20Notification%20No.%201022%20Dated%2024-5-2010.pdf
Notifications Contd……

Notification regarding constitution of District and State Level Tobacco Control Committees issued on 20th May 2008.

Click here to view http://pbhealth.gov.in/tob/State%20level%20and%20District%20Level%20Tobacco%20Control%20Committee%20No.%20945%20Dated%2020-5-2008.pdf
Notification regarding constitution of Permanent District Task Force issued on 09-04-2014 to monitor COTPA and abuse of Nicotine in chemical form.
Notification regarding Constitution of State Level & District Level Monitoring Committees issued on 17\textsuperscript{th} January, 2013.

Click here to view

http://pbhealth.gov.in/tob/State\%20Level\%20&\%20District\%20Level\%20Tobacco\%20Monitoring\%20Committee\%20Notification\%20No.%20151%20Dated%2017-1-2013.pdf
Notification to authorize Public Analyst, State Food Lab, Chandigarh as competent authority to test Tobacco and Nicotine in any product.

Click here to view

http://pbhealth.gov.in/tob/tbc_noti.pdf
Notification for prohibition of Manufacture, sale & Consumption of Smoke Less/chewable products in Punjab has been done FSSA.

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<tr>
<th>SI No.</th>
<th>Departments/Agencies</th>
<th>Roles</th>
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</table>
| 1      | Principal Secretary /Secretary (Health) or MD NRHM as Member Secretary | • Nodal Secretary for convening the meeting.  
• Regular monitoring, review and supervision of National Tobacco Control Programme |
| 2      | Principal Secretary (Home) or his nominee | • Direct the State Police Heads to enforce all the provisions under COTPA  
• Regular review of COTPA implementation in the monthly crime review meetings and regular collection of violation related data. |
| 3      | Principal Secretary (School / Higher Education) or his nominee | • Implementation of tobacco-free school guidelines in all schools.  
• Make all schools tobacco-free premises.  
• Inclusion of harmful effects of tobacco use in the school curriculum |
| 4      | Principal Secretary /Secretary (Finance) or his nominee | • Administration and harmonization of Tax on all tobacco products.  
• Ensure reduction in illicit trade and tax evasion by tobacco industry. |
| 5      | Secretary Labour / Labour commissioner or his nominee | • Ensure that all tobacco products manufactured in registered factories print the pictorial health warnings.  
• Sensitization of Bidi Rollers about the health hazards of bidi rolling  
• Vocational training to bidi rollers for alternative livelihood. |
| 6      | Secretary Transport/Transport Commissioner or his nominee | • All public transport vehicles to be Smokefree / Tobacco-free.  
• No direct/indirect advertisement of tobacco products like gutkha, pan masala on state transport bus panels and its premises  
• Display of anti-tobacco messages on the Transport department properties including bus panels, bus stands, bus tickets etc |
| 7      | Divisional Manager (Ambala Cant & Ferozepur) from Department of Railways | • All the railway platforms, its premises and trains to be tobacco free.  
• No sale of gutkha, pan masala and other tobacco products on railway platforms and trains  
• Display of anti-tobacco messages on the railway properties including train panels, platform, railway tickets etc. |
| 8      | Secretary Public Relations/ Information or his nominee | • State wide public awareness campaigns on harmful effects of tobacco use and provisions under COTPA.  
• Develop awareness campaign materials for display at local events, melas, state IEC campaigns.  
• Assist in development/adaptation of local IEC campaign materials for display and dissemination at local events, melas, local IEC campaigns. |
| 9      | Civil Society organizations working on Health / tobacco control or his nominee | • Integrate tobacco control in all their ongoing interventions.  
• Monitor violations of tobacco control laws and bring them to the notice of Authorities/steering committee.  
• Collaborate with State Government/Local Government on awareness generation.  
• Work with the Communities and CBOs, Panchayati Raj Institutions and Urban Local Bodies to create awareness against tobacco use and strengthen the implementation of COTPA. |
| 10     | Collector/DM from one/two districts or his nominee | • Represent District Administration and highlight the concerns of the implementation at District level. |
| 11     | Secretary (Law) or his nominee | • Advise the state level committee on legal issues pertaining implementation of COTPA. |
| 12     | Secretary (Panchayati Raj) or his nominee | • Enforcement of COTPA through the 3-tier elected Panchayati Raj Institution in the rural areas |
# Members of District Level Tobacco Control Committee & their Roles

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Departments/Agencies</th>
<th>Roles</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Deputy Commissioner</td>
<td>Regular monitoring, review and supervision of Tobacco Control Programme and Activities of Distt.level Tobacco control Committees</td>
</tr>
</tbody>
</table>
| 2.      | Senior Superintendent of Police       | Direct the Police Heads to enforce all the provisions under COTPA  
Regular review of COTPA implementation in the monthly crime review meetings and regular collection of violation related data.                                                     |
| 3.      | District Public Relations Officer     | District wide public awareness campaigns on harmful effects of tobacco use and provisions under COTPA.  
Develop awareness campaign materials for display at local events, melas, state IEC campaigns.  
Assist in development/adaptation of local IEC campaign materials for display and dissemination at local events, melas, local IEC campaigns. |
| 4.      | Drug Inspector/ Food Inspector        | For effective implementation of COTPA Act and strict compliance of FSSAI Act                                                                                                            |
| 5.      | NGO                                   | Sensitization of local masses regarding the COTPA so that there is no violation of act                                                                                                 |
Capacity Building

• Various Workshops have been organized by World Health Organization, International Union against Tuberculosis & Lung Diseases & other NGOs for capacity building. These workshops have been attended by State & District Officers.
  • Advocacy workshop for Media and NGOs organized on 27-1-14
  • Meeting of State Level Coordination Committee held on 3-2-14
  • Advocacy workshop for Nicotine Abuse held on 11-3-14
Challans Issued to Violators
# Year Wise Detail of Challans

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Year</th>
<th>No. of Challans</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Year 2012</td>
<td>13090</td>
</tr>
<tr>
<td>2</td>
<td>Jan, 13 to Dec 2013</td>
<td>23968</td>
</tr>
<tr>
<td>3</td>
<td>Jan. 14 to May 2014</td>
<td>9499</td>
</tr>
</tbody>
</table>
• On the occasion of State Level meeting Guidelines for implementation of Smoke Free Rules & Tobacco Free Educational Institutions & Health Workers Guide have been released by, Principal Secretary Health and Family Welfare, Punjab on 1oth April 2013.

• Guidelines will help District & Sub District Level law implementers for effective implementation of COTPA Act, 2003 to make Punjab a Tobacco Smoke Free State.

• Health Workers Guide will help in sensitization of Field level Health Workers about the law & importance of it’s effective implementation. It contains details of health effects of tobacco on human body.

Click here to view
http://pbhealth.gov.in/Health%20Workers%20Guide.pdf
RAID AT HUKKAH BAR
• Surprise raids were made at Hookah Bar named “Nawab Cafe” on 11th April 2013 & “Arabic Infusion” on 31st Dec 2013 in Mohali. Sample suspected of containing Nicotine and Tobacco has been seized by Health Department and sent to Lab for testing. They are closed now.
Partnering together to fulfill the vision of tobacco free Punjab