

IN THE HIGH COURT OF DELHI AT NEW DELHI

**W.P.(C) 5103/2012, CM No.10447/2012 (for interim directions) and CM
No.10448/2012 (for exemption)**

DOCTORS FOR YOU THROUGH: ITS

VICE-PRESIDENT Petitioner

Through: Mr. Varun K. Chopra, Adv.

versus

STATE OF DELHI AND ORS Respondents

Through: Mr. Najmi Waziri and Mr. Abhay Raj Varma, Advs. for R-1 to 3.

**Mr. Rajeeve Mehra, ASG with Mr. Madhusudan and Mr. Sachin Datta,
Advs. for UOI.**

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

22.08.2012

1. The petitioner in this petition has highlighted a very serious problem relating to ill effects of consumption of tobacco in the form of Gutkha, Pan Masala and other forms of chewing tobacco etc. It is pointed

out that Regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011 in this regard has not been implemented by the Government of NCT of Delhi by issuing necessary directions though steps have already been taken by many other States. It is also pointed out that Government of India, Ministry of Health and Family

**W.P.(C) 5103/2012 Page 1
of 2**

Welfare has already written to various State Governments in this regard and the copies of those letters are also annexed with this petition. The petitioner has also annexed a 'Newspaper Clipping' of Times of India dated 31.07.2012 and as per which Delhi's Health Minister Dr. A.K. Walia had given a statement that 'Sale and manufacture of chewable tobacco products like gutka will soon be banned in the city.' It is further reported that eight States including Haryana, Madhya Pradesh and Bihar had already imposed a ban.

2. Since Government of NCT of Delhi is considering the matter, we are not passing any particular directions today and in the process, we also take note of the statement of Mr. Najmi Waziri, learned counsel for GNCTD that this petition shall be treated as representation and proper decision shall be taken within two weeks.

3. In view of the aforesaid statement, this petition is disposed of with liberty to the petitioner to seek revival, if no action is taken.

ACTING CHIEF JUSTICE

RAJIV SAHAI ENDLAW, J

AUGUST 22, 2012