

Personal consumption, possession of e-cigarettes violation of law: Ministry

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In the wake of no let up in cases of air travellers arriving with e-cigarettes at various airports in the country, Union Health Ministry has clarified that its personal consumption as well as possession of any such devices in any form, quantity or manner is in violation of the Prohibition of Electronic Cigarette Act (PECA) 2019.

The clarification was sent to the Ministry of Civil Aviation (MCA) last month, official sources said, adding it will strengthen the enforcement of the ban.

There has been cases of confiscation of vaping devices from travellers passing through Mumbai, Bangalore, Chennai, Kolkata, Delhi and Bhavnagar airports. The travellers argue that they had purchased them for personal use.



Just last month, Bengaluru Customs officials had held two persons for allegedly smuggling 1,590 packets of e-cigarettes worth Rs 15.9 lakh from Malaysia

The ministry said that though there is no explicit mention of prohibition of individual use of e-cigarette in PECA, the law has been enacted to prohibit the production, manufacture, import, export, transport, sale, distribution, storage and advertisement of e-cigarettes.

"Therefore, possession of

e-cigarette within the country in any quantity is not possible without contravening the provisions of PECA, 2019," said Dr Pulkesh Kumar, Deputy Secretary, Ministry of Health.

The ban includes a prohibition on all forms of Electronic Nicotine Delivery Systems, Heat Not Burn Products, e-Hookah and similar devices.

The law was enacted in the interest of public health and to protect the people from harm, the health ministry said.

Despite heavy penalties and imprisonment, e-cigarettes are reported to be widely available across a range of sources including tobacco vendors, general stores, and online providers.

The health ministry has also launched an online portal to facilitate reporting of violations under PECA. This portal will allow the ministry

to take necessary action on violations.

Anyone can report these violations at "<http://www.Violation-reporting.in>".

The government has also expressed concern regarding the alarming rise in its use amongst youth.

In May, the ministry issued a public notice for effective implementation of the Act. Later in July, the ministry sent notices to 15 websites selling e-cigarettes, asking them to stop advertisement and sale of such products.

The ministry, earlier in February, had written to all states and UTs to ensure effective compliance of the government's ban on e-cigarettes.

In a letter addressed to chief secretaries of all states and Union territories, it had flagged the sale of e-cigarettes at stationary stores near educational institutions.