



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. LIV]

THURSDAY, AUGUST 27, 2015/BHADRA 5, 1937

Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART V

Bills introduced in the Gujarat Legislative Assembly

The Following Bill Which Was introduced on the 27th August, 2015 by Dr. T. D. Mania Rajanikant Patel, M.L.A. is Published under rule 127-A of the Gujarat Legislative Assembly Rules for general information

GUJARAT BILL NO. 32 OF 2015.

THE GUJARAT PROHIBITION OF SMOKING IN CERTAIN PUBLIC PLACES BILL, 2015.

A BILL

to provide for prohibition of smoking in public places and to prohibit hookah bars and giving protection to Health of non-smoking and matters connected therewith.

It is hereby enacted in the sixty-Sixth year of the Republic of India as follows :-

1. (1) This Act may be called the Gujarat Prohibition of Smoking in Certain Public Places Act, 2015.

(2) It extends to the whole of the State of Gujarat.

(3) It shall come into force at once.

Short title,
extent and
commencement.

Definitions. 2. In this Act, unless the context otherwise requires,-

- (1) "imprisonment" means imprisonment of either description as defined in the Indian Penal Code.
- (2) "public place" means a place including a garden shows, theatres, halls, transport vehicles, road, street or way, whether a thorough fare or not and a landing place to which a public are granted access to or have a right to resort or over which they have right to pass.
- (3) "Government premises" means any building own or rented by the Central or State Government or local authorities including building where the Government offices are situated.
- (4) "hookah bar" means a place where a customer is served smoking facility in *hookah* which contains substance like nicotine, etc. hazardous to health;
- (5) "Special Officer" means a Government Officer designated as such for the purpose of implementation of this Act.

Prohibition of smoking at certain places and hookah bar and penalty on contravention.

3. (1) No person shall smoke at public places or at Government premises or a place of entertainment (including a cinematograph exhibition, dance or drama) to which members of the public are admitted.
- (2) The restaurant, hotel, cafes or other places of amusement shall be construed *hookah bar* for the purpose of this section and the owner of such places shall require to see that *hookah* is not served or a customer is not allowed to smoke *hookah* at such places.
- (3) Any person who contravenes the provisions of this section shall be liable to penalty of rupees five hundred which may extend to five thousand rupees.

Appointment of a Special Officer.

4. A special officer appointed by the State Government shall superintend that the prohibition under this Act is strictly implemented and any contravention to the provision is punished.

Discouragement of smoking habit and encouragement to the non-smokers.

5. (1) The State Government may discourage the smoking habit of people and encourage the persons who are non-smokers for lifetime by conferring honour and awards to such people.
- (2) It shall be the duty of the Special Officer to arrange programmes for public awareness about non-smoking in the society.

STATEMENT OF OBJECTS AND REASONS

Smoking at public places as well as in the Government owned buildings and offices has become matter of great concern now a days. The non-smoker folk has also to suffer due to this nuisance.

Moreover, in the recent time the youths are provided facilities of smoking *hookah* at hookah bar. This being hazardous to health requires prohibitory measures.

Hence it is considered necessary to enact a law which prohibits smoking at public places, Government premises and at hookah bar.

It also provide for efforts by the State Government for encouraging non-smoker folk by awarding honour to such people.

Hence this Bill.

GANDHINAGAR.

Dated the 21st August, 2015

DR. T. D. MANIA

M. L. A.

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves the delegation of legislative power in the following respect:-

Clause 4- of the Bill empowers the state Government to appoint special officer for the purpose of implementation of this Act.

The delegation of legislative power, as aforesaid, is necessary and is of a normal character.

GANDHINAGAR.

Dated the 21st August, 2015

DR. T. D. MANIA

M. L. A.

GANDHINAGAR

Dated the 27th August, 2015.

D.M.PATEL

Secretary,

Gujarat Legislative Assembly.