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Karnataka's 2025 Tobacco Law Overhaul: What It Means For Businesses And Citizens

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Introduction

On May 30, 2025, the Government of Karnataka notified the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply, and Distribution) (Karnataka Amendment) Act, 2024, (hereinafter referred to as “**COTPA (Karnataka Amendment) Act, 2024**”). This legislation amends the Cigarettes and Other Tobacco Products Act, 2003 (Central Act 34 of 2003), (hereinafter referred to as “**COTPA, 2003**”), as applicable to Karnataka.

The amendments included raising the legal age for purchasing tobacco products from 18 to 21 years and increasing the maximum fine for violations from ₹200 to ₹1,000 and was published in the Karnataka Extraordinary Gazette on May 30, 2025, and has since come into force.

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Key Amendments

Section 4 – Prohibition of Use of Tobacco Products in Public Places

Section 4, which previously stated “Prohibition of smoking in public places,” has been substituted with “Prohibition of use of tobacco products in public places.”

No person shall use tobacco products in any public place. Here, “use” means and includes both smoking and spitting of tobacco products.

Provided that hotels with at least thirty rooms, restaurants with a seating capacity of thirty or more, and airports may designate separate, clearly defined smoking areas.

Section 4A – Ban on Hookah Bars

A new Section 4A has been inserted, namely:

“Prohibition to open or run hookah bar – No person shall, either on their own or on behalf of any other person, open or run any hookah bar in any place, including an eating house, pub, bar, or restaurant, regardless of the name or form of the establishment.”

This provision reflects the state’s broader initiative to regulate tobacco consumption in shared public environments and discourage its use in social settings.

Section 6 – Restrictions on the Sale of Tobacco Products

Section 6, which earlier prohibited the sale of tobacco products to persons below 18 years and near certain areas, has been substituted to state:

No person shall sell, offer for sale, or permit the sale of cigarettes or any other tobacco products:

- (a) to any person who is under the age of twenty-one years;
- (b) within a radius of one hundred meters of any educational institution; or
- (c) in loose form or as single sticks.

These restrictions aim to limit youth access to tobacco, protect areas near schools, and reduce casual purchases that encourage addiction.

Section 21A – Punishment for Running Hookah Bars

A new Section 21A has been inserted, namely:

“Whoever contravenes the provisions shall be punishable with imprisonment for a term of not less than one year, which may extend up to three years, and with a fine of not less than fifty thousand rupees, which may extend up to one lakh rupees.”

This stringent penalty framework is designed to deter violations by imposing significant imprisonment and financial penalties, thereby reinforcing the enforcement of tobacco control laws.

Amendments to Principal Amounts in Sections 21, 24 & 28

The penalty amount specified in subsection (1) of Sections 21, 24, and 28 of the Principal Act has been increased from “two hundred rupees” to “one thousand rupees.”

This increase reflects the government's intent to strengthen enforcement through higher financial penalties for violations.

Comparative Overview: COTPA 2003 vs. COTPA (Karnataka Amendment) Act, 2024

Provision	COTPA, 2003	Karnataka Amendment Act, 2024
Public Tobacco Use (Sec. 4)	Prohibits smoking in public	Prohibits all tobacco use (smoking & spitting) in public places
Hookah Bars	No explicit provision	Fully banned; Section 4A prohibits operation
Legal Age for Purchase (Sec. 6)	18 years	Raised to 21 years
Sales Near Schools (Sec. 6)	Banned within 100 meters	Retained + added ban on loose/single stick sales
Penalties for violations (Secs. 21, 24 & 28)	Fine of ₹200 for violations	Fine increased to ₹1,000
Running Hookah Bars (Sec. 21A)	Not addressed	New offense with imprisonment and fines

Implications

The COTPA (Karnataka Amendment) Act, 2024 marks a significant strengthening of tobacco control in Karnataka. By broadening the scope of public tobacco use prohibition, banning hookah bars, raising the legal age for purchase, and increasing penalties, the amendments aim to reduce tobacco consumption, especially among youth, and enhance public health protection.

Enforcement and Expert Insight

Dr. U.S. Vishal Rao, a member of Karnataka's High-Powered Committee on Tobacco Control, called the amendments a key step in reducing tobacco use, especially among youth, citing a 7% decline in adult tobacco users per the latest Global Adult Tobacco Survey.

Bengaluru Police Commissioner B. Dayananda has urged hotels, bars, and restaurants to remove non-compliant designated smoking areas (DSAs). DSAs must be clearly marked, well-ventilated, and must not serve food, beverages, or tobacco products, as per COTPA rules.

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