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ANDAMAN AND NICOBAR ISLANDS JUVENILE SMOKING
REGULATION, 1955

No. 2 of 1955.

Promulgated by the President of India in the Sixth Year of the Republic of India.

A Regulation to provide for the prevention of smoking by juveniles in the Andaman and Nicobar Islands.

In exercise of the powers conferred by Clause (2) of Article 243 of the Constitution, the President is pleased to promulgate the following Regulation made by him:-

1. Short Title, extent and commencement:- (1) This Regulation may be called the Andaman and Nicobar Islands Juvenile Smoking Regulation, 1955.

(2) It extends to the whole of the Andaman and Nicobar Islands.

(3) It shall come into force on such date as the Chief Commissioner may, by notification in the Official Gazette, appoint.

2. Definitions:- In this Regulation, unless the context otherwise requires:-

(a) "Chief Commissioner" means the Chief Commissioner of the Andaman and Nicobar Islands;

(b) "Cigarettes" includes cut tobacco rolled in paper tobacco leaf, or other material in such form as to be capable of immediate use for smoking;

(c) "tobacco" means tobacco in any form, and includes any smoking mixture intended as a substitute for tobacco;

(d) "Public place" means any place to which the Public have access for the time being, whether on payment or otherwise, and includes a jetty and a water craft.

3. Prohibition against sale of tobacco, etc to juveniles: Whoever sells or gives to any young person apparently under the age of sixteen years any tobacco, cigarettes, pipes or cigarette papers, whether for the use of such person or not, shall be punishable:-

(a) In the case of a first ~~off~~ conviction, with fine not exceeding fifty rupees;

(b) In the case of second conviction, with fine not exceeding twenty rupees; and

(c) In the case of any subsequent conviction, with fine not exceeding fifty rupees.

4. Power to seize and destroy tobacco in the possession of young persons:- It shall be lawful for a police officer or any other person or class of persons authorised by the Chief Commissioner in this behalf to seize any tobacco, cigarettes, pipes or cigarette papers in the possession of any young person apparently under the age of sixteen years

whom he finds smoking in any public place and to destroy any such article.

5. Institution of proceedings:- No magistrate shall take cognizance of an offence under Section 3 except upon a complaint made by, or at the instance of, the parent or guardian of the young person concerned or a police officer or other person empowered to make a seizure under Section 4.

6. Summary jurisdiction:- Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), the Chief Commissioner may confer on any magistrate of the Second or Third Class power to try summarily offences under Section 3.

7. Regulation not to apply in certain cases:- The provisions of this Regulation shall not apply -

- (a) to any young person apparently under the age of sixteen years to whom tobacco, cigarettes, pipes or cigarette papers are sold or given or in whose possession they are found, if he was at the time employed by a manufacturer of, or a dealer in, such articles, either wholesale or retail, for the purposes of his business;
- (b) to members of any such aboriginal tribe addicted to smoking as may be specified by the Chief Commissioner by notification in the Official Gazette.

RAJENDRA PRASAD

President.

K.Y. BHANDARKAR,
Secretary to the Government of India.