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## JUDICIARY EXAMS QUESTION PAPER

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## 'THE PUNJAB JUVENILE SMOKING ACT, 1918

Punjab Act 7 of 1918

[Received the assent of the Lieutenant-Governor of the Punjab on the 6th June, 1918 and that of the Governor-General on the 25th June, 1918 and was first published<sup>2</sup> in the Punjab Gazette of the 12th July, 1918.]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1918.	VII	The Panjab Juvenile Smoking Act, 1918	Amended by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948 (G.O. 40). Amended by the Adaptation of Laws Order, 1950. Extended to the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States, of Union by Punjab Act 18 of 1958. Amended by Punjab Act 25 of 1964 <sup>1</sup> Amended by Haryana Adaptation of Laws (State and Concurrent Subjects Order, 1968 <sup>4</sup> .

**An Act to prevent juveniles from smoking tobacco**

Whereas it is expedient to prevent juveniles from smoking tobacco, and whereas the previous sanction of the Governor-General under section 79(2) of the Government of India, Act, 1915, has been obtained to the alteration of the law effected by section 5 of this Act ; It is hereby enacted as follows :—

1. (1) This Act may be called the Punjab Juvenile Smoking Act, 1918.

Short title and extent.

1. For Statement of Objects and Reasons, see Punjab Gazette, 1916, Part V, pages 22-23 and 178; for Select Committee's report, see *ibid*, Part V, 1918, pages 334-35, for debates in Council, see *ibid*, 1916, Part V, pages 205-10, *ibid*, 1918, Part V, pages 385-97.
2. See Punjab Gazette, 1918, Part V, page 503.
3. For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1964, pages 935-937.
4. For Statement of Objects and Reasons, see Haryana Gazette dated the 29th October, 1968.

(2) It extends to the whole of<sup>1</sup>[Haryana].

Definitions.

2. In this Act—

"Tobacco" means tobacco in any form and includes any smoking mixture intended as a substitute for tobacco ;

"Public place" means any place to which the public for the time being has access whether on payment or otherwise and includes a railway station and a railway carriage.

Penalty for selling tobacco children.

3. Whoever sells or gives or attempts to sell or give to a child apparently under the age of sixteen years any tobacco, whether for his own use or not shall be liable on conviction [\* \* \* <sup>2</sup> \* \* \*] in the case of a first offence to a fine not exceeding ten rupees and in the case of a second offence to a fine not exceeding twenty rupees and in the case of a third or subsequent offence to a fine not exceeding fifty rupees.

Seizure of tobacco being smoked by juvenile in a public place.

4. If any boy apparently under the age of sixteen years be found smoking tobacco in any public place it shall be lawful for any lambardar, zaildar, teacher of a recognized school or affiliated college, member of a municipal committee, member of a district board, member of a notified area committee, legal practitioner, registered medical practitioner or magistrate to seize such tobacco and destroy it.

Summary jurisdiction.

<sup>3</sup>[5. The High Court may confer on any Bench of Judicial Magistrates, invested with the powers of a Judicial Magistrate of the second class, powers to try summarily any offence under this Act.]

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1. Substituted for the word "Punjab" by Haryana Adaptation of Laws Order, 1968.
  2. The words "by a Magistrate" omitted by Punjab Act 25 of 1964, section 2, Schedule, Part III.
  3. Substituted by *ibid*.