

The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Punjab Amendment) Act, 2018

PUNJAB

India

The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Punjab Amendment) Act, 2018

Act 18 of 2018

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The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Punjab Amendment) Act, 2018(Punjab Act No. 18 of 2018)[Dated 18th September, 2018]Government of PunjabDepartment of Legal and Legislative Affairs, PunjabNo.19-Leg./2018. - The following Act of the Legislature of the State of Punjab received the assent of the President of India on the 31st day of August, 2018, is hereby published for general information:-An Act 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. Short title and commencement.

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

2. Amendment of section 3 of Central Act 34 of 2003.

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

3. Insertion of new section 4-A in Central Act 34 of 2003.

- In the principal Act, after section 4, the following section shall be inserted, namely:-"4-A. Prohibition of hookah bar. - 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."

4. Amendment of section 12 of Central Act 34 of 2003.

- 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."

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

- In the principal Act, after section 13, the following section shall be inserted, namely:-"13-A. Power to seize in case of hookah bar. - 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."

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

- In the principal Act, after section 21, the following section shall be inserted, namely:-"21-A. Punishment for running hookah bar. - 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."

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

- In the principal Act, after section 27, the following section shall be inserted, namely:-"27-A. Offence under section 4-A to be cognizable. - An offence under section 4-A shall be cognizable."