

SINDH ORDINANCE NO.I OF 2013
THE PREVENTION OF DEFACEMENT OF PROPERTY ORDINANCE, 2013

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[26th April, 2013]

An Ordinance to provide for prevention of defacement of property and prohibition of expression of matters on walls in the Province of Sindh.

WHEREAS it is expedient to provide for prevention of defacement of property and prohibition of expression of matters on walls in the Province of Sindh.

Preamble.

AND WHEREAS the Provincial Assembly is not in session and the Governor is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, 1973, the Governor is pleased to make and promulgate the following Ordinance :-

1. (1) This Ordinance may be called the Prevention of Defacement of Property Ordinance, 2013.
- (2) It shall extend to the whole of the Province of Sindh.
- (3) It shall come into force at once.

Short title, extent and commencement.

2. In this Ordinance, unless the context otherwise requires -

Definitions.

(a) "Affixing Material" means any poster, bill, notice, placard, or any other material on property without the prior permission of the owner;

(b) "Defacement" or "Deface" means without the permission of the owner, impairing or interfering with the appearing or the beauty of Property or damaging, disfiguring, spoiling, or injuring and in any other manner defacing the Property as follows:-

- (i) Writing on the property;
- (ii) Affixing Material on the Property; or
- (iii) including any act which results in the Defacement of Property;

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(c) "Government" means the Government of Sindh;

(d) "Property" means any structure, building, fence, post, pole, erection, surface;

(e) "Writing" means writing, painting, expressing or describing any matter with chalk, paint or any other medium or material on any property.

3. (1) No person shall Deface any Property, in any manner whatsoever with the intention to attract public attention.

Prohibition on defacement of property.

(2) Any person found in contravention of any provision of this Ordinance, shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees or with both and if the offence is a continuing one with a further fine which may extend to one thousand rupees for every day after the date of the first commission during which period the offender has persisted the offence.

Exception.- It shall not be an offence under this section, if the owner or possessor of the Property expresses any particulars relating to himself or his business thereon.

4. (1) Within a period of fifteen days of the promulgation of this Ordinance, Government shall constitute an Anti-Property Defacement Task Force which shall assess the scope and nature of the Defacement and suggest ways to augment enforcement capability, survey the efforts of other jurisdiction to combat Defacement and consider the replication of such programmes, and propose a comprehensive anti-Defacement programme.

Anti-Property Defacement Task Force.

(2) The Anti-Property Defacement Task Force shall comprise of six members including the Chairperson.

(3) The Chairperson and members shall be experienced persons of eminence and shall be appointed by Government from the following sectors:-

(a) Law

(b) Civil society organization engaged in civic or cultural projects

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- (c) Education
- (d) Electronic or Print Media
- (e) Business Community
- (f) Engineering or Architecture

5. Within a period of thirty days from the commencement of this Ordinance, every Council shall cause to be removed all existing Defacement of Property within its jurisdiction which is prohibited by this Ordinance and the cost of such removal shall be recovered from the persons responsible for such matters. **Removal of existing defacement on property.**
6. Government may make rules for carrying out the purposes of this Ordinance. **Power to make rules.**