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తెలంగాణ రాజపత్రము  
**THE TELANGANA GAZETTE**  
**PART IV-A EXTRAORDINARY**  
**PUBLISHED BY AUTHORITY**

No. 1] HYDERABAD, MONDAY, FEBRUARY 12, 2024.

**TELANGANA BILLS**

**TELANGANA LEGISLATIVE ASSEMBLY**

The following Bill was introduced in the Telangana Legislative Assembly on 12th February, 2024.

**L. A. BILL No. 1 OF 2024.**

**A BILL 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 TELANGANA.**

Be it enacted by the Legislature of the State of Telangana in the Seventy-Fifth 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) (Telangana Amendment) Act, 2024.

Short  
title and  
commence-  
ment.

[1]

**B. 139-1 (RSN)**

(2) It shall come into force on such date as the State Government may, by notification in the Telangana Gazette, appoint.

**Amendment of section 3. Central 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 and the same could be a public place of amusement, public place of entertainment, a place of dwelling like house, farm house, Guest house;

**Act No. IX of 1348 F.**

Explanation:- The term “public place of amusement” and “public place of entertainment” shall have the meaning as defined under clauses (g) and (h) of section 3 of the Hyderabad City Police Act, 1348 Fasli.

**Insertion of new section 4A.**

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

“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.”.

**Amendment of section 12.**

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

(i) in clause (b), the expression and 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.”.

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

Insertion  
of new  
section  
13A.

**"13A. Power to seize:** If any police officer, not below the rank of a Sub-Inspector of Police, 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.

**"21A. Punishment for running Hookah bar:**

(1) Whoever contravenes the provisions of section 4A, shall be punishable with imprisonment which may extend to seven years but which shall not be less than one year and with fine which may extend to two lakh rupees but which shall not be less than fifty thousand rupees.

(2) An offence under this section shall be cognizable, non-bailable and non-compoundable and shall be tried as a warrant case by a Metropolitan Magistrate or Judicial Magistrate of First Class under Chapter XIX of the Code of Criminal Procedure, 1973.

2 of 1974.

### **STATEMENT OF OBJECTS AND REASONS**

The Central Government has enacted the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (Central Act 34 of 2003) 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. The said Act is enacted in terms of the Resolution passed by the 39<sup>th</sup> World Health Organization on the 15th May, 1986 and another resolution passed on the 17th May, 1990 urging the Member States inter alia to protect children and young people from being addicted to the use of tobacco.

The said Act provides for prohibition of smoking in a public place. Among other restrictions, it also prohibits the advertisement of cigarettes and other tobacco products. However, a new concept of hookah smoking has come to the notice of the Government and the same is being publicized widely among youth. There is hardly any need to state the ill effects of smoking, as the dangers of the same are well known. In the recent years, the abnormal increase of hookah use in the State, especially among the youth and college students has been a worrisome development for the society. The youth among others are getting addicted to smoking hookah. According to World Health Organisation's study, smoking a hookah is as toxic as cigarette smoking, if not more. A habitual hookah smoker will breathe much more poisonous fumes than a typical cigarette smoker. In fact, in a sixty-minute hookah session, smokers are exposed to 100 times more than the volume of smoke inhaled from a single cigarette. The charcoal used to heat tobacco in the hookah increases the health risks by producing smoke that contains high level of carbon monoxide, metals and cancer-causing chemicals. A typical one-hour-long hookah smoking session involves 200 puffs, while an average cigarette is 20 puffs. Compared to a single cigarette, hookah smoke is known to contain higher levels of arsenic, lead and nickel, 36 times

more tar, and 15 times more carbon monoxide than cigarettes. Apart from smokers, a greater harm is also caused to passive smokers, which makes it even more dangerous for consumption in public spaces where families are expected to visit.

Hence, the Government has considered it necessary to prohibit smoking at hookah bar as defined in the State, by amending the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (Central Act 34 of 2003), by way of legislation.

This Bill seeks to achieve the above objects.

**ANUMULA REVANTH REDDY,**  
Chief Minister.

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clause 1(2) of the Bill authorizes the Government to issue notifications in respect of matters specified therein and generally to carry out the purposes of the Act and such notifications issued which are intended to cover matters mostly of procedural in nature.

The above provisions of the Bill regarding delegated legislation are thus of normal type and are mainly intended to cover matters of procedure.

**ANUMULA REVANTH REDDY,**  
Chief Minister.

February 12, 2024] TELANGANA GAZETTE EXTRAORDINARY 7

**MEMORANDUM UNDER RULE 95 OF THE RULES OF  
PROCEDURE AND CONDUCT OF BUSINESS IN THE  
TELANGANA LEGISLATIVE ASSEMBLY.**

The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Telangana Amendment) Bill, 2024, after it is passed by the Legislature of the State may be reserved by the Governor for the consideration and assent of the President under article 254 (2) of the Constitution of India.

**ANUMULA REVANTH REDDY,**  
Chief Minister.

**Dr. V. NARASIMHA CHARYULU,**  
Secretary to State Legislature.