

**Govt. of Jammu & Kashmir**  
**OFFICE OF THE DISTRICT PANCHAYAT ELECTION OFFICER**  
**(DEPUTY COMMISSIONER, KATHUA)**

em:ii:entkathua@nic.in

No:01922-234007

“Greater Participation for a Stronger Democracy”

Subject: Election of the Chairperson to Block Development Councils of Kathua District -  
Defacement of public, private or government property.

**PUBLIC NOTICE**

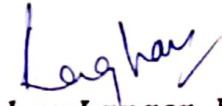
Notice is hereby given that no party or candidate of Election to the Chairperson of Block Development Councils of Kathua District shall permit its or his/her followers to make use of any individual's land, building, compound wall, etc., without his permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc. In private vehicles, flags and stickers can be put by the owner of the vehicle on his own volition, in such a manner that they do not cause any inconvenience or distraction to other road users and the expenditure on account of the above shall be booked in the expenditure account of the concerned candidate.

Further, no wall writing, pasting of posters/papers or defacement in any other form, or erecting/displaying of cutouts, hoardings, banners, flags etc. is permitted on any Government premises (including civil structures).

Any violation by a party or candidate shall invite action under Section 3 of Prevention of Defacement of Property Act, 1985. Besides, the expenditure on account of the defacement as also the cost incurred for removing/restoration shall be booked in the expenditure account of the concerned candidate.

No: Dydeo/Kth/2019/6701-12  
Dated: 03.10.2019

Encl:- 2 leaves.

  
**Dr. Raghav Langer, IAS**  
**District Panchayat Election Officer**  
**(Deputy Commissioner)**  
**Kathua**

Copy to the:-

1. Chief Electoral Officer, Jammu & Kashmir, Srinagar for favour of information.
2. Divisional Commissioner, Jammu for favour of information.
3. Sr. Superintendent of Police, Kathua for information and n.a.
4. Nodal Officer for MCC (ADC Kathua) for information and n.a.
5. ADC Billawar/Basohli for information and n.a.
6. Nodal Officer for EEM (District Treasury Officer Kathua) for information and n.a.
7. Returning Officer \_\_\_\_\_(all) for information and n.a.
8. Block Development Officers \_\_\_\_\_(all) for information and n.a.
9. Assistant Returning Officer \_\_\_\_\_(all) for information and n.a.
10. District Informatics Officer (NIC) Kathua for uploading on the District Website.
11. District Information Officer, Kathua for information and wide publicity.
12. District President \_\_\_\_\_(all) party Kathua.

# THE JAMMU AND KASHMIR PREVENTION OF DEFACEMENT OF PROPERTY ACT, 1985

[Act No. XIX of 1985]

[Received the assent of the Governor on 9th October, 1985 and published in the Government Gazette dated 15th October, 1985.]

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

Be it enacted by the Jammu and Kashmir State Legislature in the Thirty-Sixth Year of the Republic of India as follows: -

## 1. Short title, extent and commencement

(1) This Act may be called the Jammu and Kashmir Prevention of Defacement of Property Act, 1985.

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

<sup>1</sup>[(3) It shall come into force on such date as the Government may by notification in the Government gazette, appoint.]

## 2. Definitions

In this Act, unless the context otherwise requires, —

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

(b) "property" includes any building, hut, structure, monument, statue, wall, tree, fence, or vehicle;

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

## 3. Penalty for defacement of property

(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 three 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

<sup>1</sup> Enforced by SRO No. 233 dated 20-03-86 w.e.f. 21-03-1986.

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.

**4. Offence to be cognizable**

An offence punishable under this Act shall be cognizable.

**5. Power of Government to erase writing**

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

**6. Act to over ride other law**

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

---