

Draft amendments to Cigarette and Other Tobacco Products Act, 2003

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In News

- The Ministry of Health and Family Welfare released draft amendments to the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003.
- The Act regulates the sale, production, and distribution of cigarettes and other tobacco products in India.

Key amendments proposed include:

- **Licensing:** The draft amendments propose that production, supply, sale and import of any cigarette or tobacco products will require a license, registration, or permission from the central or state government.
- **Advertisement:** Definition of an advertisement is proposed to be expanded from visible representations and oral announcements to include all audio and video publicity. The draft amendments also include social media and the internet among mediums for circulation of advertisements.
- **Restrictions on sale and trade:** The minimum age for sale of tobacco products is proposed to be increased from 18 years to 21 years. Trade and commerce of cigarettes or tobacco products without sealed original packaging will be prohibited.
- **Illicit tobacco products:** The draft amendments prohibit the production, supply, sale and import of illicit cigarettes or tobacco products. Contravening this

provision will be penalised with:

- A fine of up to one lakh rupees, or imprisonment up to two years, or both, in case of manufacture, supply or import, and
 - A fine of up to Rs 50,000, or imprisonment up to a year, or both, in case of distribution or sale.
- **Enhanced punishment:** The draft amendments also propose to increase several penalties. For example, the maximum penalty for selling cigarettes to underage persons will be increased from Rs 200 to one lakh rupees. This will be in addition to imprisonment of up to seven years. The Act currently does not provide for imprisonment for this offence.