



ODISHA POLICE
CRIME BRANCH
CRIMINAL INVESTIGATION DEPARTMENT

CB CIRCULAR NO. 09 /2012

No. 20189 /CID- LAW

Date 29. 05.2012

To

All district SsP including SsRP Rourkela & Cuttack/DCsP Cuttack/
Bhubaneswar.

Sub: Implementation of Cigarettes and other Tobacco Products (Prohibition of
Advertisement and Regulation of Trade and Commerce Production, Supply
and Distributions) Act--2003

Govt. of India has enacted the aforesaid Act to prohibit for regulation of
trade and commerce in, and production, supply and distribution of cigarettes and other
tobacco products. Government of India has also requested to furnish data as per
format enclosed herewith on a monthly basis.

The key provisions under the Act includes:

Section 3- Definition:

- a) "advertisement" includes any visible representation by way of notice, circular,
label, wrapper or other document and also includes any announcement made
orally or by any means of producing or transmitting light, sound, smoke or gas;
- b) "cigarette" includes,-
 - i. Any roll of tobacco wrapped in any substance containing tobacco.
 - ii. Any roll of tobacco wrapped in any substance containing tobacco, which,
by reason of its appearance, the type of tobacco used in the filter, or its
packaging and labelling is likely to be offered to, or purchased by,
consumers as cigarette, but does include beedi, cheroot and cigar;

K) "production", with its grammatical variations and cognate expressions, includes the making of cigarettes, cigars, cheroots, beedis, cigarette tobacco, pipe tobacco, hookah tobacco, chewing tobacco, pan masala or any chewing material having tobacco as one of its ingredients (by whatever name called) or snuff and shall include -

- i. "package" labelling or re-labelling, of containers;
- ii. re-packing from bulk packages to retail packages; and
- iii. the adoption of any other method to render the tobacco product marketable;

l) "public place" means any place to which the public have access, whether as of right or not, and includes auditorium, hospital buildings, railway waiting room amusement centres, restaurants, public offices, court buildings, educational institutions, libraries, public conveyances and the like which are visited by general public but does not include any open space;

m) "sale", with its grammatical variations and cognate expressions, means any transfer of property in goods by one person to another, whether for cash or on credit, or by way of exchange, and whether wholesale or retail, and includes an agreement for sale, and offer for sale and exposure for sale;

n) "smoking", means smoking of tobacco in any form whether in the form of cigarette, cigar, beedis or otherwise with the aid of a pipe, wrapper or any other instrument;

p) "tobacco products" means the products specified in the schedule.

Section 4 - Prohibition of smoking in a public place:- No person shall smoke in any public place:

Provided that in a hotel having thirty rooms or a restaurant having seating capacity of thirty persons or more and in the airports, a separate provision for smoking area or space may be made.

