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Research Article

Compliance of a Government Act on Cigarettes and Other Tobacco Products around Educational Institutions of Noida

Abstract

Objectives: The aim of study was to evaluate the Compliance to the Government Act on Cigarettes and Other Tobacco Products (COTPA Act 2003) Section 6 that protects the exposure of under 18 children to tobacco products and to identify areas of violations, near Educational Institutions (EIs) in Noida.

Study Design: Cross-sectional field study.

Methods: Observational cross sectional survey was done on compliance of COTPA Act 2003 section 6 by tobacco Vendors situated within 100 yards of EIs of Noida using a questionnaire. The questionnaire consisted of 21 questions which included the criteria related to tobacco-free provisions of Section 6 of COTPA Act 2003.

Results: The display of sign boards of "NO Tobacco" compliance was 7% in private schools and zero percent in government schools. In thirty five percent of schools at least one vendor was situated at within 100 yards of school. The violation was seen at points of sale (POS) of tobacco products as well as around the EIs such as sale of tobacco products by minors (6.7%) and to the minors (37.1%).

Conclusions: Implementation of tobacco control policy COTPA Act 2003 section 6 needs further emphasis. The schools and the local district health authorities should be made aware of the extent of non-compliance of COTPA Act 2003 and be made stakeholders to reduce tobacco use by Minors.

Introduction

Tobacco use is one of major preventable causes of premature death and disease worldwide. More than 80% of the world's smokers live in low and middle income countries [1]. There are more than one billion smokers globally, who can potentially expose all others to second-hand smoke [2]. According to the fact revealed by the Global Adult Tobacco Survey in India 2009-2010, nearly one million people die in India every year due to tobacco use. In the report, it was estimated that among Minors (age 15-17), 9.6% consumed tobacco in some form and most of them were able to purchase tobacco products [3]. In general many of those who smoke have been doing so for decades as most of them get the first exposure to tobacco in a younger age, so the hazards may already be substantial. Use of tobacco products by Minors in most of the cases can be attributed to the easy accessibility of tobacco products near educational institutions (EIs). A study from National Capital territory (NCT) in 33 government schools among 3422 children found

that 5.4% were user of tobacco and 25% of them started it before the age of 11 years with a reason of easy availability [4].

The law formed by the Government of India for tobacco control is the Cigarettes and Other Tobacco Products Act (COTPA) 2003, of which COTPA 6 (a and b) are important for control of tobacco in and around schools, which include prohibition on selling of tobacco products to Minor and by Minor (under 18 years of age) [5]. In specific issues of prohibition are ensuring the age of person buying tobacco product and a display board declaring sale of tobacco product to Minor is a punishable offence, and no advertisement of tobacco products at point of sale (POS). The prohibition that schools require to implement is prominent display of board for prohibition on tobacco sales within 100 yards of schools to stop children below 18 years of age from accessing tobacco products [5]. As per a Health Ministry notification that came into force from April 1, 2016 tobacco products are mandated to carry larger pictorial warnings covering 85 per cent of packaging

space [6]. Chandigarh became the first smoke free Indian city in July 2007 and Sikkim became the first state in May 2010 (COTPA Act 2003) [7,8]. Compliance of tobacco prevention Act in NCR region is not known. There is a definite need of studies on evaluation of compliance of tobacco policy in different parts of the country. This study was planned to assess the status of compliance with COTPA Act 2003 Act under section 6 near schools (both Governmental and Non-Governmental) in Noida that protects the exposure of under 18 children to tobacco products and to identify areas of violations, where enforcement is needed to be strengthened.

Methods

This was a cross-sectional study on observation of tobacco Vendors (not by interviewing) situated near EIs in Noida. The observation was to understand the extent of compliance of section 6 of COTPA Act 2003 at Noida. Noida is a part of National Capital Region (NCR), having a total of 111 government and private schools and some junior colleges in English and Hindi Medium [9-12]. The source for list of Noida schools was procurement from district authorities and from Google search to add any school found missing in the list of schools. A list of total 111 schools was prepared and 100 schools located could be covered. Selected schools were reached with the help of Google maps. The duration of study was from February to April 2016 during working hours of EIs.

Survey tool was a predesigned and pretested proforma on which information related to tobacco Vendors situated within 100 yards of schools was collected. The essential contents of the tool included a checklist of criteria which confirm to the tobacco free provisions of section 6 of COTPA Act 2003 as key to measure compliance. Items for data collection included the details about neighbourhood Vendors and schools, type of Vendor (temporary or permanent), presence or absence of "No Tobacco" signage display at school, display board on "No Tobacco under 18 years age" at POS, Prominent display of tobacco products sold at POS and observation by investigator whether tobacco products being sold by Minor or to Minor at POS and age enquiry before selling the products to Minor looking persons. A pilot study was conducted to ensure the clarity of questions, by modifying or omitting questions for finalization.

Observations recorded on schools and tobacco Vendors around school surroundings for implementation of section 6 (a and b) of COTPA Act 2003 during the school working days. After parking the vehicle investigator in each school neighbourhood, observed the related issues of the study by walking around it for finding out tobacco selling Vendors as near EIs per the Government specified criterion of 100 yards. Each Vendor was observed for 15-30 minutes by the investigator (Dr. Shibli Sayeed) and filled separate questionnaire on observation of each Vendor. For each EI within 100 yards, presence of total number of tobacco Vendors varied.

The data collected from the field were coded and then entered in the computer Excel sheet on daily basis, verified and checked for errors. Data tabulations were performed using IBM SPSS version 21.

Results

Total number of schools observed in study were 100. Of the total EIs 10% were Government and 90% Private, while 19% Hindi medium, 81% English medium. Only 5% were colleges along with 95% schools. Only 7 (7.7%) private schools had the display of signage board of "No Tobacco" whereas no Government institute displayed the mandatory sign board. Of the total 89 Vendors observed to be situated around 100 EIs within 100 yards of schools, 84 were situated very close to the school gates and only 5 were away from the gate but within the periphery of 100 yards (Table 1).

Total 65 % (60% government and 65.6% private) of EIs were without any Vendor within 100 yards. 14% schools had just 1-2 Vendors, around 17% schools had 3 or >3 Vendors. Out of total 89 Vendors 6 were Minors. In our observational study, total 35% of the Vendors were appeared not enquiring age of the Minor looking customers and 33% Vendors were selling the products to the Minors. There was a prominent display of smoking products at 50.6% vendors and smokeless chewing products by 97.7% Vendors. None of the shops had the specific signage board of warning at POS displayed by the Vendor.

Discussion

There was a wide spread violation of COTPA Act 2003 Section 6 near EIs in Noida. A large number of schools had tobacco Vendor shops around EIs within 100 yards of school premises. Display of "No Tobacco" was not present on entrance gate of majority of schools. At the POS within 100 yards Vendors were selling tobacco to Minors without any enquiry of age, at few places even access of selling of tobacco products was by Minors. This observation was based on a limited period of observation time (15- 30 minutes per Vendor) and the selling tobacco to Minors could be actually higher than what was observed. This is a limitation to this study. At POS almost all Vendors displayed chewable tobacco products and majority displayed smoking tobacco products prominently [Table 2].

In the present study, there were only 7% of the schools that had "No Tobacco" signage board display at school. Similar results were found in Chennai and Kerala [13,14]. There were Vendor's shops around many (35%) EIs. Higher number of

Table 1: COTPA Act 2003 adherence at EIs of Noida.

| COTPA Act 2003 adherence at EIs | |
|---|------------|
| Total number of EIs studied (n=100) | 100 % |
| Display of signage board by Govt. EIs (n=10) | 0 (0.0%) |
| Display of signage board by Private EIs (n=90) | 7 (7.7%) |
| Display of signage board by English Medium school (n=81) | 5 (6.2%) |
| Display of signage board by Hindi Medium school (n=19) | 2 (10.5%) |
| Schools having tobacco Vendor situated within 100 yards (n=100) | 35 (35%) |
| Vendors situated near EIs (n=35) | 89 (254%) |
| Vendors situated very close to EIs (n=89) | 84 (94.4%) |

COTPA- Compliance of a Government act on Cigarettes and Other Tobacco Products; EIs- Educational Institutions; n-number of Educational Institutions; Govt-Government.

schools had Vendor shops within 100 yards in other parts of the country such as Chennai, Kerala, Ahmadabad, Mumbai [13-16]. In those studies, the average number of Vendors present within 100 yards per school were also higher than our study [Table 3].

Violation of COTPA Act 2003 at POS was also high in the present 100 yards of schools. Not a single Vendor had specified warning signage board at POS. There was prominent display of tobacco products both smoking and smokeless at POS. Other studies also found violation of COTPA Act 2003 at POS [14,15]. Ahmadabad study also found that 36% of Vendors were without any warning signage and they were also advertising the tobacco products [15]. Vendors within 100yards were selling the products to the Minors without any age enquiry. In a study at National Capital Region (NCR) it was found that more than 80% of the children could get the tobacco product freely and without any age enquiry [4]. A Study from Mumbai demonstrated proximity of tobacco Vendor to the EIs is a major factor determining consumption of such products by the Minors [16]. A study from Mumbai in Vendors around schools found that very few Vendors were fully aware about tobacco policy at POS [17].

In conclusion, there observed a widespread violation of COTPA Act 2003 Section 6 at EIs and at POS of tobacco products around the EIs in Noida. Keeping in mind the fact that COTPA Act 2003 is not implemented effectively, it is important to spread awareness about hazardous effects of tobacco in Minors. Studies such as this indicate the existing compliance of Government Act on tobacco use by school children. Regular

Table 2: Distribution of Vendors around EIs.

| Number of Vendors | Number of Schools (n=100) number (%) | Types of EIs | | Medium | |
|-------------------|--------------------------------------|------------------------|---------------------------|---------------------------|-------------------------|
| | | Govt (n=10) number (%) | Private (n=90) number (%) | English (n=81) number (%) | Hindi (n=19) number (%) |
| Nil | 65 (65.0) | 6 (60.0) | 59 (65.6) | 51 (63.0) | 14 (73.7) |
| 1-2 Vendor | 18 (18.0) | 2 (20.0) | 16 (17.7) | 15 (18.5) | 3 (15.8) |
| >= 3 Vendors | 17 (17.0) | 2 (20.0) | 15 (16.7) | 15 (18.5) | 2 (10.5) |

EIs-Educational Institutions; n- number.

Table 3: Violations of COTPA Act 2003 Section 6 at POS around EIs of Noida.

| Sr.No | COTPA Act 2003 violation | Vendors near EIs (n=89) |
|-------|--|-------------------------|
| 1. | Sale of tobacco products By Minors | 6 (6.7%) |
| 2. | Sale of tobacco products to Minors | 33 (37.1%) |
| 3. | No Age Enquiry of Minor by Vendor | 35(56.2%) |
| 4. | Display of smoking tobacco products prominently | 45(50.6%) |
| 5. | Display of chewable tobacco products prominently | 87 (97.7%) |
| 6. | Temporary Vendor | 37(41.6%) |
| 7. | Permanent Vendor | 52(58.4%) |
| 9. | No Display of specified signage at POS | 89 (100%) |

POS- Point of Sale; EIs- Educational Institutions; n- number.

reinforcement of Policy is needed for reduction of tobacco use by Minors [18]. Appropriate actions are necessary to be taken for the compliance of the sale. School managements and local district health authorities may be made as stakeholders for tobacco control policy implementation to control tobacco use by school going Minors.

Ethical approval

Since this activity was a part of program evaluation and no human subject interviewed and no personal data collected, so no ethical consent was required for this study.

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