

भारत सरकार
GOVERNMENT OF INDIA



लद्दाख का राजपत्र The Ladakh Gazette

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Part II - Section 3

केन्द्र-शासित प्रदेश लद्दाख प्रशासन
ADMINISTRATION OF UNION TERRITORY OF LADAKH

File No: A-25014/1/2025-OFFICE OF FSO (DnFCO, HnME)
Health and Medical Education Department

Order No: - 11-CFS-UTL of 2026
Dated: - 06 -07-2026.

PROHIBITION ORDER
(Under Section 30(2)(a) of the Food Safety and Standards Act, 2006)

WHEREAS, Regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011, enacted under Section 92 of the Food Safety and Standards Act, 2006 (Central Act No. 34 of 2006), read with Section 26 thereof, stipulates that tobacco and nicotine shall not be used as ingredients in any food products; and accordingly, food products containing

tobacco or nicotine as ingredients, including Gutkha and Pan Masala with tobacco/nicotine, are prohibited;

AND WHEREAS, Regulation 3.1.7 of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, prohibits Magnesium Carbonate as an ingredient in food products including Pan Masala, and Gutkha and Pan Masala—containing Magnesium Carbonate—accordingly contravene the said Regulation;

AND WHEREAS, Gutkha and Pan Masala, by whatever name called or sold in the market, are articles of food in which tobacco and/or nicotine are widely used as ingredients, and their consumption is injurious to health and directly causes oral cancer, oral sub-mucous fibrosis, precancerous conditions, periodontal disease, and other life-threatening conditions, as established by research institutions including the Indian Council of Medical Research (ICMR) and the World Health Organization (WHO);

AND WHEREAS, tobacco and nicotine as 'ingredients' are widely used in different brand names and are easily available in the market, affecting the general population, school students, children, youngsters, coolies, and hard labourers, who are particularly vulnerable and exposed to injurious health consequences;

AND WHEREAS, the Global Adult Tobacco Survey of India (GATS 2009-10) has revealed that 35% of Indian adults use tobacco in some form, of which 21% consume smokeless tobacco products including Gutkha and Pan Masala, with higher prevalence in certain regions;

AND WHEREAS, manufacturers are employing circumvention strategies by selling Pan Masala (without tobacco) conjointly with flavored chewing tobacco sachets from the same premises—effectively selling Gutkha in twin packs to be mixed and consumed as one product—and any such products marketed separately, whether packaged or un-packaged, having tobacco or nicotine in the final product, fall within the prohibition under Regulation 2.3.4 of the said Regulations;

AND WHEREAS, consumption of the above such products will endanger human health and wellbeing, and if consumption is allowed without prohibition, the wellbeing of current and future generations will be compromised;

AND WHEREAS, the Hon'ble Supreme Court of India, in Central ARECANUT Marketing Corporation and Others Vs Union of India (Transfer Case (Civil) No. 1/2010), dated 23.09.2016, observed that circumvent the ban on the sale of Gutkha, manufacturers are selling Pan Masala (without tobacco) with flavoured chewing tobacco sachets from the same vendors, effectively selling Gutkha in twin packs to be mixed and consumed as one;

AND WHEREAS, the Hon'ble Supreme Court of India has directed the concerned statutory authorities and Secretaries, Health Departments of all States and Union territories to ensure total compliance of the ban imposed on manufacturing and sale of Gutkha and Pan Masala with tobacco and/or nicotine;

AND WHEREAS, FSSAI, vide Letter No. RCD-02001/23/2026-Regulatory-FSSAI-Part(1) dated 27.03.2026, issued by the Director (Regulatory Compliance Division), FSSAI, FDA Bhawan, Kotla Road, New Delhi-110002, has directed all Commissioners of Food Safety of States/UTs to ensure compliance of the Supreme Court Order dated 23.09.2016 and to ensure annual issuance/renewal of appropriate orders or notifications under Section 30(2)(a) of the Food Safety and Standards Act, 2006, prohibiting the manufacture, storage, distribution, or sale of Gutkha and Pan Masala containing tobacco/nicotine and allied products;

AND WHEREAS, Ms. V. Hekali Zhimomi, I.A.S., Additional Secretary, Ministry of Health & Family Welfare, vide D.O. Letter dated 24.10.2025, highlighted that several States/UTs have not been issuing the required orders/notifications on an annual basis under Section 30(2)(a) of the FSSA, 2006, which adversely affects effective enforcement of the prohibition;

AND WHEREAS, it is expedient, in the interest of public health, to prohibit the manufacture, storage, distribution, and sale of Gutkha, Pan Masala, and allied tobacco/nicotine-containing products in the Union territory of Ladakh;

AND WHEREAS, the Commissioner of Food Safety, Union territory of Ladakh, is empowered under Section 30(2)(a) of the Food Safety and Standards Act, 2006, to prohibit, in the interest of public health, the manufacture, storage, distribution, or sale of any article of food in the whole of the Union territory of Ladakh or any area or part thereof, for a period not exceeding one year, by an order notified in the Official Gazette;

NOW THEREFORE, I, Dr. Laltinkhuma Franklin, I.A.S., Commissioner of Food Safety, Union territory of Ladakh, in exercise of the powers conferred by clause (a) of sub-section (2) of Section 30 of the Food Safety and Standards Act, 2006 (Act No. 34 of 2006) read with Regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011, and Regulation 3.1.7 of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, in compliance with the Order of the Hon'ble Supreme Court of India dated 23.09.2016 [Transfer Case (Civil) No. 1/2010] and in accordance with FSSAI Letter No. RCD-02001/23/2026-Regulatory-FSSAI-Part(1) dated 27.03.2026, and in supersession of all previous Notifications and orders on the subject matter and in the interest of public health, hereby PROHIBIT:

The manufacture, storage, distribution, and sale of the following products in the whole of the Union territory of Ladakh:

- a) Gutkha, by any trade name or brand, containing tobacco and/or nicotine as ingredients;*
- b) Pan Masala containing tobacco and/or nicotine as ingredients, by whatsoever name known or sold in the market;*
- c) Scented/Chewing Pan Masala or Supari containing tobacco or nicotine;*
- d) Any other products marketed separately having tobacco or nicotine in the final product by whatever name called—whether packaged or un-packaged, sold as one product or as separate products—distributed in such a manner as to easily facilitate mixing by the consumer (including twin-pack formats); and*
- e) Pan Masala (without tobacco) when sold conjointly with tobacco sachets from the same premises so as to constitute, in combination, a Gutkha or Pan Masala final product*

containing tobacco, nicotine, or Magnesium Carbonate.

This Prohibition Order shall remain in force for a period of ONE (1) YEAR from the date of its notification in the Official Gazette of the Union territory of Ladakh. It shall be renewed annually in compliance with the Order of the Hon'ble Supreme Court of India dated 23.09.2016 and the directions contained in FSSAI Letter No. RCD-02001/23/2026-Regulatory-FSSAI-Part (1) dated 27.03.2026. This Order shall extend to the whole of the Union territory of Ladakh.

Any person, firm, company, or entity found manufacturing, storing, distributing or selling any article of food in contravention of this Order shall be liable to be proceeded against and penalized as per the provisions of the Food Safety and Standards Act, 2006 (Act No. 34 of 2006) and the Rules and Regulations made thereunder.

All Designated Officers Food Safety and Food Safety Officers appointed under the Food Safety and Standards Act, 2006 in the Union territory of Ladakh are hereby directed to:

- Strictly enforce this Order within their respective jurisdictions;*
- Conduct regular inspections of premises engaged in manufacture, storage, distribution, and retail of food products;*
- Draw samples for analysis and maintain records of inspection and sampling activities;*
- Seize, confiscate, and initiate prosecution in respect of any prohibited product found in contravention of this Order; and*
- Maintain a register of all violations, seizures, and prosecutions initiated, and submit monthly compliance reports to the Commissioner of Food Safety.*

All traders, distributors, retailers, manufacturers, and stockists are directed not to replenish stocks of prohibited products after the date of this Order. Any prohibited products found in possession beyond a grace period of FIFTEEN (15) DAYS from the date of this Order shall be liable to seizure, confiscation, and prosecution under the applicable provisions of law.

Sd-

Dr Laltinkhuma Franklin, (IAS)

Commissioner of Food Safety

UT of Ladakh

No: - CFS/UTL/Proh./2026-27/68-75

Dated: - 06-07-2026

Copy forwarded to:

- 1. The Chief Secretary to the Lieutenant Governor, UT of Ladakh — for information.*
- 2. The Deputy Commissioner, Leh, Kargil, Sham, Nubra, Drass, Zaskar, Changthang for information.*
- 3. Director (Regulatory Compliance Division), FSSAI, FDA Bhawan, Kotla Road, New Delhi 110002 for information.*
- 4. The Director of Health Services, UT Ladakh.*
- 5. The Superintendent of Police, Leh, Kargil, Sham, Nubra, Drass, Zaskar, Changthang for*

information.

6. All Assistant Commissioners /Designated Officers Food Safety posted in UT Ladakh for information & compliance.
7. Food Safety Officers posted in UT Ladakh for information & compliance.
8. All Chief Medical Officers / Block Medical Officers in UT Ladakh.

Thamchos Gurmeet
Assistant Commissioner Food Safety
HQ
UT of Ladakh

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