

[AS INTRODUCED IN THE SENATE]

A

BILL

to provide for the prohibition of sheesha smoking in the Islamabad Capital Territory

Whereas it is expedient in the public interest to provide for the prevention of sheesha smoking in the Islamabad Capital Territory in order to save human life, public, youth and students and to provide for matters connected therewith and incidental there to;

It is hereby enacted as follows:-

1. Short title, extent and commencement.-(1) This Act may be called the Islamabad Prohibition of Sheesha Smoking Act, 2016.

(2) It extends to the Islamabad Capital Territory.

(3) It shall come into force at once.

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

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

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

(c) "Government" means the Federal Government;

(d) "place" means a street, road, park, garden, play ground, 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 inhaling, exhaling, or burning tobacco with or without different flavors, by means of a pipe or any other instrument.

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

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

5. Summary trial of offence.- 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 1898 (V of 1898).

6. Punishment.- Whoever-

- (a) commits or abets to commit an act of sheesha smoking; or
- (b) manufactures, sells or offers for sale sheesha like (glass hooka); or
- (c) manufactures, stores, sells or offers for sale material like different flavors, sheesha(glass hooka); or
- (d) importssheesha(glass hooka) and other related material like different flavors etc.;

shall be punished with imprisonment for a term which may extend to three years or with fine which may extend to one hundred thousand rupees or with both.

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

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

STATEMENT OF OBJECTS AND REASONS

There has been an alarming rise in sheesha smoking in the country and SheeshaCafe's are also present in various parts of the Federal Capital. The popularity of sheeshasmoking in our youth is making them addicted to this bad habit. This smoking is a serious threat to the health of the smokers. Many researches show that smoke from sheeshacontains many harmful and carcinogenic components. It appears that there is no strategyto counter the ill-effects of this menace. The owners of Sheesha cafes are facilitating ouryouth in soft drug addiction in a very comfortable and friendly atmosphere. This trend is not goodfor the young generation of this country. The Supreme Court of Pakistan has also directed the Federal and Provincial Governments to pass legislation for banning the Sheesha smoking. SheeshaCafé'scan not prevent drug use rather they are encouraging the youth to become addicts. This Bill strives to put a ban on sheesha smoking. Hence this Bill.

SENATOR MOHAMMAD AZAM KHAN SWATI
Member-In-Charge