

(Authoritative English text of this Department Notification No. Health-A-H(1)-1/2013-Vol-I dated 30-08-2018 as required under Clause (3) of Article 348 of the Constitution of India)

**GOVERNMENT OF HIMACHAL PRADESH  
HEALTH AND FAMILY WELFARE DEPARTMENT**

Health-A-H(1)-1/2013-Vol-I

Dated: Shimla

30<sup>th</sup> August, 2018

**NOTIFICATION**

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 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.

By Order

**Additional Chief Secretary (Health) to the  
Government of Himachal Pradesh**

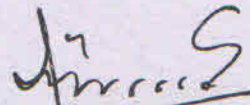
Endst.No.As above

Dated: Shimla-2

30<sup>th</sup> August, 2018

Copy forwarded for information and necessary action to:-

1. The Sr. Accountant General, H.P. Shimla-3
2. All the Administrative Secretaries, H.P.
3. The Registrar, H.P. High Court, Shimla-1.
4. The Secretary (GAD) to the Govt. of H.P. Shimla-2 w.r.t. item No. 11 of Cabinet Meeting held on 14/08/2018.
5. The Director, General of Police, Shimla-2, H.P.
6. The PS to Hon`ble Chief Minister/Hon`ble Health Minister, H.P. Shimla-2.
7. All Deputy Commissioners, H.P.
8. The Director of Health Services, H.P. Shimla-9.
9. The Mission Director, NHM, Shimla-9
10. The Director, Health Safety and Regulation, H.P. Shimla-2.
11. The Director, Medical Education & Research, Shimla-9
12. The Director of Dental Health Services, H.P. Shimla-9.
13. The Controller, Printing & Stationery, H.P. Govt. Press, Shimla-5 for publication in Rajpatra.
14. The Drug Controller, H.Q. Baddi, Distt. Solan, H.P.
15. All the CMOs/Medical Superintendents in Himachal Pradesh.
16. The Section Officer, Health-A & Health-B.
17. Guard file.



**(Kailash Chand Gaur)**

Joint Secretary (Health) to the  
Government of Himachal Pradesh

**Form-1****{see rule 3(1)}****Application Form For Registration / Renewal of Registration of any tobacco products**

1. Name of the Establishment \_\_\_\_\_
2. Address:
 

Village/Town/City:	Block:	District
State:	Pin Code	Telephone No. ( with STD code)
Mobile:	Email ID	
3. Name of the Owner \_\_\_\_\_
4. Address:
 

Village/Town/City:	Block:	District
State:	Pin Code	Telephone No. ( with STD code)
Mobile:	Email ID	
5. Application submitted for New Registration Renewal of Registration If, renewal, please specify earlier registration number/year.
6. Payment options for Registration fees Demand draft Postal order Cash Any other (please specify)  
 Amount (in Rs.) \_\_\_\_\_  
 Details \_\_\_\_\_  
 Receipt number \_\_\_\_\_

I do hereby declare that the statements made above are correct and true to the best of my knowledge, I shall abide by all the provisions of the Himachal Pradesh Prohibition of Sales of Loose Cigarettes and Biddies and Regulation of Retail Business of Cigarettes and Other Tobacco Products Act, 2016 and the rules made there under.

I shall also abide by all the provisions of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply, and Distribution) Act, 2003.

I shall intimate to the Registering Authority any change, if required, in particulars as given above.

**Signature of the owner/Person-in-charge**

**Name-**

**Place:**

**Date:**



**Form-2**

**{see rule 3(2)}**

**Acknowledgement for New Registration / Renewal of Registration of any tobacco products**

The application in Form-1 for grant of new registration/renewal of registration under Himachal Pradesh Prohibition of Sales of Loose Cigarettes and Biddies and Regulation of Retail Business of Cigarettes and Other Tobacco Products Act, 2016 submitted by \_\_\_\_\_ (Name and Address of the owner) has been received by the Registration Authority on \_\_\_\_\_ (Date/Month/Year) and found to be complete or incomplete.

This acknowledgment does not confer any rights on the applicant for grant or renewal of registration.

Signature of Registration Authority or authorized persons in the office of the Appropriate Authority.

**Name & Designation of the Issuing Authority**

**SEAL**

**Place:**

**Date:**



**Form-3**

**{see rule 3(3)}**

**Registration / Renewal of Registration of any tobacco products**

Registration No./Year \_\_\_\_\_

Date of Issue \_\_\_\_\_

Valid up to \_\_\_\_\_

1. Name of the establishment \_\_\_\_\_

2. Address \_\_\_\_\_

3. Owner of the establishment \_\_\_\_\_ is here by **registered/ registration renewed** under the provisions of Himachal Pradesh Prohibition of Sales of Loose Cigarettes and Biddies and Regulation of Retail Business of Cigarettes and Other Tobacco Products Act, 2016 and the rules made there under.

**Name & Designation of the Issuing Authority  
(Seal)**

**Date & Time**

**Phone number in case of grievances**