

From

The Transport Commissioner,  
Thiruvananthapuram.

To

All Deputy Transport Commissioners  
All Regional Transport Officers  
All Joint Regional Transport Officers

Sir,

Sub:- Motor Vehicles Department.- Prohibition of smoking in Public Places Rules  
2008 - reg.

Ref:- 1. Letter No. D.O.No. P-16011/4/09-PH.I dated 02/09/09 of Ministry  
of Health & Family Welfare Government of India.  
2. Government Letter No. 12795/133/09/Tran dated 09.03.2010.  
3. G.S.R. No.182(E) dated 15.03.08 of Ministry of Health and Family  
Welfare (Department of Health), Government of India.  
4. S.O.1866(E) dated 30.07.09 of Ministry of Health and Family Welfare of  
Government of India.

Your attention is invited to the above references. The Cigarette and other Tobacco  
Products (Packaging & Labeling) Rules, 2008, prescribe the manner in which the specified health  
warning shall be displayed on the tobacco product packs. As per these rules, it is mandatory for all  
the tobacco products, packs, manufactured/ packaged/ imported in India on or after 31<sup>st</sup> May to  
bear the prescribed pictorial health warnings. All types of tobacco products produced, supplied,  
distributed or imported for sale in India therefore must adhere to these rules.

Violation of the law by the tobacco producer (s)/ manufacturer(s) is a punishable offence  
with imprisonment which may extend to two years or with fine which may extend to Rs.5000/- or  
with both, and for second or subsequent conviction, with imprisonment for a term which may  
extend to five years and fine which may extend to Rs. 10,000/-. Likewise, the sellers/  
distributor(s) are liable to be punished, with imprisonment for a term which may extend to one  
year, or with fine which may extend to Rs. 1000/-, or with both, and for second or subsequent  
conviction with imprisonment for a term which may extend to two years and with fine which may  
extend to Rs. 3,000/-.

Vide reference 4<sup>th</sup> cited, the Central Government have authorized the officers of the rank of  
Inspectors and above of Transport Department, who shall be competent to act under sections 12  
and 13 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) and are  
conferred with the Power of Entry, search and seizure under the said provision of the said Act. In  
this circumstance you are directed to take action against the persons violating the provision of the  
cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation, ~~or~~ trade and  
commerce, production. Supply and Distribution) Act, 2003. Copy of notification SO 1866(E)  
dated 30-07-2009 is also enclosed herewith for your information

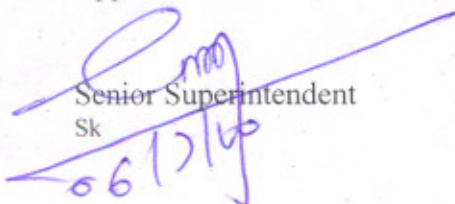
Yours faithfully,

Sd/-

Senior DTC (Taxation)  
For Transport Commissioner

Approved for issue,

Senior Superintendent  
Sk

  
06/07/10



NOTIFICATION

New Delhi the 30th July, 2009

S.O. 1866(E).—In exercise of the powers conferred by sub-section (1) of Section 25 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 authorises officers mentioned in column (2) of the Table given below, who shall be competent to act under sections 12 and 13 of the said Act and are conferred with the power of Entry, Search and Seizure under the said provision of the said Act.

TABLE

S.No.	Designation	Department
(1)	(2)	(3)
1.	All officers of the level of Superintendent and above of the Customs and Central Excise.	Department of Revenue

(1)	(2)	(3)
2.	All officers of the rank of Inspectors and above of Sales Tax/Health/Transport Departments	Department of Revenue/ Health Transport of the State
3.	Junior Labor Commissioner and above	Labor Department
4.	Joint Director	O/o. Commissioner of Industries/Small Scale Industries.
5.	Sub-Inspector and above of Police/State Food and Drug Administration or any other officer holding the equivalent rank of Sub-Inspector of Police.	Department of Food and Drugs and Department of Home Affairs.

[P. 16011/7/2005-PH-I]

B. K. PRASAD, Jt. Secy.