

IMMEDIATE

No. 62/28/2013-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Administrative Secretary to Government Haryana.
2. All the Heads of Departments, Commissioner, Ambala, Hisar, Gurgaon and Rohtak Divisions.
3. The Registrar, Punjab & Haryana High Court, Chandigarh.
4. All the Deputy Commissioners of the State of Haryana.
5. The Managing Directors/Chief Administrators of all the Boards/Corporations in Haryana State.
6. The Registrars of all the Universities in the State of Haryana.

Dated Chandigarh, the 20th June, 2013.

Subject: **The Haryana Prevention of Defacement of the Property Act, 1989.**

Sir/Madam,

I am directed to invite your attention to the subject noted and to intimate that it has come to notice of the Government that during the election campaign of Panchayats, Municipal Corporations, Haryana Legislative Assembly, Lok Sabha as well as election in the various Universities/Colleges, the concerned parties/Bodies deface the public property by hoardings/pasting their posters/Flags/ Remarks etc on walls, bridges, buildings fences, gates, trees etc. Similarly, after public functions/parties lot of garbage is spread around, public parks, being used for the purposes. Further, Agriculture Marketing Board allows 'Apni Mandi' for selling vegetables in the cities and after using the premises, lot of perished vegetables and other garbage is spread in the open space/area which is supposed to get it cleared by the concerned authorities. But the authorities concerned do not bother to get these places clean immediately.

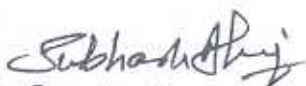
The State of Haryana had enacted "*the Haryana Prevention of Defacement of the Property Act, 1989*" which provides as under:-

"*the Haryana Prevention of Defacement of the Property Act, 1989 which extends to whole of the State of Haryana in which the term defacement of property is defined under Section 2(a) (b) of the Act. Section 3 of the Act provides for advertisement in writing at places ordered by Block Development and Panchayats Officers (BDPO) or Social Education and Panchayats Officer (SEPO) in rural areas and Executive Officer or Secretaries of the Municipalities or any other agencies notified by the Government in the urban area on payment of fee and Section 3A provides penalties for Act of defacement of the property. Section 5 has empowered the State Government to take steps as may be necessary to remove defacement and any amount spent in this behalf can be recovered by the Collector as arrears of land revenue*"

Therefore, negligence and carelessness on the part of the authorities and the general public is being seen. Thus the violation of "*The Haryana Prevention of Defacement of the Property Act, 1989*" is being made.

2. In CWP 11961 of 2012 titled as Court on its own motion versus Anil Kumar and others the Hon'ble Punjab & Haryana High Court has observed that "*the Haryana Prevention of Defacement of the Property Act, 1989*" is not being fully complied.

3. You are, therefore, requested to ensure compliance in letter and spirit of "*The Haryana Prevention of Defacement of the Property Act, 1989*". These instructions may please be brought to the notice of all concerned for strict compliance.


Under Secretary General Administration,
for Chief Secretary to Government Haryana.

(Yam Patel)