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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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स्वास्थ्य एवं परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

अधिसूचना

नई दिल्ली, 25 फरवरी, 2004

क.ल.आ. 238(अ)।—सिगरेट और अन्य तम्बाकू उत्पाद (विज्ञापन का प्रतिषेध और व्यापार तथा वाणिज्य, उत्पादन, प्रदाय और वितरण का विनियमन) अधिनियम, 2003 (2003 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा 1 मई, 2004 को उस तिथि के रूप में निर्धारित करती है जिस तिथि को उक्त अधिनियम की धारा 1, 2, 3, 4, 5, 6(क), 12(1)(ख), 12(2), 13(1)(ख), 13(2), 14, 16, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 तथा 31 के उपबंध लागू होंगे।

[फ. सं. पी-16011/2/2003-पीएच]

भिवानी लागराजन, संयुक्त सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

NOTIFICATION

New Delhi, the 25th February, 2004

S.O. 238(E).—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (34 of 2003), the Central Government hereby appoints 1st day of May, 2004 as the date on which the provisions of Sections 1, 2, 3, 4, 5, 6(a), 12(1)(b), 12(2), 13(1)(b), 13(2), 14, 16, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31 of the said Act shall come into force.

[F.No. P-16011/2/2003-PH]

BHAVANI THIYAGARAJAN, Jt. Secy.

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

NOTIFICATION

New Delhi, the 25th February, 2004

G.S.R. 137.—In exercise of the powers conferred by Section 31 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (34 of 2003), the Central Government hereby makes the following rules, namely :

1. **Short title and commencement.**—(1) These rules may be called the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Rules, 2004.
- (2) They shall come into force on the 1st day of May, 2004.
2. **Definitions.**—In these rules, unless the context otherwise requires,—
 - (a) "Act" means the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003;
 - (b) "section" means a section of the Act;
 - (c) "open space" mentioned in Section 3(1) of the Act shall not include any place visited by the public such as open auditorium, stadium, railway station, bus stop and such other places; and
 - (d) words and expressions used herein and not defined in these rules but defined in the Act, shall have the meanings, respectively, assigned to them in the Act.
3. **Prohibition of smoking in a public place.**—(1) The owner or the manager or in charge of the affairs of a public place shall cause to be displayed prominently a board, of a minimum size of sixty centimetre by thirty centimetre in the Indian language(s) as applicable, at least one at the entrance of the public place and one at conspicuous place(s) inside, containing the warning "No Smoking Area—Smoking Here is an Offence".
- (2) The owner or the manager or in charge of the affairs of a hotel having thirty rooms or restaurant having seating capacity of thirty persons or more and the manager of the airport shall ensure that,—
 - (i) the smoking and non-smoking areas are physically segregated;
 - (ii) the smoking area shall be located in such manner that the public is not required to pass through it in order to reach the non-smoking area; and
 - (iii) each area shall contain boards indicating thereon "Smoking Area/Non-Smoking Area".
4. **Prohibition of advertisement of cigarette and other tobacco products.**—(1) The size of the board used for advertisement for cigarettes and any other tobacco products displayed at the entrance or inside a warehouse or a shop where cigarettes and any other such tobacco products are offered for distribution or sale shall not exceed ninety centimetre by sixty centimetre and number of such boards shall not exceed two.
- (2) Each such board shall contain in the Indian language as applicable, one of the following warnings occupying twenty-five per cent, of top area of the board, namely :—
 - (i) Tobacco Causes Cancer, or
 - (ii) Tobacco Kills.