

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE AND PARLTAMENTARY AFFAIRS DEPARTMENT,
MUZAFFARABAD**

Dated:13-04-2002

No. LD/190-240/2002. The following Act of the Assembly received the assent of the President on 11th day of April, 2002 is hereby published for general information:-

(ACT IV of 2002)

**AN
ACT**

to enforce Prohibition of Smoking in Azad Jammu and Kashmir

WHEREAS it is expedient to prohibit smoking at public places and to ensure health and safety for the public at large;

It is hereby enacted as follows: -

1. **Short title and commencement**:- (1) This Act may be called the Azad Jammu and Kashmir Prohibition of Smoking Act, 2002.
(2) It extends to the whole of the Azad Jammu and Kashmir.
2. **Definitions**:- In this Act, unless the context otherwise requires, the following expressions shall have the meanings as hereby respectively assigned to them:-
 - a) 'Public Places' includes Offices, Public Parks, Gardens, Hospitals, Educational Institutions, Cinemas, Libraries or any Vehicle to which the public for the time being have access, whether on payment or otherwise;
 - b) 'Government' means the Government of Azad Jammu and Kashmir;
 - c) 'Management' means the person or persons responsible for managing or transport or Vehicle Office, Hospitals, Educational Institutions, Public Park, Garden, responsible for performance, demonstration, or exhibition in a Cinema house.
3. **Punishment**:- Whoever smokes at a public place, shall be punished by a magistrate with fine which may extend to one hundred rupees.
4. **Arrest**:- Any police officer, not below the rank of Sub-Inspector, may arrest without warrant any person who in his presence commits an offence punishable under Section 3, but shall release such person on his personal bond for attendance before a magistrate on a specified date.

5. **Display of smoking prohibition**:- The District Administration shall bring into the notice of the public by posting notices prominently in the city that any person found smoking Tobacco at public places or in any transport shall be liable to arrest without warrant and to fine.
6. **Power to exempt certain places**:- The District Magistrate or any officer authorised by him in this behalf, may, by general or special order in writing, direct that the provisions of this Act shall not apply in respect of certain public places as may be considered necessary by him.
7. **Power to make rules**:- Government may make rules for carrying out the purposes of this Act.
8. **Repeal**:- The Azad Jammu and Kashmir Prohibition of Smoking Ordinance, 2002 (Ordinance II of 2002) is hereby repealed.

Sd/-(IRSHAD AHMED QURESHI)
DEPUTY SECRETARY (LEG.)