

The Jammu and Kashmir Suppression of Indecent Advertisements Act, 2003

JAMMU & KASHMIR

India

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Rule

THE-JAMMU-AND-KASHMIR-SUPPRESSION-OF-INDECENT-ADVERTISEMENTS OF 2003

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The Jammu and Kashmir Suppression of Indecent Advertisements Act, 2003(Act No. 9 of Svt. 2003)[Received the assent of His Highness the Maharaja Bahadur on 15th of July, 1946 and published in Government Gazette dated 22nd Katik, 2003/7th November, 1946.]An Act to suppress indecent advertisements.Whereas it is expedient to suppress indecent advertisements in the Jammu and Kashmir State;It is hereby enacted as follows :-

1. Short title, extent and commencement.

(1)This Act may be called the Jammu and Kashmir Suppression of Indecent Advertisements Act, 2003.(2)It shall extend to the whole of the Jammu and Kashmir State.(3)[It shall come into force from such as the Government may, by notification in the Jammu and Kashmir Government Gazette, appoint in this behalf.] [The Act came into force 1st Baisakh, 2004 by C. O. No. 47-C of 1947 dated 7th March, 1947 'Government Gazette dated 28th Chet, 2003'.]

2. Interpretation.

- For the purpose of this Act, any advertisement relating to syphilis, gonorrhea, nervous debility or other complaint or infirmity arising from or relating to sexual intercourse shall be deemed to be printed or written matter of an indecent nature.

3. Procedure against persons affixing, etc., indecent pictures, printed or written matter.

- Whosoever affixes to, inscribes or stencils on any house, buildings, wall, boarding, gate, fence, pillar, post, board, tree, or any other thing whatsoever so as to be visible to a person being in or passing along any street, public highway or foot-path and whoever affixes to inscribes or stencils on any public latrine or urinal or exhibits to public view in the window of any house or shop any picture, or printed or written matter which is of indecent nature shall, on conviction, be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.(2)Whenever any printed or written matter of any indecent nature has been displayed in the manner prohibited by sub-section (1), any person being in possession or control of the Land, building, structure or premises to which such printed or written matter has been affixed, who knowingly allows the same to be continued to be displayed shall, on conviction, be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

4. Proceedings against persons sending others to do the acts punishable under section 3.

- Whoever gives or delivers to any other person any such pictures, or printed or written matter mentioned in section 3 with the intent that the same, or some one or more thereof, should be affixed, inscribed, stencilled, or exhibited as therein mentioned shall, on conviction, be punished with imprisonment of either description which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

5. Power to seize, remove, deface or destroy pictures, or printed or written matter of indecent nature.

- If a District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class has reason to believe that any picture, or printed or written matter of any indecent nature which has been affixed, inscribed or stencilled as mentioned in section 3 continues to be exhibited to public view after the commencement of this Act, he may, by order in writing, authorise any police officer to enter, with such assistance as may be required, and place and seize, remove, deface or destroy and such picture or printed or written matter.

6. Police Officer may arrest on view of offence.

- Any police officer may arrest without warrant any person whom he shall find committing any offence against this Act.

7. Saving.

- Nothing in this Act shall apply to any advertisement published by any Municipal Committee or by any Town or Notified Area Committee or published with the sanction of the Government.