**Syllabus subtopic:** Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

**News:** The Rajya Sabha approved a country-wide ban on electronic cigarettes on Monday.

**Prelims and Mains focus:** about the key features of the Bill, its merits and challenges in implementation

**Background**

The Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage and Advertisement) Bill, 2019 was passed by a voice vote amid concerns that it was brought under pressure from the tobacco lobby.

The Bill, which got the Lok Sabha’s nod last week, **will replace the Ordinance promulgated on September 18.**

**What does the law say?**

The law categorises production, manufacture, import, export, transport, sale, distribution, storage and advertisement of e-cigarettes as cognisable offences.

Any contravention of the law will be punishable with imprisonment of up to one-year, or a fine of up to Rs 1 lakh, or both. For any subsequent offence, it provides for imprisonment of up to three years along with a fine of up to Rs 5 lakh.

**Govt’s stand on the Ordinance route taken earlier**

Union Health Minister Harsh Vardhan assured the House that there are no “vested interests” or “ulterior motives” behind the legislation. “Our intentions are absolutely pious and very clear that we want to nip this problem in the bud itself,” he said, pointing out that only 0.02 per cent Indians use e-cigarettes.

Justifying the government decision to impose the ban through an Ordinance, the minister said it was the “need of the hour”. “We wanted to implement it because we knew that big companies had planned everything… They were just going to start their manufacture,” Harsh Vardhan said.

**Concerns of the Opposition:**

Members of the Opposition alleged that the Bill was **brought under pressure from the tobacco companies since e-cigarettes could hurt their market share.** “It seems like it’s okay to have cigarettes and tobacco products, but not e-cigarettes. What is it about e-cigarettes that you had to bring in such a law? Please let us in on this secret,” Congress MP Digvijaya Singh said.
“If the idea is to address health problems related to consumption of tobacco then all tobacco products should be banned. Why just e-cigarettes?” asked Ravi Prakash Kumar of Samajwadi Party.

Opposition members also questioned whether a blanket ban was the right way since the prohibition of alcohol in Gujarat and Bihar had no effect on the supply of the banned substance.

Nadimul Haque (TMC) said the mandate of the Bill should be extended to all tobacco products including gutkha and pan masala. Vijila Sathyananth of the AIADMK said the government should ban all kind of cigarettes.

**Govt’s response**

The Health minister replied, “In a country as vast as India, you see once a particular product has a very big consumer base and social acceptance, it is, in fact, very, very difficult to ban it… Once you have a very huge consumer base… we are not able to do it (implement ban) for cigarettes, for so many things, because 28 per cent of the people are involved with that.