

**TEJASWIN RAJ THR HIS GUARDIAN/ AUTH. REP. AN-
SHU
V/S
UNION OF INDIA AND OTHERS**

Present:- Petitioner-Mr. Tejaswin Raj, in person.

Inter alia contends that as per notifications dated 26.09.2019 (Annexure P-27) and 30.09.2019 (Annexure P-28) import and export of Electronic Cigarettes along with all forms of Electronic Nicotine Delivery Systems is prohibited. It is submitted that in spite of that such devices are commonly available on various sale platforms while referring to page No.68 wherein tabulated chart as such has been given. It is further submitted that common word 'Vape' and 'E-Cigarette' is the common name and the same is readily available amongst both the States of Punjab and Haryana and U.T. Chandigarh and authorities are not taking any redressal steps as such to ensure that the young generation is not hooked to it, since they are consuming it in Clubs, Pubs, Breweries, Malls, Restaurants and Gardens etc. It is, thus, submitted that respondent Nos.22 to 24 as such providing platforms for the sale of such items by way of online process. It is also submitted that the petitioner, who himself is 15 years old had ordered one pack of cigarettes from Blinkit App-respondent No.23 while referring to the averments made in paragraph No.17 and the delivery was made outside a Government School within the assured period of 9 minutes.

Notice of motion.

Mr. Dheeraj Jain, Senior Panel Counsel accepts notice on behalf of respondent Nos.1 to 6. Mr. Sanjiv Ghai, Advocate, Mr. Navjit Singh, Advocate and Mr. Parminder S. Kaul, Advocate accept notice on behalf of respondent Nos.8 & 9. Mr. Navjit Singh, Advocate accepts notice on behalf of respondent No.11. Mr. Saurav Khurana, Addl.AG, Punjab assisted by Ms. Darika Sikka, Advocate accepts notice on behalf of respondent Nos.12 to 16. Mr. Deepak Balyan, Addl. AG, Haryana accepts notice on behalf of respondent Nos.17 to 21.

To come up on 24.07.2024 for service upon respondent No.7, 10, and 22 to 24. Service upon respondent No.25 is dispensed with at this point of time.

In the meantime, if the above factual aspect is correct, the respondents-authorities shall take appropriate steps to ensure that such articles are not readily available in the manner which has been prescribed and take steps to implement all statutory provisions.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

(LAPITA BANERJI)
JUDGE

May 18, 2024
Naveen