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# Cabinet approves ban on e-cigarettes

It cites need to protect public health

## Up in smoke

Wednesday's move follows an advisory by the government in 2018 to all States to consider banning e-cigarettes

▪ e-cigarettes are brought from China and other countries and are not manufactured in India. They are also available online

▪ 16 States & one Union Territory have already banned them. The Indian Council of Medical Research, in a recent paper, had recommended a complete ban on them



▪ WHO too urged member countries to take appropriate steps. It does not endorse e-cigarettes as cessation aids

▪ They are marketed as being safer than conventional cigarettes but this is false. Available literature suggests that they

may act as gateway products to induce non-smokers to nicotine use

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The Union Cabinet on Wednesday approved a ban on e-cigarettes, citing the need to take early action to protect public health.

Upon promulgation of the ordinance, any production, manufacturing, import, export, transport, sale (including online sale), distribution or advertisement (including online advertisement) of e-cigarettes shall be a cognisable offence punishable with imprisonment of up to one year, or fine up to ₹1 lakh, or both for the first offence; and imprisonment of up to three years and fine up to ₹5 lakh for a subsequent offence. Storage of electronic-cigarettes shall also be punishable with im-

prisonment of up to 6 months or a fine of up to ₹50,000 or both.

### Children at risk

"Envisioned as a tool to combat tobacco addiction, electronic cigarettes and other vaping products have become a major problem and increase the risk of children adopting them," Finance Minister Nirmala Sitharaman said at a media briefing.

As per a release issued by the Centre, owners of existing stocks of e-cigarettes on the date of commencement of the ordinance will have to *suo motu* declare and deposit these with the nearest police station.

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The sub-inspector has been designated as the authorised officer to take action under the ordinance. The Central or State governments may also designate any other equivalent officer for enforcement of the provisions of the ordinance.

The Prohibition of E-cigarettes Ordinance, 2019, was recently examined by a Group of Ministers (GoM) following directions from the Prime Minister's Office. In the draft ordinance, the Health Ministry had proposed a maximum imprisonment of up to one year along with a penalty of ₹1 lakh against first-time violators.

E-cigarettes are battery-operated devices that produce aerosol by heating a solution containing nicotine, which is the addictive

substance in combustible cigarettes.

### Complete prohibition

The Minister noted that as per data the misuse of e-cigarettes is very high among students. The Union Health Ministry had earlier issued an advisory to all States and Union Territories to ensure that Electronic Nicotine Delivery Systems (ENDS), e-cigarettes, heat-not-burn devices, vape, e-sheesha, e-nicotine flavoured hookah, and devices that enable nicotine delivery are not sold (including online sale), manufactured, distributed, traded, imported and advertised in their jurisdictions.

Union Health Secretary Preeti Sudan had also written to the Commerce Secretary to block the entry of a U.S.-based company manufacturing vaping devices.