



सत्यमेव जयते

# The Gujarat Government Gazette

## EXTRAORDINARY

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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 20<sup>th</sup> 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 1<sup>st</sup> 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) 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.”