

Indian Institute of Technology, Kanpur
Office of the Dean of Infrastructure and Planning

DOIP/IITK/2015-16/101

Date: 02/05/2017

26

Minutes of the third meeting of the committee constituted to recommend guidelines to the Institute for implementing provisions of COTPA Act 2003

The committee constituted by competent authority met on 07.9.2016 at 5.00 pm in Room No. FB-212. Following were present:

- | | |
|------------------------------|------------------------------|
| 1. Prof. Onkar Dikshit | Chairman |
| 2. Prof. Shalabh | Member |
| 3. Prof. Braj Bhushan | Member |
| 4. Mr. Munish Malik | Nominee of CEMMC |
| 5. Dr. V.P. Singh | Member |
| 6. Mr. Ashutosh Ranka | President, Students Gymkhana |
| 7. Prof. Samit Ray Chaudhuri | Special Invitee |

Background

Based on earlier discussion within the Institute COTPA implementation committee, a few locations of DSR (Designated Smoking Room) were suggested (refer to minutes of the committee: dated 22/01/2016 and 07/04/2016). Subsequently, it was learnt that creation of DSRs in academic area is not allowed as per the law. This issue also came up for discussion in IAC.

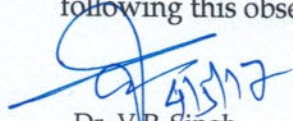
In order to clarify this, a meeting was held with the City Administration coordinating National Tobacco Control Programme (NTCP) Kanpur. Three of their representatives Dr. A. K. Srivastava, ACO and Nodal Officer NTCP Kanpur, Ms. Nidhi Bajpai, District Consultant NTCP Kanpur, and Mr. Prem Das, Counsellor NTCP Kanpur visited DOIP office on 30.05.2016 for discussions on COTPA related issues. After detailed discussion with them and clarifications received from the legal consultant and the state consultant for the National Tobacco Control Program, it was informed that construction of DSR is not permissible within Academic area. It was also learnt that as per the draft of COTPA amendment bill 2015 under consideration with the Parliament, creation of DSR is not permitted anywhere except the international airports. In view of the aforementioned clarifications, it may not be legally correct to create DSR within Academic Area as was suggested earlier by the Institute level COTPA implementation committee.

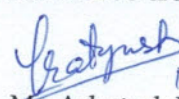
The aforementioned observations were placed in third meeting of the COTPA implementation committee held on 7th September 2016.

On the basis of detailed discussions in this meeting, the committee recommended to request the Institute Legal Cell for providing definition of the academic area of the institute and to elaborate what constitutes an academic area in the Institute. The Cell should clarify if:


- (i) the whole area enclosed within the boundary wall of the academic area constitutes academic area.
- (ii) the academic area constitutes only buildings (offices, lecture halls, labs, library, etc.) within the boundary walls of the academic area.
- (iii) the open spaces such as lawns/pathways/roads/parking/canteen sit-outs and food courts, etc. are also part of academic area?

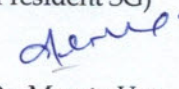
In response to the above, clarification from Joint Registrar (Legal) were sought and circulated to the members. As per the opinion from the Joint Registrar (Legal), construction of DSR in educational institution is impermissible as it would violate the provisions of the Act. Hence, following this observation, no DSRs will be created anywhere in the campus.



Dr. V.P. Singh
(Member, Group-A Officer Rep)

 Acting President, SG
19/5/2017
Mr. Ashutosh Ranka
(President SG)

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Mr. Munish Malik
(Nominee CEMMC)



Mr. Ramaraj Katiyar
(ISCC Representative)

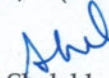

Dr. Mamta Vyas
(Head, HC)



Prof. Debopam Das
Faculty Forum representative

ABSENT
Prof. Sudhir Misra
Prof. I/C (Admin/Registrar)

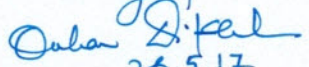
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Prof. Braj Bhushan
(Chairman, SAEC)

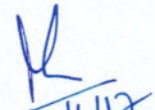

Prof. Sanjit Ray Chaudhuri
(ADPI, Special invitee)


Prof. Shalabh


Prof. Onkar Dikshit
(DOIP, Chairman)

Kindly approve the minutes.
Summary of recommendation: NO DSR will be created anywhere in the campus.


26.5.17

Dy. Dir 
22/6/17

~~Director~~ **Approved**

25.6.17