

C I R C U L A R

The harmful effects of tobacco use are well established and accepted globally. The use of tobacco is a prominent risk factor for 6 to 8 leading causes of death and almost 40% of the Non communicable Diseases (NCD) including cancers, cardio-vascular diseases and lung disorders are attributable to tobacco use. The number of deaths every year in India which is attributable to tobacco use is almost 8-9 lakhs.

WHEREAS the Central Government has enacted the Cigarettes and other Tobacco products (prohibition of Advertisement and Regulations of Trade and commerce Production, supply and Distribution) Act (COTPA) in 2003, to protect the youth and the masses from adverse harmful effects of tobacco use and Second Hand smoking.


WHEREAS COTPA envisages protection of non-user from involuntary exposure to tobacco smoke, which specifically finds mention in Section 4 of the Act that prohibits smoking in public place which includes all public offices, workplaces, canteen etc.

WHEREAS spitting of tobacco etc., leads to spread of swine flu, tuberculosis, and pneumonia and gastro-intestinal diseases. TB Bacilli can survive in spit for an entire day which causes health problems to the public or nuisance to the people in general.

WHEREAS Section 268 of the Indian Penal Code stipulates that a person is guilty of a public nuisance who does any act or is guilty of an illegal omission which causes any common injury, danger or annoyance to the public or to the people in general who dwell or occupy property in the vicinity, or which must necessarily cause injury, obstruction, danger or annoyance to persons who may have occasion to use any public right.

WHEREAS in the interest of public health and with a view to keep the building clean, thus contributing towards the "Swachh Bharat Swasth Bharat" campaign, the premise of the Department of Legal Affairs is declared as "Tobacco Free Zone". As such smoking and spitting of tobacco in the premise are prohibited.

All are requested to note for strict compliance.


(Raghunathan T.V.)
Under Secretary (Coord.)

1. All Officers & Staff of the Department of Legal Affairs.
2. Notice Board.
3. Web site of the Department of LA.

Copy for information and similar necessary action to:

1. Registrar, ITAT, Mumbai.
2. In-charge, Branch Secretariat at Kolkata,
3. In-charge, Branch Secretariat, Chennai,
4. In-charge, Branch Secretariat, Bengaluru,
5. In-charge, Branch Secretariat, Mumbai,
6. Under Secretary, Law Commission of India, 2nd Floor, Lok Nayak Bhavan, Khan Market, New Delhi.
7. In-charge, Central Agency Section, Supreme Court compound, New Delhi.
8. In-charge, Litigation (HC)
9. In-charge, Litigation (LC) Section