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provisions of "Cigarette and other Tobacco Products (Prohibition of Advertisement Regulation of Trade & Commerce, Production, Supply & Distribution) Act, 2003, "Cigarette & Other Tobacco Products Rule, 2004", Prohibition of Sale of Cigarettes and Other Tobacco Products around Educational Institution Rules, 2004", "Tobacco Products Amendment Rules, 2005" and "Prohibition of Smoking in Public Places Rules, 2008"

- Advertisement of Tobacco Products is completely banned including surrogate advertisement except that there could be an advertisement in the shop or warehouse where cigarette and any other tobacco products are offered for distribution or sale (Section-5).
- No sale of cigarette or tobacco products to any person who is under 18 years of age and in the area within a radius of 100 yards of any educational institution (Section-6).
- No person shall smoke in public places (Section-4).
- Fine up to Rs.200/- could be imposed for smoking in public places or selling tobacco products to minors, selling tobacco products within a radius of 100 yards of an educational institution and the offence is compoundable i.e. no case need be registered if the offender pays the fine.
- For violation of provisions of advertisement of cigarette and tobacco products, there is a penalty of imprisonment up to 2 years and/or fine up to Rs.1000/- which can be extended to 5 years and or up to Rs.5000/- in second or subsequent convictions.
- Educational institution would mean places/centers where educational instructions are imparted and shall include school, colleges and institutions of higher learning established or recognized by an appropriate authority.

The Owner/Manager etc. of an educational institution shall display and exhibit a Board or Boards outside the premises stating that sale of cigarettes and other Tobacco products within a radius of 100 yards is prohibited. These 100 yards would be measured from the outer limit of the boundary wall.

Wherever tobacco and tobacco products are sold, there should be a display board of a particular dimension stating that "Tobacco causes cancer or Tobacco kills"



As per recent enactment of the Prohibition of Smoking in Public Places Rules, 2008, the following provisions have been made.

- The definition of Public Places has been made wider. It would mean Auditorium, Hospital building, Railway meeting room, Amusement Centers, Restaurant/ Hotel, Public offices, Court building, Educational institutions, Libraries, Public conveyance, Work places, Shopping malls, Cinema halls and Airports where smoking is completely banned. But the Airport and Hotels/restaurants having a particular limit of rooms/accommodation may have a completely segregated place with uni directional airflow as a smoking area.
- Such places should prominently display a board as specified regarding ban of smoking.
- It should also specify a person who should be contacted if any complaint has to be lodged. The same penal provisions apply and in case a Hotel/Restaurant Owner/Manager failing to act on report of such violation, could be liable to pay fine equivalent to individual offences.

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**भारत का राजपत्र**  
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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

**MINISTRY OF LAW AND JUSTICE**  
**(Legislative Department)**

*New Delhi, the 19th May, 2003/Vaisakha 29, 1925 (Saka)*

The following Act of Parliament received the assent of the President on the 18th May, 2003, and is hereby published for general information:—

**THE CIGARETTES AND OTHER TOBACCO PRODUCTS**  
**(PROHIBITION OF ADVERTISEMENT AND REGULATION**  
**OF TRADE AND COMMERCE, PRODUCTION, SUPPLY**  
**AND DISTRIBUTION) ACT, 2003**

No. 34 of 2003

[18th May, 2003.]

An Act to prohibit the advertisement of, and to provide for the regulation of trade and commerce in, and production, supply and distribution of, cigarettes and other tobacco products and for matters connected therewith or incidental thereto.

WHEREAS, the Resolution passed by the 39th World Health Assembly (WHO), in its Fourteenth Plenary meeting held on the 15th May, 1986 urged the member States of WHO which have not yet done so to implement the measures to ensure that effective protection is provided to non-smokers from involuntary exposure to tobacco smoke and to protect children and young people from being addicted to the use of tobacco;

AND WHEREAS, the 43rd World Health Assembly in its Fourteenth Plenary meeting held on the 17th May, 1990, reiterated the concerns expressed in the Resolution passed in the 39th World Health Assembly and urged Member States to consider in their tobacco control strategies plans for legislation and other effective measures for protecting their citizens with special attention to risk groups such as pregnant women and children from involuntary exposure to tobacco smoke, discourage the use of tobacco and impose progressive restrictions and take concerted action to eventually eliminate all direct and indirect advertising, promotion and sponsorship concerning tobacco;

