

The Center is urged by the Madras High Court to outlaw filter tobacco products.



The Union government was recently directed by the Madras High Court to take into account the serious harm that filter tobacco products, like cool lip, do to students and to make orders under the Food Safety Act that would prohibit their sale.

In order to guarantee that children who are addicted to consuming tobacco products that are prohibited receive treatment and counseling, **Justice D Bharatha Chakravarthy** also ordered the Tamil Nadu government to set up "Child Tobacco Cessation Centers" in each district of the state.

After observing a sharp increase in the number of minors taking these products and the daily occurrence of at least ten bail cases involving them, the Court issued these directives.

"Extreme emergency looms. There is a sudden spurt of children using Tobacco product more specifically a product named Cool Lip. Huge quantity of tobacco products is seized in State of Tamil Nadu especially in and around the schools. Decision has to be made by this Court in at least 10 cases per day relating to grant of bail in these types of matters," the High Court stated.

Aunestraja, who was detained and placed under judicial custody in August of this year after being discovered in possession of 27 packs of Cool Lip tobacco products, submitted a bail plea with the court. According to the State, he smuggled the Cool Lip products into Tamil Nadu after buying them from other States.

He was given temporary release by the High Court in September of this year.

The Court issued an order making such bail unconditional on October 30.

In doing so, the Court also voiced its concern over the growing number of schoolchildren using tobacco products.

It also noted how powerless state officials were to stop tobacco and filter tobacco products from being smuggled into Tamil Nadu from other states.

Although the selling of these goods is illegal in Tamil Nadu and a few other states, Justice Chakravarthy stated that the Union government may take additional measures under Section 86 of the Food Safety Act to guarantee that kids nationwide are not given access to them.

As a result, the Central Government will take into account the seriousness of the situation and issue additional directives under Section 86 of the Food Safety and Standards Act, 2006, since the State Governments are required to follow the instructions. In ruling on the petition, the High Court stated that the novel dipping/filter tobacco products' extensive use, enormous popularity, kid-friendly appeal, and distinctive qualities will all be taken into account.

For Aunestraja, advocate D Venkatesh made an appearance.

The Union government was represented by Additional Solicitor General ARL Sundaresan, who was aided by Deputy Solicitor General K Govindarajan.

The State government was represented by Additional Public Prosecutor RM Anbunithi, Government Pleader P Thilak Kumar, and Additional Advocate General Veera Kathiravan.

Advocate MR Sreenivasan made an appearance on behalf of Cool Lip's manufacturer.

Advocate R Mani Bharathi served as the amicus curiae In the case.