

**THE HIMACHAL PRADESH JUVENILES (PREVENTION OF  
SMOKING) ACT, 1952**

**ARRANGEMENT OF SECTIONS**

Sections:

1. Short title, extent and commencement.
2. Definitions.
3. Penalty for selling tobacco to children.
4. Seizure of tobacco from Juvenile in a public place.
5. Summary trial.

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**(ACT NO. 1 OF 1953)**

(Received the assent of the President on the 22<sup>nd</sup> January, 1953, and published in the Gaz. of India, Part III, Sec. 3, dated the 7<sup>th</sup> February, 1953, p. 45).

*Amended, repealed or otherwise affected by:-*

- (i) H.P. Act No. 25 of 1969, assented to by the President on the 13<sup>th</sup> September, 1969 published in the Rajpatra, Himachal Pradesh (Extra-ordinary), dated the 13<sup>th</sup> October, 1969, pp. 883-887.
- (ii) The Himachal Pradesh Adaptation of Laws (State and Concurrent Subjects) Order, 1973, published in the Rajpatra, Himachal Pradesh (Extra-ordinary), dated the 20<sup>th</sup> January, 1973, pp. 91-112. Effective from 25<sup>th</sup> January, 1971.

**An Act to provide for preventing the juveniles from smoking, it is hereby enacted as follows:**

**1. Short title, extent and commencement.-** (i) This Act may be called the Himachal Pradesh Juveniles (Prevention of Smoking) Act, 1952.

(ii) It shall extend<sup>1</sup>, to the whole of the Himachal Pradesh.

(iii) It shall come into force at once.

**2. Definitions.-** In this Act, unless there is anything repugnant in the subject or context:-

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1. The Act extended to District Bilaspur by Notification No. 2-10/63-Med., dated the 25<sup>th</sup> February, 1964, published in the Rajpatra, Himachal Pradesh dated 14<sup>th</sup> March, 1964, p. 65, issued under section 3(2) of the Himachal Pradesh Merged State (Application of Laws) Act, 1954, to the territories added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 by H.P. Act No. 25 of 1969.

- (a) 'public place' means any place to which the public has, for the time being, access whether on payment or otherwise and includes a railway station and a railway carriage, or any public conveyance;
- (b) 'tobacco' means tobacco in any form and includes any smoking mixture intended to be used as a substitute for tobacco.

**3. Penalty for selling tobacco to children.-** Whosoever sells or gives or attempts to sell or give, to a child apparently under the age of sixteen years any tobacco shall be liable on conviction by any Magistrate to a fine not exceeding fifty rupees in the case of a first offence and in the case of a second or a subsequent offence to a fine not exceeding one hundred rupees.

**4. Seizure of tobacco from Juvenile in a public place.-** If any boy or girl under the age of sixteen years be found smoking in any public place, it shall be lawful for any lambaradar <sup>1</sup>[\*\*\*\*] teacher of a recognised school or affiliated college, member of a Panchayat, or a Municipal committee or <sup>2</sup>[Zila Parishad] or a Notified Area Committee, legal practitioner or registered medical practitioner or Magistrate to seize such tobacco and destroy it.

**5. Summary trial.-** All offences under this Act shall be triable by Nayaya Panchayat, and if there is no Nayaya Panchayat having jurisdiction in the area by a Magistrate of the second or third class, and the State Government may confer powers to try summarily an offence or offences under this Act on any officer or class of Officers invested with such powers.

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1. The word "Zialdar" omitted by A.O., 1973.

2. Substituted for the words "District Board" A.O., 1973.