

**GOVERNMENT OF MIZORAM
HEALTH & FAMILY WELFARE DEPARTMENT**

NOTIFICATION

Dated Aizawl, the 20th May 2016.

No.J.11011/28/2015--HFW : In the interest of public service, the Governor of Mizoram is pleased to constitute **Special Committee to Implement Article 5.3 of WHO Framework Convention on Tobacco Control** in order to deal with any kind of interference by the Tobacco Industry, whether registered or local manufacturer/seller or any person(s) intended to act as representative for the same.

The Committee will have the following members:

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| 1. Principal Secretary/Commissioner/Secretary,
Health & Family Welfare Department | - | Chairman |
| 2. Principal Director, Health & F.W. Department
Cum Commissioner of Food Safety | - | Vice-Chairman |
| 3. Commissioner, Taxation Department | - | Member |
| 4. Director, Trade & Commerce Department | - | Member |
| 5. Director, Information & Public Relation Department | - | Member |
| 6. Director, Hospital & Medical Education | - | Member |
| 7. Jt. Controller, Legal Metrology Department | - | Member |
| 8. Dy. Secretary, Law & Judicial Department | - | Member |
| 9. Dy. Secretary, Home Department | - | Member |
| 10. Superintendent of Police (CID Crime) | - | Member |
| 11. State Nodal Officer (Tobacco Control) | - | Member Secretary |

The Committee will ensure that proper protocol (enclosed) are followed while dealing with the Tobacco Industry and its representative.

All Head of Departments are hereby instructed to refer any cases related to this matter to the Chairman or State Nodal Officer (Tobacco Control) as and when necessary.

Sd/- LALRINLIANA FANAI

Commr. & Secretary to the Govt. of Mizoram,
Health & Family Welfare Department.

Memo No.J.11011/28/2015-HFW

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Dated Aizawl, the 20th May 2016.

Copy to :-

1. Secretary to Hon'ble Governor of Mizoram for kind information.
2. P.S. to Chief Minister, Mizoram for kind information.
3. P.S. to all Ministers/Speaker for kind information.
4. P.S. to all Minister of State/Dy. Speaker, Mizoram for kind information.
5. P.S. to all Parliamentary Secretary, Govt. of Mizoram for kind information.
6. Sr. P.P.S. to Chief Secretary, Govt. of Mizoram for kind information.
7. All Administrative Heads for kind information.
8. All Head of Departments for kind information and necessary action.
9. All Deputy Commissioner, Mizoram for kind information.
10. Principal Director, Health & Family Welfare Department for kind information.
11. Director of Health Services, Mizoram for kind information.
12. Director of Hospital & Medical Education, Mizoram for kind information.
13. Controller, Printing & Stationery with six (6) spare copies for kind publication in the official Gazette.
14. Superintendent of Police Aizawl/Lunglei/Saiha/Lawngtlai/Champhai/Serchhip/Kolasib/Mamit for kind information.
15. Guard File.

*State Nodal Officer,
HSTOS,*

(LALSANGPUI HMAR)

Under Secretary to the Govt. of Mizoram,
Health & Family Welfare Department.

Protocol
FOR
Special Committee
to Implement Article 5.3 of WHO Framework Convention on Tobacco Control.

This protocol is being developed due to the increasing incidence of interference by Tobacco Industry in Mizoram. There have been various reported incidents where Tobacco Industry representative have met with officials including Ministers & politicians. Therefore, it is imperative for our State to have strong guidelines to give clear instruction in the matter.

General guidelines:

1. Government officials and employees shall limit interactions with the tobacco industry and/or their representatives
2. Meeting shall be conducted only in the event that it is strictly necessary for the interest of the public.
3. The Committee, in all its proceedings shall look out for the welfare of the public, prioritized mainly for the improvement of Public Health.
4. The Committee shall endeavor to maintain complete recordings of the meeting (audio and/or video) along with written documentation of the proceedings.

A: Fixing the meeting:

- 1) If any representative of Tobacco Industry desires to meet any officials, the matter should be brought to the **Special Committee to Implement Article 5.3 of WHO Framework Convention on Tobacco Control** in writing before any further communication is made.
- 2) Representatives of Tobacco Industry should clearly identify (in writing) what they want to discuss (their agenda) in the meeting.
- 3) The Chairman and Member Secretary of the Special Committee will decide whether to agree with the meeting or not and set the agenda if required.
- 4) Representative from Law & Judicial Department, must be present and closely advise the Officials during the meeting.
- 5) Predetermine the meeting participants (Tobacco Industry) by asking for the names and positions of those who will attend the meeting.
- 6) Before the meeting, it must be clarified that such interaction does not imply partnership, dialogue or collaboration and indicate it in writing to the tobacco industry that they may not mischaracterize the nature of the meeting.
- 7) Meeting should be conducted at any of the premises of Government Department and ensure that any photograph taken of this meeting is strictly for documentation purposes and not for public relation activities of the tobacco industry.
- 8) All unmediated exchanges (in person, phone or email) between officials, employees and representatives of the agency (Tobacco Industry) should be avoided.

Conducting the meeting:

- 1) Meeting should be brief and only pre-fixed agenda is to be discussed.
- 2) Detailed discussion points should be minute in detail. A voice recording of the meeting may be made to assist the staff in preparing the transcript of the meeting and further should be filed for record purposes.
- 3) If there are questions that needs to be answered after the meeting, following further investigations or study, these points may be noted for the Committee to respond through correspondence.

Code of Conduct for Public Officials and employees:

- 1) They shall not harbor any interest in the tobacco industry.
- 2) They shall not demand or receive any contribution/gift of any kind from tobacco industry for themselves, their families, relatives, friends, or any other person or organizations with which they have close links. Contribution/gift shall include, but are not limited to, payments, gifts and services, monetary or in-kind, research funding, financial aid, policy draft and legal advice.
- 3) They shall avoid the creation of any perception of real or potential partnership or cooperation with the tobacco industry, and shall publicly correct any perception of partnership that may have been created.
- 4) Government officials and employees of agencies which have a role in formulating and implementing public health policies with respect to tobacco control, shall inform their institutions about any intention to engage in an occupational activity within the tobacco industry, whether gainful or not.
- 5) In case any Government officials and employees of agencies face/experience any kind of tobacco industry interference or have met any representative from the Tobacco Industry without prior knowledge, they shall immediately refer the matter to this committee in written, seeking for necessary instructions and guidance.