



The Cigarettes and Other Tobacco Products (Prohibition fo Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Gujarat Amendment) Act, 2017

Act 27 of 2017

Keyword(s):

Cigarettes, Tobacco Products, Commerce, Distribution

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सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LVIII | SATURDAY, JULY 1, 2017/ASADHA 10, 1939

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 20th June, 2017 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 27 OF 2017.

(First published, after having received the assent of the President, in the "*Gujarat Government Gazette*", on the 1st July, 2017).

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 Gujarat.

It is hereby enacted in the Sixty-eighth Year of the Republic of India as follows:-

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) (Gujarat Amendment) Act, 2017.

Short title and commencement.

- (2) It shall come into force at once.

Amendment
of section 3 of
Act 34 of
2003.

2. 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;"

Insertion of
new section
4A in Act 34
of 2003.

3. In the principal Act, after section 4, the following section shall be inserted, namely:-

Prohibition
of hookah
bar.

"4A. 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 by clause (5A) of section 2 of the Gujarat Police Act, 1951."

Bom. XXII
of 1951.

Amendment
of section 12
of Act 34 of
2003.

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

Insertion of
new section
13A in Act 34
of 2003.

5. In the principal Act, after section 13, the following section shall be inserted, namely:-

Power to
seize.

"13A. If any police officer, not below the rank of a Sub-Inspector, authorised 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. In the principal Act, after section 21, the following section shall be inserted, namely:-

**Insertion of
new section
21A in Act
34 of 2003.**

**Punishment
for running
hookah bar.**

“21A. Whoever contravenes the provisions of section 4A 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. In the principal Act, after section 27, the following section shall be inserted, namely:-

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

**Offence
under
section 4A to
be
cognizable.**

“27A. An offence under section 4A shall be cognizable.”.