
News: Lok Sabha passed a Bill that seeks prohibition of e-Cigarettes in India with Union Health Minister, Harsh Vardhan, calling the ban as a “pre-emptive strike” on the “hazardous” addiction.

Prelims and Mains focus: about the Bill, menace of E-cigarettes and the debate around it.

About the Bill:

- With The Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage and Advertisement) Bill, 2019, the government wants to save the large youth population of the country that would have been targeted by e-cigarette companies.

- According to the Bill that seeks to replace an ordinance issued on September 18, any person who contravenes these provisions will be punishable with imprisonment of up to one year, or a fine of up to one lakh rupees, or both. For any subsequent offence, imprisonment of up to three years along with a fine of up to five lakh rupees. The proposed legislation prohibits to use any place for the storage of any stock of e-cigarettes and a person storing stock of e-cigarettes, will be punishable with an imprisonment of up to six months, or a fine of up to ?50,000, or both.

Government’s stand

- The government felt the need to stop the growing use of e-cigarettes and similar products among youth. It is difficult to ban a product such as tobacco and alcohol once it gains a large consumer base and social acceptance. Currently, e-cigarettes do not have a large consumer base in the country. Therefore, the ban will be highly effective.

- Vaping is harmful for the health of the people and “less harmful does not mean it is not harmful” as people claim it is less harmful than cigarettes.

- Lack of ban on tobacco cannot be the justification for not banning a new addiction which India cannot afford. Chemicals in nicotine used for e-cigarette can cause cancer, cardiovascular diseases and effects adolescent brains.

About E-cigarettes:
The debate on E-cigarettes in LS

- Lok Sabha members argued over regulation instead of complete ban on e-cigarettes. Explaining the challenge, Harsh Vardhan said that unlike traditional cigarettes, e-cigarettes do not contain tobacco and therefore are not regulated under the Cigarettes and Other Tobacco Products Act (COTPA), 2003. The COTPA Act, regulates the sale, production, and distribution of cigarettes and other tobacco products in India, and prohibits advertisement of cigarettes.

- Members also questioned not punishing the users of ENDS. In reply to the discussion, health minister said that the government did not want to punish the users, who are anyway the victims of e-cigarettes. “We didn’t want to criminalize the usage of e-cigarettes because it was way more difficult to regulate the users. The idea is to eventually make e-cigarettes unavailable in the market so that people cannot use them," Harsh Vardhan said.

Are E-cigarettes really harmful?

- According to the Indian Council of Medical Research (ICMR), the apex research body in India, use of ENDS or e-cigarettes has documented adverse effect on humans, which include DNA damage, carcinogenic, cellular, molecular and immunological toxicity, respiratory, cardiovascular and neurological disorders.

- These also have an adverse effect on fetal development and pregnancy.

Way forward

- With the passage of the Bill, public health experts are holding hopes for paving way for control of tobacco products as well.

- After the successful banning e-cigarettes, India should ideally take the bold step of moving to end tobacco use. Now that the gateway is opened, endgame tobacco is the logical next
It won't be easy but can be done in a phased manner, safeguarding the interests of various stakeholders. Tobacco not only has major health effects but also has financial implications.

Arguments of E-cigarette supporters

- **Supporters of the e cigarettes lobby** have shown discontent over the development. As the Bill was put forth for public consultation by the health ministry, thousands of suggestions received from the public have not even received a cursory glance.

- There are other **countries, like the UAE, that had earlier banned the product category in haste but revoked the ban and implemented a regulatory regime**, which is the demand of the industry in India as well.

- **Majority of e-cigarette users in the world are ex-smokers**, making a health decision to switch to a less harmful alternative. **Over 98 countries have e-cigarette regulations, but India is banning them while allowing the far more deadly cigarettes to be sold.**

- Over 60 amendments were rejected and the **bill also does not contain consumer protections** such as clauses on the exclusion of personal use and a mechanism for adult vapers to access devices.