

PUNJAB VIDHAN SABHA

Bill No. 10-PLA-2018

**THE CIGARETTES AND OTHER TOBACCO PRODUCTS
(PROHIBITION OF ADVERTISEMENT AND REGULATION OF
TRADE AND COMMERCE, PRODUCTION, SUPPLY AND
DISTRIBUTION) (PUNJAB AMENDMENT) BILL, 2018**

(Bill as passed by the Punjab Vidhan Sabha)

The following Bill was passed by the Punjab Vidhan Sabha :—

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BILL

*further to amend the Cigarettes and Other Tobacco Products
(Prohibition of Advertisement and Regulation of Trade and Commerce,
Production, Supply and Distribution) Act, 2003, in its application to the
State of Punjab.*

BE it enacted by the Legislature of the State of Punjab in the Sixty-
ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Punjab Amendment) Act, 2018. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (hereinafter referred to as the principal Act), in section 3, after clause (e), the following clause shall be inserted, namely :— Amendment of section 3 of Central Act 34 of 2003.

“(ee) “hookah bar” means an establishment where people gather to smoke tobacco from a communal hookah or narghile which is provided individually ;”.

3. In the principal Act, after section 4, the following section shall be inserted, namely :— Insertion of new section 4-A in Central Act 34 of 2003.

“4-A. Notwithstanding anything contained in this Act, no person shall, either on his own or on behalf of any other person, open or run any hookah bar or serve hookah to customers in any, place, including the eating house.

Explanation.— The term “eating house” means any place where food or refreshment of any kind, not including spirits, wines, ale, beer or other malt liquors, are provided for casual visitors, and sold for consumption therein.”.

Amendment of section 12 of Central Act 34 of 2003.

4. In the Principal Act, in section 12, in sub-section (1), in clause (b), for the sign “.”, the sign and word “; or” shall be substituted and thereafter, the following clause shall be added, namely :—

“(c) where any hookah bar is being run.”.

Insertion of new section 13-A in Central Act 34 of 2003.

5. In the Principal Act, after section 13, the following section shall be inserted, namely :—

“13-A. If any police officer, not below the rank of a Sub-Inspector,
 Power to authorized by the State Government, has reason to believe
 seize in that the provisions of section 4-A have been, or are
 case of being, contravened, he may seize any material or article
 hookah bar. used as a subject or means of hookah bar.”.

Insertion of new section 21-A in Central Act 34 of 2003.

6. In the Principal Act, after section 21, the following section shall be inserted, namely :—

“21-A. Whoever contravenes the provisions of section 4-A shall be
 Punishment punishable with imprisonment which may extend to
 for running three years but which shall not be less than one
 hookah bar. year and with fine which may extend to fifty thousand rupees but which
 shall not be less than twenty thousand rupees.”.

Insertion of new section 27-A in Central Act 34 of 2003.

7. In the Principal Act, after section 27, the following section shall be inserted, namely :—

“27-A. An offence under section 4-A shall be cognizable.”.
 Offence
 under
 section 4-A
 to be
 cognizable

CHANDIGARH :
The 10th April, 2018.

SHASHI LAKHANPAL MISHRA,
Secretary.