

No. 2009/AC-II/45/3

07-2009.

**The General Managers
(All Indian Railways)**

Sub:- Prohibition of smoking in public places Rules 2008 Implementation of Tobacco Product 2003 Section 25 & 28(1) for trial of offences including levy of fines-issue of guidelines.

Please connect Board's Commercial Circular No. 16 of 2004 dated 28/04/2004 on the above subject. As mentioned therein, The Cigarettes and other Tobacco Product Act 2003, which came into force w-e-f- 01/05/2004 envisages that offences committed in public places as mentioned in Section 4 & 6 are to be dealt with in accordance with the provisions contained in Section 21, 25 & 28 (1). Further Section 21 of the Act envisage levy of fine up to Rs.200/- from persons violating ban on smoking in trains and Railway premises.

In order to monitor accountal of the fine, so collected following procedure may be followed:-

1. A three foiled money receipt book (MR) may be issued to the authority delegated powers to impose and collect fines by the nominated officer (herein-after authorized official) under proper acknowledgement under advice to the Traffic Accounts office.
2. The authorized official shall, at the time of issue of MR book, check the continuity of the book and certify the correctness thereof on the cover of the MR book. The books shall be kept in his/her personal custody and he/she shall be liable for its loss.
3. The authorized official shall issue legible MRs against fine collected by him using double sided carbon. No overwriting will be permitted. Instead, such MR shall be cancelled and fresh one should be issued.
4. The authorized official shall remit cash at his nominated HQ station at regular intervals to be decided in consultation with FA&CAO.
5. The amount collected as fine shall be allocated to Abstract Z-Sundry Other Earnings, Z-652-Other Sundry Receipts.
6. The authorized official shall give Cash Remittance Memo (Annexure A) in duplicate, under acknowledgement to the Booking clerk indicating the specific numbers of MRs used, amount collected and total thereof. Booking Clerk shall paste this memo at the back of record foil of the money receipt issued.
7. The authorized official shall obtain money receipt from the booking clerk and will also obtain an endorsement on the last record foil of MR issued, showing the amount deposited, Money receipt no. and Station stamp.
8. The authorized official shall submit a monthly return to the Traffic Accounts Office (in duplicate) latest by 7th of the following month along-with Accounts copies of the Money Receipts and particulars of remittances made to the nominated station.
9. The authorized official shall return the MR book to the nominated issuing office as & when it is consumed. He/She shall also return the used/unused MR books in case of transfer, suspension, proceeding on leave for a period of more than a week.

Action by Traffic Accounts Office.

- (a) Check the continuity of the serial number of MRs from the Accounts Foil of the MRs received along-with monthly returns submitted by the authorized person. A debit @ Rs. 200/- (the amount of fine to be charged) shall be raised for every missing money receipt foil of the MR
- (b) Check that the returns have been received in time.
- (c) Check the totals of the amount collected against each MR book with the totals of amounts remitted under the Money Receipts. Shortage if any shall be debited against the holder of the money receipt book (MR).
- (d) Check remittances shown in the monthly returns with the amount shown in the Station Balance sheet.

Printing and Supply of Money Value Books

1. Indenting should be done by the respective departments (Commercial/Operating/RPF) on the Zonal Railways.
2. Separate series should be maintained for the money receipt books printed and supplied to the respective departments.
3. Indents for printing should be made by the respective departments on the Printing Press assigned to them by the Stores department.
4. Indenting officials may be designated as Station Superintendents for Operating, Chief Ticket Inspector (CTI) for Commercial department and Company Commander for RPF.
5. Supply against the demand placed by the respective departments may be made accordingly by the Printing Press.
6. The money value may be got printed as per the proforma attached. Specification regarding size of papers, paper quality, security mark and water mark will be the same as of EFTs.
7. The number of foil in each Money Receipt Book (MR) shall be same as of EFT.

Please acknowledge receipt.

DA:- As above



(V K Sharma)
Director Traffic Commercial/General
Railway Board



(S.N. Mathur)
Director Finance/CCA
Railway Board

CASH REMITTANCE MEMO.

Station Master/Record

No. _____

Date _____.

To,

The Station Master

Please transmit to the Chief Cashier the sum of Rs. _____ (in words) tendered herewith at _____ (time) being Railway dues collected on _____ (date) under MR. _____ to _____ on account of fine for violating ban on smoking in Trains/Railway premises.

(Signature of the authority nominated to collect the amount)

RECEIPT

Fine collected for smoking in violation of section 21 of the Cigarettes and other Tobacco Product (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act 2003.

No. _____.

_____ Railway

Department * _____

Date of issue _____

Place of Violation: Station/Train No _____.

Name of Violator booked for Violation of the Act _____

Passenger Ticket No/EFT No. (in case found in station premises without valid ticket/Platform Ticket) _____

Amount Collected Rs. _____ (in words) _____

Signature of Violator booked for violation of the Act _____

Signature of SM/TTE/TC/RPF
* (to be printed separately as the case may be)

To be credited to Abstract Z-Sundry Other Earnings, Z-652-Other Sundry Receipts.