



Government of West Bengal
Office of the Chief Medical Officer of Health
Department of Health & Family Welfare
South 24 Parganas

Administrative Building, M R Bangur Hospital Complex, 241, Deshapran Sashmal Road, Tollygunge, Kolkata 33.
Mail Id- cmohs24pgs@gmail.com, Website- www.spghealthgov.in, Phone no / Fax - 033-2422 1037, 033-2422-0124

Memo No: CMOH (SPG) 8677

Dated: 11.9.18

To,

The District Inspector of Schools
Primary/ Secondary
South 24 Parganas

Subject: Implementing Tobacco Free School Policy under COTPA, 2003

On the above mentioned subject, the undersigned is directed to refer to the provision of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and to inform him that the following steps may be taken by the concerned authorities in this regard;

1. There may be display of "No Smoking Area" Signage at prominent places in the educational institutions as smoking in a public place is prohibited under Section 4 of the aforesaid Act.
2. In terms of the provision contained in Section 6 and Section 24 of the said Act, a board may be displayed at a conspicuous place(s) outside the premises prominently stating that sale of Cigarettes and other Tobacco Products in an area within a radius of one hundred yards of the educational institution is strictly prohibited and that it is an offence punishable with fine which may extend to two hundred rupees.
3. In terms of the aforesaid provision of the said Act, it may be ensured that nobody (faculties, staff, students, guardian, visitors) uses any forms of tobacco (Smoking or Smokeless) in the entire institution campus including its canteen and hostel.
4. In terms of the Notification No. G.S.R. 561 € dated 01.09.2004 of Ministry of Health and Family Welfare (Department of Health), Government of India, Distance of one hundred yards shall be measured radially starting from the outer limit of boundary wall, fence or as the case may be, of the educational institution.
5. Steps may also be taken to ensure that no tobacco products are being sold or offered in the entire premises of a school.
6. Random checking may be advised at the probable points of violation of the said law especially during the peak hours.
7. Each educational institution should have a "Tobacco Control Committee" in their respective institution to ensure the tobacco control related activities.

It is also mentioned that in terms of the prohibition of Smoking in the Public Places Rules, 2008 framed under the aforesaid Act, the head of the Educational Institution can impose fine upto Rs. 200/- on a person who uses/ sells tobacco products within the premises or hundred yards of an educational Institution.

Whereas Government of India has passed Juvenile Justice (Care and Protection of Children) Act, 2015 has become enforceable from January 15, 2016 across whole of India. According to Section 77 of this Act, 'Whoever gives, or causes to be given, to any child any intoxicating liquor or any narcotic drug or tobacco products or psychotropic substance, except on the order duly qualified medical practitioner, shall be punishable with rigorous imprisonment for a terms which may extend to seven years and shall also be liable to a fine which may extend up to one lakh rupees'. According to Section 2(12) of the Act "Child" means a person who has not completed eighteen years of age.

It is essential that all necessary steps are taken to implement Section 4 and Section 6a and 6b of COTPA, 2003, ensure that the display of specified signage under COTPA, 2003 is must, even if you don't come across any visible violation in the campus. Eliminating the violations, complying with the law and making an institute- a 'Tobacco Free educational institute' is a specific responsibility of a Head/ In-charge of the institution.

It is to be noted that all technical help in rolling out the initiative will be provided by South 24 Parganas District Administration and District Tobacco Control Cell, South 24 Parganas.


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Addl. District Magistrate (Health)
South 24 Parganas

Memo No: CMOH (SPG)

8677/1(2)

Dated:

11.9.18

Copy forwarded for kind information and taking necessary action to;

1. The Principal Secretary, Deptt of Health and Family Welfare, Govt. Of West Bengal
2. The Mission Director (NHM), Govt. Of West Bengal, Deptt of Health and Family Welfare
3. The District Magistrate, South 24 Parganas
4. The Sabhadhipati, Zilla Parishad, South 24 Parganas
5. The Superintendent of Police, Baruipur Police District, Diamond Harbour Police District and Sundarban Police District
6. The Chief Medical Officer of Health, Diamond Harbour Health District
7. Office copy


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Chief Medical Officer of Health
South 24 Parganas