

**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**

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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  
Principal 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  
Principal 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, authorized by the State Government, has reason to believe that the provisions of section 4-A have been, or are being, contravened, he may seize any material or article used as a subject or means of hookah bar.”.

insertion of new  
section 21-A in  
Principal 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 punishable with imprisonment which may extend to three years but which shall not be less than one 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  
Principal 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.”.

## SATATEMENT OF OBJECTS AND REASONS

The object for the amendment of Cigarette and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Bill, 2003 is to provide for the prohibition of hookah/ sheesha Bars in Punjab. The new trend of hookah/ sheesha smoking is increasing day by day and Hookah/Sheesha Bars are being opened in restaurants, hotels, clubs and even being offered in marriage palaces across the State. Our youth is enjoying and using hard and soft drugs in Hookah/Sheesha Bars and young girls are also not an exception. Hookah/Sheesha Bars are just like Drug Consumption Rooms (DCRs) and they are new threat to our youth. The owners of such cafe are providing every facility to our youth for soft drug addiction in very comfortable and friendly atmosphere. Hookah/Sheesha Bars cannot prevent drug use rather it is being promoted. The most important/harmful ingredient in hookah is nicotine which is known to be carcinogenic. Health risks of smoking Hookah includes exposure to toxic chemicals that are not filtered out by the water and also there is risk of infectious disease like Tuberculosis when Hookahs are shared. The Charcoal used to heat tobacco in the Hookah increases the health risks by producing smoke that contains high levels of carbon monoxide, metals, and cancer-causing chemicals. Moreover, exposure to tobacco/nicotine during adolescence can harm brain development.