

**ADVISORY ON THE ONLINE SALE OF TOBACCO PRODUCTS
AND E-CIGARETTES**

Panaji : February 6, 2025

Ministry of Health and Family Welfare has issued fresh advisory to all States and UTs to ensure that any Electronic Nicotine Delivery System including e-Cigarettes, Heat-Not-Burn devices, Vape, e-Sheesha, e-Nicotine Flavoured Hookah and the like devices that enable nicotine delivery are not to be sold including online sale, manufactured, distributed, traded, imported and advertised in their jurisdictions, except for the purpose and in the manner and to the extent, as may be approved under the Drugs and Cosmetics Act, 1940.

The Ministry of Health and Family Welfare has previously issued instructions to all the States and UTs for the rigorous enforcement of COTPA, 2003 and PECA, 2019. The Government of India has enacted the Cigarettes and other Tobacco products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act (COTPA), 2023 with emphasis on protecting the masses, especially children and young people from tobacco addiction and aiming to improve public health in general as enshrined in Article 47 of the Constitution of India.

The Government of India has enacted The Production of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage and Advertisement) Act, 2019 in the interest of public health and to protect the people from harms of nicotine. Section 4 of PECA, 2019 inter alia prohibits production, manufacturing, import, export, transport, sale, distribution, storage and advertisement of electronic cigarettes.

The Ministry has advised all States and Union Territories, in large public health interest to take appropriate action against the online seller of the tobacco products and e-cigarettes.

DI/INF/AXP/SAG/PD/SN/2025/1150

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Issued by the Department of Information & Publicity

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