

NO.H.P.S.E.S H.O. SAMAGRA SHIKSHA NAPDDR (DRUG ABUSE)-2025 -522
OFFICE OF THE STATE PROJECT DIRECTOR, SAMAGRA SHIKSHA,
HIMACHAL PRADESH SHIMLA-171001-Vol.III.

Dated: Shimla

22nd May, 2025

From

The State Project Director (SS)
Himachal Pradesh, Shimla -1

To

1. All the Deputy Directors (Quality) H.P.
2. All the Deputy Directors (Higher Education) H.P.
3. All the Deputy Directors (Elementary Education) H.P.
4. All the Principals DIETs, H.P.


Subject: **Regarding Observance of Enforcement Drive w.e.f. 31st May, 2025 (World No Tobacco Day) to 26th June 2025 (International Day against Drug Abuse and Illegal Trafficking) in all the High and Senior Secondary Schools across the State.**


Sir/Ma'am,

This is in reference to D. O. No. 12-11/2024-UT dated 19th May, 2025 received from the Secretary, DOSE&L, Ministry of Education, Govt. (copy enclosed) on the subject cited above. In this context you are directed to implement Activities 8 & 9 respectively, contained in the Implementation Manual of ToFEI Guidelines during the Enforcement Drive in convergence with the police department.

It is further informed that the framed SOP along with other relevant material in soft is also shared at Annexure "A" for your ready reference.

Hence, this is for your kind information and further necessary action, at your end, please.



The Director of School Education
Himachal Pradesh, Shimla-1

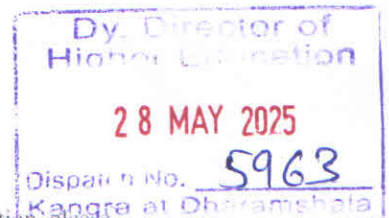

State Project Director (SS)
Himachal Pradesh, Shimla-1

Endst.No: Dated: Shimla-171001, the May, 2025

Copy to:-

1. The Secretary (Education) to the Govt. of Himachal Pradesh for information, please.


State Project Director (SS)
Himachal Pradesh Shimla-1



Endst. No. KGR (S.C. Consultant) Drug/2025-26.

o/o The Dy. Director of Higher Education Kangra.

Copy to:-

All the Principal's/HM's of GSSS/GHS/Private schools in Distt. Kangra are directed to go through the letter and implement the ToFEI guidelines in your school to sensitize the students about the harmful effect of tobacco use.

Enclst- Guidelines enclosed.


Deputy Director of Higher Education
Kangra at Dharamshala 176215

SOP regarding Activities 8 and 9 contained in the implementation Manual of ToFEI Guidelines to be observed during the Enforcement Drive (w.e.f. 31st May 2025 to 26th June, 2025).

Marking a 100-yard Tobacco Free Zone (Activity- 8):

1. Measure a 100-yard radius from the outer boundary wall of each Educational Institution.
2. Mark the perimeter with visible signage of red lines indicating the Tobacco Free Zone.
3. Facilitating students in awareness campaigns about the significance of the marked Zone.
4. Seek support in the enforcement of Tobacco Free Zone through law enforcing agencies.

Prohibition of Tobacco Product sales within the 100-yard Zone (Activity-9):

1. Identify all shops within the 100-yard radius selling Tobacco products.
2. Issue notices informing shopkeepers about the legal prohibition under Section 6 (b) of COTPA, 2003.
3. Collaborate with the law enforcing agencies to ensure compliance, including relocation of shops, if necessary.
4. Implement penalties for non-compliance as per legal provisions.
5. Supporting Community outreach programmes to inform the public about Tobacco Free initiatives.
6. Enforce the prohibition through local police and municipal authorities.
7. Monitor compliance and take action against violators. Principal/ Headmaster of the school is authorised to impose and collect the fine against the violation of Section 6 (a&b).
8. Maintain records of all activities related to implementation of Activities 8 & 9
9. Action taken Report against the violators must to be documented.

ANNEXURE - I

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

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

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

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

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

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

Prototype of a receipt

(Name and Address of educational institution)

RECEIPT

Receipt No. 851

Date :.....

Received Rs. (in words)
from D/S/o.....
R/o.....
.....on account of fine for violation of
Section-4/Section-6/Others at.....(Name of the Place) under the provisions
of the Cigarettes and other tobacco products (prohibition of advertisement and regulation of
trade and commerce, production, supply and distribution) Act, 2003

Signature of the Offender

Signature of the Authorized Officer

ACTIVITY-8 : Marking of 100 yards area from the outer limit of boundary wall / fence of the Educational Institute

It is important to make the public/shop keepers aware about the 100 yards area around the Educational Institution in which tobacco products can't be sold. Therefore, Educational Institutions would mark the area of 100 yards (300 feet) with either by paint a Red line on the road or fixing boards mentioning 'Tobacco Free Zone'.

Students can also be involved in the activity of marking 100 yards around the Educational Institution.

100 yards has to be measured from the outer boundary wall of the Educational Institution in both the directions.



ACTIVITY - 9 : Shops within 100 yards of the Educational Institute shall not sell any kind of tobacco products

Selling of any tobacco products within 100 yards (300 feet) of any Educational Institution is a punishable offence. There should not be any shop selling tobacco products in the radius of 100 yards of the Educational Institution. If there is any such shop within radius of 100 yards, either it should stop selling tobacco products or should be moved out of 100 yards with the help of Gram Panchayat / Municipal body. Head of the Institutions are authorized under Section 6b of COTPA-2003 to penalize the violators with the fine up to Rs. 200/-.

Violations can also be reported to the local Police Station, Anti-Tobacco Squad, Municipal body or to the National Helpline No. 1800-11-2356.

