



The Orissa Prohibition of Smoking (In Show Houses) Act, 1961

Act 21 of 1961

Keyword(s):

Auditorium, Prohibited Period, Show House, Cinema

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ORISSA ACT' 21 OF 1961
**THE ORISSA PROHIBITION OF SMOKING
(IN SHOW HOUSES) ACT, 1961**

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ORISSA ACT 21 OF 1961

[THE ORISSA PROHIBITION OF SMOKING
(IN SHOW HOUSES) ACT, 1961]

[Received the assent of the Governor on the 11th
November 1961, first published in an extraordinary
issue of the Orissa Gazette, dated the 18th
November 1961]

AN ACT TO PROHIBIT SMOKING IN SHOW HOUSES IN THE
STATE OF ORISSA

BE it enacted by the Legislature of the State of Orissa
in the Twelfth Year of the Republic of India as
follows :—

1. (1) This Act may be called the Orissa Prohibition of Smoking (in Show Houses) Act, 1961.

Short title,
extent and
commence-
ment.

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

(3) This section shall come into force at once and the remaining provisions of this Act, in whole or in part, shall come into force² on such date or dates as the State Government may from time to time by notification specify.

2. In this Act unless the context otherwise requires—

Definitions

(1) "auditorium" means that portion of the show house where accommodation is provided for the public to witness any show given in such show house ;

(2) "prohibited period" means so much of the period commencing thirty minutes before the time announced for the beginning of the show in the show house and ending with the termination thereof ;

1. For the Statement of Objects and Reasons, see *Orissa Gazette*, Extraordinary, dated the 25th September, 1961 (No. 657).

2. Sections 2-7 came into force with effect from the 30th January 1962—vide Notification No. 3385-2C-52/61-Poll., dated the 30th January 1962, published in *Orissa Gazette*, Pt. III, dated the 16th February, 1962, p. 155.

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ACT, 1961

(Secs. 3-5)

- (3) "show house" means any building or other enclosed and roofed place to which members of the public are admitted whether on payment or otherwise to witness any show of cinematographic film, dance, dramatic performance or any other form of show for purposes of entertainment.

Prohibition
of smoking
in the audi-
torium.

3. No person shall during the prohibited period smoke inside any auditorium.

Management
to post
notices and
exhibit slides.

4. (1) Every person responsible for the management of demonstration or exhibition in a show house shall bring to the notice of the audience by posting notices prominently, and in the case of any show of cinematographic film also by exhibiting slides that any person smoking in the auditorium during the period shall be liable to be removed from the show house and for prosecution.

(2) Any person who contravenes the provisions of sub-section (1) shall be punishable with fine which may extend, for a first offence to fifty rupees and for a second or subsequent offence to two hundred rupees.

Penalty for
smoking in
the auditori-
um.

5. (1) Any Magistrate or any Police Officer not below the rank of a Sub-Inspector or any person specially authorised by notification, by the State Government in this behalf, may—

- (a) remove summarily from the auditorium a person who is found smoking therein during the prohibited period; and
- (b) arrest such person without warrant if he—
- (i) fails to desist from smoking when directed by such authority not to smoke ; or
 - (ii) refuses or fails to declare his identity when required by such authority ; or
 - (iii) is reasonably suspected by such authority of giving a false identity.

(2) Notwithstanding anything contained in sub-section (1), any person who contravenes the provisions of section 3 shall be punishable with fine which may extend for a first offence to twenty-five rupees and for a second or subsequent offence to one hundred rupees.

(Secs. 6-7)

6. A person removed under sub-section (1) of section 5, shall not be entitled to get refund of any payment made by him for admission into the show house or to any other compensation. Persons removed not entitled to refund or compensation.

7. The State Government may make rules to carry out the purposes of this Act. Power to make rules.