

**No.D2/86376/2012**  
Police Headquarters,  
Kerala, Thiruvananthapuram,  
Dated **03** / **10** / 2012

**CIRCULAR No: 34/2012**

Sub: Implementation of COTPA - including COTPA violations in monthly  
Crime Review -

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The Cigarettes and other Tobacco Products (prohibition of advertisement and regulation of Trade and Commerce, Production, Supply and Distribution) Act (COTPA) 2003 was enacted by Government of India mainly to discourage the consumption of Cigarettes and other Tobacco products through imposing progressive restrictions and to protect non-smokers from second hand smoke etc.

Accordingly prohibition of manufacture, sale etc of Gutka and Panmassala containing tobacco or nicotine have been banned in the State with effect from 2/5/2012 by the Commissioner of Food Safety.

The key provisions under the Act include:-


- 1) Prohibition of smoking in public places (section-4)
- 2) Prohibition on all forms of direct/indirect advertisement, promotion and sponsorship of tobacco products (section -5)
- 3) Prohibition and sale of tobacco products to minors (any person who is under eighteen years of age) (section -6 (a))
- 4) Prohibition and sale of tobacco products in an area within a radius of one hundred yards of any educational institution (section -6 (b))
- 5) Mandatory depiction of specified health warnings on all tobacco products (section -7)

The implementation of COTPA is best done when the system/mechanism is institutional. The Government of India and the Hon'ble Chief Minister has

suggested to include details of action taken against violations of COTPA as one of the agenda/points in the Monthly Crime Review and the same is collated and sent to Government in the prescribed format on a monthly basis.

All District Police Chiefs are directed to include the Police action against the violations of COTPA other related details as one of the agenda/points in the Monthly Crime Review and the same is collated and furnished to the Inspector General of Police, State Crime Records Bureau marking a copy to Police Headquarters in the attached proforma on a monthly basis from October 2012 onwards. The Inspector General of Police, SCRB will consolidate the details and send to the Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi - 110 108 on a monthly basis.

The violation of COTPA may also be included as an agenda/point in the Crime Review Meetings at Range and Zonal level.

  
State Police Chief.

3/11/12

To

All Officers in list 'B' for necessary action.

Copy to: The Inspector General of Police, SCRB with copy of the letter D.O.  
No.P/16012/1/2005/PH-I dated 4/9/2012 of Ministry of Health and  
Family Welfare, Government of India.