

PART I

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

Notification

The 29th January, 1998

No. 7-Leg/98.—The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 25th January, 1998, and is hereby published for general information:—

THE PUNJAB PREVENTION OF DEFAACEMENT OF
PROPERTY ACT, 1997

(Punjab Act No. 7 of 1998)

AN
ACT

to provide for the prevention of defacement of property and for matters connected therewith, or incidental thereto.

BE it enacted by the Legislature of the State of Punjab in the Forty-eighth year of the Republic of India, as follows:—

1. (1) This Act may be called the Punjab Prevention of Defacement of Property Act, 1997.

Short title,
extent and
commencement.

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

(3) It shall come into force on such date as the State Government may, by notification, in the Official Gazette appoint.

2. In this Act unless the context otherwise requires,—

Definitions.

(a) "defacement" includes impairing or interfering with the appearance of beauty, damaging, disfiguring, spoiling or injuring in any other way whatsoever and the word 'deface' shall be construed accordingly;

(b) "property" includes any land, building, hut, structure, wall, tree, fence, post, pole or any other erection; and

(c) "writing" includes decoration, lettering or ornamentation, produced by stencil.

3. (1) Whoever defaces any property in public view by writing or marking with ink, chalk, paint or any other material or by erecting stuffs, banners or by pasting notices and writings without the written permission of the owner of the property, except for the purpose of indicating the name and address of the owner or occupier of such property, shall be punishable with imprisonment for a term, which may extend to six months or with fine which may extend to one thousand rupees or with both.

Penalty for
defacement of
property.

(2) Where any offence committed under sub-section (1), is for the benefit of some other person or a company or other body corporate or

an association of persons (whether incorporated or not), then such other person and every president, chairman, director, partner, manager, secretary, agent or any other officer or person concerned with the management thereof, as the case may be, shall, unless he proves that the offence was committed without his knowledge or consent be deemed to be guilty of such offence.

Offence to be cognizable.

4. An offence punishable under this Act shall be cognizable.

Power of state Government to erase writing.

5. Without prejudice to the provisions of section 3, the State Government shall be competent to take such steps, as may be necessary for erasing any writing freeing any defacement or removing any mark from any property.

Over-riding effect.

6. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force.

Repeal and Saving.

7. (1) The Punjab Prevention of Defacement of Property Ordinance, 1997 (Punjab Ordinance No. 3 of 1997), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of this Act.

— — —
K RISHAN KUMAR KUKAR,

Additional Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.