
**KARNATAKA PROHIBITION OF SMOKING IN SHOW HOUSES
AND PUBLIC HALLS ACT, 1963**

30 of 1963

[November 7, 1963]

CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Prohibition of smoking in show houses and public halls
4. Management to post notices or exhibit slides
5. Power to exempt
6. Repeal

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An Act to prohibit smoking in show houses and public halls in the State of Karnataka. Whereas, it is expedient to prohibit smoking in show houses and public halls in the State of Karnataka; Be it enacted by the Karnataka State Legislature in the Fourteenth Year of the Republic of India as follows.

1. Short title, extent and commencement :-

(1) This Act may be called the Karnataka Prohibition of Smoking in Show Houses and Public Halls Act, 1963.

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

(3) It shall come into force at once.

2. Definitions :-

In this Act, unless the context otherwise requires.

(a) "Public Hall" means a chamber or hall used ordinarily or occasionally as a place of public assembly or meeting;

(b) "Show House" means any building or any roofed and enclosed

structure, used ordinarily or occasionally for the demonstration or exhibition to the public, whether on payment or otherwise of cinematographic films, dramatical pantomime, musical performances, dances, physical feats of human beings or animals, conjuring tricks or sleights of hand;

(c) "Smoke" means inhalation and exhalation of the smoke of tobacco.

3. Prohibition of smoking in show houses and public halls :-

(1) If any demonstration, exhibition, assembly or meeting is held in a show house or public hall, then no person shall, during the prohibited period as defined in sub-section (2), smoke either.

(a) on the stage except insofar as smoking may be part of the demonstration or exhibition; or

(b) in the auditorium, that is to say, in that portion of the show house or public hall in which accommodation is provided for audience or the spectators.

(2) For the purposes of sub-section (1), 'prohibited period' means the period commencing thirty minutes before the beginning of the demonstration, exhibition, assembly or meeting and ending with the termination thereof.

(3) Any person who contravenes the provisions of this section and who on being asked by a police officer to desist from smoking persists, shall be liable to be removed from the show house or public hall by such police officer and shall also, on conviction, be punished with fine which may extend to fifty rupees.

(4) A person removed from the show house or public hall under sub-section (3) shall not be entitled to the refund of any payment made by him for admission to the demonstration, exhibition, assembly or meeting or to any other compensation.

4. Management to post notices or exhibit slides :-

(1) Every person responsible for the management of a demonstration or exhibition in a show house and every person who is in charge of the arrangements of a public assembly or a meeting in a public hall, shall bring to the notice of the audience or the spectators, by posting notices prominently or by exhibiting slides, that any person who smokes during the prohibited period, either on

the stage or in the auditorium reserved for the audience or spectators, shall be liable to be ejected summarily and also to payment of fine.

(2) Whoever contravenes the provisions of sub-section (1) shall, on conviction, be punished with fine which may extend to fifty rupees.

5. Power to exempt :-

(1) The Government may having regard to the duration of any demonstration, exhibition, assembly or meeting, by order direct either generally or With respect to any particular case or class of cases, that the provisions of this Act shall not apply or that the said provisions shall not apply during such part of the prohibited period as may be specified in the direction.

(2) Every general order under sub-section (1) shall be laid as soon as may be after it is issued before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more sessions and if before the expiry of the said period, either House of the State Legislature makes any modification in the order or directs that the order shall not have effect and if the modification or direction is agreed to by the other House, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be.

6. Repeal :-

The Karnataka Prohibition of Smoking in Show House and Public Halls Act, 1952 (Karnataka Act XXIX of 1952), as in force in the Karnataka Area, and the Coorg Prohibition of Smoking (Show Houses and Public Halls) Act, 1953 (Coorg Act VI of 1953), as in force in the Coorg district, are hereby repealed.