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SPEED POST

प्रीति सूदन
सचिव
PREETI SUDAN
Secretary

स्वास्थ्य एवं परिवार कल्याण मंत्रालय
जारी किया
27 OCT 2018
ISSUED
MINISTRY OF HEALTH & F.W.

सत्यमेव जयते

भारत सरकार
स्वास्थ्य एवं परिवार कल्याण विभाग
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
Government of India
Department of Health and Family Welfare
Ministry of Health & Family Welfare

D.O. No. P.16012/06/2017- TC
Dated, the 20th November, 2018

Dear Chief Secretary,

I am writing to you with regard to a initiative taken by the Ministry of Health and Family welfare in declaring the premises of Nirman Bhawan, New Delhi as 'Tobacco Free Zone'.

2. As you are aware, tobacco use is highly detrimental to health. It is a major risk factor for Cancer, Cardiovascular Diseases (CVD), Diabetes, Chronic Lung Disease, stroke, infertility, blindness, Tuberculosis (TB), Oral Cavity etc. To protect non-users from involuntary exposure to tobacco smoke, smoking in public place which includes all public offices, workplaces, canteen etc. has been banned under Section 4 of the Cigarettes and other Tobacco products (Prohibition of Advertisement and Regulations of Trade and Commerce Production, Supply and Distribution) Act (COTPA),2003.

3. Thus, in the interest of public health and with a view to keep the building clean, contributing towards the "*Swachh Bharat Swasth Bharat*" campaign, the initiative was taken. As such smoking and spitting of tobacco in the premise of Nirman Bhawan is prohibited and is a punishable offence. A copy of the Circular for Tobacco Free Nirman Bhawan alongwith the Guidelines for implementation of the "Tobacco Free Zone" policy is enclosed.

4. In this regard, it would be appropriate that all government buildings/offices of your State/UT are made tobacco free in order to protect public health. We would be happy to extend any technical support in this regard. I shall be thankful for your personal attention to the implementation of this policy.

Warm regards,
Yours sincerely,

(Preeti Sudan)

Encl: As above

Chief Secretaries of all States/UTs

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F. No. 16012/06/2017-TC
Ministry of Health and Family Welfare
Government of India
(Tobacco Control Division)

Nirman Bhawan, New Delhi
Dated, the 8th November, 2017

CIRCULAR

"TOBACCO FREE NIRMAN BHAWAN"

The harmful effects of tobacco use are well established and accepted globally. The use of tobacco is a prominent risk factor for 6 to 8 leading causes of death and almost 40% of the Non Communicable Diseases (NCD) including cancers, cardio-vascular diseases and lung disorders are attributable to tobacco use. The number of deaths every year in India which is attributable to tobacco use is almost 8-9 lakhs.

Whereas 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 (COTPA) in 2003, to protect the youth and the masses from adverse harmful effects of tobacco use and Second Hand Smoking.

Whereas COTPA envisages protection of non-user from involuntary exposure to tobacco smoke, which specifically finds mention in Section - 4 of the Act that prohibits smoking in public place which includes all public offices, workplaces, canteen etc,.

Whereas spitting of tobacco etc., leads to spread of swine flu, tuberculosis, and pneumonia and gastro-intestinal diseases. TB Bacilli can survive in spit for an entire day which causes health problems to the public or nuisance to the people in general.

Whereas Section 268 of the Indian Penal Code stipulates that *a person is guilty of a public nuisance who does any act or is guilty of an illegal omission which causes any common injury, danger or annoyance to the public or to the people in general who dwell or occupy property in the vicinity, or which must necessarily cause injury, obstruction, danger or annoyance to persons who may have occasion to use any public right.*

Whereas in the interest of public health and with a view to keep the building clean, thus contributing towards the *"Swachh Bharat Swasth Bharat"* campaign, the premise of Nirman Bhawan is declared as **"Tobacco Free Zone"**. As such smoking and spitting of tobacco in the premise of Nirman Bhawan are prohibited and is a punishable offence. Guidelines for implementation of the **"Tobacco Free Zone"** policy are **at Annexure.**

(Arun Kumar Jha)
Economic Adviser

Annexure

Guidelines for implementation of "Tobacco Free Zone"

1. A board shall be displayed prominently at each entrance of the building, near the lifts and on different wings of each floor, with the following specifications:

   a) The board shall be of a minimum size of 60 cm X 30 cm.
   b) The board shall contain the following warning "Use of any form of tobacco in this premise is prohibited and is a punishable offence with fine up to Rs. 200/-" in English or one Indian language, as applicable.
   c) The board shall display at the bottom the name and other details of the person(s) to whom a complaint may be made for violation.

Prototype Board

60 cm

2. Gazetted Officer(s) should be identified to whom complaint about violation(s) can be reported and should be authorized to impose and collect the fine against the violation. A challan/receipt book as in **Annexure-1** should be used for collection of the fine.

3. Fine so collected may be deposited in the head of account of the respective Ministry / Department.

4. Board (Size: 120 cm x 60 cm) as specified below should also be placed at the main entrance of the premise;

120 cm

5. A box should be placed at each entry gate of the building; any person who possesses any tobacco product should put it in the box before entering into the premise.

Annexure-1

Prototype of a receipt

Ministry / Department.....
.....BHAWAN, NEW DELHI
RECEIPT

Receipt No. **851** Date :.....

Received Rs. .....(in words)..,.....
.....
from .....S/o.....
R/o.....
.....on account of fine.

For offence committed by him at.....(Name of the Place) under the provisions of the Cigarettes and other tobacco products (prohibition of advertisement and regulation of trade and commerce, production, supply and distribution) Act, 2003 and Circular dated .....

Signature of the Offender Signature of the Authorized Officer