The Jammu and Kashmir Prohibition of Smoking (Cinema and Theatre Halls) Act, 1952

Act 18 of 1952

Keyword(s):
Auditorium, Show, Smoking
THE JAMMU AND KASHMIR STATE PROHIBITION OF SMOKING (CINEMA AND THEATRE HALLS) ACT, 2009 (1952 A. D.).

(Act No. XVIII of Svt. 2009).

CONTENTS

Preamble.

SECTION.

1. Short title, extent and commencement.

2. Definitions.

3. Offence under this Act.

4. Power to enter the Cinema or Theatre Hall.

5. Power to institute prosecution.

6. Power to arrest without warrant.

7. Power to try summarily.

8. Power to exempt.


Amendments made (after 1956 edition) by Act No.—

1. XL of 1966.
performance.

The stage, except in so far as the smoking may form a part of the

Theatre Hall during the prohibition period, subject to the authorities or an

capricie, are befit or in place or habit.

of a drama or

"smoking" means smoking of tobacco in any form, whether as

drama or

(c) "show" means a cinematograph exhibition or performance of a drama

Government means the Jammu and Kashmir Government:

Government means the portion of the building occupied by the

subject or context.

2. Definitions

In this act, unless there is anything repugnant in the

Government means

(a) shall come into force from the date of its publication in the

The Jammu and Kashmir State.

(a) includes to the whole of Jammu and Kashmir State.

Act No. XXIX of 2009.

Act No. XXVI of 2009.

The provisions relating to prohibitions on burning and

a) smoke or emit an act to provide for the prohibition of smoking in cinema and

The cinema and theatres and the provisions relating to prohibitions on burning and

The cinema and theatres and the provisions relating to prohibitions on burning and

The cinema and theatres and the provisions relating to prohibitions on burning and

The cinema and theatres and the provisions relating to prohibitions on burning and

The cinema and theatres and the provisions relating to prohibitions on burning and

The cinema and theatres and the provisions relating to prohibitions on burning and

The cinema and theatres and the provisions relating to prohibitions on burning and
Explanation.--The expression "prohibition 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 provision 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 on conviction before a [Judicial Magistrate] be liable to a fine which may extend to twenty-five rupees.

4. Power to enter the Cinema or Theatre Hall.--Any officer or any class of officers empowered by the Government by a general or special order may enter any Cinema or Theatre Hall to satisfy himself that 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 the officer so empowered in this behalf by a general or special order of the Government.

6. Power to arrest without warrant.--Any police officer not below the rank of a Sub-Inspector may arrest without warrant any person committing in his presence any offence under section 3 above.

7. Power to try summarily.--All cases under this Act shall be tried in a manner provided for the summary trial of offences under the Code of Criminal Procedure, 1989.

8. Power to exempt.--The Government may, by order in writing, direct that the provisions of this Act shall not apply in respect of any Cinema or Theatre Hall.


1. Substituted by Act XL of 1966 for "Magistrate"