

# CAA orders dismantling of all designated smoking areas

Premises to be sealed, disciplinary action to be recommended in case of non-compliance

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Acting on reservations expressed by the Tobacco Control Cell, the Civil Aviation Authority (CAA) has instructed all airport managers to remove or dismantle the structures of all Designated Smoking Areas (DSAs) functioning within passenger lounges, and to strictly follow and implement laws that prohibit smoking in places of public use or work.

"The structures of designated smoking zones in airport lounges, including CIP lounges, should be dismantled or removed," instructs a written order issued to all airport managers by Regional Director South M Hanif Khattak.

The letter also states that signs saying 'Smoking is banned in airport lounges' should be displayed at prominent places at airport lounges, toilets and other places; and that arrangements should be made to facilitate anti-smoking passengers to be able to complain in case they observe a fellow passenger smoking in an airport lounge, toilet or any other place within the airport.

"The airport managers are authorised

to act against smokers in airport lounges by either ejecting them from the lounges or by filing a written complaint in a court of First Class Magistrate against the offenders," Hanif Khattak's order further informs airport managers in the light of a warning contained in a letter written to the CAA by the Director General of the Tobacco Control Cell Yusuf Khan. "In case negligence on part of the airport lounge managers is witnessed, the Ministry of Health will be forced to take action to seal off the premises and to recommend disciplinary action against negligent airport lounge managers," Yusuf Khan informs in his January 21, 2010 letter addressed to the Director General of the CAA.

The letter expresses concern about continuation of smoking in airport lounges, including CIP lounges, despite the existence of a law that prohibits designated smoking areas in the country.

"The management staff of airport lounges in very reluctant to even stop passengers from smoking, leave alone take legal action under the law that prohibits smoking in airport lounges. As a consequence of this negligence, non-

smokers, particularly children and patients, are forced to inhale second-hand cigarette smoke, which has scientifically been proven to be as harmful as smoking itself, as well as a cause of cancer and many other serious diseases," Yusuf Khan points out in the letter.

The letter also communicates in great detail, the legal position of smoking by passengers in airport lounges to the CAA, hoping that enforcement of the relevant section of laws and rules would be strictly followed.

Section 2-c of the Prohibition of Smoking and Protection of Non-Smokers Health Ordinance 2002 defines a "waiting lounge" as "a place of public work or use." Another section states that "No person shall smoke or use tobacco in any form in any place of public work or use." Any person who contravenes the provisions of the law is punishable with fine that may extend to 1,000 rupees, and in case of second or subsequent offence, be punishable with a fine which shall not be less than 1,000 rupees and may extend to 100,000 rupees.

The law empowers any authorised officer or a police officer not below the

rank of sub-inspector to eject any person from any place of public work or use, who contravenes the provisions of the Ordinance, sections 13 and 14 of which allow a magistrate of the First Class to take cognizance of the offences under sections 5, 6, and 10 on a complaint in writing by an 'authorized officer.' In the present context, the SRO declares the managers of airport lounges as authorized persons or officers to be competent to act in respect of these sections of the Ordinance.

"The managers of airport lounges under the CAA should be directed to take this legal duty with utmost seriousness," Yusuf Khan states in the letter. He has also advised the CAA to impart training to airport and lounge managers so that they become aware of their legal powers and duties. The Tobacco Control Cell has offered to provide resource persons in case the CAA decides to arrange such trainings.

The Tobacco Control Cell will periodically be deploying teams to ensure that the anti-smoking laws are enforced at airports, particularly in passenger lounges, restaurants, waiting areas and toilets.