



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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असाधारण क्रमांक ४७

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Prevention of Defacement of Property (Amendment) Bill, 2024 (L. A. Bill No. XIV of 2024), introduced in the Maharashtra Legislative Assembly on the 5th July 2024, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. XIV OF 2024.

A BILL

to amend the Maharashtra Prevention of Defacement of Property Act, 1995.

Mah.
VIII of
1995.

WHEREAS it is expedient to amend the Maharashtra Prevention of Defacement of Property Act, 1995; it is hereby enacted in the Seventy-fifth Year of the Republic of India, as follows :—

1. This Act may be called the Maharashtra Prevention of Defacement of Property (Amendment) Act, 2024. Short title.

(१)

Amendment
of section 3 of
Mah. VIII of
1995.

2. In section 3 of the Maharashtra Prevention of Defacement of Property Act, 1995 (hereinafter referred to as “the principal Act”),—

Mah.
VIII of
1995.

(i) for the words “three months” the words “twelve months” shall be substituted;

(ii) for the words “two thousand rupees” the words “twenty thousand rupees” shall be substituted.

Insertion of
new section
4A in Mah.
VIII of 1995.

3. After section 4 of the principal Act, the following section shall be inserted, namely:—

Compounding
of offences.

“**4A.** (1) Any offence, whether committed before or after the commencement of this Act, punishable under section 3, may either before or after the institution of prosecution, be compounded by such officers or authorities and for such amount as the State Government may, by notification in the *Official Gazette*, specify in this behalf.

(2) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence.”.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Prevention of Defacement of Property Act, 1995 (Mah.VIII of 1995) has been enacted to provide for the prevention of defacement of any property or place open to public view. Section 3 of the said Act provides that whoever by himself or through another person, defaces any such place visible to the public, shall be punished with imprisonment for a term of three months or with fine which may extend to two thousand rupees, or with both. Since enactment of the said Act, the quantum of punishment for the said offence has not been increased.

2. The Government, therefore, considers it expedient to amend said section 3 with a view to enhance the imprisonment for a term upto twelve months and fine upto twenty thousand rupees. It is also proposed to insert section 4A to make provision for compounding of offence under said section 3 of the said Act.

3. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 1st July 2024.

DEVENDRA FADNAVIS,
Deputy Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

The Bill involves the following proposal for delegation of legislative power, namely :—

Clause 3(1).—Under this clause power is taken to the State Government to specify, by notification in the *Official Gazette*, the officers or authorities and amount for compounding the offences under section 3 of the Maharashtra Prevention of Defacement of Property Act, 1995 (Mah. VIII of 1995).

2. The abovementioned proposal for delegation of legislative power is of normal character.