

प्रेषक,

शिक्षा निदेशक(मा0)  
उ0प्र0, लखनऊ।

सेवा में,

जिला विद्यालय निरीक्षक,  
समस्त जनपद, उत्तर प्रदेश।

पत्रांक: शिविर/ 15764-15862 /2022-23 दिनांक 23 अगस्त, 2022

विषय: **Tobacco Free Educational Institution (ToFEI) के सम्बन्ध में।**

महोदय,

कृपया, निदेशक, स्कूल शिक्षा और साक्षरता विभाग, शिक्षा मंत्रालय, भारत सरकार, शास्त्री भवन, नई दिल्ली के पत्र संख्या: 18-4/2022-IS-6 दिनांक 07 जुलाई, 2022 एवं संयुक्त सचिव(AE & Coord.), स्कूल शिक्षा और साक्षरता विभाग, शिक्षा मंत्रालय, भारत सरकार, शास्त्री भवन, नई दिल्ली के पत्र संख्या: 18-29/2022-IS-15/14 दिनांक 12 जुलाई, 2022 की संलग्नों सहित संलग्न छायाप्रति का अवलोकन करने का कष्ट करें, जो Tobacco Free Educational Institution (ToFEI) के सम्बन्ध में है।

2- उक्तांकित संदर्भित पत्रों में उल्लिखित है कि तंबाकू का उपयोग दुनिया भर में रोकी जा सकने वाली मौतों और बीमारी का सबसे बड़ा कारण है। ग्लोबल यूथ टोबैको सर्वे (GYTS-4), 2019 की नेशनल फैक्टशीट से पता चला है कि 13 से 15 साल की उम्र के 8.5% स्कूल जाने वाले बच्चे किसी न किसी रूप में तंबाकू का प्रयोग करते हैं। इन निष्कर्षों से यह भी संकेत मिलता है कि यद्यपि तम्बाकू का उपयोग करने वाले बच्चों के अनुपात में गिरावट आई है, तथापि लड़कियों में तम्बाकू का उपयोग बढ़ रहा है।

बच्चों और युवा वयस्कों को तंबाकू के सेवन से बचाने के उद्देश्य से सिगरेट और अन्य तम्बाकू उत्पाद अधिनियम (सीओटीए), 2003 में कई प्रावधान किए गए हैं, जैसे कि शिक्षा संस्थान के 100 गज के अन्दर तंबाकू उत्पादों की बिक्री पर प्रतिबंध है। 18 वर्ष से कम आयु के व्यक्तियों को या उनके द्वारा तंबाकू उत्पादों की बिक्री पर प्रतिबंध और तंबाकू उत्पादों आदि किसी प्रकार के प्रत्यक्ष या अप्रत्यक्ष विद्यापनों का निषेध है। तंबाकू के उपयोग से जुड़े नुकसान के बारे में जागरूकता बढ़ाने के लिए स्वास्थ्य और परिवार कल्याण मंत्रालय ने Tobacco Free Educational Institution (ToFEI) के लिए दिशा-निर्देश जारी किए हैं। उक्त दिशा-निर्देशों के कार्यान्वयन को तेज करने की आवश्यकता है।

3- तत्कम में आपको निर्देशित किया जाता है कि भारत सरकार के उक्त पत्रों में दिये गये निर्देशानुसार आवश्यक कार्यवाही करना सुनिश्चित करें तथा कृत कार्यवाही से शिविर कार्यालय को अवगत करायें।

**संलग्नक-उक्तवत्।**

भवदीय,

श्रीमती(मंजु शर्मा)

अपर शिक्षा निदेशक(व्याव0शि0)

कृते शिक्षा निदेशक(मा0)

उ0प्र0, लखनऊ।

पृ0सं0: शिविर/

/2022-23 तददिनांक

प्रतिलिपि निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. निदेशक, स्कूल शिक्षा और साक्षरता विभाग, शिक्षा मंत्रालय, भारत सरकार, शास्त्री भवन, नई दिल्ली। (ई-मेल)
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3. संयुक्त सचिव, उत्तर प्रदेश शासन, माध्यमिक शिक्षा अनुभाग-03, लखनऊ।
4. महानिदेशक, स्कूल शिक्षा, उत्तर प्रदेश, लखनऊ। (ई-मेल)
5. महानिदेशक, चिकित्सा एवं स्वास्थ्य सेवार्ये, उत्तर प्रदेश, लखनऊ।
6. अपर राज्य परियोजना निदेशक, उत्तर प्रदेश माध्यमिक शिक्षा अभियान, लखनऊ।
7. मण्डलीय संयुक्त शिक्षा निदेशक, समस्त मण्डल, उ0प्र0 को संलग्नकों सहित इस निर्देश के साथ प्रेषित कि उपरोक्तानुसार कार्यवाही कराना सुनिश्चित करें। (ई-मेल)

श्रीमती(मंजु शर्मा)  
अपर शिक्षा निदेशक(व्याव0शि0)  
कृते शिक्षा निदेशक(मा0)  
उ0प्र0, लखनऊ।

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पत्रांक: शिविर/

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श्रीमती(मंजु शर्मा)

अपर शिक्षा निदेशक(व्याव0शि0)

कृते शिक्षा निदेशक(मा0)

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पृ0सं0: शिविर/

15764-15862

/2022-23 तददिनांक

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श्रीमती (मंजु शर्मा)

अपर शिक्षा निदेशक (व्याव०शि०)  
कृते शिक्षा निदेशक (मा०)  
उ०प्र०, लखनऊ।

No.F.18-4/2022-IS-6  
Government of India  
Ministry of Education  
Department of School Education & Literacy  
IS-6 Section  
\*\*\*\*

Shastri Bhawan, New Delhi  
Dated 7<sup>th</sup> July, 2022

To

Pr. Secretary/ Secretaries (School Education) of all States/ UTs.

**Sub: Implementation of Tobacco Free Educational Institution (ToFEI) Guidelines (Revised) in the States/UTs - reg.**

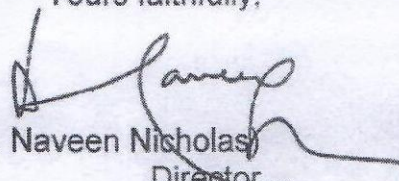
Madam/ Sir,

I am directed to forward herewith a copy of "Guidelines for Tobacco Free Educational Institution (Revised)" for taking further necessary action in your State/UT for effective implementation of the guidelines.

2. A report in this matter may also be sent to this Department.

Encl. As above.

Yours faithfully,

  
(Dr. E. Naveen Nicholas)  
Director

E-mail: naveen.nicholas@nic.in

Copy to: State Project Directors of Samagra Shiksha of all States/UTs.

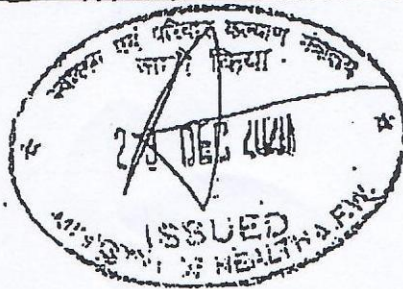
स्पीड पोस्ट द्वारा  
BY SPEED POST



**RAJESH BHUSHAN**  
Secretary  
Ministry of Health &  
Family Welfare

**ANITA KARWAL**  
Secretary,  
Deptt. of School Education &  
Literacy,  
Ministry of Education

**AMIT KHARE**  
Secretary,  
Deptt. of Higher Education  
Ministry of Education



D.O. No.P.16012/16/2017-TC  
18<sup>th</sup> December 2020

*Dear Colleague,*

Tobacco use is the single largest cause of preventable deaths and illness worldwide and kills half of its users prematurely, in their most productive age. As per the Global Youth Tobacco Survey (GYTS), 2009, 14.6% of students in India, aged between 13 to 15 years, use tobacco in any form. According to the Global Adult Tobacco Survey (2016-17), 28.6% of adults (15 year and above) in India use tobacco. The tobacco epidemic is estimated to impact about 27 crore tobacco users, mostly younger generation.

2. Government of India 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. The Act and Rules provide for a ban on smoking in public places and also prohibits sale of tobacco products to or by minors and within 100 yards of an educational institution.

3. Government of India has also launched the National Tobacco Control Programme in 2007-08. School awareness programme is one of the vital components under the National Tobacco Control Programme. In 2019, this Ministry issued "the Guidelines for Tobacco Free Educational Institutions [ToFEI]", with the key objective of providing fresh momentum to implementation of tobacco control initiatives in educational institutions. These guidelines need to be implemented by educational institutions, including schools, colleges/institutes for higher or professional education and universities, both in public and private sector. *A copy of Guidelines is enclosed.*

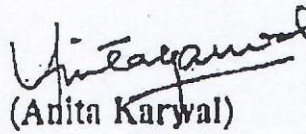
4. The ToFEI Guidelines lay down the roles & responsibilities of different stakeholders viz. Central Government; State Governments; Educational Institutions and Civil Society Organizations for making the Educational Institutions tobacco free. States are requested to implement this initiative as a priority and issue necessary instructions for implementing these guidelines in all educational institutions.

5. We sincerely hope and believe that through effective coordination between State Education and Health Departments, the "Tobacco Free Educational Institution" initiative will be successful. The effective implementation of ToFEI will go a long way in shaping the behavior of children and young adults, by sensitizing them to the harmful effects of tobacco use and create a healthy and tobacco free environment.

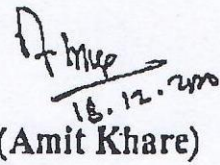
Yours sincerely,



(Rajesh Bhushan)



(Anita Karyal)



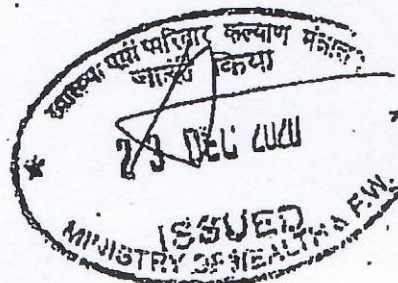
18.12.2019

(Amit Khare)

Encls. : A/a

To,

1. Additional Chief Secretary/ Principal Secretary/ Secretary - Health - All States/UTs.
2. Additional Chief Secretary/ Principal Secretary/ Secretary - Medical Education- All States/UTs.
3. Additional Chief Secretary/ Principal Secretary/ Secretary - School Education - All States/UTs.
4. Additional Chief Secretary/ Principal Secretary/ Secretary - Higher Education - All States/UTs.
5. Additional Chief Secretary/ Principal Secretary/ Secretary - Technical Education - All States/UTs.





Ministry of Health  
& Family Welfare  
Government of India



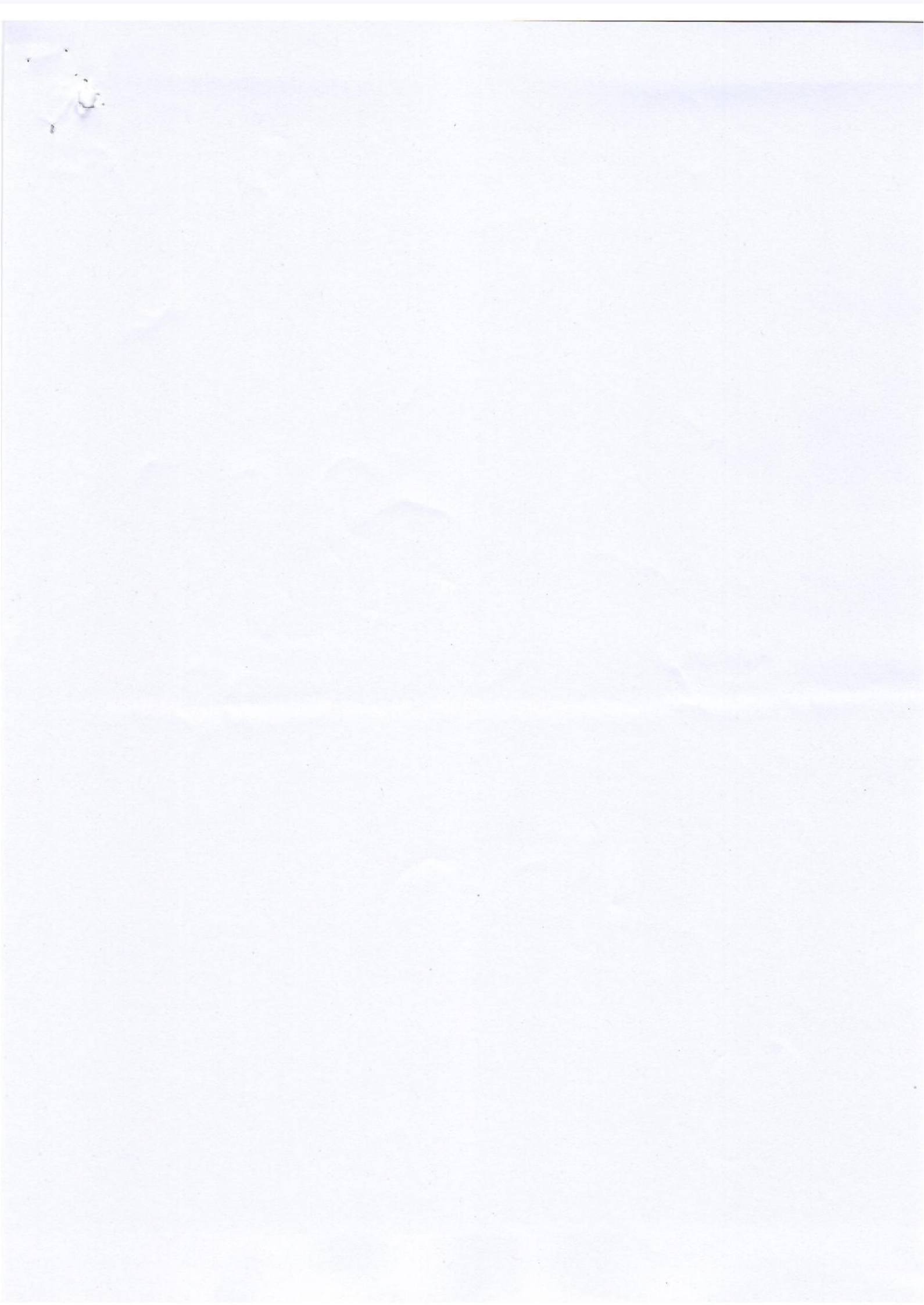
# Guidelines

**FOR** TOBACCO FREE  
EDUCATIONAL  
INSTITUTION  
(Revised)





**Guidelines** for  
Tobacco Free Educational Institution  
(Revised)



# 1. BACKGROUND:

## 1.1 Tobacco Prevalence:

- 1.1.1 Tobacco use is the single largest cause of preventable deaths and illness worldwide and it kills half of its users prematurely, mostly in their most reproductive age. Tobacco use is a major risk factor for Cancer, Cardiovascular Diseases (CVD), Diabetes, Chronic Lung Disease, stroke, infertility, blindness, Tuberculosis (TB), Oral Cavities etc. There are mainly two forms of tobacco – Smoking Tobacco and Smokeless Tobacco. Cigarettes, bidi, hookah are smoking tobacco whereas khaini, zarda, gutkha etc. are smokeless tobacco.
- 1.1.2 According to the Global Adult Tobacco Survey (2016-17), 28.6% of adults (15 year and above) in India use tobacco, overall there are about 27 crore tobacco users: 20 crore of them smokeless tobacco users, 10 crore smokers and 3.2 crore use smoking as well as smokeless tobacco. The prevalence of tobacco use is highest in Tripura (64.5%) followed by Mizoram (58.7%) and Manipur (55.1%).
- 1.1.3 As per the Global Youth Tobacco Survey (GYTS), 2009, 14.6% of students in India aged between 13 to 15 years use tobacco. GYTS is a nationally representative school-based survey of students in grades associated with age 13 to 15 years.
- 1.1.4 In India, over 13.00 lakh people die from tobacco use every year, i.e. about 3500 people die in India everyday due to tobacco use.
- 1.1.5 Exposure to Second-hand Smoke (SHS) or passive smoking causes numerous health problems in infants, children and adults including more frequent and severe asthma attacks, respiratory infections, ear infections, sudden infant death syndrome (SIDS), coronary heart disease, stroke, lung cancer etc.
- 1.1.6 Spitting of tobacco/tobacco products is also a public health hazard, as it may lead to spread of swine flu, pneumonia, gastro-intestinal diseases, creating a potential risk of transmission of Tuberculosis as Tuberculosis Bacilli can survive in spit for an entire day or nuisance to the people in general.

## 1.2 Tobacco Control Efforts:

- 1.2.1 The Government of India enacted its comprehensive tobacco control law the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA 2003) in 2004, with a view to make provisions to effect reduction in tobacco use.
- 1.2.2 Various Rules were notified for effective regulation of tobacco products from time to time. These provided for prohibition of;
  - Smoking in public places,
  - Sales of tobacco products to and by minors,
  - Sale of tobacco products within 100 yards of educational institutions and,
  - Direct and indirect advertising and promotion of tobacco products.
- 1.2.3 Apart from these provisions, display of statutory warning on tobacco packs was also

implemented. The same has now been revised for 85% of pack area to be covered with the warnings along with display of the national quit-line number.

- 1.2.4 India has also effectively implemented the rules for restricting the depiction of tobacco products in films and television programs. It is mandatory to display the statutory warning during the display of tobacco products in films & television programmes and anti-tobacco video spot & disclaimer at beginning and middle of the films.
- 1.2.5 Smokeless Tobacco Products such as Gutkha, Zarda, Khaini etc. have been prohibited vide the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulation, 2011 under Food Safety and Standards Act, 2006.
- 1.2.6 Tobacco control efforts of India gained a fresh impetus with launch of the National Tobacco Control Programme (NTCP) in 2007-08. NTCP is a comprehensive programme, which not only provides a robust framework for implementation of tobacco control laws/initiatives but also focuses on community engagement, school programme, IEC and advocacy.
- 1.2.7 Various cessation services have been set up under the NTCP. A national quitline was launched in 2016. The capacities of the quitline have now been expanded to cater to the higher volume of calls from prospective quitters in view of display of the quitline number on tobacco packs. The quitline caters to around 2.5 lakh telephone calls every month. Over 400 Tobacco Cessation Centers have been set up. "mCessation" services are also being provided through a mobile app.

A summary provisions for tobacco control under various Acts and Rules is given in Annexure I.

## 2. Introduction:

- 2.1 The second round of Global Adult Tobacco Survey (GATS2) was carried out in 2016-17 and its report was published in 2018. A 6% absolute decline in tobacco use has been observed in GATS2. This demonstrates the success of India's tobacco control efforts.
- 2.2 However, tobacco use remains very high and these efforts need to be scaled up and sustained. New and emerging electronic products (e-cigarettes and like products) pose new challenges to these efforts.
- 2.3 Given that the GYTS and GATS indicated that there is significant tobacco use among adolescents and young adults as they are most vulnerable to the exposure to tobacco use, the Government of India had released\launched\prepared the "Guidelines for Tobacco Free Schools/Educational Institutions" in 2008 and "Step by Step Guidelines for implementation of Section 6 (b) of the Act and Rules" in 2017. Many new initiatives have since been taken. The GATS2 data has also suggested that there is need to review the earlier guidelines, hence these guidelines.
- 2.4 Objective of these Guidelines is to provide a fresh momentum to implementation of tobacco control initiatives among adolescents and young adults. These guidelines may be implemented by any educational institution, including schools at all levels, colleges for higher or professional education and universities, both in public and private sector.

## 2.5 Implementation of these guidelines should result in –

- More awareness about harmful effects and long-term health impact of tobacco use amongst the students, teachers, workers and officials in educational institutions.
- Awareness about various avenues available for tobacco cessation.
- A healthy and tobacco free environment in educational institutions and all educational institutions becoming tobacco free.
- Better implementation of legal provisions regarding sale and use of tobacco products, especially those related to educational institutions, public places, statutory warnings and minors.

2.6 These guidelines provide a framework for achieving the above-mentioned objectives. Apart from specifying the factors for a Tobacco Free Educational Institution (ToFEI), these guidelines also detail the roles and responsibilities for various stakeholders.

## 3. TOBACCO FREE EDUCATIONAL INSTITUTION

- 3.1 An Educational Institution (EI) should display “Tobacco Free Educational Institution” signage as specified in Annexure II in the premises of the EI; and a “Tobacco Free Area” signage as specified in Annexure III outside the EI. The signage could be in the form of boards or wall paints. It may be noted that the formats given in the Annexures II and III are only suggestive. The Educational Institution is encouraged to innovate or adapt the signage according to their capacity and context. Care should also be taken to communicate the correct intended message while customizing the signage. The signage should be displayed in the language of instruction in the Educational Institution and also in the local language if it is so possible.
- 3.2 The signage should be displayed at prominent places outside and in the premises such as on the boundary wall, the main entrance, the official notice boards and any such place where the management thinks that these would communicate the intended message effectively.
- 3.3 The Educational Institution should designate Tobacco Monitor(s) from amongst their staff, an official or a teacher or a student representative (the student from class IX onwards). Health & Wellness Ambassadors should also be designated as Tobacco Monitors. The name, designation and phone number of the Tobacco Monitor(s) should also be mentioned on the signages. Multiple Tobacco Monitors may be designated and in-fact it might be a good idea to do so. For example – appointment of a Tobacco Monitor for each class from amongst the students in the class. Participation of the most important stakeholder, the students of secondary school (classes IX to XII), would be key to successful implementation of the initiative. Care should be taken that tobacco users may not be designated as Tobacco Monitors.
- 3.4 The EI management should ensure that *no tobacco products are sold* inside the premises and in an area within a 100 yards from the premises. Any violation should be reported to the National Quitline at 1800-11-2356. The Management should also, if possible, with the help of local law enforcement authorities and community, including parents, make efforts to stop such sales. It may be noted that the Head of the Institution is also authorized to collect fine for violation of section 6(b), sale of tobacco products within 100 yards of an educational institution. EI should also with the help of local authorities mark such boundaries /area which clearly defines the 100

yards area to ensure that no tobacco products are sold within marked area.

- 3.5 The EI management must not permit any use of tobacco products in the premises of the institution by anybody, including students, teachers, other staff members, school buses' drivers & staff and visitors. Observance of the "No Tobacco Use" norm should be included in EI's code of conduct guidelines and action should be taken against such violations as per EI's internal policy. This may include community service, information to and discussions with parents. Another suggestion is to make tobacco users ineligible for the Student\Teacher\Staff of the Year Award or other awards given for co-curricular excellence.
- 3.6 Since the premises of all EIs by their nature are public places, smoking inside the premises of an EI is a violation of section 4 of the COTPA. The Head of all Educational Institutions are also authorized to impose and collect fine under the COTPA, 2003 for such violations.
- 3.7 The Food Safety and Standards (Prohibition and Restrictions on Sales) Regulation, 2011 prohibits the use of tobacco and nicotine as ingredients in food products and as such various States have issued necessary orders for prohibiting the sale of Gutkha and Pan Masala (containing tobacco or nicotine). In 2016, communication was sent to all States/UTs to pass necessary orders in compliance of the Hon`ble Supreme Court order dated 23.09.2016 and ensure that the manufacture, storage, distribution or sale of gutkha and pan masala (containing tobacco or nicotine) and any other products marketed separately having tobacco or nicotine in the final product by whatever name called, whether packaged or un-packaged and/or sold as one product, or though packaged as separate products, sold or distributed in such a manner so as to easily facilitate mixing by the consumer is prohibited in the jurisdiction of the respective States. Though Pan Masala without tobacco and/or nicotine is a standardized product under the Food Safety and Standards Act, 2006 and Regulations made thereunder, it may be noted that it is injurious to health and its use should be discouraged.
- 3.8 The EI should also help tobacco users and tobacco addicts to quit tobacco by encouraging them to avail the Quitline services and mCessation services. Information about these services can be obtained from the Quitline.
- 3.9 A ToFEI must not participate in any event sponsored by any firm or a subsidiary of a firm or a seller, which promotes the use of or manufactures or sells tobacco products in any form. EIs/ Students should also not accept any prize or scholarship instituted by such firms.
- 3.10 The EI management and the Tobacco Monitors must also be vigilant to note the tobacco substitutes such as e-cigarettes and the like devices viz. Heat-Not-Burn devices, Vape, e-Sheesha, e-Nicotine Flavoured Hookah. Such products, though not tobacco products, are also harmful for health. E-cigarettes come in many shapes and sizes which look like regular cigarettes, cigars, pipes, pens, USB flash drives, with sleek high-tech design with re-chargeable batteries. These products are usually marketed as being safer alternatives for conventional cigarettes but such notion of safety is false. There is evidence that these products induce adolescents and young adults to nicotine use leading to addiction. Any use of such products on the campus may be reported to the Quitline.
- 3.11 The Institution may use the Self-Evaluation Scorecard for Tobacco Free Educational Institution given in Annexure IV, to assess the status of implementation of the ToEFI Guidelines in their institution on half-yearly basis and to get a certificate to this effect to those EIs who score 90% and above marks. Once the EI is satisfied that they have achieved the benchmark score, the

EI can choose to participate in the ToFEI Award Scheme. A ToFEI Certificate will be awarded to a ToFEI if the EI's score is found to be equal to or more than the benchmark score after verification. Details of the ToFEI Award Scheme will be issued separately by the MoHFW.

**3.12 Tobacco Control activities:** The EI should undertake tobacco control activities from time to time. Some suggestive activities are as under –

- Assemblies for taking pledge against tobacco,
- Poster/slogan/essay/quiz/debate competitions and street plays etc. Posters so developed with information about the harmful effects of tobacco should be displayed at prominent places in the educational institution.
- The EI management should encourage tobacco control initiatives by students /teachers/ other staff and certificates of appreciation or awards may be given to those who take initiative and do good work in this regard.
- The EI should invite the local law enforcement authorities /and health authorities to be the part of school assembly and deliver an address on tobacco control. This will facilitate in advocating the policy makers on tobacco related issues.
- Marking of 100 yards area from the outer limit of boundary wall / fence of the EI.

The above list is only suggestive and the EI team should explore other options as well.

## **4. ROLES & RESPONSIBILITIES**

### **4.1 Ministry of Health & Family Welfare – Tobacco Control Division (National Tobacco Control Cell)**

- 4.1.1 To ensure that communications/advisories are sent to State Tobacco Control Cell for monitoring these guidelines at regular intervals.
- 4.1.2 IEC materials/ prototypes like posters, flip charts, brochures must be disseminated to States and uploaded on the NTCP website [www.ntcp.nhp.gov.in](http://www.ntcp.nhp.gov.in)
- 4.1.3 To collaborate with Ministry of Human Resource Development (Department of School Education and Department of Higher Education) for inclusion of a chapter on the harmful effects of tobacco use in curricula.
- 4.1.4 To develop a monitoring mechanism for evaluation and assessment of implementation of Guidelines for ToFEI through internal review mechanism.
- 4.1.5 The National Cell will also put a mechanism in place for certification of EIs and for providing a Certificate to an EI that successfully reaches the benchmark score of 90/100.

### **4.2 STATE/DISTRICT TOBACCO CONTROL CELL:**

- 4.2.1 Coordinate with State Education Departments (School/Higher/Technical/Medical Education) to institutionalize tobacco control by incorporating tobacco control activities in their Academic calendar. Efforts should also be made to make these guidelines a part of the terms and conditions for affiliation to the State Education Board.



- 4.2.2 Coordinate with State Education Departments for sending circular to all Heads of Institutions to comply with the guidelines and permitting them to utilize the funds available under the untied grants available to Educational Institutions through government grants.
- 4.2.3 District Authorities and Local Bodies should be encouraged to set up institutional mechanisms to facilitate implementation of these guidelines and monitoring and review implementation and also to provide support to managements of institutions taking initiative for helping enforcement of COTPA.
- 4.2.4 To ensure the dissemination of these guidelines in all educational institutions in coordination with Education Departments. Funds under National Tobacco Control Programme can be utilized for this.
- 4.2.5 To make efforts to get questions related to 'Tobacco Free Educational Institution' included in existing monitoring/inspection mechanism of Education Departments.
- 4.2.6 To engage with Department of Rural Development/Urban Administration for setting up institutional mechanism for supervision and monitoring of these guidelines through Village Health, Sanitation & Nutrition Committees in rural areas and Mahila Arogya Samitis and Mohalla Samitis\Ward Sabhas in urban areas.
- 4.2.7 Representatives of the State Education Departments (School/Higher/Technical/Medical Education) should be co-opted in the State and District Level Coordination Committees and status of implementation of these guidelines should be reviewed in each of their meetings.

#### 4.3 Civil Society Organizations:

Civil Society Organizations (CSO) can play a pivotal role in implementation of guidelines, specially in its dissemination and in building capacities of managements and teams in Educational Institutions. CSO can also support the STCCs, DTCCs and EIs by providing inputs such as technical assistance for IEC. The CSOs can also undertake assessment of implementation status of these guidelines in an EI and assist the institution in removing gaps in implementation or mobilize support from the local institutions, wherever necessary. The STCCs and DTCCs can and should look to actively partner with CSOs, wherever possible, for not only implementation but also for eliciting valuable feedback about implementation status and challenges, to effect course corrections.

## ANNEXURE - I

ACT	Section	Offence	Penalties	
COTPA	Section 4*	Smoking in Public Places	Fine upto Rs.200 under section 21	
	Section 6a*	Sale of tobacco products to or by minors	Fine upto Rs.200 under section 24	
	Section 6b*	Sale of tobacco products within 100 yards of any Educational Institute	Fine upto Rs.200 under section 24	
	Section 5	Direct/indirect advertisement of tobacco products and scholarship/ sponsorship of any event by tobacco companies	Under Section 22- <b>First Offence:</b> Fine up to Rs. 1000/- or imprisonment up to two years or both <b>Subsequent offence:</b> Fine up to Rs. 5000/- or imprisonment up to five years or both	
	Section 7	Mandatory display of specified health warnings on all tobacco product packs	Under Section 20 - <b>First Offence for Producer or Manufacturer:</b> Fine up to Rs 5,000/- or imprisonment up to two years or both. <b>Subsequent Offence:</b> Fine up to Rs 10,000/- and imprisonment up to five years	Under Section 20 - <b>First Offence for Seller or distributor:</b> Fine up to Rs 1,000/- or imprisonment up to one year or both. <b>Subsequent Offence:</b> Fine up to Rs 3,000/- and imprisonment up to two years
Juvenile Justice Act	Section 77	Giving or causing to give any addictive substance including tobacco to minors	Upto 1 lakh fine and 7 years imprisonment	
Indian Penal Code	Section 268	Creating Public nuisance which causes any common injury, danger or annoyance to the public	Fine upto Rs. 200/-	
	Section 269	Negligent act likely to spread infection of disease dangerous to life	Imprisonment upto 6 Months or Fine or both	
	Section 278	Making atmosphere noxious to health	Fine upto Rs. 500/-	
Food Safety and Standards Act, 2006 (FSSA, 2006)	Regulation 2.3.4 of Food Safety and Standards (Prohibition and Restrictions on sales) Regulations, 2011	Use of Tobacco and nicotine as ingredients in any food products.	Penalty not exceeding Rs. 10.00 lakh under Section 57 (1) (ii) of FSSA, 2006	

\* A list of authorized officers to enforce the provisions of COTPA, 2003 and Rules made thereunder is as under;

Following persons shall be authorized to impose and collect the fine against the violation of Section 4

Sl. No.	Person Authorized to take action	Description of Public Place
1	Inspectors of Central Excise / Income tax/ Customs/ Sales Tax/Health/Transport and above	All Public Places within their jurisdiction
2	Station Master/Asstt. Station Master/ Station Head/Station in charge	Railways and all its Premises
3	All Gazetted Officers of State/ Central Government or equivalent rank and above in Autonomous Organizations /PSU	Government offices / premises and offices of the autonomous bodies and corporations
4	Director/ Medical Superintendent/ Hospital Administrator	Government and Private Hospital
5	Post Master & Above	Respective Post Office in their jurisdiction.
6	Head of the Institution/HR Manager/Head of Administration	Private Offices / Workplaces
7	College / School/Headmaster Principal/Teacher	Respective Educational Institutions
8	Librarian/Asstt. Librarian/Library in-charge/ other administrative staff in library	Libraries/ Reading Rooms.
9	Airport Manager/Officers of Airport Authority of India and Officers of all schedule Airlines	Airports
10	Director Public Health/ Director Health Services	All Public Places
11	In charge Administration in Central/ State Government.	All Public Places
12	Nodal Officers/Focal Points of Anti-Tobacco Cell at District and State level	All Public Places
13	Police Officers not below the rank of Sub-Inspector of Police	All Public Places within their jurisdiction.
14	Officers of State Food & Drug Administration not below the rank of Sub-Inspector of Police.	All Public Places within their jurisdiction.
15	Representatives of Panchyati Raj Institutions (Sarpanch / Panchayat Secretary)	All Public Places within their jurisdiction.
16	Dist Program Manager/ Finance Manager - Dist Health Society (National Rural Health Mission)	All Public Places within their jurisdiction.
17	Civil Surgeon /Chief Medical Officer(CMO) at District Hospital/ Medical Officer at Primary Health Centre (PHC)	Hospital Buildings /Health Institutions/ dispensaries
18	Registrar/ Deputy Registrar/ Public Prosecutors/ Government Counsels.	Court Buildings
19	Inspector of Schools/ District Education officer	Educational Institutions
20	Traffic Superintendents /Asst Traffic Superintendents / Bus Station Officer / Ticket Collector or Conductor.	Public Conveyances
21	Travelling ticket Examiner/ Chief Ticket Inspectors/ Ticket Collectors/ Officers not below the rank of ticket collector or equivalent rank not below the rank of Asst Sub-Inspector of Railway Protection Force	Railways

Following persons shall be authorized to impose and collect the fine against the violation of Section 6 (a & b)

Sl. No.	Authorized Person to enforce section 6 (a & b)
1.	Vice Chancellor or Director or Proctor or Principal or Headmaster or In-Charge of an Educational Institution
2.	Assistant Labour Commissioner from the Department of Labour
3.	All officers of the rank of Sub-Inspector in State Food and Drug Administration from the Department of Food and Drugs
4.	All officers of the rank of Inspectors from the Department of Education
5.	All police officers of the rank of Sub-Inspector of Police and above
6.	Municipal Health Officers
7.	Representatives of Panchayati Raj Institutions (Chairperson or Sarpanch or Panchayat Secretary)
8.	District Programme Manager or Finance Manager- District Health Society (National Rural Health Mission)
9.	Civil Surgeon or Chief Medical Officer at District Hospital or Medical Officer at Primary Health Centre (PHC)
10.	Block Development Officer, Block Extension Educator(BEE)
11.	Director or Joint Director Department of Health, and Department of Education in the State Government
12.	Nodal Officers of State and District Tobacco Control Cell under National Tobacco Control Programme

**ANNEXURE - II**  
**(Prototype Sign Board/Wall Paint)**

**TOBACCO FREE EDUCATIONAL INSTITUTION**

Sale of cigarettes and other tobacco products in an area within radius of one hundred yards of this educational institution is strictly prohibited and is a punishable offence.

**If you see any violation, please report to –**

Name \_\_\_\_\_

Designation \_\_\_\_\_

Contact Person \_\_\_\_\_

OR


**Call at Quitline Number – 1800-112-356 (Toll free)**

**By Order**

45 CM

60 CM

ANNEXURE -III  
(Prototype Sign Board / Wall Paint)



**TOBACCO FREE AREA**  
Tobacco Use here is a Punishable Offence

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If you see any violation, please report to -  
Name \_\_\_\_\_  
Designation \_\_\_\_\_  
Contact No. \_\_\_\_\_

OR

Call at Quitline Number – 1800-112-356 (Toll free)

60 CM

45 CM

## ANNEXURE - IV

### Self-Evaluation Scorecard for Tobacco Free Educational Institution

Name of the Educational Institution:-

Name and Designation of Evaluator:-

Date of Evaluation:-

Final Score of the Educational Institute: .....

Sl. No.	Criteria	Weightage Points	Scored points by the Institute
1	Display of 'Tobacco Free Area' Signage inside the premise of Educational Institute at all prominent place(s).	Mandatory (10)	
	The name/designation/contact number are mentioned / updated in the signage	Mandatory (10)	
2	Display of "Tobacco Free Education Institution" signage at entrance/ boundary wall of Educational Institute.	Mandatory (10)	
	The name/designation/contact number are mentioned / updated in the signage	Mandatory (10)	
3	No evidence of use of tobacco products inside the premise i.e. cigarette/beedi butts or discarded gutka/tobacco pouches, spitting spots.	Mandatory (10)	
4	Poster or other awareness materials on harms of tobacco displayed in the premise.	9	
5	Organisation of at least one tobacco control activity during last 6 months.	9	
6	Designation of Tobacco Monitors and their names, designations, and contact number are mentioned on the signages	9	
7	Inclusion of "No Tobacco Use" norm in the EI's code of conduct guidelines	9	
8	Marking of 100 yards area from the outer limit of boundary wall / fence of the EI.	7	
9	No shops selling tobacco products within 100 yards of the Educational Institute.	7	

## Prototype of a receipt

(Name and Address of educational institution)

### RECEIPT

Receipt No. 851

Date : .....

Received Rs. .... (in words) .....

from ..... D/S/o.....

R/o.....

.....on account of fine for violation of  
Section-4/Section-6/Others 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

Signature of the Offender

Signature of the Authorized Officer



## Abbreviations used in the Guidelines

COTPA	Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003
CSO	Civil Society Organizations
CVD	Cardio Vascular Diseases
DTCC	District Tobacco Control Cell
EI	Educational Institutions
GATS	Global Adult Tobacco Survey
NTCP	National Tobacco Control Programme
STCC	State Tobacco Control Cell
ToFEI	Tobacco Free Educational Institution





सूचना का  
अधिकार

भारत सरकार  
शिक्षा मंत्रालय  
स्कूल शिक्षा और साक्षरता विभाग  
शास्त्री भवन  
नई दिल्ली - 110 115  
GOVERNMENT OF INDIA  
MINISTRY OF EDUCATION  
DEPARTMENT OF SCHOOL EDUCATION & LITERACY  
SHASTRI BHAVAN  
NEW DELHI-110 115

Vipin Kumar  
Joint Secretary (AE & Coord.)  
Tel: 011- 23070927  
Email: jscord-mhrd@gov.in

D.O. No. 18-29/2022-IS.15/14

Dated: 12<sup>th</sup> July, 2022

Dear Sir/ Madam,

VS(S)/Dir,SE Tobacco use is the single largest cause of preventable deaths and illness worldwide and kills half of its users prematurely, in their most productive age. The National Factsheet of the Global Youth Tobacco Survey (GYTS-4), 2019 has revealed that 8.5 % of school going children in the age group of 13 to 15 years use tobacco in some form. These findings also indicate that though there is decline in proportion of children that use tobacco, however, tobacco use among girls is on the rise.

2. With the objective of protecting children and young adults against initiation on tobacco use, several provisions have been made in the Cigarettes and Other Tobacco Products Act (COTPA), 2003, such as prohibition of sales of tobacco products within 100 yards of an educational institution, prohibition of sale of tobacco products to or by persons aged less than 18 years and prohibition of any-form of direct or indirect advertisements of tobacco products etc. Recognizing the need for early intervention and for increased awareness about the harms associated with tobacco use, the Ministry of Health and Family Welfare has released the Guidelines for "Tobacco Free Educational Institutions (ToFEI)". The ToFEI Guidelines has already been disseminated to States/UTs through D.O. No. P.16012/16/2017-TC, dated 18th December, 2020. However, the pace of Implementation of these Guidelines needs to be accelerated.

3. In this regard, it is requested from you to kindly take necessary action within your State Education Departments/ Autonomous organization, including for School Education, Higher Education and Technical Education, to undertake periodic special drives for enforcement of the provisions of COTPA, 2003 and for implementation of the Guidelines for ToFEI.

4. The role of the States/UTs is extremely important in creating a healthy and tobacco free environment on Educational institutions, leading to a healthier Nation. It is, therefore earnestly requested from all the states and UTs to put in their best efforts for realizing this goal.

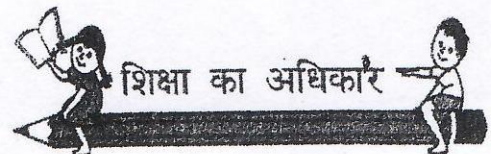
Yours sincerely,

Regards,

12/07/22  
(Vipin Kumar)

To:

1. Principal Secretary/ Secretary, School Education, all States/UTs
2. Chairperson, CBSE
3. Director, NCERT
4. Commissioner KVS
5. Commissioner NVS



24. ACB  
12/07/22

R.M.S.A

शिक्षा निदेशक (मिड)  
उत्तर प्रदेश लखनऊ