The Extension of the West Bengal Prevention of Defacement of Property Act, 1976 to UT of Daman and Diu received from the Under Secretary to the Govt. of India, Ministry of Home Affairs, New Delhi, published in the Gazette of India Extraordinary, Part – II, Section 3, Sub-Section (i) dated 30/04/2013 is hereby republished in the Official Gazette of this U.T. Administration of Daman & Diu for general information.

Sd/-
( B. S. Thakur)
Dy. Secretary (Home)
Government of India
Ministry of Home Affairs

NOTIFICATION

New Delhi the 14th June, 2013

G.S.R. (E).- In exercise of the powers conferred by section 6 of the Goa, Daman and Diu (Administration) Act, 1962 (1 of 1962), the Central Government hereby extends to the Union territory of Daman and Diu, the West Bengal Prevention of Defacement of Property Act, 1976 (West Bengal Act XXI of 1976), as in force in the State of West Bengal, subject to the following modifications namely:

Modifications

1. In section 1, for sub-sections (2) and (3), the following sub-sections shall be substituted, namely:

   "(2) It extends to the whole of the Union territory of Daman and Diu.

   (3) It shall come into force at once".

2. In section 2,

   (i) clause (a) shall be renumbered as clause (aa) thereof and before clause (aa) as so renumbered, the following clause shall be inserted, namely:

   "(a) "Administrator" means the Administrator of the Union territory of Daman and Diu appointed by the President under article 239 of the Constitution;"

   (ii) for clause (b), the following clause shall be substituted, namely:

   "(b) "Property" includes any building, hut, structure, wall, tree, fence, post, pole or any other erection or monument declared as of national importance;"

3. In section 5, for the words "State Government", the word "Administrator" shall be substituted.


**ANNEXURE**

The West Bengal Prevention of Defacement of Property Act, 1976 as extended to the Union territory of Daman and Diu

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
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<tbody>
<tr>
<td>1.</td>
<td>(1) This Act may be called the West Bengal Prevention of Defacement of Property Act, 1976.</td>
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<tr>
<td></td>
<td>(2) It extends to the whole of West Bengal.</td>
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<td></td>
<td>(3) It shall apply in the first instance to Calcutta as defined in the Calcutta Municipal Act, 1951, but the State Government may, from time to time by notification in the official Gazette, apply it to such other local area or areas as may be specified in the notification.</td>
</tr>
<tr>
<td>2.</td>
<td>In this Act, unless the context otherwise requires, --</td>
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<td></td>
<td>(a) &quot;defacement&quot; includes impairing or interfering with the appearance or beauty, damaging, disfiguring, spoiling or injuring in any other way whatsoever and the word &quot;deface&quot; shall be construed accordingly;</td>
</tr>
<tr>
<td></td>
<td>(b) &quot;property&quot; includes any building, hut, structure, wall, tree, fence post, pole or any other erection;</td>
</tr>
<tr>
<td></td>
<td>(c) &quot;writing&quot; includes decoration, lettering, ornamentation, etc., produced by stencil.</td>
</tr>
</tbody>
</table>
3. (1) Whoever defaces any property in public view by writing or marking with ink, chalk, paint or any other material, 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.  

(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.

<table>
<thead>
<tr>
<th>Offence to be cognizable</th>
<th>4. An offence punishable under this Act shall be cognizable.</th>
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</thead>
<tbody>
<tr>
<td>Power of State Government to erase writing, etc.</td>
<td>5. Without prejudice to the provisions of section 3, it shall be competent for the State Government to take such steps as may be necessary for erasing any writing, freeing any defacement or removing any mark from any property.</td>
</tr>
<tr>
<td>Act to override other laws</td>
<td>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.</td>
</tr>
<tr>
<td>Repeal and savings</td>
<td>7. (1) The West Bengal Prevention of Defacement of Property Ordinance, 1976, is hereby repealed. (2) Anything done or any action taken under the West Bengal Prevention of Defacement of Property Ordinance, 1976, shall be deemed to have been validly done or taken under this Act as if this Act had commenced on the 16th day of February, 1976.</td>
</tr>
</tbody>
</table>
भारत सरकार

रुह मंत्रालय

अधिसूचना

नई दिल्ली 2013

सां.फा.मि. (अ.) - केन्द्रीय सरकार गौरव, दक्षिण और दीव (प्रशासन) अधिनियम, 1962 (1962 का 1) की धारा 6 (ह) के प्रदत्त शासकीय का प्रयोग करते हुए, परिस्थिति, बंगला तथा राष्ट्र में यथा प्रधान परिस्थिति बनाए रखने के संपर्क में विशेषकर्ता निवारण अधिनियम, 1976 (1976 का 1976 वे वर्ष की परिस्थिति बनाए रखने का वितरण निम्नलिखित उपलब्धि के अध्याय 4, दमन और दीव संघ राज्यक्षेत्र तक कही है, अर्थात् :-

उपलब्धि

1. धारा 1 में उपायात्मक (2) और उपायात्मक (3) के स्थान पर निम्नलिखित उपयोग रखी जाएगी, अर्थात् :-

"(2) इसका वितारण दमन और दीव के संघ राज्यक्षेत्र पर है।

(3) यह पुस्तक प्रकाशित होगा।""

2. धारा 2 में,

(i) खंड (क) को उसके खंड (क) के हिस्से में पुनः संख्यात्मक किया जाएगा और इस प्रकार पुनः संख्यात्मक किया जाएगा और इस प्रकार पुनः संख्यात्मक किया जाएगा।

"(क) "प्रशासक" से राज्यपाल द्वारा संचालन के अनुसार 239 के अधीन नियुक्त किया जाया दमन और दीव संघ राज्यक्षेत्र का प्रशासक अभिलेख है;"

(ii) खंड (ख) के स्थान पर निम्नलिखित खंड रखा जाएगा, अर्थात् :-

"(ख) "संपर्क" के अंतर्गत कोई भी भवन, कुटी, संस्थान, मिति, शह, बाड़, चौकिया, खंभा या राज्यपाल महाराज के रूप में घोषित कोई भी अन्य निर्माण या राज्यपाल आते है;"

3. धारा 5 में "संघ राजधानी" शब्द के स्थान पर "प्रशासक" शब्द रखा जाएगा।

4. धारा 7 का लोप किया जाएगा।

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