

Himachal Pradesh Prohibition of Sale of Loose Cigarettes and Biddies and Regulation of Retail Business of Cigarettes and other Tobacco Products Rules, 2018

HIMACHAL PRADESH

India

Himachal Pradesh Prohibition of Sale of Loose Cigarettes and Biddies and Regulation of Retail Business of Cigarettes and other Tobacco Products Rules, 2018

Rule

HIMACHAL-PRADESH-PROHIBITION-OF-SALE-OF-LOOSE-CIGARETTES and BIDDIES and REGULATION OF RETAIL BUSINESS OF CIGARETTES AND OTHER TOBACCO PRODUCTS RULES, 2018

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Himachal Pradesh Prohibition of Sale of Loose Cigarettes and Biddies and Regulation of Retail Business of Cigarettes and other Tobacco Products Rules, 2018Published vide Notification No. Health-A-H(1)-1/2013-Vol-I dated 30.8.2018No. Health-A-H(1)-1/2013-Vol-I. - In exercise of the powers conferred under Section 12 of the Himachal Pradesh Prohibition of Sale of Loose Cigarettes and Biddies and Regulation of Retail Business of Cigarettes and other Tobacco Products Act, 2016 (Act No.17 of 2016), the Governor of Himachal Pradesh is pleased to make the following rules for carrying out the provisions of Act ibid namely :-

1. Short title and commencement.

(1)These rules may be called the Himachal Pradesh Prohibition of Sale of Loose Cigarettes and Biddies and Regulation of Retail Business of Cigarettes and other Tobacco Products Rules, 2018.(2)These rules shall come into force from the date of enforcement of the Act.

2. Definitions.

(1) In these rules, unless the context otherwise requires, (a) "Act" means the Himachal Pradesh Prohibition of Sale of Loose Cigarettes and Biddies and Regulation of Retail Business of Cigarettes and other Tobacco Products Act, 2016 (Act No. 17 of 2016) (b) "Form" means a form appended to these rules; (c) "section" means the section of the Act; and (2) The words and expressions used in these rules but not defined shall have the same meanings as assigned to them in the Act.

3. Procedure for registration.

(1) Any person who is carrying on or intends to carry on retail business of Cigarettes/Biddies and other Tobacco Products shall make an application for registration to the Registering Authority in Form-1 (Annexure-"A") on payment of the registration fee of Rs.500. (Rs. Five hundred). (2) The Registering Authority, or any person authorized in this behalf, shall, acknowledge receipt of application for registration in Form-2 (Annexure- "B"). (3) The Registering Authority shall grant registration certificate to the applicant within six months of the receipt of application in Form-3 (Annexure-"C") for a period of three years failing which it will be deemed to have been issued.

4. Renewal of Certificate of Registration.

(1) Before the expiry of three years, the registration certificate may be renewed for further period of three years on payment of renewal fee of Rs.300 (Three hundred). (2) If the applicant fails to apply for renewal before the expiry of three years, a late fee of Rs.200 (Two hundred) per month shall be charged in addition to the renewal fee. (3) If the original registration certification is lost, a duplicate registration certificate shall be issued on payment of Rs.100 (One hundred).

5. Procedure of entry, search and seizure.

(1) The provisions of Code of Criminal Procedure, 1973 (2 of 1974) relating to entry, search and seizures shall, so far as may be, apply to every search or seizure made under the Act. (2) The Challan will be presented in the Court of Sub-Divisional Magistrate/ CJM of the area concerned as the case may be.