



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 95 of 2024

1 - In The Matter Of Suo Moto Public Interest Litigation, Regarding News Item, Namely Tobacco Products Continue To Be Sold Freely Despite Implementation Of Copta On News Item Published In Daily News Paper The Hitavada, Window On Chhattisgarh Dated 15-11-2024.

... Petitioner

versus

1 - State Of Chhattisgarh Through Chief Secretary, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, C.G.

2 - Secretary/labour Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, C.G.

3 - State Of Chhattisgarh Through Secretary, Higher Education Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, C.G.

4 - State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, C.G.

5 - State Of Chhattisgarh Through Secretary, School Education Department, Indravati Bhawan, Atal Nagar, Nawa Raipur, C.G.

6 - State Of Chhattisgarh, Through Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, C.G.

7 - Directorate General Of Police Raipur, District Raipur, C.G.

8 - Collector Bilaspur, District Bilaspur, C.G.

9 - Superintendent Of Police Bilaspur, District Bilaspur, C.G.

10 - Commissioner Municipal Corporation Bilaspur, C.G.

11 - Chief Medical And Health Officer Bilaspur, District Bilaspur, C.G.

12 - District Education Officer, Bilaspur District Bilaspur, C.G.

13 - Block Education Officer, Bilha, District Bilaspur, C.G.

... Respondents

Order Sheet

18/11/2024	<p>This is an office reference.</p> <p>Heard Mr. Prafull N. Bharat, learned Advocate General along with Mr. Gary Mukhopadhyaya, Government Advocate, appearing for the State. Also heard Mr. Ranbir Singh Marhas, learned counsel for Commissioner Municipal Corporation, Bilaspur/respondent No.10.</p> <p>This suo moto writ petition has been registered on the basis of a news reporting published in english news paper “The Hitavada Chhattisgarh” dated 15th November, 2024 with a heading “Tobacco products continue to be sold freely despite implementation of COPTA”, along with a photograph which depicts selling of cigarettes and gutkha openly around the Railway School No.2 near Railway Station, Bilaspur.</p> <p>The aforesaid news reporting further goes to state that tobacco products are being sold freely in and around the Railway area particularly near the school situated near</p>

Railway School No.2 which is causing addiction in children and youth. Though **the Cigarettes or Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003** (for short COPTA Act) is in force, however the responsible officers are not taking any action to restrain the selling of the tobacco products and it is causing addiction among young people. The District Collector, Bilaspur has also expressed his anguish over the sale of tobacco products near the schools and colleges and earlier he had instructed the officials to take strict action against the shopkeeper but till date no concrete steps have been taken by the local police or the Drug Enforcement Department. The sale of tobacco products has become a serious threat specially to the minors and young adults.

Learned Advocate General appearing for the State submits that regular action is being taken for proper implementation of COPTA. It has been submitted that after suo moto cognizance of the matter was taken by this Court and the same was registered on 15.11.2024, the District Administration has taken a prompt action by imposing penalty and seized the articles which were found on stalls and movable carts etc.

Even then it is very much disturbing that the provisions of the said Act are being violated and no positive steps have been taken by the concerned authorities.

In view of the above, the Chief Secretary, State of Chhattisgarh/respondent No.1 and Commissioner Municipal Corporation, Bilaspur/respondent No.10 are directed to file their personal affidavits regarding the steps taken for effective implementation of COPTA, 2003 in the State of Chhattisgarh as well as in District Bilaspur, respectively, by the next date of hearing.

Let the matter be listed on **5th December, 2024.**

Sd/-

**(Amitendra Kishore Prasad)
Judge**

Sd/-

**(Ramesh Sinha)
Chief Justice**