

**THE PUNJAB PROHIBITION OF SMOKING
(CINEMA AND THEATRE HALLS) ACT, 1951.**

PUNJAB ACT No. VIII OF 1951.

[Received the assent of His Excellency the Governor on the 20th April, 1951, and first published in the Punjab Government Gazette (Extraordinary) of April 23, 1951.]

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Year	No.	Short title	Whether affected by later legislation
1951	VIII	The Punjab Prohibition of Smoking (Cinema and Theatre Halls) Act, 1951	Extended to the territories which immediately before the 1st November, 1956, were comprised in the State of Pepsu by Punjab Act No. 5 of 1959 ² Amended by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968

An act to provide the Prohibition of Smoking in Cinema and Theatre Halls.

It is hereby enacted as follows :—

1. (1) This Act may be called the Punjab Prohibition of Smoking (Cinema and Theatre Halls) Act, 1951. Short title, extent and commencement.

(2) It extends to the whole of the ³[Union Territory of Chandigarh].

(3) It shall come into force at once.

2. In this Act unless there is anything repugnant in the subject or context,— Definitions.

(a) the “Act” means the Prohibition of Smoking (Cinema and Theatre Halls) Act, 1951.

¹For Statement of Objects and Reasons, see *Punjab Government Gazette (Extraordinary)*, 1951, page 309, for proceedings in the Assembly, see *Punjab Legislative Assembly Debates*, Volume III, 1951, pages (21) 177—(21) 182.

²For Statement of Objects and Reasons, see *Punjab Government Gazette (Extraordinary)*, 1959, page 1487.

³Substituted for the words “State of Punjab” by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

- (b) "Auditorium" means the portion of the building occupied by the audience or spectators during a show.
- (c) "Inspector" means an Inspector appointed under the Act by Government.
- (d) "Government" means the ¹[Central Government].
- (e) "Show" means a cinematography exhibition or performance of a drama, or dance.
- (f) "Smoking" means smoking of tobacco in any form, whether as cigarette, cigar, beeri, or in pipe or hukka.

Offence under this Act.

3. (1) No person shall smoke in Cinema or Theatre Halls, during the prohibited period, either in the auditorium or on the stage, except in so far as the smoking may be a part of the performance.

Explanation.—The expression "prohibited period" means the period beginning from half an hour before the commencement of a show till the end thereof.

(2) Any person who contravenes the provisions of subsection (1) of this section shall be liable to be turned out of the Cinema or Theatre Hall without payment of any compensation or refund of any payment made by him and shall also be liable to arrest for the purposes of section 57 of the Code of Criminal Procedure, 1898, and on conviction to a fine, which may extend to rupees twenty.

Power of Inspector.

4. An Inspector may enter a Cinema or Theatre Hall to satisfy himself that the provisions of this Act are not being contravened.

Power to institute prosecution.

5. No prosecution under this Act shall be instituted except on the complaint, in writing of an Inspector authorised in this behalf by a general or special order of the Director of Health Services, ²[Union Territory of Chandigarh].

¹Substituted for the words "Government of the State of Punjab" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

²Substituted for the word "Punjab" by *ibid.*

st V of
1898.

6. All cases under this Act shall be tried in the manner provided for the summary trial under the Code of Criminal Procedure, 1898. ^{Power to try summarily.}

7. The ¹[Central Government] may, by notification, make rules for carrying out the provisions of this Act. ^{Power to make rules.}

¹Substituted for the words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.