

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR  
LAW AND PARLTAMENTARY AFFAIRS DEPARTMENT  
MUZAFFARABAD**

Dated the 22<sup>nd</sup> June, 1985.

No. 1513/LD/85. The following Ordinance made by the President on the 22<sup>nd</sup> day of June, 1985, is hereby published for general information:-

**(ORDINANCE CLXII OF 1985)**

**AN  
ORDINANCE**

to provide for printing of a health warning on packs of cigarettes.

WHEREAS it is expedient to provide for printing of a health warning on packets of cigarettes and for matters connected therewith;

AND WHEREASE the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 41 of the Azad Jammu and Kashmir Interim Constitution Act, 1974, the President is pleased to make and promulgate the following Ordinance:-

1. **Short title, Extent and Commencement.**- (1) This Ordinance may be called the Cigarettes (Printing of warning) Ordinance, 1985.
  - (2) It extends to the whole of Azad Jammu and Kashmir
  - (3) It shall come into force at once.
2. **Definitions.**- In this Ordinance, unless there is anything repugnant in the subject or context:-
  - (a) "Cigarette" includes "Biri".
  - (b) "Government" means the Azad Jammu and Kashmir of the State of Jammu and Kashmir;
  - (c) "Health warning" means health warning specified in section 3; and
  - (d) "Packet" includes a wrapper or other container.
3. **Printing of health warning.**- There shall be printed legibly and prominently, both in English and Urdu, on every packet of Cigarettes the following health warning namely:-  
"WARNING : Smoking is injurious to health.  
Ministry of Health"  
"خبردار: تمباکو نوشی صحت کے لئے مضر ہے۔ -  
وزارت صحت"
4. **Prohibition to sell etc.**- No person shall.-
  - (a) manufacture packets of Cigarettes, or
  - (b) sell or offer for sale cigarettes from packets of cigarettes, or

- (c) Import or possess or sell or offer for sale packets of cigarettes, on which the health warning is not printed as required by section 3.
5. **Penalties.**- (1) Whoever contravenes any provision of section 4 shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.
- (2) Where a Court convicts a person of an offence punishable under sub-section (1) it shall direct that the packets of cigarettes and the cigarettes in respect of which the offence has been committed be forfeited to the Government.
6. **Offences by companies.**- If the person contravening any provision of Section 4 be a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he prove that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention be deemed to be guilty of such contravention.
7. **Cognizance of offence.**- (1) No Court inferior to that of a Magistrate of the First Class shall try an offence punishable under this Ordinance.
- (2) No Court shall take cognizance of any offence punishable under this Ordinance except on a complaint made in writing by a Police Officer not below the rank of an Assistant sub-Inspector or an Excise Officer not below the rank of a sub-Inspector or any other officer authorised in this behalf by the Government.
7. **Powers to make rules.**- The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance
7. **Savings.**- Notwithstanding any judgment, decree or order of any court including High Court, every thing done, all actions taken, notifications issued, orders or appointments made, proceedings initiated, jurisdiction or powers exercised under the provisions of the Cigarettes (Printing of Warning) Ordinance, 1980 (Ordinance CXCI of 1980) or its succeeding Ordinance issued from time to time shall be deemed to have been validly done, taken, issued, made initiated or exercised under this Ordinance.
10. **Repeal.**- The Cigarettes (Printing of Warning) Ordinance, 1985 (Ordinance LVII of 1985) is hereby repealed.

Sd/-  
(Major General (R) Abdul Rehman Khan)  
President,  
Azad Jammu & Kashmir.  
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