

THE CIGARETTES AND OTHER TOBACCO PRODUCTS (PROHIBITION  
OF ADVERTISEMENT AND REGULATION OF TRADE AND  
COMMERCE, PRODUCTION, SUPPLY AND DISTRIBUTION)  
HARYANA AMENDMENT BILL, 2024

A

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 Haryana.

Be it enacted by the Legislature of the State of Haryana in the Seventy-fifth Year of the Republic of India as follows:-

Short title and commencement.

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) Haryana Amendment Act, 2024.

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

Amendment of section 3 of Central Act 34 of 2003.

2. After clause (e) of 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 called the principal Act), the following clause shall be inserted, namely:-

‘(ee) “hookah bar” means any commercial establishment where people gather to smoke tobacco from a hookah or narghile which is provided individually as a commercial service but does not include a traditional hookah;’.

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

3. After section 4 of the principal Act, 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 a customer in any place including an eating house.

Explanation.- For the purposes of this section, “eating house” means any place where food or refreshment of any kind is provided or sold to visitors for consumption.”.

Amendment of section 12 of Central Act 34 of 2003.

4. In sub-section (1) of section 12 of the principal Act,-

(i) in clause (b), for the sign “.”, the sign and word “; or” shall be substituted; and

(ii) after clause (b), the following clause shall be added, namely:-

“(c) where any hookah bar is being run.”.

- Insertion of section 13-A in Central Act 34 of 2003.
5. After section 13 of the principal Act, the following section shall be inserted, namely:-
- “13-A. Power to seize hookah bar.- If any police officer of the rank of a Sub-Inspector or any officer of Food and Drugs Administration Department or any other officer 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.”.
- Amendment of section 20 of Central Act 34 of 2003.
6. In section 20 of the principal Act,-
- (i) in sub-section (1),-
- (a) for the sign and word “, or”, occurring after the words “extend to two years”, the word “and” shall be substituted;
- (b) the signs and words “, or with both ,” shall be omitted; and
- (c) for the word “ thousand” wherever occurring, the word “lakh” shall be substituted;
- (ii) in sub-section (2),-
- (a) for the sign and word “, or”, occurring after the words “extend to one year”, the word “and” shall be substituted;
- (b) the signs and words “, or with both”, shall be omitted; and
- (c) for the word “ thousand” wherever occurring, the word “ lakh” shall be substituted.
- Insertion of section 21-A in Central Act 34 of 2003.
7. After section 21 of the principal Act, the following section shall be inserted, namely:-
- “21-A. Punishment for running hookah bar.- Whoever contravenes the provisions of section 4-A shall be punished with imprisonment for a term which shall not be less than one year but which may extend to three years and with fine which shall not be less than one lakh rupees but which may extend to five lakh rupees.”.
- Amendment of section 27 of Central Act 34 of 2003.
8. In section 27 of the principal Act,-
- (a) in the marginal heading, for the word “ bailable”, the words and sign “ non-bailable” shall be substituted; and
- (b) for the word “bailable”, the words and sign “non-bailable” shall be substituted.
- Insertion of section 27-A in Central Act 34 of 2003.
9. After section 27 of the principal Act, the following section shall be inserted, namely:-
- “27-A. Offence to be cognizable.- An offence under section 4-A shall be cognizable.”.

#### STATEMENT OF OBJECTS AND REASONS