

Sitting 07

**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 13TH MAY, 2016.**

NO.PAS/Legis-B-15/2016-The following Bill is hereby published for general information as required by Rule 98 of Rules of Procedure of the Provincial Assembly of Sindh.

THE SINDH PROHIBITION OF SHEESHA SMOKING BILL, 2016.

SINDH BILL NO. 15 OF 2016.

**A
BILL**

to provide for the prohibition of sheesha smoking in the Sindh.

WHEREAS it is expedient in the public interest to provide for the prevention of sheesha smoking in the Sindh in order to save human life, public, youth and students and to provide for matters connected therewith and incidental thereto;

Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Prohibition of Sheesha Smoking Act, 2016.

**Short title,
extent and
commencement.**

(2) It shall extend to the whole of the Province Sindh.

(3) It shall come into force at once.

2. In this Act, unless the subject or context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to term -

Definitions.

(a) "chemical" means and includes any controlled drug declared under any law as such and used in sheesha smoking;

(b) "flavor" means a mixture of the chemical or any other injurious and dangerous material, mixed in tobacco for the purpose of sheesha smoking;

(c) "Government" means the Government of Sindh;

(d) "place" means a street, road, park, garden, playground, graveyard, hotel, restaurant, motel, mess, club, house, building, tent, vessel, any restaurant or hotel roof and open space; and

(e) "sheesha smoking" means the act of Sheesha smoking at any place using chemical, tobacco, different popular flavors, carbon for fire.

3. No person, individually or collectively, shall manufacture, sell use or import or in any manner engage himself in sheesha smoking.

**Prohibition of
Sheesha smoking.**

4. Any offence committed under this Act shall be non-bailable.

**Offence non-
bailable.**

5. Notwithstanding anything contained in any other law for the time being in force, the act of sheesha smoking shall be tried summarily under Chapter XXII of the Code of Criminal Procedure 1998 (V of 1898).

**Summary trial of
offence.**

6. (1) Whoever commits or abets to commit an act of sheesha smoking shall be punished with imprisonment which may extend one month or with fine which may extend to forty five thousand or with both.

Punishment.

(2) Whoever -

(a) manufactures, sells or offers for sale Sheesha like (glass hooka); or

(b) manufactures, stores, sells or offers for sale material like different flavors sheesha (glass hooka); or

(c) imports sheesha (glass hooka) and other related material like different flavors,

shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred thousand rupees or with both and in case of subsequent offence, shall be punished with imprisonment for a term which may extend to one year and fine which may extend to one million rupees, including sealing of a place for thirty days and confiscation and destruction of sheesha smooking equipment and material.

7. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

Provisions of the Act in addition to and not in derogation of any other law.

8. Government may make rules to carry out the purposes of this Act.

Power to make rules.

STATEMENT OF OBJECTS AND REASONS

The new trend of Sheesha smoking is increasing day by day and Sheesha Cafes are opening in various parts of the whole Province of Sindh which is ruining the new generation of the Province. In order to comply with the directions of the Hon'ble Supreme Court of Pakistan passed in suo moto case No.11 of 2006 regarding tobacco epidemic in Pakistan alongwith C.M.A. No.8731 and C.M.A. No.8743 to control the menace of Sheesha smoking, it is expedient to enact the law.

The Bill seeks to achieve the above object.

MEMBER-IN-CHARGE

G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH