



ODISHA POLICE
CRIME BRANCH
CRIMINAL INVESTIGATION DEPARTMENT

No. 39732 /CID-Law
To

Date: 16 -11-2017.

All District SsP including SsRP, Rourkela & Cuttack and DCsP, Cuttack/Bhubaneswar.

Sub:- Enforcement measures suggested to check & prevent use of Hukkas in the Hotels, Restaurants and Bars etc.

...


In inviting a reference on the subject cited above, this is to intimate that intelligence inputs suggest that use of Hukkas has become a new fashion and Hukkas are widely available in Hotels, Bars and Restaurants in urban areas. School and College going boys and girls are getting attracted and turning up in large numbers for smoking of Hukkas which are, allegedly, easily available in such aforementioned public places. Use of un-filtered tobacco is dangerous to health of such young people which may be fatal in the long run. We also ought to know and ascertain the chemicals which are used in such Hukkas. At places such chemicals may be either nicotine products or may be Charas, Ganja or such other psychotropic substances to which the young generation may get addicted to.

Therefore, there is an urgent need to collect local intelligence and conduct raids at such places with seizure of Hukkas, chemicals which are used for smoking and send for Chemical Examination to State Forensic Science Lab. In suitable cases appropriate penal provisions under COTPA, 2003, Food Safety and Standards Act, 2006(FSS Act, 2006) and Juvenile Justice (Care and Protection of Children) Act, 2015 may be applied and take stringent action against the offenders.

While we take strong legal action and instil fear among the offenders of law, there is also a need to bring public awareness among the children, parents and educational institutions against the danger of use of Hukkas, which has resurfaced as a modern day fashion among the young generation.

It is also pertinent to mention that CB Circular No.09/2012 dated 29.05.2012 has already been circulated to all concerned on implementation of COTPA, 2003, which may also be referred to (Copy enclosed).

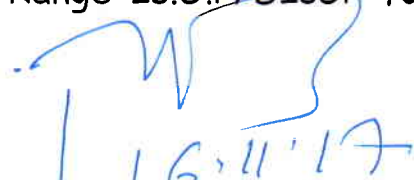
Govt. of India in the Department of Health and Family Welfare has recently issued a guideline on 21st September, 2017, with emphasis on protection of children and young people from being addicted to tobacco which may also be referred to and implemented.(copy enclosed).


16.11.17
(Dr. R.P. Sharma)
D.G. & I.G. of Police
Odisha, Cuttack.

Memo No. 39733/CID-LAW

Date: 16 -11-2017

Copy forwarded to Commissioner of Police, Bhubaneswar-Cuttack/Addl. D.G.P, Railways, Cuttack/all Range Is.G.P/DISGR for information and necessary action.


16.11.17
D.G. & I.G. of Police
Odisha, Cuttack.

Address-Buxibazar, Cuttack-753001, Tel-0671 -2304834
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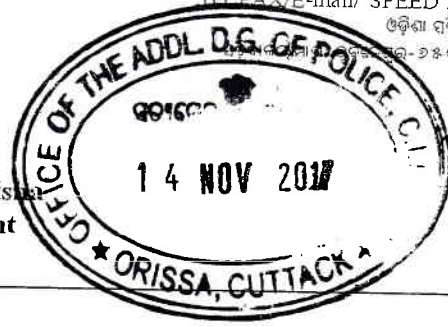
Odisha Secretariat,
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Bhubaneswar-751001
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ଓଡ଼ିଶା ସରକାର
ସ୍ୱରାଷ୍ଟ୍ର ବିଭାଗ

Government of Odisha
Home Department

BY FAX/E-mail/ SPEED POST



No. 42391 /C P & M, Bhubaneswar, dated- 10-11-2017 **TOP PRIORITY**
HOME-CHR-MISC-0069-2016

From

Dr. Sanjib Bala, IPS
Special Secretary to Government

To,

The DG & IG of Police, Odisha, Cuttack
The ADG of Police, CID, Crime Branch, Odisha, Cuttack
All SPs

All DCPs.

Sub: -. Preventing the children / non-user from the exposure to tobacco products. .

Sir,

I am directed to send herewith a copy of D.O. No. P-16012/14/2017-TC dated 21.09.2017 of **Economic Adviser**, Ministry of Health & Family Welfare, Govt. of India, Nirman Bhavan, New Delhi-110011 addressed to the Chief Secretary to Govt. of Odisha on the subject noted above and to say that appropriate action may please be taken at the earliest under intimation to this Deptt.

This may please be treated as **Most Urgent**.

Yours faithfully,

Special Secretary to Government
Dated. 10-11-2017

Memo No. 42392

Copy forwarded to the **Economic Adviser**, Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi-110011 for information with reference to D.O. No. P-16012/14/2017-TC dated 21.09.2017

Special Secretary to Government



ARUN KUMAR JHA

Economic Adviser

Tel. : 011-23061790

E-mail : arunkjha@nic.in



सत्यमेव जयते

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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.

Secretary, HbFW/H.E.U.D

Copy: Home Dept

Contd.

Healthy Village, Healthy Nation

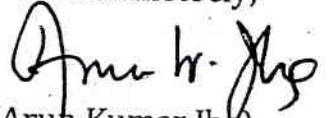
एड्स - जानकारी ही बचाव है

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 Aditya Prasad Padhi,
Chief Secretary,
Government of Odisha,
Secretariat Building,
Bhubaneshwar - 751001.