

F. No. P-16019/04/2015-PH-I
Government of India
Ministry of Health & Family Welfare
PH Division

Nirman Bhawan, New Delhi - 110108

Dated: 01st April, 2016

To

pleasure
OK
30



All Chief Secretaries of State/UT's (as per list attached)

Sir / Madam,

"The Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003" was enacted in May 2003 mainly to discourage the use of tobacco and to protect the youth and the masses from exposure to second hand smoke (SHS). This Act is applicable to all the tobacco products and extends to whole of the country. Section - 7 of the Act provides for Specified Health Warnings on all tobacco product packs.

2. The Ministry of Health & Family Welfare has notified the new pictorial warnings vide notification G.S.R. No.727 (E) dated 15th October, 2014. These new rules apply to all types of tobacco products produced, supplied or distributed in India. As per the new Rules, the health warnings shall be depicted on both sides of the tobacco product packages covering 85% of the principal display area. The date of implementation of these Rules has been notified vide G.S.R. 739 (E) dated 24th September, 2015 to be with effect from 1st April, 2016. A copy of the Rules / Notification is at Annexure -A.
3. The depiction of specified health warnings would bring greater awareness and sensitization about the serious and adverse health consequences of tobacco use especially among the youth, children and the illiterate. Effective implementation of the Rules depend on concerted efforts of all the concerned Ministries / Departments of the Govt. of India as well as State Governments.
5. I shall be grateful if you could kindly take the necessary steps to ensure that the provisions of the rules are duly enforced under your jurisdiction.

Yours faithfully,

K.C. Samria
01/04/2016
(K.C. Samria)

Joint Secretary to Government of India

Tele: 011-2306 1481

Fax: 011-2306 3506



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 595]

नई दिल्ली, सोमवार, सितम्बर 28, 2015/आश्विन 6, 1937

No. 595]

NEW DELHI, MONDAY, SEPTEMBER 28, 2015/ASVINA 6, 1937

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

(स्वास्थ्य एवं परिवार कल्याण विभाग)

अधिसूचना

नई दिल्ली, 24 सितम्बर, 2015

सा.का.नि. 739(अ).—केन्द्र सरकार सिगरेट एवं अन्य तंबाकू उत्पाद (विज्ञापन का निषेध तथा व्यापार एवं वाणिज्य, उत्पादन, आपूर्ति एवं वितरण विनियमन) अधिनियम, 2003 (2003 का 34) की धारा 7 की उप-धारा (1), धारा 8, धारा 9 की उप-धारा (2), धारा 10 तथा धारा 31 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और शुद्धिपत्र सा.का.नि. 228(अ), दिनांक 26 मार्च, 2015 का अधिक्रमण करते हुए, सिगरेट और अन्य तंबाकू उत्पाद (पैकेजिंग एवं लेबलिंग) संशोधन नियमावली, 2014 में नियम 1 के उपनियम (2) के स्थान पर निम्नलिखित को प्रतिस्थापित किया जाएगा, नामतः :—

"(2) ये नियम 1 अप्रैल, 2016 से लागू होंगे।"

[फा. सं. पी-16011/05/2012-पी.एच-1]

के. सी. सामरिया, संयुक्त सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

NOTIFICATION

New Delhi, the 24th September, 2015

G.S.R. 739(E).—In exercise of the powers conferred by sub-section (1) of section 7, section 8, sub-section (2) of section 9, section 10 and section 31 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (34 of 2003) and in supersession of the corrigendum G.S.R. No. 228(E) dated 26th March, 2015, in the Cigarettes and Other Tobacco Products (Packaging and Labelling) Amendment Rules, 2014, for sub-rule (2) of rule 1, the following shall be substituted, namely:—

"(2) They shall come into force with effect from the 1st day of April, 2016."

[F. No. P-16011/05/2012-PH-1]

K. C. SAMRIA, Jt. Secy.

*4. भाषा:- प्रत्येक स्वास्थ्य चेतावनी अंग्रेजी, हिंदी तथा किसी अन्य क्षेत्रीय भाषा में होगी। उपयुक्त भाषा संयोजन का चयन सीडी में निर्दिष्ट संयोजन में से किया जाएगा ताकि यह सुनिश्चित किया जा सके कि स्वास्थ्य चेतावनी के लिए चयनित भाषा निर्माता या आयातक या पैकर द्वारा पैकेट पर प्रयुक्त भाषा के अनुरूप है।”

[फा.सं. पी 16011/05/2012-पीएच-1]

अंशु प्रकाश, संयुक्त सचिव

टिप्पणी:- मूल नियमों को 15 मार्च, 2008 के सा.का.नि. 182(अ) के तहत प्रकाशित किया था। तत्पश्चात् इनमें दिनांक 29 सितंबर, 2008 के सा.का.नि. 693(अ) तथा दिनांक 28 नवंबर, 2008 के सा.का.नि. 2814(अ) तथा दिनांक 03 मार्च, 2009 के सा.का.नि. 305(अ) तथा दिनांक 05 मार्च, 2010 के सा.का.नि. 176(अ) तथा दिनांक 17 मई, 2010 के सा.का.नि. 411(अ) तथा 20 दिसंबर, 2010 के सा.का.नि. 985(अ) तथा दिनांक 27 मई, 2011 के सा.का.नि. 417(अ) तथा दिनांक 26 जुलाई, 2011 के सा.का.नि. 570(अ) और 27 सितंबर, 2012 के सा.का.नि. 724(अ) के तहत संशोधित किया गया था।

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

NOTIFICATION

New Delhi, the 15th October, 2014

G.S.R. 727(E).—In exercise of the powers conferred by sub-section (1) of Section 7, Section 8, sub-section (2) of Section 9, Section 10 and Section 31 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (34 of 2003); the Central Government hereby makes the following rules further to amend the Cigarettes and other Tobacco Products (Packaging and Labelling) Rules, 2008, namely:—

1. (1) These rules may be called the Cigarettes and other Tobacco Products (Packaging and Labelling) Amendment Rules, 2014.

(2) They shall come into force with effect from the 1st day of April, 2015.

2. In the Cigarettes and other Tobacco Products (Packaging and Labelling) Rules, 2008,—

(a) in rule 3, in sub-rule (1),—

(i) for clause (b), the following clause shall be substituted, namely:—

“(b) the specified health warning shall cover at least eighty-five per cent. (85%) of the principal display area of the package of which sixty per cent. (60%) shall cover pictorial health warning and twenty-five per cent. (25%) shall cover textual health warning and shall be positioned on the top edge of the package and in the same direction as the information on the principal display area:

Provided that for conical package, the widest end of the package shall be considered as the top edge of the package:

Provided further that on box, carton and pouch type of package, the specified health warning shall appear on both sides of the package, on the largest panels and for cylindrical and conical type of package, the specified health warning shall appear diametrically opposite to each other on two largest sides or faces of the package and the specified health warning shall cover eighty-five per cent. (85%) of each side or face of the principal display area of the package of which sixty per cent. (60%) shall cover pictorial health warning and twenty-five per cent. (25%) shall cover textual health warning.”;

(ii) for clause (d), the following clause shall be substituted, namely:—

“(d) no messages, images or pictures that directly or indirectly promote the use or consumption of a specific tobacco brand or tobacco usage in general or any matter or statement which is inconsistent with, or detracts from, the specified health warning are inscribed on the tobacco product package.”;

(iii) for clause (f), the following clause shall be substituted, namely:—

“(f) the textual health warning shall be inscribed in the language used on the package:

Provided that where the language used on a package or on its label is—

- (a) English, the health warning shall be expressed in English;
- (b) English and Indian languages, the health warning shall be expressed in English and any one of the Indian languages in which the brand name appears;
- (c) Hindi and other Indian languages, the health warning shall be expressed in Hindi and any one of the Indian language in which the brand name appears;
- (d) any Indian language, the health warning shall be expressed in such Indian language;
- (e) Indian languages, the health warning shall be expressed in any two Indian languages in which the brand name appears;
- (f) foreign language, the health warning shall be expressed in English;
- (g) foreign and Indian languages, the health warning shall be expressed in English and any one of the Indian languages in which the brand name appears:

Provided further that the textual health warning shall appear in not more than two languages used on the package:

Provided also that the textual health warning in one language shall be displayed on one side or face of principal display area and the textual health warning in the other language shall be displayed on the other side or face of principal display area of the package.”;

(iv) after clause (g), the following clause shall be inserted, namely:—

“(h) every package of cigarette or any other tobacco product shall contain the following particulars, namely:—

- (a) Name of the product;
- (b) Name and address of the manufacturer or importer or packer;
- (c) Origin of the product (for import);
- (d) Quantity of the product;
- (e) Date of manufacture; and
- (f) Any other matter as may be required by the Central Government in accordance with the international practice.”;

(b) for rule 5, the following rule shall be substituted, namely:—

“5. **Rotation of specified health warning.**—(1) The specified health warning on tobacco product package shall be rotated every twenty-four months from the date of commencement of these rules or before the period of rotation as may be specified by the Central Government by notification.

(2) During the rotation period, there shall be two images of specified health warning for both smoking and smokeless form of tobacco products and each of the images of the specified health warning shall appear consecutively on the package with an interregnum period of twelve months.

(3) At the end of the twelve months period, the first image (image 1) of specified health warning shall be replaced with the second image (image 2) of specified health warning, which shall appear for the next twelve months.

(4) At the end of each twelve months of the rotation period, the Central Government may allow the distributors, retailers and importers of cigarettes and other tobacco products a grace period, not exceeding two months to clear the old stock of package of tobacco products bearing the warning specified for the expired period of twelve months of the rotation period.

(5) The distributors, retailers and importers of cigarettes and other tobacco products shall not distribute or sell any package having the specified health warning of the expired period of twelve months after the grace period of two months.”;

(c) In the Schedule,—

(i) for the paragraph 1, the following paragraph shall be substituted, namely:—

4092-C23/14-3

"1. Components of specified health warning.—The components for the specified health warning shall include the following, namely:—

(i) **Textual Health Warning.**—For smoking forms of tobacco products, the word "WARNING" shall appear in white font colour on a red background and the words "Smoking causes throat cancer" shall appear in white font colour on a black background. For smokeless forms of tobacco products, the word "WARNING" shall appear in white font colour on a red background and the words "Tobacco causes mouth cancer" shall appear in white font colour on a black background. The textual health warning shall cover twenty-five per cent. (25%) of the principal display area of the package. The intensity of color in the background of the textual health warning shall be: White: C:0%, M:0%, Y:0% K:0%, Red: C:0%, M:100%, Y:100% K: 0% and Black: C:0%, M:0%, Y:0% K: 100%. The textual health warnings shall be printed with four colors with printing resolution of minimum 300 DPI (Dots per inch). The font type and colour of the health warning shall be exactly as in the soft copy provided in the Compact Disk (CD) accompanying these rules or as uploaded on the web sites www.mohfw.nic.in and www.ntcptobaccocontrolpsa.in.

(ii) **Pictorial Health Warning.**—A pictorial representation of the ill effects of tobacco use on health shall be placed above the textual health warning, covering sixty per cent. (60%) of the principal display area of the package. It shall be printed with four colors with printing resolution of minimum 300 DPI (Dots per inch). The pictorial health warning should appear in the same colour and resolution exactly as in the soft copy provided in the CD accompanying these rules or as uploaded on the web sites www.mohfw.nic.in and www.ntcptobaccocontrolpsa.in;

(ii) for the paragraph 2, the following paragraph shall be substituted, namely:—

"2. The specified health warnings shall be—

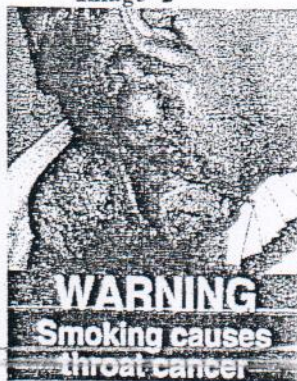
(a) For packages containing smoking forms of tobacco products-Image (1), the specified health warning contained in these rules shall be valid for a period of twelve months following its commencement.

Image- 1



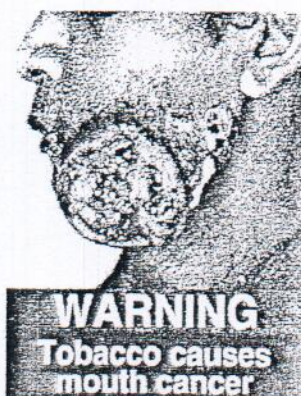
(b) For packages containing smoking forms of tobacco products - Image (2), the specified health warning contained in these rules shall come into effect following the end of twelve months from the date of commencement of specified health warning of image (1).

Image- 2



(c) For packages containing smokeless forms of tobacco products—Image (1), the specified health warning contained in these rules shall be valid for a period of twelve months following its commencement.

Image-1



(d) For packages containing smokeless forms of tobacco products—Image (2), the specified health warning contained in these rules shall come into effect following the end of twelve months from the date of commencement of specified health warning of image (1).

Image-2



Note. - These rules shall be accompanied by a (CD) that contains a soft copy of these specified health warnings, the soft copies of these specified health warnings shall also be uploaded on the websites www.mohfw.nic.in and www.ntctobaccocontrolpsa.in, for inclusion in printing of tobacco product package.”;

(iii) for the paragraph 3, the following paragraph shall be substituted, namely:—

“3. Size of the specified health warning. - (1) The size of the specified health warning on each panel of the tobacco package shall not be less than 3.5 cm (width) × 4 cm (height), so as to ensure that the warning is legible, prominent and conspicuous.

(2) The size of all components of the specified health warning shall be increased proportionally according to increase of the package size to ensure that the specified health warning covers eighty-five per cent (85%) of the principal display area of the package of which sixty per cent (60%) shall cover pictorial health warning and twenty-five per cent (25%) shall cover textual health warning.”;

(iv) for the paragraph 4, the following paragraph shall be substituted, namely:—

“4. Language.- Each health warning shall be specified in English, Hindi and any other regional languages. Appropriate language combination shall be selected from the combination provided in the (CD) to ensure that the language selected for health warning is in conformity with the language used on the package by the manufacturer or importer or packer.”.

[F. No. P-16011/05/2012-PH-I]

ANSHU PRAKASH, Jr. Secy.

Shri Shatrughna Singh, IAS Chief Secretary Government of Uttarakhand 4 Subhash Road DEHRADUN - 3029763

Shri. Sanjay Mitra, IAS Chief Secretary Government of West Bengal Writer's Building CALCUTTA - 700 001 - 3029764

Shri Ashish Kundra, IAS Hon'ble Administrator Union Territory of Daman & Diu Secretariat MOTI DAMAN - 396 220 - 3029765

Shri Yashpal Singh, IAS Chief Secretary Government of Tripura, AGARTALA - 799 006 New Secretariat Complex, Post office Kunjaban - 3029767

Shri. Alok Rajan, IAS Chief Secretary Government of Uttar Pradesh 1st Floor, Room No. 110, Lalbahadur Sastri Bhawan Uttar Pradesh Secretariat, LUCKNOW - 226 001 - 3029770

Shri Brij Raj Sharma, IAS Chief Secretary Government of Jammu & Kashmir Civil Secretariat SRINAGAR (KASHMIR) - 190 001

Shri Anand Prakash, IAS Chief Secretary Andaman and Nicobar Administration Secretariat PORT BLAIR - 3029773

Shri. Manoj Parida, IAS Chief Secretary to Government Government of Puducherry Chief Secretariat, Goubert Avenue PUDUCHERRY - 605 001 - 3029775

Shri Rajiv Gauba, IAS Chief Secretary Government of Jharkhand Project Bhawan, I Floor, Dhurwa, RANCHI - 834 004

Shri Kewal Kumar Sharma, IAS Chief Secretary to Delhi Government of NCT of Delhi Players Building, I.P. Estate NEW DELHI.

Shri G R Aloria, IAS Chief Secretary Government of Gujarat Block No. 1, 3rd Floor, New Sachivalaya, GANDHINAGAR - 382 010

Shri. Vivek Kumar Dhand, IAS Chief Secretary, Government of Chattisgarh, DKS Bhawan, Mantralaya, RAIPUR (Chattisgarh) - 492 001 - 3029780

Prof Kaptan Singh Solanki Administrator Chandigarh Administration U T Secretariat, Sector - 6, Raj Bhawan CHANDIGARH - 160 009 - 3029781

Shri P Mitra, IAS Chief Secretary Govt. of HIMACHAL PRADESH H P Secretariat SHIMLA - 171 002 - 3029782

Shri D S Dhesi, IAS Chief Secretary Government of Haryana Room No. 4, 4th Floor Haryana Civil Secretariat, Sector-1 CHANDIGARH - 160 019 - 3029783

Shri R K Shrivastava, IAS Chief Secretary Government of Goa Secretariat, Porvoim, Bardez GOA - 403 521 - 3029784

Shri Lalmal Sawma, IAS Chief Secretary Government of Mizoram AIZWAL - 796 001 Mizoram - 3029786

Sri Anjan Kumar Singh, IAS Chief Secretary Government of Bihar Main Secretariat PATNA – 800 015 – 3029787

Shri. Ramesh Negi, IAS Chief Secretary Government of Arunachal Pradesh ITANAGAR Pin-791 111 – 3029788

Shri. Vinod Kumar Pipersenia, IAS Chief Secretary Government of Assam Assam Secretariat 'C' Block, 3rd Floor, Dispur, GUWAHATI – 781 006 – 3029791

Shri Jiji Thomson, IAS Chief Secretary Government of Kerala Govt. Secretariat, THIRUVANANTHAPURAM – 695 001 – 3029794

Shri Anthony J C Desa, IAS Chief Secretary Government of Madhya Pradesh Mantralaya BHOPAL – 462 003 – 3029796

✓ Shri Swadheen S Kshatriya, IAS Chief Secretary, Government of Maharashtra Room No. 518, 5th Floor, Mantralaya Mutamta Rajguru Chowk, Madame Cama Road, MUMBAI – 400 032 – 3029802

Shri Pankaj Kumar, IAS Chief Secretary Government of Nagaland KOHIMA Pin - 791 001 – 3029803

Shri. G C Pati, IAS Chief Secretary, Government of Odisha General Administration Department Secretariat, BHUBANESWAR – 751 001 – 3029804

Shri Sarvesh Kaushal, IAS Chief Secretary Government of Punjab CHANDIGARH Pin-160 019 – 3029805

Shri C S Rajan, IAS Chief Secretary Government of Rajasthan Government Secretariat JAIPUR – 302 005 – 3029806

Shri K Gnanadesikan, IAS Chief Secretary to Government, Government of Tamil Nadu, Secretariat CHENNAI – 600 009 – 3029807

Mrs. Rinchen Ongmu, IAS Chief Secretary Government of Sikkim GANGTOK Pin-737 001 – 3029808

Shri. P C Lawmkunga, IAS Chief Secretary Government of Manipur Manipur Secretariat, South Block IMPHAL – 795 001 – 3029809

Shri Vijay Kumar, IAS Hon'ble Administrator Union Territory of Lakshadweep Lakshadweep House KAVARATTI – 682 555 – 3029810

Shri. Ashish Kundra, IAS Hon'ble Administrator Union Territory of Dadra and Nagar Haveli, Secretariat, MOTI DAMAN – 396 220 SILVASA – 3029812

Shri P B O Warjri, IAS Chief Secretary Government of Meghalaya Rilang Building, Room No. 321 Maing Civil Secretariat, SHILLON
G - 793 001 - 3029814

Shri Arvind Jadhav, IAS Chief Secretary Government of Karnataka Secretariat, M.S. Building, Vidana Soudha, BANGALORE - 560
001 - 3029815

Shri I Y R Krishna Rao, IAS Chief Secretary to Government Government of Andhra Pradesh L Block, 7th Floor AP Secretariat,
Hyderabad - 500 022 - 3029816

Dr Rajiv Sharma, IAS Chief Secretary to Government Government of Telangana Secretariat HYDERABAD - 500 022

- 3029817