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1999  
J. Kothari

GN-Rec PIL

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

ORDER SHEET PART - 1

R.F.A./R.S.A./M.F.A./M.S.A./W.P./C.R.P./C.P.

WP 17958/2009 of ..... 20

Appellant Petitioner

Respondent

THE CANCER PATIENTS AID ASSOCIATION HAVING ITS

THE STATE OF KARNATAKA HEALTH AND FAMILY  
Advocate for Respondent

Date of Filing : 24/06/2009

JAYNA KOTHARI

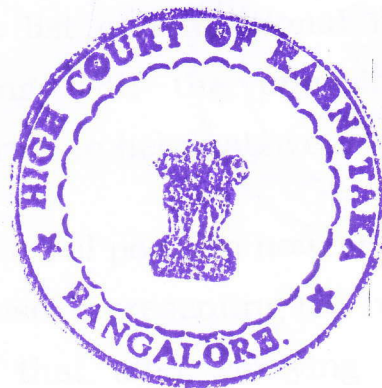
Orders of Court

Receipt No: 31717/2009 Court Fee : 100

THIS W.P. FILED PRAYING TO -

DIRECT THE R3 AND R4 STATE DEPARTMENTS TO  
TAKE IMMEDIATE ACTION BY DIRECTING ALL  
HEADS OF EDUCATIONAL INSTITUTIONS IN  
BANGALORE CITY TO STRICTLY IMPLEMENT  
SECTION 6 (B) OF COTPA BY ENSURING THAT THERE  
IS NO SALE OF CIGARETTES OR TOBACCO PRODUCTS  
WITHIN 100 YARDS OF THE INSTITUTION, AND TO  
EXHIBIT A BOARD AT A CONSPICUOUS PLACE  
OUTSIDE THEIR PREMISES STATING THAT SALE OF  
TOBACCO WITHIN 100 YARDS IS PROHIBITED AND  
THAT IT IS A PUNISHABLE OFFENCE. THE R3 & 4  
STATE DEPTS. SHOULD ALSO BE DIRECTED TO  
SUBMIT AN ACTION TAKEN REPORT TO THIS HONBLE  
COURT AS TO THE ACTION TAKEN BY THEM TO  
IMPLEMENT THESE DIRECTIONS.

DIRECT THE RESPONDENTS NOS.1,2,3 & 4 TO PASS  
APPROPRIATE ORDERS DIRECTING THAT  
TEACHERS AND STAFF IN ALL EDUCATIONAL



This certificate copy contains 3 pages  
and a court fee stamps of Rs. 5 is affixed

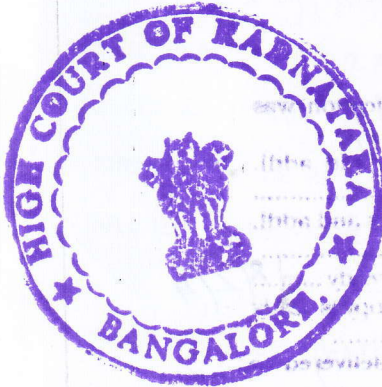
CJ & ASBJ:  
14.2.2011

W.P.No.17958/2009

Learned counsel for the respondents informs us, that all necessary remedial measures have been taken for the enforcement of the notification issued by the Ministry of Law and Justice dated 19.5.2003, inasmuch as, a circular has been issued on 27.5.2010 by the State Government, directing the compliance of the provisions of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003. It is submitted that all educational institutions have been directed to ensure that the required placards/notice boards are erected around educational institutions depicting the prohibition of sale of tobacco products, within a radius of 100 yards of the concerned institution.

Jagdish Singh

Learned counsel for the petitioner controverts the aforesaid factual position for which, she has enclosed with a presentation form, the list of educational institutions, which are not complying with the provisions of the statutory enactment, referred to hereinabove.



In response to the factual position now brought to the notice of the learned counsel representing the respondents, he assures this Court, that after verifying the factual position within one day, necessary departmental action shall be initiated against the heads of institutions, who have not complied with the statutory provisions, referred to hereinabove, as also the circular issued by the State

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Government dated 27.5.2010. He further states, that notices for terminating grant and withdrawal of recommendation shall be issued to aided institutions, and prosecution under the provisions of the Cigarettes and Other Tobacco Products (Prohibition of Advertisements and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 shall be initiated against unaided private institutions, who have failed to comply with the provisions referred to hereinabove on or before 18.2.2011.

List again on 22.2.2011.

A copy of the instant order be furnished to the learned Principal Government Advocate, under the signatures of the Court Officer attached to this Bench.



bkv

TRUE COPY  
Section Officer  
High Court of Karnataka  
Bangalore - 560 001

*[Handwritten signature]* Sd/-  
JUDGE

- a) The date on which the application was made ..... 15/2/11
- b) The date on which charges and addl. charges, if any, are called for.....
- c) The date on which the charges and addl. charges if any, are deposits.....
- d) The date on which the copy is ready ..... 18/2/11
- e) The date of notifying that the copy is ready for delivery .....
- f) The date on which copy is delivered to the application ..... 2 18/2