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## Court asks Delhi to decide on tobacco ban plea

Submitted by Raman Iyer on Wed, 08/22/2012 - 08:51

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New Delhi, Aug 22 :The Delhi High Court Wednesday asked the Delhi government to decide within two weeks upon a petition seeking a ban on tobacco products in the state.

A division bench of Acting Chief Justice A. K. Sikri and Justice Rajiv Sahai Endlaw disposed off the Public Interest Litigation (PIL) and asked the petitioner, Doctors For You, to approach the state's Ministry of Health and Family Welfare.

The court asked the government to consider the PIL as a representation and decide upon it within two weeks.

It also cited a July 31 newspaper article where state Health Minister A. K. Walia had said that tobacco should be banned in Delhi.

The petitioner, Doctors For You, a registered society, had filed the PIL due to a spurt of oral and lung cancer cases in Delhi.

The petitioner told the bench that when eight states had banned tobacco, why was Delhi not taking any action.

The eight states are Madhya Pradesh, Kerala, Haryana, Bihar, Maharashtra, Himachal Pradesh, Rajasthan and Goa.

Delhi government's standing counsel Najmi Waziri told the court that steps had been taken and if any representation was made to the government, it would be considered.

Additional Solicitor General Rajiv Mehra, appearing for the central government, told the court that under the Food Safety and Standards Act,

2006, the centre had passed a regulation in 2011 empowering food safety commissioners in states to ban tobacco products.

According to Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011, gutkha and other forms of chewing tobacco products such as zarda, pan masala, gul and bajjar, which are toxic and addictive, should be banned.

Advocate Varun Kumar Chopra, appearing for Doctors For You, argued: "The Delhi government has not taken any action despite the central government regulation. Oral cancer is on a rise."

According to a World Health Organisation's study, about 25 percent of the population in Delhi consumed tobacco in some form, said the petition.

"Despite clear evidence of tight regulations and actions taken by other states of India, the enforcing agencies of Delhi have failed to take any appropriate action against manufacturers, importers and distributors of tobacco products," it said. (IANS)

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