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**JUVENILE SMOKING  
ACT, 1986 (1929 A. D.)**

**(Act No. II of Samvat 1986)**

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**THE JUVENILE SMOKING ACT, 1986 (1929 A. D.)****(Act No. II of Samvat 1986)**

*[Sanctioned by His Highness the Maharaja Bahadur vide Minister-in-Waiting's endorsement No. 2050/C, dated 4th July, 1929 and published in Government Gazette dated 3rd Sawan, 1986].*

**An Act to provide for the prevention of smoking by Juveniles.**

*Preamble.*— Whereas it is expedient to provide for the prevention of smoking by youthful persons in the Jammu and Kashmir State ; His Highness the Maharaja Bahadur, is pleased to enact as follows :—

1. *Title, extent and commencement.*—(1) This Act may be called “The Juvenile Smoking Act, 1986”.

(2) It shall extend to the whole of the Jammu and Kashmir State.

(3) It shall come into force on and from the first day of Katik, 1986.

2. *Definitions.*—In this Act, unless there is something repugnant in the subject or context,—

“tobacco” shall means tobacco cut or uncut and includes any preparation or mixture of tobacco with other substances for the purpose of smoking or chewing or taking in as snuff ;

“public place” means any place to which the public for the time being has access whether on payment or otherwise and includes any coveyance playing for hire.

3. *Penalty on selling tobaccoto youthful persons.*—Whoever sells or gives or attempts to sell or give to a person actually and by appearance under the age of 16 years, except on the written order of the parent, guardian or employer of such person any tobacco, shall be liable, on coviction before a <sup>1</sup>[Judicial Magistrate], in the case of first conviction, to a fine not exceeding twenty rupees, and in the case of second conviction to a fine not exceeding fifty rupees, and in the case of third and every subsequent conviction to a fine not exceeding one hundred rupees.

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1. Substituted by Act XL of 1966 for “Magistrate.”

4. *Seizure of tobacco being consumed by juvenile in a public Place.*—If any boy actually and by appearance under the age of 16 years be found smoking or chewing tobacco or taking it in as snuff, 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 Notified Area Committee, legal practitioner, medical practitioner or Magistrate to seize such tobacco and destroy it.

5. *Summary jurisdiction.*—The High Court of Judicature, Jammu and Kashmir State, may confer on any <sup>1</sup>[Judicial Magistrate] power to try summarily any offence under this Act.

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1. Substituted by Act XL of 1966 for "Magistrate."