

ବ୍ୟୁଷା'ଶୀ'ଚକ୍ର'ଦ୍ୱା'ରହିନ' (ଅଧିକାର)
ପଠନ'ପ୍ରିୟମ' ୨୦୧୨ ତତ୍ତ୍ଵା



**Tobacco Control(Amendment)
Act of Bhutan 2012**



PARLIAMENT OF BHUTAN

એન્ડેચી/એસ્ટે-૧૮/૨૦૧૩/૧૯૮

ମୁଦ୍ରଣ ତାରିଖ ୨୫.୫.୨୦୨୨ ପ୍ରକାଶକ

(ରେଣ୍ଟାର୍‌କ୍ଲବ୍‌ପ୍ରିୟଙ୍କ)

ଶ୍ରୀମଦ୍ଭଗବତ

TABLE OF CONTENTS

Short Title, Commencement and Extent.....	1
In the Act, Section 11(a) is amended.....	1
In the Act; Section 11(b) is amended.....	1
In the Act, Section 11(c) is amended.....	2
In the Act, after section 11(c), a new section 11(d) is inserted.....	2
In the Act, after section 11(d), a new section 11(e) is inserted.....	2
In the Act, Section 12 is amended.....	2
In the Act, Heading of section 37 is amended.....	2
In the Act, Section 37 is amended.....	3
In the Act, Section 39 is repealed	3
In the Act, Section 40 is amended	3
In the Act, Section 41 is amended.....	3
In the Act, Section 46 is amended.....	3
In the Act, Section 51 is amended.....	3
In the Act, after section 51, a new 51A is inserted.....	4

୨୮

In the Act, after section 51A, a new section 51B is inserted.....	4
In the Act, Section 52 is repealed	5
In the Act, Section 54 is repealed	5
In the Act, after section 54, a new section 54A is inserted.....	5
In the Act, after section 54A, a new section 54B is inserted.....	5
In the Act, Section 60(c) is amended.....	6
In the Act, Section 60(d) is amended	6
In the Act, after section 60(k), a new section 60(l) is inserted.....	6
In the Act, after section 60(l), a new section 60(m) is inserted.....	6
In the Act, after 60(m), a new section 60(n) is inserted.....	6
Annexure I.....	7

ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୨୩	ପରିମୁଖାଲ୍ୟ ଦ୍ଵକାର୍ତ୍ତନ୍ଶାସନ୍	୫୨୪	ପଞ୍ଚୀକର୍ଣ୍ଣ
ପଞ୍ଚିକର୍ଣ୍ଣ	୯			
ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୨	ପା' କାଳେଦାଶର୍ଦ୍ଧାର୍ଥୀ	୫	
ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୫	ପା' କାଳେଦାଶର୍ଦ୍ଧାର୍ଥୀ	୫	
ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୫	ପରିମୁଖାଲ୍ୟ ଦ୍ଵକାର୍ତ୍ତନ୍ଶାସନ୍	୫୫	
ପଞ୍ଚୀକର୍ଣ୍ଣାର୍ଥୀ	୫			
ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୫୩	ପରିମୁଖାଲ୍ୟ ଦ୍ଵକାର୍ତ୍ତନ୍ଶାସନ୍	୫୫୪	ପା'
ପଞ୍ଚୀକର୍ଣ୍ଣାର୍ଥୀ	୫			
ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୦	(ଶ)	ପରିମୁଖାଲ୍ୟ ଦ୍ଵକାର୍ତ୍ତନ୍ଶାସନ୍	୫
ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୦	(ର)	ପରିମୁଖାଲ୍ୟ ଦ୍ଵକାର୍ତ୍ତନ୍ଶାସନ୍	୫
ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୦	(ର)	ପରିମୁଖାଲ୍ୟ ଦ୍ଵକାର୍ତ୍ତନ୍ଶାସନ୍	୫୦(ଶ) ପା'
ପଞ୍ଚୀକର୍ଣ୍ଣାର୍ଥୀ	୫			
ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୦	(ଶ)	ପରିମୁଖାଲ୍ୟ ଦ୍ଵକାର୍ତ୍ତନ୍ଶାସନ୍	୫୦(ଶ) ପା'
ପଞ୍ଚୀକର୍ଣ୍ଣାର୍ଥୀ	୫			
ସତରାଷ୍ଟିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୫୦	(ଶ)	ପରିମୁଖାଲ୍ୟ ଦ୍ଵକାର୍ତ୍ତନ୍ଶାସନ୍	୫୦(ଶ) ପା'
ପଞ୍ଚୀକର୍ଣ୍ଣାର୍ଥୀ	୫			
ଶୁଦ୍ଧିଶଶ୍ଦରିଦ୍ଵକାର୍ତ୍ତନ୍	୯			

Tobacco Control (Amendment) Act of Bhutan 2012

To remove the ambiguities of offence and penalties under the Tobacco Control Act 2010;

Parliament of the Kingdom of Bhutan do hereby enact the Tobacco Control (Amendment) Act of Bhutan 2012, on the 26th Day of the 11th Month of Iron Female Rabbit Year of the Bhutanese Calendar corresponding to the 19th Day of January, 2012 at its 8th Session of the First Parliament as follows:

Short Title, Commencement and Extent

1. This Act shall:

- a) Be called the TOBACCO CONTROL (AMENDMENT) ACT OF BHUTAN 2012;
- b) Come into force on the 17th Day of the 12th Month of Iron Female Rabbit Year of the Bhutanese Calendar corresponding to the 9th Day of February 2012; and
- c) Extend to the whole of the Kingdom of Bhutan.

2. In the Tobacco Control Act 2010, hereinafter referred to as the Act, Section 11(a) is amended as:

“Cultivate, harvest or manufacture tobacco or tobacco products.”

3. In the Act , Section 11(b) is amended as:

“Sell or distribute tobacco or tobacco products;”

ମୁଖ୍ୟାଶୀର୍ଷା ପ୍ରଦ୍ୱାନ୍ ପତ୍ରାଲ୍ ପତ୍ରାଲ୍ ପତ୍ରାଲ୍ ୧୦୧୯ ଡିସେମ୍ବର

འਸ්‍යා'ෂ්‍ය'හු'දා'දේශ'සතර'ත්‍රිපූජ' १०१० ජන'සන' සර්ක'ද'රාජ'ද්‍රැඹ'ප්‍රධ'දා'ක්‍රම' ක්‍රු'ෂී' ජෛද්‍රාජ්‍යාප්‍රාන්'න්‍යා'ඡන'ත්‍රිපූජ'කේ'දා'

ରୁଷା-ଶୀଘ୍ର-ମୁଦ୍ରା-ଦିନ୍ଦିନ୍ଦିକ୍ (ଅଧିକାରୀ) ପତରାହିଲା । ୧୦୧୩ ଡକ୍ଟର-ଦିନ୍ଦିକ୍ ମାଧ୍ୟମାଣୀ-ଶକ୍ତିବିର୍ତ୍ତି ଆମାରେ ପରିଚେତ୍ତା ପରିଚେତ୍ତା ଏବଂ ପରିଚେତ୍ତା । ୧୫ ମୁଦ୍ରା ଶ୍ରୀର୍ଯ୍ୟ । ୧୦୧୩ ଶ୍ରୀର୍ଯ୍ୟ । ୦୨ ମୁଦ୍ରା ଶ୍ରୀର୍ଯ୍ୟ । ୧୦୧୩ ମୁଦ୍ରା ଶ୍ରୀର୍ଯ୍ୟ । ୧୦୧୩ ମୁଦ୍ରା ଶ୍ରୀର୍ଯ୍ୟ । ୧୦୧୩ ମୁଦ୍ରା ଶ୍ରୀର୍ଯ୍ୟ ।

‘**ଶକ୍ତିଶର୍ଷଦିନ**’ ର୍ଯ୍ୟାମହାକ୍ଲିଫେନ୍’ ଅପାରା।

୨. ସତରାଷ୍ଟିବନ୍ଦୀ

୩୮ ସମ୍ବନ୍ଧାତ୍ମକ ପ୍ରକାଶନ ପରିଚୟ (ଅଧିକାରୀଙ୍କ) ମହାନାଳୀ ପରିଷଦ୍ ମହାନାଳୀ ପରିଷଦ୍ ୨୦୧୯ ତଥା ପ୍ରକାଶନ ପରିଚୟ

ପ୍ରକାଶମାତ୍ରକ ପ୍ରକାଶମାତ୍ରକ ପଦିକେଣ୍ଟା ଏବଂ ପ୍ରକାଶମାତ୍ରକ ପଦିକେଣ୍ଟା ଏବଂ ପଦିକେଣ୍ଟା ଏବଂ ପଦିକେଣ୍ଟା

୩୨ ରମ୍ଯୁଣ·କୁଳ·ପତ୍ର·ଶୁଣ୍ଠିକ·ଫେନ୍ଦଶ·ପୁତ୍ରଶ·ଦର୍ଶି

୧. ବନ୍ଦୁଶାରୀନ୍ଦ୍ରାଜୁନ୍ଦ୍ରାନ୍ତିକାନ୍ତର୍ମାଲାକାରୀ ୧୦୨୦ ଡାକ୍ ଟଙ୍କା ପାଇଁ “ଗ୍ରେଟ୍ ଭାରତ”

ନମ୍ବର ଯଦ୍ବା ନମ୍ବର ପ୍ରଦିଷ୍ଟନ୍ତକୁ ବହୁଶାଶ୍ଵର ବହୁଶାଶ୍ଵର ସମ୍ମାନ ଯଦ୍ବା ସମ୍ମାନ ସମ୍ମାନ ସମ୍ମାନ

ନ୍ୟାୟ ଯଦ୍ର ନ୍ୟାୟିରେସ୍କର୍ଫୋର୍ମ୍ ଏର୍କିନ୍ସ ଯଦ୍ର ଏର୍ପାରାମାଦିନାର୍ଥୀଙ୍କୁ||

- 4. In the Act , Section 11(c) is amended as:**
“Buy tobacco or tobacco products;”
- 5. In the Act , after section 11(c) , a new section is inserted namely :**
“Section 11(d)
Possess tobacco or tobacco products without proof of tax and duty payments or beyond the permissible quantity and type determined by Parliament.”
- 6. In the Act , after section 11(d) , a new section is inserted namely:**
“Section 11(e)
Knowingly transport tobacco or tobacco products without proof of tax and duty payments or beyond the permissible quantity and type determined by Parliament.”
- 7. In the Act , Section 12 is amended as:**
“A person may import tobacco or tobacco products for personal consumption as per the quantity and type determined by Parliament in Annexure 1.”
- 8. In the Act, Heading of section 37 is amended as:**
“Functions of Dzongkhag Tshogdu, Gewog Tshogde and Thromde Tshogde”

9. In the Act, Section 37 is amended as:

“The Dzongkhag Tshogdu, Gewog Tshogde and Thromde Tshogde shall provide support and cooperation for co-ordination and conduct awareness programs on tobacco control.”

10. In the Act, Section 39 is repealed.

11. In the Act , Section 40 is amended as:

“The Road Safety and Transport Authority shall coordinate and conduct awareness programs on tobacco control within the public and private transport system.”

12. In the Act , Section 41 is amended as:

“Any Civil Society Organization may conduct awareness programs on the ill effects of tobacco consumption.”

13. In the Act , Section 46 is amended as:

“An Authorized Officer shall dispose seized tobacco or tobacco products in accordance with the Rules framed by the Tobacco Control Board.”

14. In the Act , Section 51 is amended as:

“Any person who contravenes section 11(c) of this Act shall be punished with misdemeanor as per the Penal Code of Bhutan. However if tobacco and tobacco products bought is more than four times the permissible quantity, he or she shall be punished with felony of fourth degree as per the Penal Code of Bhutan.”

15. In the Act , after section 51, a new is inserted namely :

“Section 51A

Any person who contravenes section 11(d) of this Act shall be:

- a) Fined as prescribed by the Board, if he or she possesses tobacco or tobacco products within the permissible quantity without proof of tax and duty payments;
- b) Punished with petty misdemeanor as per the Penal Code of Bhutan if he or she possesses tobacco or tobacco products beyond the permissible quantity but less than three times the permissible quantity;
- c) Punished with misdemeanor as per the Penal Code of Bhutan if he or she possesses tobacco or tobacco products more than three times but less or equal to four times the permissible quantity; or
- d) Punished with felony of fourth degree as per the Penal Code of Bhutan if he or she possesses tobacco or tobacco products more than four times the permissible quantity.”

16. In the Act, after section 51A, a new section is inserted namely :

“Section 51B

Any person who contravenes section 11(e) of this Act shall be:

- a) Fined as prescribed by the Board, if he or she transports the tobacco or tobacco products within the permissible quantity without proof of tax and duty payments;

୨୫. ସତରଷିବର୍ଷାଦେଶିର୍କର୍ଣ୍ଣ ॥ ସର୍ବସୁଧାର୍ଥ ଦେଶକର୍ଣ୍ଣାଶର୍ମା ସମ୍ବନ୍ଧିତ ପାଞ୍ଚାଳାଶର୍ମା

ଶର୍କରା ପ୍ରାଚୀ

ସତର୍ଣ୍ଣିଶାଦିଶିର୍କର୍ଣ୍ଣ ରୁ (୮) ସାଧାରଣୀକରିତାରେ ପରିଚୟ କରିବାକୁ ଉପରେ

୩୮ ଶାପ୍ତଶିଦ୍ଧ ବିଦେଶୀର୍ବାଚିକା ହରାଯୁ ଯଦ୍ଵା ହରାଯୁରିବନ୍ଦୁଶ୍ରେଦ୍ଧକୁ ତାଙ୍କପଦିନରେ
କରାଯନ୍ତରକର୍ତ୍ତାଙ୍କପଦିନରେଶ୍ରେଦ୍ଧକର୍ତ୍ତାଙ୍କପଦିନରେ କରାଯନ୍ତରକର୍ତ୍ତାଙ୍କପଦିନରେ

ସାମାଜିକ ପଦବୀ ମୁଖ୍ୟମନ୍ତ୍ରୀ ହେଉଥିଲା ଏବଂ ଯଦୁନାଥ ହୁଅ ପ୍ରଦିଷ୍ଟନ୍ତ୍ରିକାଙ୍କୁ ହାତିଲା ଏବଂ ଯଦୁନାଥ ହୁଅ ପ୍ରଦିଷ୍ଟନ୍ତ୍ରିକାଙ୍କୁ ହାତିଲା

୯୨ ଶପାଶିଦ୍ କ୍ଷେତ୍ରମ ମାତ୍ରିଣି ହରାନ୍ତୁ ଯଦିନ ହରାତୁରିବେଳକୁଣ୍ଡର୍ତ୍ତ କରାଣିଏନୁ
ପବିତ୍ରପାତ୍ରମଧ୍ୟମାଣେ ଦକ୍ଷକୁଣ୍ଡରପଦଙ୍କେ ଦସ୍ତାଣିତେଜପାତ୍ରମଧ୍ୟମାଣେ
ଦୂରେକିନା ପବିତ୍ରମନିତେଜା ପିତ୍ତମାଣୀରିତ୍ତର୍ଗ

୨୬ ସତରାଷ୍ଟିକାରୀଦେଵିଦ୍ଵାରା ଲଗ ପଦିଶୁଧ୍ୟ ଦ୍ଵାରାକରଣାଶସ୍ତ୍ର ଯାମାନାର୍ଥିଦ୍ଵାରା
ପର୍ବତଶୂନ୍ୟ

ਦੱਸਕਲ ਪੰਜ

ସତର୍କ୍ଷିପଣ୍ଡିତଙ୍କାରୀ ଦେଶରେ ଏହାର ପରିମାଣ ଅଧିକ ହେଉଥିଲା ।

୩୮ ଶାପ୍-ଶିଦ୍- ଶିଦ୍-ଶାର୍-ମ୍-ଶିଶ୍- ତୁମ୍-ତୁମ୍- ଯଦ୍-ବୁନ୍- ତୁମ୍-ତୁମ୍-ଶିରୀଶିକୁନ୍-ତୁମ୍- ତୁମ୍-ତୁମ୍-
କୁନ୍-ବନ୍-କୁନ୍-ବନ୍-ଶିବ୍-ଶିବ୍-ଶିବ୍-ଶିବ୍-ଶିବ୍-ଶିବ୍- ବେଦ୍-ବୁନ୍- କୁନ୍-ଶାବିଦୀବନ୍-ବୁନ୍- ସଜ୍ଜୀପ୍-ବନ୍-ବୁନ୍-
ବସନ୍-କୁନ୍- ପର୍ଗ୍-ନ୍-କୁନ୍-ଶାଶ୍-ଶିଶ୍- ଶାଶ୍-ପର୍ଗ୍-ନ୍-କୁନ୍-ଶାଶ୍-ଶିଶ୍- ତେଶ୍-କୁନ୍-ଶାଶ୍-

- b) Punished with petty misdemeanor as per the Penal Code of Bhutan, if he or she transports tobacco or tobacco products beyond the permissible quantity but less than three times the permissible quantity;
- c) Punished with misdemeanor as per the Penal Code of Bhutan, if he or she transports tobacco or tobacco products more than three times but less or equal to four times the permissible quantity; or
- d) Punished with felony of fourth degree as per the Penal Code of Bhutan, if he or she transports tobacco or tobacco products more than four times the permissible quantity.”

17. In the Act, Section 52 is repealed.

18. In the Act, Section 54 is repealed.

19. In the Act , after section 54, a new section is inserted namely :

“Section 54A

A person who violates any provision of this Act shall have his or her tobacco or tobacco products confiscated.”

20. In the Act , after section 54A, a new section is inserted namely:

“Section 54B

“A person who is in possession of tobacco or tobacco products at authorized port of entry shall not be liable to be punished under this Act, if he or she has not crossed the authorized port of entry.”

21. In the Act , Section 60(c) is amended as:

“Cultivate” means to farm or to grow tobacco plant (Nicotania tabecum or Nicotinia rustica) for use as tobacco or tobacco products.

22. In the Act , Section 60(d) is amended as:

“Harvest” means to gather leaves or any part of a tobacco plant (Nicotania tabecum or Nicotinia rustica) for use as tobacco or tobacco products.”

23. In the Act , after section 60(k), a new section is inserted namely:

“Section 60(l)

“Manufacture” means any process of converting tobacco to a consumable tobacco products.”

24. In the Act, after section 60(l), a new section is inserted namely:

“Section 60(m)

“Distribute” means to make available or to provide tobacco or tobacco products for commercial purposes.”

25. In the Act, after 60(m), a new section is inserted namely:

“Section 60(n)

“Transport” means to convey tobacco or tobacco products using any mode of transportation.”

Annexure I

Permissible quantity for import of tobacco or tobacco products per month

1. 300 sticks of cigarettes; or
2. 400 sticks of Bidis; or
3. 50 pieces of cigar; or
4. 250 grams of other tobacco or tobacco products.

ਤੁਰਾਲੀਸਾਨ੍ਦਰ

ਕੈਭ'ਰੇਣੂ ਚੰਗਾ ਘੜ ਚੰਗਾ ਨੁਹੈਂਬੱਧ ਸ਼ੈਂਡ੍ਰੂ ਵਾਹਕ ਵਾਹਕ ਕੱਗ ਮਦੀ ਹੰਗ ਬੀ

੨. ਚੰਗਾ ਸ਼ਾਫ਼ਟਿੰਗ (cigarette) ੩੦੦ ਘੜ

੩. ਚੰਗਾ ਬਿਡੀ (Bidi) ੬੦੦ ਘੜ

੪. ਚੰਗਾ ਨਹਿਅਤੂਨਾ (Cigar) ੫੦ ਘੜ

੫. ਚੰਗਾ ਘੜ ਚੰਗਾ ਨੁਹੈਂਬੱਧ ਸ਼ੈਂਡ੍ਰੂ ਸੂਖ ੯੫੦