

**IN THE COURT OF Ld. Chief Judicial Magistrate SHIMLA**

State Complaint through Member Secretary (State Level Committee for Tobacco Control cum Nodal Officer /In charge of the State Level Flying Squad for Tobacco Control) Directorate of Health Safety and Regulations Shimla

**V/s**

1 Sh..... M/S .....Pan Shop,Shop No  
.....Shimla

2 M/S x.....Shimla Though its  
Prop./partners/

**Complaint under section 5 of The Cigarettes and Other Tobacco products ( Prohibition of Advertisement and Regulation of Trade and Commerce ,Production supply and Distribution Act 2003 (COTPA 2003)**

**Respectfully Sheweth:-**

1.That I ..... is duly appointed In charge of the State Level Flying Squad for Tobacco Control Directorate of Health Safety and Regulations Shimla under **The Cigarettes and Other Tobacco products( Prohibition of Advertisement and Regulation of Trade and Commerce ,Production supply and Distribution Act 2003** for the area of the state of Himachal Pradesh by H.P. Govt. vide notification No. HSR-Household (Tobacco) 7/09 dated 22.11.11

2 That I inspected the shop of .....M/S ..... Pan Shop,.....Shimla on 16-1-2012 at about 1.30 and found Sh.....M/S .....Shimla has displayed the colored board of advertisement of four square brand of tobacco products (photo enclosed)

3 That Sh. .... FSO MC Shimla,Sh. .... SI PS New Shimla and Sh. .... ETI Shimla all member of state level flying squad were present throughout the whole process inspection and witnessed the whole process.

4 That Challan were prepared on the spot, which were signed by the accused, as well as witnesses and by me.

5 That I am a Govt. Servant and is required to perform several duties as such I will not be able to attend the Hon'ble court on all the dates of hearing of the complaint, therefore it is prayed that personal presence of the complainant on all the dates of hearing may kindly be exempted under section 249 of Cr. P. C.

6 That accused Sh.....M/S  
..... Shimla had displayed an advertisement board of tobacco product on his shop which is prohibited under Section 5 of COTPA 2003 which is punishable under Section 22 of COTPA 2003. M/S  
.....Shimla though its Prop./partners/ is also liable under the act .

It is therefore prayed that the accused person(s) be summoned and dealt in accordance with law.

In charge State Level Flying  
Squad for Tobacco control

**List of Witnesses:-**

- 1..... Incharge State Level Flying Squad for Tobacco control Directorate of Health Safety and Regulations Shimla-9
- 2.Sh.....Food Safety Officer,M C Shimla (H.P.)
3. Sh. .... SI, PS New Shimla
- 4.Sh. .... ETI o/oExcise & Taxation Comissioner Shimla-9

**List of Documents attached:-**

1. Challan form
2. Photograph
- 3 Seizure/spot memo

In charge State Level Flying  
Squad for Tobacco control