

# **The Haryana Prohibition of Smoking in Cinema and Theatre Halls Act, 1974**

HARYANA

India

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### **Act 26 of 1974**

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The Haryana Prohibition of Smoking in Cinema and Theatre Halls Act, 1974 Haryana Act No. 26 of 1974 Received the assent of the Governor of Haryana on the 2nd August, 1974, and first published for general information in the Haryana Government Gazette (Extraordinary), Legislative Supplement Part I of the 5th August, 1974. An Act to provide for the prohibition of smoking in cinema and theatre halls Be it enacted by the Legislature of the State of Haryana in the Twenty-fifth Year of the Republic of India as follows :-

### **1. Short title and extent.**

(1) This Act may be called the Haryana Prohibition of Smoking in Cinema and Theatre Halls Act, 1974. (2) It extends to the whole of the State of Haryana.

### **2. Definitions.**

- In this Act, unless the context otherwise requires, -(a) "auditorium" means the portion of the building occupied by the audience or spectators during a show; (b) "Inspector" means an officer appointed by the State Government to perform the functions of an Inspector under this Act; (c) "prohibited period" means the period beginning from half an hour before the commencement of a show till the end thereof; (d) "show" means a cinematograph exhibition or performance of a drama or dance; (e) "smoking" means smoking of tobacco in any form, whether as cigarette, cigar, beeri, or in pipe or Hukka.

### **3. Offences.**

(1) No person shall smoke in cinema or theatre hall, 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. (2) Any person who contravenes the provisions of sub-section (1) 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 42 of the Code of Criminal Procedure, 1973, and on conviction to a fine which may extend to twenty rupees.

### **4. Power of Inspector.**

- An Inspector may enter a cinema or theatre hall to satisfy himself that the provisions of this Act are not being contravened.

### **5. Power to institute prosecution.**

- 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, Haryana.

### **6. Power to try summarily.**

- All cases under this Act shall be tried in the manner provided for the summary trial under the Code of Criminal Procedure, 1973.

### **7. Power to make rules.**

(1) The State Government may, by notification, make rules for carrying out the purposes of this Act. (2) Every rule made under this section shall be laid as soon as may be after it is made before the House of the State Legislature while it is in session for a total period of ten days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

### **8. Repeal.**

- The Punjab Prohibition of Smoking (Cinema and Theatre Halls) Act, 1951 (Punjab Act 8 of 1951), in its application to the State of Haryana, is hereby repealed.