

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

MAHARASHTRA

India

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

### **Act 60 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) (Maharashtra Amendment) Act, 2018(Maharashtra Act No. 60 of 2018)(First published, after having received the assent of the President in the "Maharashtra Government Gazette", on the 4th October 2018).An Act 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 Maharashtra.Whereas it is expedient 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 Maharashtra, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-ninth Year of the Republic of India as follows :-

### **1. Short title.**

- This Act may be called the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Maharashtra Amendment) Act, 2018.

## **2. Amendment of section 3 of Act 34 of 2003.**

- In section 3 of 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"), after clause (e), the following clause shall be inserted, namely :-"(ee) "hookah bar" means an establishment where people gather to smoke tobacco from a community hookah or narghile which is provided individually ;".

## **3. Insertion of new section 4A in Act 34 of 2003.**

- After section 4 of the principal Act, the following section shall be inserted, namely :-"4A. 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 in any place including the eating house.Explanation. - The term "eating house" shall have the same meaning as assigned to it in clause (5A) of section 2 of the Maharashtra Police Act."

## **4. Amendment of section 12 of Act 34 of 2003.**

- In section 12 of the principal Act, in sub-section (1),-(i)in clause (b), after the word "made" the word "; or" shall be added ;(ii)after clause (b), the following clause shall be added, namely :-"(c) where any hookah bar is being run."

## **5. Insertion of new section 13A in Act 34 of 2003.**

- After section 13 of the principal Act, the following section shall be inserted, namely :-"13A. Power to seize. - If any police officer, not below the rank of Assistant Police Inspector, authorized by the State Government, has reason to believe that the provisions of section 4A 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 21A in Act 34 of 2003.**

- After section 21 of the principal Act, the following section shall be inserted, namely :-"21A. Punishment for running hookah bar. - Whoever contravenes the provisions of section 4A, shall be punishable with imprisonment for a term which may extend to three years but which shall not be less than one year and with fine which may extend to one lakh rupees but which shall not be less than fifty thousand rupees."

## **7. Insertion of new section 27A in Act 34 of 2003.**

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