

The Punjab Prohibition of Smoking in Cinema and Theatre Halls Act, 1951

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Act 8 of 1951

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The Punjab Prohibition of Smoking in Cinema and Theatre Halls Act, 1951 Punjab Act No. 8 of 1951 Statement of Object and Reasons. - The evil practice of smoking in cinema and theatre halls is not only rampant but is also rapidly increasing. Smoking, if indulged in a closed place like cinema and theatre halls vitiates the internal atmosphere which is already found by congestion at the time of the show and although there is a provision in the cinematograph Act for exhaust fans so as to expel foul air, yet in actual practice these fans very often remain out of order or are intentionally put out of use with a view to effect economy, with the result that generally speaking the atmosphere of the halls becomes oppressive and positively injurious to public health which it is the paramount duty of the Government to safeguard," (vide Punjab Government Gazette Extraordinary, dated the 15th March, 1950, P 30). Received the assent of His Excellency the Governor on the 20th April, 1951, and was first published in the Punjab Government Gazette Extraordinary, dated the 23rd April, 1951. An Act to provide for Prohibition of Smoking in Cinema and Theatre Halls. It is hereby enacted as follows :-

1. Short title, extent and commencement.

(1) This Act may be called the Punjab Prohibition of Smoking (Cinema and Theatre Halls) Act, 1951. (2) It extends to the whole of the State of Punjab. (3) It shall come into force at once.

2. Definitions.

- In this Act, unless there is anything repugnant to the subject or context, (a) the "Act" means the prohibition of Smoking in (Cinema and Theatre Halls) Act 1951; (b) "Auditorium" means the portion of the building occupied by the audience or spectators during a show; (c) "Inspector" means the Inspector appointed under the Act by Government; (d) "Government" means the Government of the

State of Punjab;(e)"Show" means a cinematograph 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.

3. Offence under this Act.

(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 sub-section (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 Code of Criminal Procedure, 1898, and on conviction to a fine, which may extend to rupees twenty.

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, Punjab.

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, 1898.

7. Power to make rules.

- The State Government may, by notification, make rules for carrying out the provisions of this Act.