

Bill No. 219 of 2019

THE CIGARETTES AND OTHER TOBACCO PRODUCTS
(PROHIBITION OF ADVERTISEMENT AND REGULATION
OF TRADE AND COMMERCE, PRODUCTION, SUPPLY
AND DISTRIBUTION) AMENDMENT BILL, 2019

By

DR. SANJAY JAISWAL, M.P.

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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.

BE it enacted by Parliament in the Seventieth 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) Amendment Act, 2019. Short title and Commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

STATEMENT OF OBJECTS AND REASONS

The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 was enacted to put certain prohibition on use of tobacco products. Section 4 of the Act prohibits smoking in public places. However, no such prohibition is there for use of other tobacco products in public places, which also pose an equal if not more risk to the health and hygiene of general public. Therefore, there is an urgent need to prohibit use of all tobacco products in public places.

Moreover, the Act seeks to prohibit sale of cigarette or other tobacco products to a person below the age of eighteen years. The need is to increase the upper age limit upto twenty-one years in order to mitigate the health risk of the youth of the nation.

Also, the prohibition on sale of cigarettes and tobacco products in loose and single stick is utmost necessary.

The Bill, therefore, seeks to amend the parent Act with a view to—

- (a) prohibit use of tobacco products in a public place;
- (b) prohibit sale of cigarettes and tobacco products to a person who is under twenty-one years of age; and
- (c) prohibit the sale of loose cigarette or tobacco products.

Hence this Bill.

NEW DELHI;
July 12, 2019

SANJAY JAISWAL

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill provides that every tobacco product shall be sold in intact package of such size, content and weight, as may be prescribed by rules made by Central Government. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(Dr. Sanjay Jaiswal, M.P.)