

GOVERNMENT OF PUNJAB
DEPARTMENT OF HEALTH & FAMILY WELFARE
(HEALTH -5 BRANCH)

To

1. Financial Commissioner, Govt. of Punjab
Department of Excise & Taxation.
2. Principal Secretary to Govt. of Punjab
Department of Home Affairs.
3. Commissioner Foods & Drugs Admn. Pb.
cum M.D.NHRM.
4. Secretary to Govt. of Punjab
Local Government.

dated 12/8/14 Chandigarh

Subject: Incorporating the conditions of COTPA for granting licenses.

Kindly refer to the subject noted above.

As per directions of Govt. of India, Ministry Of Health & Family Welfare, that compliance to COTPA is a necessary condition in the licenses being issued to eating houses, restaurants, Bars, Discotheque or any commercial establishment including existing licenses The rules made therein should be introduced **as a pre-condition** for granting license.

- (1) The owner, proprietor, manager, supervisor or in charge of the affairs of a public place shall ensure that:
 - a) No person smokes in the public place (under his jurisdiction/implied).
 - b) The specified board is displayed prominently at the entrance of the public place, in case there are more than one entrance at each such entrance and conspicuous place(s) inside, In case if there are more than one floor, at each floor including the staircase and entrance to the lift/s at each floor.
 - c) No ashtrays, matches, lighters or any smoking apparatus or other things designed to facilitate smoking are provided in the public place.
- (2) The owner, proprietor, manager, supervisor or in-charge of the affairs of a public place shall notify and cause to be displayed prominently the name of the ACP/SHO of the area to whom a complaint may be made by a person(s) who observes any person violating the provision of these.

SPECIFICATION OF " NO SMOKING BOARD"

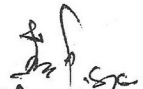
- The board shall be of a minimum size of 60 cm by 30 cm of white back ground
- It shall contain a circle of no less than 15 cm outer diameter with a red perimeter of no less than 3 cm wide with a picture, in the centre, of a cigarette or beedi with black smoke and crossed by a red band.

- The width of the red band across the cigarette shall equal the width of the red perimeter.
 - The board shall contain the warning "No Smoking Area-Smoking Here is an Offence", in English or one Indian language, as applicable.
- (3) The License/Certificate Holder shall also ensure to affix "No Smoking" sign board at prominent locations/places so as to convey a clear message, prohibiting use of tobacco in the entire public area.
- (4) The License/ Certificate Holder shall ensure that:
- The License/Certificate Holder shall ensure that a smoking area or space shall be used only for the purpose of smoking and no other service (s) shall be allowed.
 - (i) The smoking room should have exhausted directly to the outside and not mixed back into the supply air for the other parts of the building: and
 - (ii) It should be fitted with a non-re circulating exhaust ventilation system or an air cleaning system, or by a combination of the two, to ensure that the air discharges only in a manner that does not re-circulate or transfer it from a smoking area or space to non-smoking areas. That is exhausted directly to the outside and not mixed back into the supply air for the other parts of the building.
 - (iii) Under Food Safety Standard Act of India, the manufacture, the storage, the sale or the distribution of "Gutkha" and "Pan Masala" and any other Food products, containing Tobacco or Nicotine as ingredients by whatsoever name available in the market is prohibited.

The Licensee shall comply with the aforesaid conditions and breach of any of the condition shall entail cancellations/Suspensions/revocations of License. by the Issuing Authority.

May I request that above actions be initiated in your department before issuing the License so that the compliance to COTPA is mainstreamed in the existing licensing system of eating houses, restaurants, Bars, Discotheque or any commercial establishment..

Dated Chandigarh
, 2014


 Avtar Chand Sharma
 Additional Secretary, Govt of Punjab
 Deptt. Of Health & Family Welfare