

# Retailers urge PM to order recall of proposed changes to tobacco products law

**OUR BUREAU**

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The Federation of Retailers' Association of India (FRAI) has appealed to the Prime Minister to order a recall of proposed amendments in the COTPA law (Cigarettes and Other Tobacco Products Act) that would endanger the livelihoods of petty retailers selling tobacco products across India.

FRAI is a representative body of about 4-crore micro, small and medium retailers across the country.

The amendments proposed by the Ministry of Health in 2020 included disallowing the retail sale of loose cigarette sticks, prohibiting sale of tobacco products to those below 21 years of age, imposing controls on in-shop advertising and promotions, among others.

According to FRAI, MSME players sustain their livelihood by selling goods of daily need to the public, including biscuits, soft drinks, mineral water, cigarettes, bidi and pan in their neighbourhoods. The profit earned works out to about ₹15,000 a month, which was barely adequate to provide two square meals for their families.

## Lockdown impact

The lockdown and economic hardship brought about by the pandemic has further damaged the economic condition of small retailers and any further adverse policy, which destabilises their business

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activity, will be devastating, it said.

## 'Harsh amendments'

The FRAI President, Ram Asre Mishra, said: "We humbly appeal for the Prime Minister's empathy and request him to instruct the designated ministry to immediately roll back the proposed COTPA amendments as they are extremely harsh. By making age old trade practices like selling loose cigarettes a cognizable offence and imprisonment of seven years for small violations, makes small traders look like heinous criminals. Compared to two-year imprisonment for extortion or dangerous driving that can cause death, this is very harsh. This puts paan, bidi and cigarette sellers in the same category as a person voluntarily throwing acid on someone or causing death by negligence etc."

He added that the current laws have only given a boost to illicit smuggled cigarettes business. "Why have these extra harsh tobacco control meas-

ures have become more important than other health issues such as coronavirus, diabetes, obesity, mental health, and diseases caused by rising air pollution," he added.

The amendments have proposed increasing the area within which tobacco products cannot be sold, from within 100 yards of an educational institution to 100 metres of educational institutions.

The FRAI Joint Secretary, Gulab Chand Khoda, said, "Our members provide various products to consumers based on necessity, including cigarettes and bidis. Under the law, we do not sell tobacco products to minors. In congested, heavily populated cities, such a restriction is impractical. Petty retailers will have to vacate their places without any means to support livelihoods. Moreover, if a new educational institution comes up within 100 metres of the retailer's location, he will again be asked to move."

The retailers have also requested exemption from licensing requirements under the proposed amendment. According to the association, small shopkeepers will not only have to struggle to get a licence, but also struggle to renew it every year. Perpetual harassment will increase under the guise of administrative control. This will not only increase the cost of doing business, but also lead to corruption and harassment of millions of small shopkeepers.