GS-II: Cabinet approves ban on e-cigarettes

News

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

Prohibition of E-cigarettes Ordinance, 2019

- 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 cognizable offence.
- It is 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 **imprisonment of up to 6 months or a fine of up to ₹50,000 or both**.
- 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 as authorised officer for enforcement of the provisions of the ordinance.

What are e-cigarettes?

- E-cigarettes are battery-powered devices that heat a solution of nicotine and different flavours to create aerosol, which is then inhaled.
- These devices belong to a category of vapour-based nicotine products called ENDS.
- E-cigarettes and other ENDS products may look like their traditional counterparts (regular cigarettes or cigars), but they also come in other shapes and sizes and can resemble daily use products, including pens and USB drives.
- Several companies selling ENDS in India have positioned these products as a safer, less harmful alternative to traditional cigarettes or as devices that could help users quit smoking.

Why does the government want to ban these devices?

- The **Health Ministry and Central Drugs Standards Control Organisation**, India’s drug regulatory authority, had attempted in the past to ban the import and sale of these products citing public health concerns.
- Before the ordinance was announced, the government had been facing hurdles in the form of court cases against the move, as **ENDS were not declared as ‘drugs’ in the country’s drug regulations**.
- These products have neither been assessed for safety in the national population, nor been approved under provisions of the Drugs and Cosmetics Act, 1940. Yet, they have been widely available to consumers.

Does this mean traditional tobacco products are safer?
Traditional tobacco products like cigarettes and chewing tobacco are already known to be harmful. According to the CDC in the US, cigarette smoking harms “nearly every organ of the body, causes many diseases, and reduces the health of smokers in general”. A study published in The Lancet found tobacco use was the “leading” risk factor for cancers in India in 2016. ICMR estimates that India is likely to face over 17 lakh new cancer cases and over eight lakh deaths by 2020. In 2018, India had nearly 27 crore tobacco users and a “substantial” number of people exposed to second-hand smoke, putting them at an increased risk for cardiovascular diseases, according to WHO.

Who gains from the move?

- The government feels its decision will help “protect the population, especially youth and children, from the risk of addiction through e-cigarettes”.
- It says enforcement of the ordinance will complement its efforts to reduce tobacco use and, therefore, help in reducing the economic and disease burden associated with it.
- Apart from this, traditional tobacco firms, too, could potentially gain from the ban.