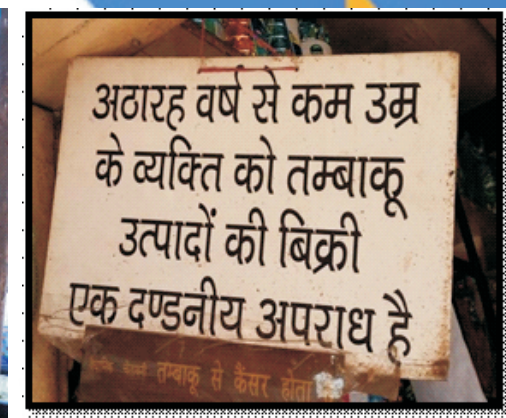


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VIOLATION OF SECTION-5 OF COTPA



REPORT

Assessment of Compliance to 'Smoke Free Legislation' in Eight Districts of Haryana & UT Chandigarh



**Department of Community Medicine and School of Public Health
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EXECUTIVE SUMMARY

Present project highlighted the compliance to Indian Tobacco Control Legislation (COTPA) in 8 districts of Haryana and U.T. Chandigarh. A fully digital data collection was done by using hand held android devices. Moreover, the geographical location of point of sale and educational institute has been captured to understand the implementation of COTPA. The mean compliance to major indicators of Section 4, 5, 6 (a), 6 (b), 7, 8 and 9 of COTPA was 80.6%, 93.7%, 68.5%, 63.4%, 99.1% in Haryana and 82.8%, 98.5%, 56.0%, 77% and 99.6% in Chandigarh. The overall compliance to all Sections of COTPA (based upon mean of major compliance indicators) was 83.5% in Haryana and 82.8% in Chandigarh. In light of poor compliance to the signages for Section-6 and also 5a, we recommend that sensitization about the law (COTPA-2003) should be given to concerned stakeholders to place the signage at their jurisdictions (Point of Sale and Educational Institutes). Further, focus group discussions on regular basis with the POS vendors to assess their problems of not complying with provisions of Act and policies made accordingly. Awareness drives educating consumers about COTPA should be carried out so that they may force vendors to obey the existing legislations. A monitoring team comprising of officers from major departments (police, health, excise and taxation, meteorology, NGOs, etc.) should periodically monitor and issue challan or awareness notices to the vendors. Special focus should be there for transit stations and private public places in awareness and challan drives. Strict punitive action should be taken against tobacco industry who lure and misguide the vendors by providing attractive boards, gifts, etc. Such a regular and periodic assessment of COTPA is always required to understand implementation challenges and guide us in policy making to curb tobacco epidemic from roots.

LIST OF TABLES

Table 3.1:	Sampling Distribution in one administrative block
Table 3.2:	Total Number of Public Places, Tobacco Vendors and Educational Institutions Covered in Eight Districts of Haryana and U.T Chandigarh
Table 3.3:	Types of Sampling Units and Applicable Survey and Checklist
Table 4.1:	District-wise Compliance of Section 4, COTPA in Public Places of Eight Districts of Haryana and U.T Chandigarh
Table 4.2:	Area-wise Compliance of Section 4, COTPA in Public Places of Eight Districts of Haryana
Table 4.3:	Public places wise compliance with Section 4 of COTPA, 2003- Prohibition of Advertisement of Cigarette in 8 Districts of Haryana
Table 4.4:	Sector-wise Compliance of Section 4, COTPA in Public Places of Eight Districts of Haryana
Table 4.5:	District wise compliance of Section 5, COTPA at Point of Sale (POS) of Eight Districts of Haryana and U.T Chandigarh
Table 4.6:	Shop-wise Compliance of Section 5, COTPA in PoS of Eight Districts of Haryana and U.T Chandigarh
Table 4.7:	Compliance of Section 5, COTPA in PoS of Eight Districts of Haryana and U.T Chandigarh
Table 4.8:	District-wise Compliance of Section 6 (a), COTPA in PoS of Eight Districts of Haryana
Table 4.9:	Type of shop wise Compliance of Section 6 (a), COTPA in PoS of Eight Districts of Haryana.
Table 4.10:	Compliance of Section 6 (b), COTPA in Educational Institutes of Eight Districts of Haryana and U.T Chandigarh
Table 4.11:	Area-wise Compliance of Section 6 (b), COTPA in Educational Institutes of Eight Districts of Haryana
Table 4.12:	Sector-wise Compliance of Section 6(b), COTPA in Educational Institutes of Eight Districts of Haryana
Table 4.13:	Compliance with Section 7, 8 & 9 of COTPA, 2003
Table 4.14:	Overall Compliance to Major Indicators of Various Section of COTPA in Eight Districts of Haryana and U.T Chandigarh

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ABBREVIATIONS

COTPA	:	Cigarettes and Other Tobacco Products Act, 2003
E-Cigarettes	:	Electronic Cigarette
FSSA	:	Food Safety and Standards Authority of India
HW	:	Health Warning
PoS	:	Point of Sale
PW	:	Pictorial Warning

BACKGROUND

1.1 Problem statement

According to World Health Organization, tobacco use is not only the single most preventable cause of death in the world but also a major risk factor for major illness and health conditions like heart attacks, strokes, chronic obstructive pulmonary disease (COPD), emphysema, and cancer (particularly lung cancer, cancers of the larynx and mouth, and pancreatic cancers). Tobacco use directly affects health, economic, socio-cultural and environmental aspects of the concerned person (WHO, 2008).

There are more than one billion smokers in the world, with nearly two-third of the world's smokers live in just 10 countries and more than 40% of world's smokers live in just two countries i.e. China and India. Everyday 0.08-0.1 million young people around the world become addicted to tobacco. Tobacco use kills one-third to one half of all lifetime users prematurely with over 800,000 premature deaths worldwide. Tobacco-related illnesses account for 1 in 10 adult deaths worldwide, and if current trends continue, one billion people are estimated to die from tobacco use in the 21st century. Tobacco use continues to kill more than 7 million people worldwide each year, and this number is expected to grow. Smokers are not the only ones sickened and killed by tobacco; scientific evidences have unequivocally established that exposure to second hand smoke is as harmful as active smoking and causes death, disease and disability. The burden of tobacco use is greatest in low- and middle-income countries, and will increase more rapidly in these countries in coming decades (WHO, 2009).

Tobacco consumption imposes high health-care and productivity costs across India. Few reports on tobacco use across different jurisdictions in India reported its prevalence among adults from 15% to over 50%, more among men. Amongst women, smoking was more common in the North Eastern states, Jammu & Kashmir and Bihar, while most other parts of India had prevalence rates of about 4% less. Currently around 3500 people are dying every day in India due to tobacco and its consequences. Every year nearly 14 lakh people die due to diseases related to tobacco use in India. Tobacco consumption continues to grow in India at 2-3% per annum which will account for 13% of all deaths by 2020 (Government of India, 2010a).

India is the second largest producer and the third largest consumer of tobacco. According to

GATS (Global Adult Tobacco Survey, India, 2016-17) survey, 28.6% of adults, aged 15 and above currently use tobacco in some form. Among the adults 24.9 percent (232.4 million) are daily tobacco users and 3.7 percent (34.4 million) are occasional users. The prevalence of current tobacco use among men was 42.4 percent and among women it was 14.2 percent. Every third adult (32.5%) from rural areas and every fifth adult (21.2%) from urban area reported current tobacco use. Among them 21.4% percent adults use only smokeless tobacco, 10.7 percent only smoke and 3.4 percent smoke as well as use smokeless tobacco. In Haryana, current tobacco use was prevalent among 23.6% of the adults (39.1% of men and 6.3% of women). Out of these, 17.3 percent of adults smoke tobacco, 3.9 percent use smokeless tobacco and 2.4 per cent are dual users.

1.2 Current Provisions of Tobacco Control in India

Considering the harmful effects of tobacco, the WHO in 2003 negotiated the world's first public health treaty called "The Framework Convention on Tobacco Control" (FCTC), which mandates governments of all nations to take specific steps to reduce tobacco use. Article 8 of the FCTC binds governments to protect their citizens from exposure to tobacco smoke and requires them to adopt and implement effective legislative, executive, administrative and/or other measures for this purpose (Sharma, Sarma, &Thankappan, 2010).

In 2008, the WHO developed and recommended a policy package to reduce the tobacco epidemic called MPOWER – this package expanded the measures of the WHO FCTC that have been proven to reduce smoking prevalence (WHO, 2008).

World Health Assembly in May 2003 adopted the Framework Convention on Tobacco Control (FCTC), which the member states of WHO have to adopt. ⁽⁵⁾ India was also one of the first few countries that ratified the FCTC. In addition to ratifying the FCTC, the Indian Parliament enacted the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply, and Distribution) Act (COTPA) on May 18, 2003 even before it ratified FCTC in February 5, 2004 (Sharma, Sarma, &Thankappan,2010).

In 2003, the Government of India enacted comprehensive legislation for tobacco control called the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act (hereafter referred to as COTPA). The Indian government has armed itself with a comprehensive

Tobacco Control Act that would sound the death knell to tobacco industry, which by social sanction and legitimate means is killing millions and disabling equal numbers annually in India and worldwide. The Act known as Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act (COTPA), 2003 is applicable to all products containing tobacco in any form and it extends to whole of India. Among its many provisions, COTPA includes three major sections which address: smoke-free environments; tobacco advertising, promotion and sponsorship; and sales of tobacco products to/ and by minors. These sections of COTPA are covered briefly as below:

Section 4 of COTPA, 2003 - Prohibition of Smoking in Public Places: According to Section-4 of COTPA, smoking is prohibited in most public places (such as workplaces, hospitals, educational institutions and public transport etc. Signs (minimum 60cm X 30cm size) “**No Smoking Area –**

Smoking Here is an Offense.” with a white background must be displayed prominently at each entrance and conspicuous place(s) inside each public place. Further, the name of the person to whom a complaint may be made in case of violation shall be displayed prominently. No ashtrays, matches, lighters or any other items designed to facilitate smoking should be made available in the public place.

Section 5 of COTPA, 2003- Prohibition of Advertisement of Cigarette and other Tobacco Products: According to this section, the advertisement of cigarette or other tobacco

products that directly or indirectly promote tobacco consumption is prohibited. No person can display or cause to display any boards, posters, hoardings to advertise the tobacco products at Point of Sale (POS). There should be no promotional gifts and sponsorships and prizes for selling a particular trade mark or brand of



tobacco product. Both direct & indirect advertisement of tobacco products are prohibited in all forms of audio, visual and print media. Further, there is total ban on sponsoring of any sport and cultural events by cigarette and other tobacco product companies. No trade mark or brand

name of cigarettes or any tobacco product is to be promoted in exchange for sponsorship, gift, prize or scholarship.

Section 6: It has further two sub sections; one is for tobacco vendors and another one for educational institutions.

Section 6 (a) of COTPA, 2003- Prohibition on Sale to Minors: Section 6 (a): - According to this section, tobacco products cannot be sold by or to persons below 18 years of age. Persons under the age of 18 must be prohibited from having access to tobacco products. Tobacco products may not be displayed in a manner that enables its easy access to persons below the age of 18 years. Shops that sell tobacco products must display a board warning (minimum 60cm X 30cm), **“Sale of tobacco products to a person below the age of 18 years is a punishable offense”** and must include a pictorial depiction of the ill effects of tobacco use on health. The required board shall not have any advertisement, promotional messages or pictures or images of cigarettes or any other tobacco products.

Section 6 (b) of COTPA, 2003- Prohibition on Sale to Minors: According to this section, tobacco products shall not be sold within a 100-yards radius of educational institutions.



Educational institutions



are required to display a board at a conspicuous place outside the educational institution premises warning that the sale of cigarettes and other tobacco products in an area within 100 yards of the educational institution is prohibited and is a punishable offense with a fine up to Rs 200.

Section 7, 8 & 9 of COTPA, 2003- Restriction on trade and commerce in and production, supply and distribution of cigarette and other tobacco product:

Section 7: According to this section, it is mandatory to have a specified label on the tobacco products that contains the health warning along with a pictorial warning. The health warning should cover the one of the largest panels of the package of cigarette and other tobacco products. It should cover the 40% area of the principal display area of the front panel of tobacco product. The Act prohibits production, supply or distribution of cigarette or any other

tobacco product unless it specifies the nicotine and tar contents on each cigarette or the package along with its maximum permissible limits.



Section 8: This section specifies that the health warning on the cigarette package or other tobacco product should be legible or prominent. The health warning “**Smoking Kills**” (on smoking forms of tobacco products) and “**Tobacco Kills**” (on smokeless or chewing and other forms of tobacco products) is printed in white font color on a red color background. Pictorial depiction of the ill effects of tobacco use on health is placed below the health warning. The health message “Tobacco Causes Cancer” is printed in black font color on a white color background. Specified health warning shall appear in all type of packs in which cigarette and other tobacco products are packaged for consumer use or retail sale

Section 9: The specified warnings should be inscribed in the language/s used on the pack. If more than one language is used on the pack the specified health warning shall appear in not more than two languages, i.e. the language in which the brand name appears and in any one of the other languages as used on the product pack (Government of India, 2010).

1.3 Efforts of Haryana and Chandigarh Government in Making COTPA compliant State and Union Territory

In India the tobacco control is administered under the National Tobacco Control Program, which was launched in India in 2008 and in the State of Haryana in 2012, with merely two districts were under NTCP, namely Ambala and Kurukshetra. Today all 22 districts of Haryana are under NTCP. Haryana has always believed that for successful tobacco control there is an ardent need of cooperation, collaboration, coordination among various stakeholder departments. Therefore, to achieve it State Level Coordination Committee (SLCC) Meetings and District Level Coordination Committee Meetings are done to sensitize and train the

nodal officers from various departments. Haryana till date has conducted 96 capacity building and training workshop of various stakeholders across the State.

School intervention is a cardinal step for success of any public health program as educational institute's form the pivot on which a developing society rest. Nearly 73 lakh students and more than three thousand teachers have been sensitized about the ill effects of tobacco.

Integration of tobacco control with tuberculosis, oral health care, ante natal care and other programs has also been done in Haryana. To prevent present and future generations from the harmful impact of nicotine Haryana has put a blanket ban on all kinds of Nicotine Delivery Devices, including E-Cigarettes, Heat Not Burn Devices. Also Hookah is banned in Haryana under the Poison's Act. Besides this, Haryana has also prohibited sale of loose cigarettees. Taking another step towards tobacco free Haryana, the State of Haryana has declared many of it's public buildings as Tobacco Free Zones.

The Union Territory of Chandigarh was the first city in India to become smokefree in 2007. Sensitization meetings are regularly held in Chandigarh where high level officials from various departments come together to discuss tobacco control law and practise.

1.4 Efforts of Civil Society for Tobacco Control in Haryana and Chandigarh

Civil society is crucial to successful tobacco control efforts. Generation Saviour Association, an organization working in public health in general and tobacco control in particularly in the region, since two decades, is heralded as a uniquely powerful force in Haryana's and Chandigarh's tobacco control journey. The organization is technically supporting in implementation of National Tobacco Control Program in the State of Haryana and Chandigarh. GSA is also providing technical support in conducting District level Coordination Committee meetings and enforcement drives besides carrying out sensitization activities in the State of Haryana. Policy initiatives are the pivot on which success of any public health program rests, and tobacco control is no exception to it. Generation Saviour Association through it's one to one sensitization meetings with high officials at State and District level have sensitized about the emerging trends and threats to tobacco control and various policy initiatives that should be taken to curtail them.

Generation Saviour Association is regularly conducting awareness and sensitization activities in Haryana and Chandigarh. Specials days are observed to raise awareness among citizens by not just Health departments but various other stakeholder departments. FM/Radio awareness drives are also conducted regularly.

2. AIM AND OBJECTIVES

Aim

To comprehensively assess the compliance to COTPA across eight districts of Haryana and UT Chandigarh.

The primary objectives of the present study are as follows:

- To measure the level of compliance to Section 4 of COTPA in public places across 8 selected districts of Haryana and Union Territory of Chandigarh.
- To measure the level of compliance to Section 5 of COTPA at Points of sale (PoS) across 8 selected districts of Haryana and Union Territory of Chandigarh
- To measure the level of compliance to Section 6 (a) and Section 6 (b) of COTPA at Point of Sale and educational institutions respectively across 8 selected districts of Haryana and Union Territory of Chandigarh.
- To measure the level of compliance to Section 7, 8 & 9 of COTPA across 8 selected districts of Haryana and Union Territory of Chandigarh.

3. Methodology

3.1- Study Setting: The present study is conducted in total eight selected districts in Haryana, namely; Karnal, Panipat, Ambala, Panchkula, Sirsa, Yamunanagar, Kaithal, Kurukshetra and Union Territory of Chandigarh.

The detailed analysis of Population Census 2011 published by Govt. of India for Haryana state reveal that population of Haryana has increased by 19.90% in this decade compared (2001-2011) to past decade (1991-2001). The density of Haryana state in the current decade is 1485 per sq mile.

- Haryana is a State of India with population of Approximate 2.54 Crores.
- The current population of Haryana is 29,241,904.
- The population density of Haryana state is 573 per sq km.
- Haryana State is spread over an area of 44,212 Sq Km.

Figure 1: Map of Haryana showing 8 selected districts and Union Territory of Chandigarh



Ambala: District Ambala lies on the North-Eastern edge of Haryana between 27-39"-45' North latitude and 74-33"-53' to 76-36"-52' East longitude. It is bounded by the district Yamuna Nagar in the South-East. To its South lies Kurukshetra District, while in its west are situated Patiala and Ropar districts of Punjab and the Union Territory of Chandigarh. The Shivalik Range of Solan and Sirmaur districts of Himachal Pradesh bound the Ambala district in the North and North-East. The average altitude from the sea level is 900 feet approximately. Ambala has four sub divisions, Ambala City, Ambala Cantt, Barara and Naraingarh which contains four tehsils (Ambala City, Ambala Cantt, Barara and Naraingarh) ,three sub tehsils(Shahzadpur, Mullana, Saha)

Sirsa: In 2011, Sirsa had population of 1,295,189 of which male and female were 682,582 and 612,607 respectively. In 2001 census, Sirsa had a population of 1,116,649 of which males were 593,245 and remaining 523,404 were females. Sirsa District population constituted 5.11 percent of total Maharashtra population. In 2001 census, this figure for Sirsa District was at 5.28 percent of Maharashtra population. There was increase of 15.99 percent in the population compared to population as per 2001. In the previous census of India 2001, Sirsa District recorded increase of 23.59 percent to its population compared to 1991. The fact is, last census for Sirsa district was done only in 2011 and next such census would only be in 2021.

Panchkula: According to the 2011 census of India, Panchkula district has a population of 561,293. It is ranked 537th in India out of a total of 640 districts. The district has a population density of 622 inhabitants per square kilometer (1,610/sq. mi). Its population growth rate over the decade 2001-2011 was 19.32%. Panchkula has a sex ratio of 870 females for every 1,000 males and a literacy rate of 83.4%. Panchkula was formed as the 17th district of Haryana state in India on 15 August 1995. It comprises two sub divisions and two tehsils one is Panchkula and second is Kalka. It has 264 villages out of which twelve are un-inhabited and ten wholly merged with towns or treated as census towns according to the 1991 census. The total population of the district is 319,398 out of which 173,557 are males and 145,841 are females.

Karnal: This district has an area of 2,538 square kilometres and its population is 12,74,843. The district headquarter is situated in Karnal city. Karnal was founded by the Kauravas around the time of the Mahabharata for King Kama. It is at a distance of 123 kilometres from Delhi on the National Highway NH1, also called the GT Road. It is at a distance of 126

kilometres from Chandigarh. Other towns are Assandh, Nilokheri, Gharuanda, Indri and Taraori. It is known world over for shoes, basmati rice and agricultural research institutions. was taken from him by George Thomas in 1797. The British established a cantonment in 1811 but abandoned it after 30 years due to the outbreak of malaria. Karnal district lies on the western bank of river Yamuna, which forms its eastern boundary of the district. Yamuna separates Haryana from Uttar Pradesh. The Karnal district, including panipat, lies between 29°09'50" and 29°50' north Latitude and 76°31'15" and 77°12'45" east Longitude.

Panipat-According to the 2011 census Panipat district has a population of 1,205,437, roughly equal to the nation of Bahrain or the US state of New Hampshire. This gives it a ranking of 396th in India (out of a total of 640). The district has a population density of 951 inhabitants per square kilometre (2,460/sq mi). Its population growth rate over the decade 2001-2011 was 24.60%.^[2] Panipat has a sex ratio of 864 females for every 1000 males and a literacy rate of 75.94%. At the time of the 2011 census of India, 92.14% of the population in the district spoke Hindi, 6.09% Punjabi and 0.79% Urdu as their first language.

Kurukshetra: Kurukshetra district has a population of 964,655, roughly equal to the nation of Fiji. This gives it a ranking of 452nd in India (out of a total of 640). The district has a population density of 630 inhabitants per square kilometer (1,600/sq mi). Its population growth rate over the decade 2001-2011 was 16.81%. Kurukshetra has a sex ratio of 889 females for every 1000 males, and a literacy rate 76.7%.

The district derived its name from the ancient region of Kurukshetra, which literally means the land of the Kurus. Kurukshetra district comprises two sub-division: Thanesar and Pehowa. Thanesar sub-division comprises two tehsils, Thanesar and Shahabad and two sub-tehsils, Ladwa and Babain. Pehowa sub-division consists of Pehowa tehsil and Ismailabad sub-tehsil. The significant towns in this district are Kurukshetra, Thanesar and Pehowa. Due to its location at the Punjab border it has a substantial Sikh population also.

Yamunanagar: The district of Yamunagarcame into existence on 1 November 1989 and occupies an area of 1,756 square kilometres (678 sq mi). Yamunanagar town is the district headquarters. Yamunanagar's average rainfall in Monsoon is 892 mm, which is higher than the state average, which is 462 mm for Haryana. The district is bounded by Himachal Pradesh state in the north, by Uttar Pradesh state in the east, by Karnal district in the south, by Kurukshetra in the southwest and Ambala district in the west.

According to the 2011 census Yamunanagar district has a population of 1,214,205, roughly equal to the nation of Bahrain or the US state of New Hampshire. This gives it a ranking of 393rd in India (out of a total of 640). The district has a population density of 687 inhabitants per square kilometre (1,780/sq mi). Its population growth rate over the decade 2001–2011 was 16.56%. Yamuna Nagar has a sex ratio of 877 females for every 1,000 males, and a literacy rate of 78.9%.

At the time of the 2011 census of India 91.11% of the population in the district spoke Hindi, 7.24% Punjabi and 1.20% urdu as their first language.

Kaithal: It is one of the 22 districts of Haryana state in northern India. Kaithal town is the district headquarters. The district occupies an area of 2317 km². It has a population of 1,074,304 (2011 census). It is part of Karnal division. Kaithal was notified as district by Haryana Govt. on 16 October 1989 and carved out of Kurukshetra and Jind districts, comprising Guhla and Kaithal sub-divisions of Kurukshetra district, Kalayat sub-tahsil and 6 villages of Jind district. This district came into existence on 1 November 1989.

According to the 2011 census of India Kaithal district has a population of 1,074,304, roughly equal to the nation of Cyprus or the US state of Rhode Island. This gives it a ranking of 423rd in India (out of a total of 640). The district has a population density of 463 inhabitants per square kilometre (1,200/sq mi). Its population growth rate over the decade 2001–2011 was 13.39%. Kaithal has a sex ratio of 880 females for every 1000 males, and a literacy rate of 70.6%. At the time of the 2011 census of India 89.37% of the population in the district spoke Hindi and 10.34% Punjabi as their first language.

Chandigarh

Chandigarh has one of the highest per capita incomes in the country. The city was reported to be one of the cleanest in India based on a national government study. The union territory also heads the list of Indian states and territories according to Human Development Index. In 2015, a survey by electronics, ranked it as the happiest city in India over the happiness index. The metropolitan area of Chandigarh Mohali, Panchkula collectively forms a tricity, with a combined population of over 1,611,770. According to a 2015 study, Chandigarh is named as the happiest city in India. Chandigarh is a city and a union territory in India that serves as the capital of the two neighbouring states of Punjab and Haryana. The city is unique as it is not a part of either of the two states but is governed directly by the Union Government.

which administers all such territories in the country. Chandigarh is bordered by the state of Punjab to the north, the west and the south, and by the state of Haryana to the east.

3.2- Study Design: The present study is a cross sectional quantitative study.

3.3- Study Period: The data collection was done for the period of two months (July-August, 2019), which was followed by analysis and preparation of report

3.4- Geographical Scope: (Venues of visit)

For Section 4: -The potential public places in each district were divided into 7 broad categories:

1. Accommodation facilities such as lodge/hotels/rest house/sarai
2. Eatries such as Resturant /bars/dhaba/tea stall/ahata
3. Educational establishment
4. Office (Government /office)
5. Health care facility (Govt./Pvt.)
6. Rain shelter /mall/market/cinema ghar/amusement /park/museum/water parks/stadium/grounds.
7. Public Transport: Railway station /bus/taxi/maxi cab/three-wheeler.

For Section 5, 6 (a), 7, 8 &9: -For Section 5 and 6 (a), the points of sale (where tobacco products are sold) in each district were considered.

For Section 6 (b): -For Section 6 (b), the educational institutions as defined above in each district were considered.

3.5- Sampling and Sample Size:

For Section 4: -Eight districts (Panchkula, Panipat, Kurukeshtra, Sirsa, Ambala, Kaithal, Karnal and Yamunanagar) of Haryana were purposively selected in the current survey as these districts were intervention districts of a Non-Governmental Organization (NGO) namely Generation Saviour Association (GSA). GSA had been actively involved in various tobacco control interventions related to compliance of COTPA in these districts from past

one year. Each district consists of number of administrative blocks. For the purpose of this study, each administrative block was considered as cluster. The research team estimated that in each district, total number of public places varies; hence the total sample size varies. Since, we used the cluster sampling, the design effect of 1.1 was considered in the survey. Two administrative blocks per district were selected for this study by generating the random table in excel.

As the prevalence (p) of compliance to Section 4 ranges from 70-90% across different studies, taking a mean prevalence to be 80%, absolute precision or alpha error (r) as 7.5%, design effect as 1.2% (to account for stratified sampling) and 5% non-response rate, the estimated sample size comes to be 144. Thus, minimum sample size from eight districts of Haryana was calculated as 1920. Similarly, a minimum sample size of 340 was assessed for Chandigarh. Against a minimum sample size of 1920 & 340 for Section-4, the current study undertook survey of **2637 and 340 public places respectively for Haryana and Chandigarh.**

For Section 5 and 6 (a): -For feasibility purpose, the clusters as selected in the survey for Section 4 were considered for Section 5 & 6 (a) as well. Research team estimated that in each district, the total number of points of sale (PoS) vary hence, sample size varies. Since, we are using the cluster sampling, the design effect of 1.1 was considered in the survey with total of **860 and 66 Point of Sale were selected from Haryana & Chandigarh respectively.** The POS were proportionately selected (population proportionate to size) based on the number of POS in each category- exclusively selling tobacco, mainly tobacco but also other products, mainly other products but also tobacco (e.g. kiriyana shops). Since, the majority of POS selling mainly other products but also tobacco (e.g. kiriyana shops), their sample was higher as compared to others.

For Section 6 (b):- For feasibility purpose, the clusters (administrative blocks) selected in the survey for Section 4 were considered in this survey as well. Based upon confidence level of 95%, compliance rate of 50% and design effect of 1.1, a sample of **534 educational institutes in Haryana & 45 in Chandigarh was estimated.**

For Section 7, 8 and 9 (Pack Warnings)

The same tobacco vending shops/kiosks/ PoS as identified under Section 6(a) and Section 5 (Point of sale) were considered. The packaged tobacco products were classified into total

seven broad categories:

- Cigarettes-Indianmade
- Cigarettes-Foreignmade
- Cigars-Indianmade
- Cigars- Foreign made
- Bidi
- Smokeless (Gutkha/ Khaini/Zarda)
- Hukka (sheesha) tobacco
- Local variety of tobacco (if any)

By considering these categories, one randomly selected pack per POS was selected to check the compliance of these sections. In this way, **a total of 769 and 626 packs were observed in Haryana and Chandigarh during this study.**

To summarize, total sample size under Section 4, Section 5 (PoS), Section 6 (a), Section 6(b) and Section 7,8,9 (pack warning) in each administrative block is illustrated in Table 1.

Table 3.1: Sampling Distribution in one administrative block

Head	Urban	Rural
Accommodation facilities such as lodge/ hotels/rest house/sarai/Eataries such as restaurant	5	12
Educational establishment	6	14
Health care facility (Govt./Pvt.)	5	12
Office(Government /office)	6	14
Public Transport: Railway station /bus/taxi/maxi cab/threewheeler.	2	5
Point of Sale	24	49

By considering this representation of sample in each block, the given sample was considered from eight districts of Haryana-

Section 4: Public places: 1715 (urban) + 922 (rural) in 8 districts= **2637**

Section 6 (b): Educational institutions: 99 (urban) + 435 (rural) in 8 districts = **534**

Section 5 & 6(a): 860 POS

Section 7, 8 & 9: 769 packs

Overall, total sample size under Section 4, Section 5 (PoS), Section 6 (a), Section 6(b) and Section 7,8,9 (pack warning) in eight districts of Haryana is represented in Table 3.2.

Table 3.2: Total Number of Public Places, Tobacco Vendors and Educational Institutions Covered in Eight Districts of Haryana and U.T Chandigarh

Public Places	Total (N=2637)	Chandigarh(N=340)
Accommodation/Hotel/Rest house/ Eateries such as Restaurant/bars/dhabas/tea stall/Rain Shelter	936	
Educational establishments	515	
Other Government offices	555	
Health Care Govt./Pvt.	453	
Public Transport	178	
Tobacco Vendors(POS)	(N=860)	(N=66)
Educational Institutions	(N=534)	(N=45)
Government Schools	364	
Private Schools	170	

3.6- Operational Definition:

For Section 4: -

- a) Section:** Various Section of Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act,2003.
- b) Smoking:** Smoking of tobacco in any form whether in form of cigarette, cigar, *bidi*, or otherwise with the aid of pipe, wrapper or any other instruments.
- c) Public Place:** any place to which the public have access, whether as of right or not, and includes auditorium, hospital buildings, railway waiting room,

amusement centres, restaurants, public offices, court buildings, work places, shopping malls, cinema halls, educational institutions, libraries, public conveyances and the like which are visited by general public but does not include any open space. This definition for public place was used for the present study.

For Section 5 & 6 (a): -

- a) **Advertisement:** Includes any visible representation by way of notice, circular label, wrappers or other document and also includes any announcements made orally or by means of producing or transmitting light, sound, smoke or gas.
- b) **Point of Sale:** The place where sale of tobacco products takes place.
- c) **Minor:** A person below the age of 18 years.
- d) **Indian Language:** Languages listed in Eighth schedule of the Constitution of India.

For Section 6 (b): -

- a) **Educational Institution:** It means any place or center including any school/college and institution of higher learning established or recognized by an appropriate authority where education instructions are imparted according to the specific norms.

For Section 7, 8 and 9: -

- a) **Tobacco Products:** Cigarettes; cigars; cheroots; bidis; cigarettes tobacco; cigar tobacco; pipe tobacco and hukkah tobacco; chewing tobacco; snuff; paan masala or any chewing material having tobacco as one of its ingredients (by whatever name called); gutkha; or tooth powder containing tobacco.
- b) **Indian Language:** A language specified in the Eighth Schedule to the Constitution, and includes any dialect of such language;
- c) **Label:** Any written, marked, stamped, printed or graphic matter, affixed to, or appearing upon, any package;
- d) **Package:** Any type of pack in which cigarette and other tobacco product is packaged for consumer sale but shall not include wholesale, semi wholesale, or poor packages if such packages are not intended for consumer use.

- e) **Specified Warning-** Such warnings against the use of cigarettes or other tobacco products to be printed, painted or inscribed on packages of cigarettes or other tobacco products in such form and manner as may be prescribed by rules made under this Act;

f) **Principal Display Area:**

- For box type packages, two equal sized largest surface area of the box that may be displayed or visible under normal or customary conditions of sale or use;
- For pouch type packages, the entire surface area of the pack that may be displayed or visible under normal conditions of sale or use;
- For conical or cylindrical type of packages, the entire curving area of the pack that may be displayed or visible under normal or customary conditions of sale or use;
- For any other form or type of package, the entire surface area of the pack that may be displayed or visible under normal or customary conditions of sale or use;

- g) **Specified Health Warning:** such health warnings as specified by the Central Government from time to time, in the schedule to the rules

a. **Survey Tools**

Total three survey checklists were used in the survey as depicted in the Table 3.

Table 3.3: Types of Sampling Units and Applicable Survey and Checklist

Sampling Unit	Applicable Survey	Applicable Checklist
Eateries	Section 4	Checklist 1
Education Institutions	Section 4 & 6b	Checklist 1 & Checklist 2
Offices/Bank	Section 4	Checklist 1
Health Care Facilities	Section 4	Checklist 1
Transit Stations	Section 4	Checklist 1
Point of Sale (PoS)	Section 6a, 5, 7,8 and 9	Checklist 3

3.8 Data Collection: A fixed central point in each administrative block was observed by the investigator. By following survey pathway; he walked in south, east, north and west directions; and observed the compliance to each section of COTPA and fill the applicable

checklist as described in table 3. This process was continued until the recommended numbers were obtained. Each of sampled units (public places, educational institutions/PoS) were visited during a particular time of the day. During the visit, a systematic observation were made and applicable checklist was filled; relevant photographs were taken as additional evidence. Observation were made for 10 to 15 minutes in each sampled unit.

3.9 Data Management and Analysis

Double data entry and cleaning of data was done. The anonymity of the data was ensured by allowing only the investigators access to data. The data was entered and coded in MS-Excel. The descriptive analysis of data was done using SPSS- 17 statistical package. Results are expressed in proportion and percentage for each indicator of respective section of COTPA-2003. The compliance to all indicators of particular section was calculated. The mean compliance of major indicators of particular section of COTPA was calculated by averaging the findings of major indicators listed particular section of COTPA.

3.10 Ethical Considerations

This survey is an unobtrusive observational study. Hence no prior informed consent from the vendors was taken for making observation. However, permission was taken from the concerned health authorities (in this case State Tobacco Control Society) for conduction of this survey.

RESULTS:

Section 4

In order to assess the compliance of Section 4 of COTPA, a total of **2637** public places were visited in **8** districts of Haryana and **340** public places in Chandigarh.

4.1 District-wise Compliance of Section 4, COTPA in Public Places of Eight Districts of Haryana and U.T Chandigarh

Out of **2637** and **340** public places in Haryana and Chandigarh respectively, no active smoking was observed in **83.6%** (n=2204) public places in Haryana and **89.7%** (n=305) in Chandigarh. The signage for 'No Smoking' was displayed at **87.4 %** places in Haryana and **71.7%** in Chandigarh. The smoking aids, smell/ashes of recent smoking and cigarettes /biddi stubs were not found at most of the public places that were covered. The overall mean compliance to Section 4 (based upon mean of major compliance indicators) in Haryana was **80.6%** and that in Chandigarh was **82.8%**. Panipat, Kaithal, Karnal and Yamunanagar districts showed a slightly higher level of compliance as compared to other 4 districts. (Table 4.1)

Table 4.1: District-wise Compliance of Section 4, COTPA in Public Places of Eight Districts of Haryana and U.T Chandigarh

Compliance Indicators	District									
	Ambala (N=255)	Kaithal (N=528)	Karnal (N=231)	Kurukshetra (N=254)	Panchkula (N=261)	Panipat (N=284)	Sirsa (N=546)	Yamunanagar (N=278)	Total Haryana (N=2637)	Chandigarh (N=340)
Mean Compliance of Major Indicators (*) of Section 4	187.4 (73.4)	454 (85.9)	201 (87.01)	204.8 (80.6)	210.6 (80.6)	246.6 (86.8)	393 (71.9)	229.8 (82.6)	2127.6 (80.6)	281.8 (82.8)
'No Smoking' Signage Displayed*	172 (67.5)	531 (100)	219 (94.8)	188 (74.0)	201 (77.0)	250 (88.0)	524 (95.9)	220 (79.1)	2305 (87.4)	244 (71.7)

NoActive Smoking*	206 (80.8)	466 (88.3)	199 (86.1)	211 (83.0)	225 (86.2)	245 (86.2)	418 (76.5)	235 (84.5)	2205 (83.6)	305 (89.7)
No Smoking Aids (Ashtrays, matchboxes etc.) *	187 (73.3)	481 (91)	214 (92.6)	231 (91.0)	220 (84.2)	248 (87.3)	404 (73.9)	229 (82.3)	2214 (83.9)	284 (83.5)
No Evidence of Smell /Ashes of Recent Smoking*	198 (77.6)	376 (70.80)	199 (86.1)	207 (81.5)	209 (80.0)	243 (85.)	302 (55.2)	228 (82.0)	1962 (74.3)	290 (85.2)
No Cigarette /Bidi Stubs*	174 (68.2)	416 (78.8)	174 (75.3)	187 (73.6)	198 (75.9)	247 (86.9)	317 (58.0)	237 (85.2)	1952 (74.0)	286 (84.1)

4.2: Area-wise Compliance of Section 4, COTPA in Public Places of Eight Districts of Haryana

Out of **2637** places in Haryana, 1715 rural and 922 urban areas were visited. Out of 87.4% public places where signages were displayed, 90.0% (1544) were in rural areas and 82.5% (761) in urban areas. No active smoking was found in 85.1% (n=1461) and 80.6% (n=744) in rural and urban areas respectively. “No Smoking Aids” were found in most i.e. 84.6% of the rural and 80.9% of the urban areas visited. At the time of visit there was no evidence of smell/ashes of recent smoking in 79.1% rural and 65.5% urban areas. There was minor difference in mean compliance to major indicators of Section 4 of COTPA between rural and urban locations (Table 4.2).

Table 4.2: Area-wise Compliance of Section 4, COTPA in Public Places of Eight Districts of Haryana

Compliance Indicators	Area		Total (N=2637)
	Rural (N=1715)	Urban (N=922)	
Mean Compliance of Major Indicators (*) of Section 4	1425.8 (83.1)	698.2 (75.7)	2127.6 (80.6)
Signage Displayed*	1544 (90.0)	761 (82.5)	2305 (87.4)
No Active Smoking*	1461 (85.1)	744 (80.6)	2205 (83.6)
No Smoking Aids (Ashtrays, matchboxes etc.) *	1452 (84.6)	746 (80.9)	2214 (83.9)
No Evidence of Smell /Ashes of Recent Smoking*	1358 (79.1)	604 (65.5)	1962 (74.3)
No Cigarette /Bidi Stubs*	1314 (76.6)	636 (68.9)	1952 (74.0)

4.3: Public places wise compliance with Section 4 of COTPA, 2003- Prohibition of Advertisement of Cigarette in 8 Districts of Haryana

A total of **936** eateries, **515** educational institutes, **555** offices/banks, **453** healthcare facilities and **178** transit stations were assessed. Out of these, educational institutes were found to be most compliant (97.7%) and transit stations as least compliant (45.6%) with respect to mean of major indicators of Section 4 of COTPA. No active smoking was noticed in almost all the educational institutes that were visited followed by 100% and 98% of the healthcare facilities and office/banks respectively. 100% of no evidence of smell/ashes of recent smoking was found in educational institutes, 97.5% in healthcare facilities and 90% offices/banks.

Table 4.3- Public places wise compliance with Section 4 of COTPA, 2003- Prohibition of Advertisement of Cigarette in 8 Districts of Haryana

Compliance Indicators	Category of Public Place					Total (N=2637)
	Accommodation for Eateries (N=936)	Educational Institutes (N=515)	Offices/ Banks (N=555)	Health Care Facilities (N=453)	Transit Stations (N=178)	
Mean Compliance of Major Indicators (*) of Section 4	616.2 (65.8)	504.6 (97.7)	495.8 (89.3)	429 (94.7)	81.2 (45.6)	2127.6 (80.6)
Signage Displayed*	849 (90.7)	463 (89.9)	457 (82.3)	377 (83.2)	159 (89.3)	2305 (87.4)
No Active Smoking*	663 (70.8)	515 (100)	513 (92.4)	444 (98.0)	70 (39.3)	2205 (83.6)
No Smoking Aids (Ashtrays, matchboxes etc.) *	635 (67.8)	515 (100)	520 (93.6)	446 (98.4)	98 (55.0)	2214 (83.9)
No Evidence of Smell /Ashes of Recent Smoking*	450 (48.0)	515 (100)	500 (90.0)	440 (97.5)	55 (30.9)	1962 (74.3)
No Cigarette /Bidi Stubs*	484 (51.7)	515 (100)	489 (88.1)	438 (96.6)	24 (13.4)	1952 (74.0)

4.4: Sector-wise Compliance of Section 4, COTPA in Public Places of Eight Districts of Haryana

A total of **1131** government and **469** private sector public places were covered. No active smoking was found in majority of the places 96.7% (n=1094) of government and 97% (n=455) of private places visited. Mean compliance of major indicators of section 4 was found in 86.3% (n=976) and 80.5% (n=377) of the government and private sectors respectively. The display of signages was comparatively more in government sector (54%) as compared to private sector (31.6%).

Table 4.4: Sector-wise Compliance of Section 4, COTPA in Public Places of Eight Districts of Haryana

Compliance Indicators	Sector		Total (N=1600)
	Government (N=1131)	Private (N=469)	
Mean Compliance of Major Indicators (*) of Section 4	976 (86.3)	377.6 (80.5)	1353.6 (84.6)
Signage Displayed*	611 (54)	148 (31.6)	759 (47.4)
No Active Smoking*	1094 (96.7)	455 (97)	1549 (96.8)
No Smoking Aids (Ashtrays, matchboxes etc.) *	1071 (94.7)	433 (92.3)	1504 (94)
No Evidence of Smell /Ashes of Recent Smoking*	1098 (97.1)	448 (95.5)	1546 (96.6)
No Cigarette /Bidi Stubs*	1006 (88.9)	404 (86.1)	1410 (88.1)

Section 5

4.5: District wise Mean Compliance of Section 5, COTPA at Point of Sale (POS) of Eight Districts of Haryana and U.T Chandigarh

Of these, 860 & 66 were assessed for compliance to Section-5 of COTPA in Haryana and Chandigarh respectively. The compliance to the major compliance indicators of **Section 5** was **85.0%** in Haryana and **96.9%** in Chandigarh.

Table 4.5: District wise compliance of Section 5, COTPA at Point of Sale (POS) of Eight Districts of Haryana and U.T Chandigarh

Compliance Indicators	Ambala	Kaithal	Karnal	Kurukshetra	Panchkula	Panipat	Sirsa	Yamuna nagar	Haryana	Chandigarh
Complete POS Accessed	45	200	160	50	116	45	205	39	860	66
Mean Compliance of Major Indicators(*) of Section 5 (in %)	91.1	89.5	99.5	90	99.1	100	91.5	90	93.7	98.5
Absence of Advertisement Boards*	37 (82.2)	158 (79.0)	159 (99.3)	40 (80.0)	114 (98.2)	45 (100)	170 (82.9)	31 (79.5)	754 (94.2)	64 (96.9)
Presence of Health Warning on Board*	8 (100)	42 (100)	1 (100)	10 (100)	2 (100)	0 (100)	35 (100)	8 (100)	106 (100)	2 (100)

Table 4.5: Overall compliance of Section 5, COTPA at Point of Sale (POS) in Haryana and U.T Chandigarh

Compliance Indicators	Haryana	Chandigarh
Complete POS Accessed	N=860	N=66
Mean Compliance of Major Indicators(*) of Section 5 (in %)	(93.7)	(98.5)
Absence of Advertisement Boards*	754 (94.2)	64 (96.9)
Presence of Health Warning on Board*	106 (100)	2 (100)

4.6: Type of shop-wise Non-Compliance of Section 5, COTPA in PoS of Eight Districts of Haryana

Table 4.6 shows that out of **860 and 66** PoS visited in Haryana and Chandigarh respectively, 600 and 260 were permanent shops and temporary kiosks respectively. Absence of advertisement of boards was observed in 95% and 61.9% of permanent and temporary kiosks. Presence of health warning was observed in around 100% in permanent shops and temporary kiosks. The mean of major compliance indicators to Section 5 of COTPA was more in permanent shop (97.5%) as compared to temporary kiosk (81%)

Table 4.6: Shop-wise Compliance of Section 5, COTPA in PoS of Eight Districts of Haryana and U.T Chandigarh

Compliance Indicators	Status of Shop		
	Permanent Shop	Temporary Kiosk	Total
Complete POS Accessed	N=600	N=260	N=860
Mean Compliance of Major Indicators (*) of Section 5	(97.5)	(81)	(93.7)
Absence of Advertisement Board*	570 (95)	161 (61.9)	731 (85.0)
Presence of Health Warning on Board*	104 (100)	4 (100)	108 (100)

4.7: Compliance of Section 5, COTPA in PoS of Eight Districts of Haryana and U.T Chandigarh

Among 860 PoS, **40** exclusive tobacco shops, **407** tobacco shops that also sell other things and **413** shops wherein tobacco sale is not a major business were observed. Out of these, exclusive tobacco shops and tobacco shops which also sells other things were found to be more compliant (96.2% and 95% respectively with respect to mean of major indicators of Section 5 of COTPA as shown in Table 4.7.

Table 4.7: Compliance of Section 5, COTPA in PoS of Eight Districts of Haryana and U.T Chandigarh

Compliance Indicators	Type of Shop			Total
	Exclusive Tobacco Shop	Mainly Tobacco Shop But also Sells Other Things	Tobacco Sale is Not A Major Business	
Complete POS Accessed	N= 40	N=407	N=413	N=860
Mean Compliance of Major Indicators(*) of Section 5	(96.2)	(95)	(89.5)	(93.0)
Absence of Advertisement Board*	37 (92.5)	367 (90.1)	327 (79.1)	731 (85.0)
Presence of Health Warning on Board*	31 (100)	40 (100)	37 (100)	108 (100)

Section 6

Table 4.8 Compliance with Section 6 (a) of COTPA, 2003 in eight districts of Haryana and Chandigarh.

Compliance Indicators	Ambala	Kaithal	Karnal	Kurukshetra	Panchkula	Panipat	Sirsa	Yamuna nagar	Haryana	Chandigarh
Complete POS Accessed	45	200	160	50	116	45	205	39	860	66
Mean Compliance of Major Indicators(*) of Section 6 (a)	34 (75.5)	130.7 (65.3)	100.5 (62.8)	37.2 (74.4)	73.2 (63.1)	33.7 (74.8)	127.7 (62.2)	27.5 (70.5)	564.7 (65.6)	37 (56.0)
Signage Displayed*	3 (6.6)	0 (0)	2 (1.2)	1 (2.0)	0 (0)	0 (0)	4 (1.9)	1 (2.5)	11 (1.2)	7 (10.6)
No Sale of Tobacco by Minor*	45 (100)	200 (100)	160 (100)	50 (100)	97 (83.6)	45 (100)	205 (100)	37 (94.8)	839 (97.5)	60 (90.9)
No Sale of Tobacco to Minor*	45 (100)	184 (92.0)	160 (100)	50 (100)	116 (100)	45 (100)	188 (91.7)	36 (92.3)	824 (95.8)	55 (83.3)
No Prominent Display of Tobacco Products*	43 (95.5)	139 (69.5)	80 (50.0)	48 (96.0)	80 (68.9)	45 (100)	114 (55.6)	36 (92.3)	585 (68.0)	26 (39.3)

4.8: Compliance with Section 6 (a) of COTPA, 2003 in eight districts of Haryana and Chandigarh

The overall mean compliance to Section 6 (a) (based upon mean of major compliance indicators) was **65.6%** in Haryana and **56.1%** in Union Territory of Chandigarh. The signage was displayed in only 1.2% PoS of Haryana and 10.6% PoS in the Union Territory of Chandigarh. The selling of tobacco products by minor was negligible in majority of the PoS in Haryana (**97.5%**) and Chandigarh (**90.9%**) whereas **95.8%** and **83.3%** of minors was not being sold tobacco products in Haryana and Chandigarh respectively.

Table 4.8: District-wise Compliance of Section 6 (a), COTPA in PoS of Eight Districts of Haryana

Compliance Indicators	Haryana	Chandigarh
Complete POS Accessed	N=860	N=66
Mean Compliance of Major Indicators(*) of Section 6 (a)	564.7 (65.6)	37 (56.0)
Signage Displayed*	11 (1.2)	7 (10.6)
No Sale of Tobacco by Minor*	839 (97.5)	60 (90.9)
No Sale of Tobacco to Minor*	824 (95.8)	55 (83.3)
No Prominent Display of Tobacco Products*	585 (68.0)	26 (39.3)

4.9: Type of shop wise Compliance of Section 6 (a), COTPA in PoS of Eight Districts of Haryana

Out of all the visited PoS, more display of tobacco products was observed in mainly tobacco shop but also sell other things in comparison to other shops. Exclusive tobacco shops were found to be least compliant (60.0%) with respect to mean of major indicators of Section 6 (a) of COTPA in comparison to other type of shops as shown in Table 4.9. Tobacco products were not displayed in the majority (68%) of visited PoS in Haryana, however the display was more in exclusive tobacco shops (Table 13).

Table 4.9: Type of shop wise Compliance of Section 6 (a), COTPA in PoS of Eight Districts of Haryana.

Compliance Indicators	Type of Shop			Total (N=860)
	Exclusive Tobacco Shop (N=57)	Mainly Tobacco Shop but Sell Other Things (N=43)	Tobacco Selling is Not a Major Business (N=760)	
Mean Compliance of Major Indicators (*) of Section 6 (a)	34.2 (60.0)	29.5 (68.6)	501 (65.9)	564.7 (65.6)
Signage Displayed*	1 (1.7)	2 (4.6)	8 (1.0)	11 (1.2)
No Sale of Tobacco by Minor*	57 (100)	43 (100)	739 (97.2)	839 (97.5)
No Sale of Tobacco to Minor*	55 (96.5)	40 (93)	729 (95.9)	824 (95.8)
No Prominent Display of Tobacco Products*	24 (42.1)	33 (76.7)	528 (69.4)	585 (68.0)

4.10: Compliance with Section 6 (b) of COTPA, 2003:

In order to check the compliance of Section 6 (b), total **534** and **45** educational institutions were visited in Haryana and Chandigarh respectively. Out of these 7.3% (n=39) and 46.6% (n=21) in Haryana and Chandigarh, respectively, have displayed the signage for Prohibition of Sale of Tobacco Products within 100 yards of Educational Institutions. All the institutions visited strictly adhered to the compliance by not selling the tobacco products within the campus. No tobacco selling points were found in 100 yards of 73.2% educational institutes covered in Haryana and 84.4% education institutes in Chandigarh.

The overall mean compliance to Section 6 (b) (based upon mean of major compliance indicators) was 60.1% in Haryana and 77.0 % in Chandigarh respectively.

**Compliance of Section 6 (b), COTPA in Educational Institutes of Eight Districts of
Haryana and U.T Chandigarh**

Compliance Indicators	Ambala	Kaithal	Karnal	Kurukshetra	Panchkula	Panipat	Sirsa	Yamuna nagar	Haryana	Chandigarh
Mean Compliance of Major Indicators (*) of Section 6 (b)	42.6 (68.8)	42.3 (61.3)	30 (63.8)	41 (67.2)	57.6 (73.8)	40.3 (54.5)	43.3 (56.7)	39.3 (59.5)	338.6 (63.4)	34.6 (77.0)
Signage Displayed*	9 (14.5)	0 ()	0 ()	2 (3.2)	21 (26.9)	0 ()	2 (2.59)	5 (7.5)	39 (7.3)	21 (46.6)
No Sale of Tobacco inside Campus*	62 (100)	69 (100)	47 (100)	61 (100)	78 (100)	74 (100)	77 (100)	61 (100)	534 (100)	45 (100)
No Sale of Tobacco within 100 Yards*	57 (91.9)	58 (84.0)	43 (91.4)	60 (98.3)	74 (94.8)	47 (63.5)	52 (67.5)	52 (78.7)	443 (82.9)	38 (84.4)

Table 4.10: Compliance of Section 6 (b), COTPA in Educational Institutes of Eight Districts of

Haryana and U.T Chandigarh

Compliance Indicators	Haryana (N=534)	Chandigarh (N=45)
Mean Compliance of Major Indicators (*) of Section 6 (b)	338.6 (63.4)	34.6 (77.0)
Signage Displayed*	39 (7.3)	21 (46.6)
No Sale of Tobacco inside Campus*	534 (100)	45 (100)
No Sale of Tobacco within 100 Yards*	443 (82.9)	38 (84.4)

4.11: Area-wise Compliance of Section 6 (b), COTPA in Educational Institutes of Eight Districts of Haryana

Table 4.11 shows that educational institute in rural areas had marginally higher (63.5%) compliance with respect to mean compliance of major indicators of section 6(b) of COTPA as compared to educational institutes in urban areas (57.2%).

Table 4.11: Area-wise Compliance of Section 6 (b), COTPA in Educational Institutes of Eight Districts of Haryana

Compliance Indicators	Area		Total (N=534)
	Urban (N=99)	Rural (N=435)	
Mean Compliance of Major Indicators (*) of Section 6 (b)	57.6 (57.2)	277.3 (63.5)	338.6 (63.4)
Signage Displayed*	7 (7.0)	32 (7.3)	39 (7.3)
No Sale of Tobacco inside Campus*	99 (100)	435 (100)	534 (100)
No Sale of Tobacco within 100 Yards*	70 (70.7)	365 (83.9)	443 (82.9)

4.12: Sector-wise Compliance of Section 6 (b), COTPA in Educational Institutes of Eight Districts of Haryana and U.T Chandigarh

Table 4.12 shows that government educational institutes were more compliant (63.5%) in comparison to private institutes (63.1%). The compliance to no sale of tobacco inside campus was 100% in government and private institutes. In 85.2% of the private institute, there was no sale of tobacco within 100 yards of institute whereas it was 81.8 % in government institutes.

Table 4.12: Sector-wise Compliance of Section 6(b), COTPA in Educational Institutes of Eight Districts of Haryana

Compliance Indicators	Sector		Total (N=534)
	Government (N=364)	Private (N=170)	
Mean Compliance of Major Indicators(*) of Section 6 (b)	231.3 (63.5)	107.3 (63.1)	338.6 (63.4)
Signage Displayed*	32 (8.7)	7 (4.1)	39 (7.3)
No Sale of Tobacco inside Campus*	364 (100)	170 (100)	534 (100)
No Sale of Tobacco within 100 Yards*	298 (81.8)	145 (85.2)	443 (82.9)

4.13- District-wise Compliance with Section 7, 8 & 9 of COTPA, 2003- Restriction on trade and commerce in and production, supply and distribution of cigarette and other tobacco product

In order to check the compliance with section 7, 8 & 9, 769 packs of different tobacco products were assessed in Haryana. The mean compliance to major indicators of Section 7, 8 & 9 was 99.1% and 99.6% in Haryana and Chandigarh respectively.

Table 4.13: District-wise Compliance with Section 7, 8 & 9 of COTPA, 2003 for Haryana and Chandigarh.

Compliance Indicators	Ambala	Kaithal	Karnal	Kurukshetra	Panchkula	Panipat	Sirsa	Yamuna nagar	Haryana	Chandigarh
No of pack assessed	45	192	115	50	84	45	199	39	769	626
Mean compliance of Major Indicators(*) of Section 7, 8 & 9	44.6 (99.2)	190.3 (99.1)	112.8 (98.0)	50 (100)	84 (100)	43.6 (97.0)	199 (100)	38.5 (98.7)	762.8 (99.1)	624 (99.6)
Health Warning Present*	45 (100)	192 (100)	115 (100)	50 (100)	84 (100)	45 (100)	199 (100)	39 (100)	769 (100)	621 (99.2)
Pictorial Warning Cover 85% of the display of the package*	45 (100)	192 (100)	114 (99.1)	50 (100)	84 (100)	44 (97.7)	199 (100)	38 (97.4)	766 (99.6)	621 (99.2)
Picture Not Distorted*	44 (97.7)	187 (97.3)	109 (94.7)	50 (100)	84 (100)	44 (97.7)	199 (100)	38 (97.4)	755 (98.1)	625 (99.8)
Warning Uncovered when pack Sealed or Opened*	45 (100)	187 (97.3)	109 (94.7)	50 (100)	84 (100)	40 (88.8)	199 (100)	38 (97.4)	755 (98.1)	625 (99.8)
No Promotional Messages Displayed*	44 (97.7)	192 (100)	115 (100)	50 (100)	84 (100)	44 (97.7)	199 (100)	39 (100)	767 (99.7)	626 (100)
No Promotional Inserts*	45 (100)	192 (100)	115 (100)	50 (100)	84 (100)	45 (100)	199 (100)	39 (100)	768 (99.8)	626 (100)

Table 4.13: Compliance with Section 7, 8 & 9 of COTPA, 2003

Compliance Indicators	Haryana	Chandigarh
No of Packs Accessed	N=769	N=626
Mean compliance of Major Indicators(*) of Section 7, 8 & 9	762.8 (99.1)	624 (99.6)
Health Warning Present*	769 (100)	621 (99.2)
Pictorial Warning Cover 85% of the display of the package*	766 (99.6)	625 (99.8)
Picture Not Distorted*	755 (98.1)	625 (99.8)
Warning Uncovered when pack Sealed or Opened*	767 (99.7)	626 (100)
No Promotional Messages Displayed*	768 (99.8)	626 (100)
No Promotional Inserts*	768 (99.8)	624 (99.6)

4.14: Overall Compliance to all Sections of COTPA

Table 19 showed the overall compliance to all Sections of COTPA (based upon mean of major compliance indicators) was 83.5% in Haryana and 82.8% in Chandigarh. All district of Haryana scored over 70% compliance.

Table 4.14: Overall Compliance to Major Indicators of Various Section of COTPA in Eight Districts of Haryana and U.T Chandigarh

Mean Compliance to Major Indicators(*)	Districts									Chandigarh
	Ambala	Kaithal	Karnal	Kurukshetra	Panchkula	Panipat	Sirsa	Yamunanagar	Haryana	
Section 4	(73.4)	(85.9)	(87.0)	(80.6)	(80.6)	(86.8)	(71.9)	(82.6)	(80.6)	(82.8)
Section 5	(91.1)	(89.5)	(99.5)	(90.0)	(99.1)	(100)	(91.5)	(90)	(93.7)	(98.5)
Section 6 (a)	(75.5)	(65.3)	(62.8)	(74.4)	(63.1)	(74.8)	(62.2)	(70.5)	(65.6)	(56.0)
Section 6 (b)	(68.8)	(61.3)	(63.8)	(67.2)	(73.8)	(54.5)	(56.7)	(59.5)	(63.4)	(77.0)
Section 7, 8 & 9	(99.2)	(99.1)	(98.0)	(100)	(100)	(97.0)	(100)	(98.7)	(99.1)	(99.6)
Mean Compliance %	(81.6)	(80.2)	(82.2)	(82.4)	(83.3)	(82.6)	(76.5)	(80.2)	(83.5)	(82.8)

5. Conclusion

The mean compliance to major indicators of Section 4, 5, 6 (a), 6 (b), 7, 8 and 9 of COTPA was 80.6%, 93.7%, 68.5%, 63.4%, 99.1% in Haryana and 82.8%, 98.5%, 56.0%, 77% and 99.6% in Chandigarh. The overall compliance to all Sections of COTPA (based upon mean of major compliance indicators) was 83.5% in Haryana and 82.8% in Chandigarh.

6. Recommendations

- 1.** The compliance to the signages were poor for Section-6 and also 5a, therefore sensitization about the law (COTPA-2003) should be given to concerned stakeholders to place the signage at their jurisdictions (Point of Sale and Educational Institutes).
- 2.** Focus group discussions on regular basis with the POS vendors to assess their problems of not complying with provisions of Act and policies made accordingly.
- 3.** Awareness drives educating consumers about COTPA should be carried out so that they may force vendors to obey the existing legislations.
- 4.** A monitoring team comprising of officers from major departments (police, health, excise and taxation, meteorology, NGOs, etc.) should periodically monitor and issue challan or awareness notices to the vendors. Special focus should be there for transit stations and private public places in awareness and challan drives
- 5.** Strict punitive action should be taken against tobacco industry who lure and misguide the vendors by providing attractive boards, gifts,etc.

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7. ANNEXURES

8.1- Annexure A: Checklist for Section 4 of COTPA

PART- I: INFORMATION ABOUT LOCATION/PUBLIC PLACE

1. Name of the District:				
2. Name of the Block:		<table border="1"> <tr> <td>Rural</td> <td>Urban</td> </tr> </table>	Rural	Urban
Rural	Urban			
3. Name of the Public place:				
4. Address :				
5. Type of Public place (Please Mark√)	<input type="checkbox"/>	Category 1: Accommodation facilities suchas lodge/hotel/rest house/sarai		
	<input type="checkbox"/>	Category 2: Eateries suchas Restaurant/bars/dhaba/ tea stall/Ahata		
	<input type="checkbox"/>	Category 3: Educationalestablishments		
	<input type="checkbox"/>	Category 4: Offices(Government/office)		
	<input type="checkbox"/>	Category 5: Health care facility(Govt./Pvt.)		
	<input type="checkbox"/>	Category 6: Bus stand/taxi stand/ rain shelter/mall/market/cinemaghar/amusement park/museum/waterparks/stadiums/grounds		
	<input type="checkbox"/>	Category 7: Public transport:bus/taxi/maxi cab/three wheeler		
6. Date of visit:	/ /2016			
7. Time of visiting the Public place (Please Mark√)	<input type="checkbox"/>	9:00 am-1:00pm		
	<input type="checkbox"/>	1:00 pm-3:00pm		
	<input type="checkbox"/>	3:00 pm-5:00pm		
	<input type="checkbox"/>	5:00 pm-7:00pm		
	<input type="checkbox"/>	7:00 pm-9:00pm		
8. Name of Field Investigator				

PART-II: OBSERVATION INFORMATION

1. Whether “No smoking signage” is displayed?	<input type="checkbox"/> YES		<input type="checkbox"/> NO
1.1 If yes, whether signages are displayed at entrance and other conspicuous places?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NA
1.2 If yes, whether signages are as per the specification of COTPA-2003 in size, text and design?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NA
1.3 If yes, whether contact details of reporting person written?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NA
2. Whether someone is found smoking at the time of visit?	<input type="checkbox"/> YES		<input type="checkbox"/> NO
3. Whether the smoking aids such as ashtrays, matchboxes and lighters etc. are visible?	<input type="checkbox"/> YES		<input type="checkbox"/> NO
4. Whether someone has done smoking recently in this public place- as evident from the smell ?	<input type="checkbox"/> YES		<input type="checkbox"/> NO
5. Whether some cigarettes butts or <i>bidi</i> stubs/ash are found?	<input type="checkbox"/> YES		<input type="checkbox"/> NO
6. Whether any Smoking zone/space/area is designated for the smokers in the hotel/ restaurant/airport?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NA
6.1 If yes, what is the sitting/accommodation capacity of a restaurant/hotel.....			
6.2 If yes, whether smoking area/zone/ space is as per specification of the act (location/built/exhaust to outside/automatic closing door etc.)?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NA
6.3 If yes, whether this smoking area/space/zone is used only for the purposes of smoking and no service(s) are	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NA

allowed therein.			
7. Whether Designated smoking rooms are available in an accommodation facility.	<input type="checkbox"/> YES		NO
7.1 If yes, what is total number of rooms in an accommodation facility.....			
7.2 If yes, what is total number of designated smoking rooms in an accommodation facility			
7.3 If yes, whether such rooms are distinctively marked as “Smoking Room” in English and the local language.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NA
7.4 If yes, whether these designated smoking rooms are in separate section in same wing or floor.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NA
8. Any photographs taken	<input type="checkbox"/> YES		<input type="checkbox"/> NO
9. Any other observation:			

Signature of Field Investigator

8.2- Annexure B: Checklist for Section 6(b) of COTPA Part I: Background Checklist

State/ District Name			
Name and address of an educational institute		Rural	Urban
Whether institute is in government or private sector (Please tick✓)	<input type="checkbox"/> Government sector <input type="checkbox"/> Private sector		
Category of educational institute (Please tick✓)	<input type="checkbox"/> Primary school (Up to 5 th) <input type="checkbox"/> Middle school (Up to 8 th) <input type="checkbox"/> High school (Up to 10 th) <input type="checkbox"/> Senior secondary school (Up to 12 th) <input type="checkbox"/> Degree college <input type="checkbox"/> University	<input type="checkbox"/> University study centers <input type="checkbox"/> Medical college <input type="checkbox"/> Engineering college <input type="checkbox"/> Education college <input type="checkbox"/> Computer education center <input type="checkbox"/> Others (Please specify)	
Total no. of students studying in the institute			
Total no. of staff (both teaching and non-teaching) working in the institute			
Time of visit			

Part II: Observation checklist

Sl. No	Indicators	Observation Yes / No Please mark (✓)		
1.	Display of signage as mandated in the law-section 6 (b) of COTPA	<input type="checkbox"/> Yes		<input type="checkbox"/> No
	If yes, whether it is as per the specification mandated by law			
	1.1 Text is as per law	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA
	1.2 Background colour of the board is White	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA
2.	Sale of tobacco products inside the campus	<input type="checkbox"/> Yes		<input type="checkbox"/> No
	2.1 If yes, please mention the total no. of PoS		
	2.2 If yes, please mention the type and number of PoS	<input type="checkbox"/> No of permanent shop/kiosk: <input type="checkbox"/> Temporary/movable kiosk: <input type="checkbox"/> NA		
3.	Sale of tobacco products within 100 yards of radial distance from the institute's main gate or Boundary	<input type="checkbox"/> Yes		<input type="checkbox"/> No
	3.1 If Yes, please mention the total no. of PoS		
	3.2 If yes, please mention the type and number of PoS	<input type="checkbox"/> No of Permanent shop: <input type="checkbox"/> Temporary/movable kiosk: <input type="checkbox"/> NA		

Name of Field Investigator

8.3- Annexure C: Checklist for Sections 5, 6(a), 7, 8 and 9 of COTPA

District/ Block Name			
Complete address of PoS (Tobacco shop)		Rural	Urban
Type of the shop (Please tick ✓)	<input type="checkbox"/> Temporary /movable kiosk <input type="checkbox"/> Permanent/fixed shop		
Type of the shop (Business) (Please tick ✓)	<input type="checkbox"/> Exclusive tobacco shop <input type="checkbox"/> <u>Mainly tobacco shop</u> but also sells other things <input type="checkbox"/> Tobacco sale is not a major business		
Date of observation	DD/MM/YYYY		
Name of the investigator			

Sl. No	Indicator	Observation (Yes / No) Please mark (✓)	
1	Display of signage as mandated in law - 6 (a) of COTPA	<input type="checkbox"/> Yes	<input type="checkbox"/> No
1.1	If yes, whether placed at prominent place/clearly visible	<input type="checkbox"/> Yes	<input type="checkbox"/> No
1.2	If yes, whether as per specification of law		
	i. Size i.e. 30cms x60cms	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	ii. Indian Language	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	iii. Size of picture area (50% of theboard)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	iv. Size of text Size (50% of theboard)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	v. Text as perlaw	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2	Sale of tobacco products by a minor / Tobacco product are sold by Minor	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3	Sale of tobacco products to the minors	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4	Whether vendors enquire or see age-proof in under-age/youth (borderline case)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5	Tobacco products are prominently displayed and visible /Tobacco product are easily accessible to minor	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sr. No.	Parameter of evaluation	Observation (Yes / No).	
1.	Whether tobacco products advertisements are present at the PoS?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

1.1	If yes, what kind of advertisements		
	1.1.1 Boards	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	1.1.2 Posters	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	1.1.3. Banners	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	1.1.4 Stickers	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	1.1.5 LCD/video screening	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	1.1.6 Dangles	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	1.1.7 Promotional gifts/offers	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	1.1.8 Products showcases	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	1.1.9 Any others (please describe)		
2.1	If an advertisement board is displayed	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	If yes, whether its size exceeds 60X45 cm	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.2	If yes, number of advertisement boards at the PoS		
2.3	Whether advertisement board is illuminated or back lit(with light)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.4	Whether advertisement board displays brand packshot or brand name of tobacco products	<input type="checkbox"/> Yes	<input type="checkbox"/> No

2.5	Whether advertisement board shows any promotional message or Picture	<input type="checkbox"/> es	Y	<input type="checkbox"/> o	N
2.6	Whether the particular colour and layout and or presentation is used in an advertisement board that is associated to particular tobacco products	<input type="checkbox"/> es	Y	<input type="checkbox"/> o	N
2.7	Whether, besides the boards, advertisements are extended to full body of PoS	<input type="checkbox"/> es	Y	<input type="checkbox"/> o	N
3.1	Whether advertisement board displays a health warning	<input type="checkbox"/> es	Y	<input type="checkbox"/> o	N
3.2	Whether health warning is in white background with black letters	<input type="checkbox"/> es	Y	<input type="checkbox"/> o	N
3.3	Whether size of health warning is more than 20 X 15 cm	<input type="checkbox"/> es	Y	<input type="checkbox"/> o	N
3.4	Whether health warning is on uppermost portion of a board	<input type="checkbox"/> es	Y	<input type="checkbox"/> o	N
3.5	Whether health warning is written in any local Indian language (as applicable)	<input type="checkbox"/> es	Y	<input type="checkbox"/> o	N

Sr.No.	OBSERVATIONS	WHETHER PRESENT OR NOT	
		Yes	No
1.	Whether the owner having the license		
2.	Signages displayed regarding “No Sale to Minors”		
3.	Whether located within 100 yards of educational Institution		
4.	Smoking Aids provided to customers (match box/lighter/string)		
5.	Sale of Loose Cigarettes/Tobacco		
6.	Sale of E-Cigarettes		
7.	Sale of Flavoured/Scented/Processed chewable Tobacco		

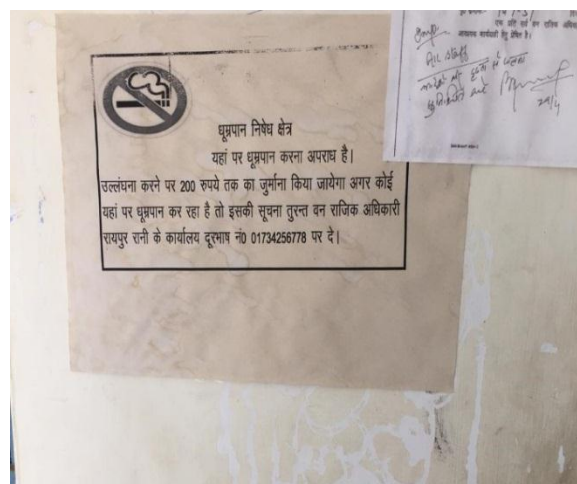
Any photographs taken: Yes/No

Sr. No	Details/Indicator	Type of tobacco products							
		Cigarettes- Indian made	Cigarettes-foreign made	Cigars- Indian made	Cigars-foreign made	Bidi	Smokeless Tobacco	Hukka/ tobacco	Local variety of tobacco
1.	Brandname								
2.	Date of manufacture (Month/year)								
3.	Whether Health warning (HW) is present (Yes/No)								
4.	If yes, whether the healthwarning “SmokingKillsor “Tobacco Kills” is written on the pack(Yes/No/NA)								
5.	If yes,whether this health warning is written on the pack in white fontcolour and black colour background(Yes/No/NA)								
6.	If yes, whether the health warning is placed at the bottom and below the pictorial representation (Yes/No)								
7.	If yes, whether the word “ warning ” is written in red font with black background (Yes/No/NA)								
8.	If yes, whether the picture and text cover 40% of the principal display area of the front panel (front side) of the tobacco product packs (Yes/No/NA)								
9.	If yes, whether picture size is distorted, shortened or compressed (Yes/No/NA)								

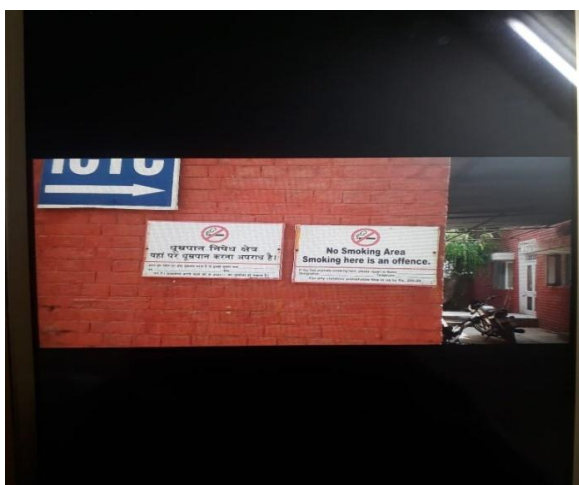
10.	If yes, whether the PHW is positioned parallel to the top edge/widest end of the package and in the same direction as the other information on the package (Yes/No/NA)								
11.	If yes, whether on the pack, the specified warning is positioned in a manner that, none of the elements of the warning are covered when the package is sealed or opened(Yes/No/NA)								
12.	If yes, whether the specific health warnings on the packs are displayed total two languages (same as on the pack) (Yes/No/NA)								
13.	Whether, any messages are displayed on the packs that directly or indirectly promote a specific tobacco brand or tobacco usage in general (Yes/No)								
14.	Whether promotional inserts are found inside the pack of the tobacco products (Yes/No)								

8.4- Annexure D: Photographic Journey

COMPLIANCE TO SECTION-4 OF COTPA

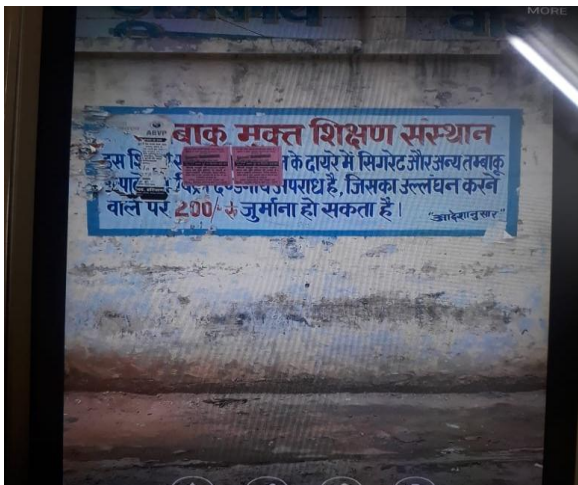


COMPLIANCE TO SECTION-4 OF COTPA



SINGAGE DISPLAYED (NOT AS PER GUIDELINES OF SCETION-4, COPTA)





VIOLATION OF SECTION-5 OF COTPA



COMPLIANCE OF SECTION-6 (a)





NON COMPLIANCE TO SECTION 6 (a)



VIOLATION OF SECTION-5 OF COTPA



COMPLIANCE OF SECTION-6 (a)





NON COMPLIANCE TO SECTION 6 (a)



COMPLIANCE TO SECTION 6 (b)



COMPLIANCE TO SECTION 7, 8 & 9 OF COTPA



NON COMPLIANCE TO SECTION 7, 8 &9 OF COTPA IN HARYANA

