

मद संख्या:- Prevention of Defacement of property, Cleanliness and Sanitation Bye-Laws, 2015 के सम्बन्ध में।

In exercise of the powers conferred under Sub Section (2) of Section 9 and Section 19 of the Uttar Pradesh Industrial Area Development Act, 1976 (U.P. Act No. 6 of 1976), the New Okhla Industrial Development Authority (hereinafter called "the Authority") propose to make the following " The New Okhla Industrial Development Authority (Prevention of Defacement of Property, Cleanliness and Sanitation) Bye-laws 2015" with prior approval of the State Government to prevent the defacement of the property within New Okhla Industrial Development Authority.


**THE NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY
(PREVENTION OF DEFACEMENT OF PROPERTY, CLEANLINESS AND
SANITATION) BYE-LAWS, 2015.**


1. Short title, extent and commencement.—

- (1) These Bye-laws may be called "The New Okhla Industrial Development Authority (Prevention of Defacement of Property, Cleanliness and Sanitation) Bye-laws 2015".
- (2) These bye-laws shall applicable to the limits of the area falling under New Okhla Industrial Development Authority.
- (3) These bye-laws shall come into force on and from the date of their publication in the Official Gazette.
- (4) The provisions of these bye-laws shall have effect notwithstanding anything to the contrary contained in any other law for time being in force.

2. Definitions.-- (1) In these bye-laws, unless the context otherwise requires--

- (a) "Act" means the Uttar Pradesh Industrial Area Development Act, 1976 (U.P. Act No. 6 of 1976);


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(b) "Advertisement" means any printed, cyclostyled, typed or written notice document, paper or any other thing containing any letter, word, picture, sign or visible representation;

(c) "Competent Authority" means the Chief Executive Officer or any other officer authorized by the Chief Executive Officer who is charged with the responsibility of implementation of these bye-laws.

(d) "Defacement" includes impairing or interfering with the appearance or beauty, damaging, disfiguring, spoiling, or injuring in any way whatsoever and the word "deface" shall be construed accordingly.

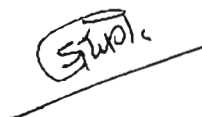
(e) "Place open to public view" includes any private place or building, monument, statute, post, wall, fence, tree or contrivance visible to a person being in or passing alone, any public place;


(f) "Public place" means any place (including road, street or way whether a thoroughfare or not and a landing place) to which the public are granted access or have a right to resort or over which they have a right to pass.

(g) "Writing" includes decoration, lettering, ornamentation etc. produced by stencil.

(h) "Litter" means all refuse and include any other waste material which, if thrown or deposited as prohibited under these Bye-laws, tends to create nuisance, or a danger to life, environment, public health, safety and welfare;

(i) "Littering" means putting litter in such a location that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend, blow, be washed, percolate or otherwise escape into or onto any public place; Or causing, permitting or allowing litter to fall, descend, blow, be washed, percolate or otherwise escape into or onto any public place;


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- (j) "Receptacle" means container, including bins and bags, used for the storage of any category of waste as prescribed by New Okhla Industrial Development Authority from time to time;
- (2) Words and expressions used in the Act and not defined herein shall, unless the context otherwise requires, have the meanings assigned to them in the Act.

3. Prohibition on defacement:



Whoever by himself or through any other person defaces any place open to public view shall, on conviction, be punished with fine which may extend to a sum of five thousand rupees:

Provided that nothing in this clause shall apply to advertisement which,-

- (i) is exhibited with the written permission of the Competent Authority over such area in this behalf;
- (ii) is exhibited within the window of any building if the advertisement relates to trade, profession or business carried on in that building; or
- (iii) relates to the trade, profession or business carried on within the land or building upon or over which such advertisement is exhibited or to any sale or letting of such land or building or any effects therein or to any sale, entertainment or meeting to be held on or upon or in the same; or
- (iv) relates to the name of the land or building upon or over which the advertisement is exhibited, or to the name of the owner or occupier of such land or building; or
- (v) relates to the business of a railway administration and is exhibited within any railway station or upon any wall or any other property of a railway administration.

4. Power of the Authority to erase writing etc.:

Without prejudice to the provisions of clause 3, it shall be competent for the Authority to take such steps as may be necessary for freeing from any defacement, erasing any writing or removing any erection or fixation from, any place open to public view. The expenditure incurred for such removal of defacement or for erasing any writing, or

removing any erection or fixation, incurred by the Authority shall be recoverable from the person guilty of such offence under Section 3.

5. Indemnity:

No suit, prosecution or other legal proceedings shall lie against the Authority or the Competent Authority for anything which is in good faith or in public interest done or intended to be done under these Bye-Laws.

6. Prohibition on littering:

- 6.1 Littering in any public place: No person shall throw or deposit litter in any occupied/unoccupied public place except in authorized public or private litter receptacles.
- 6.2 Littering on any private property: No person shall throw or deposit litter on any occupied, open or vacant private property, except in authorized private or public receptacles.
- 6.3 Litter throwing from vehicles: No person shall throw or deposit litter upon any street, road, sidewalk, playground, garden traffic island or other public place from any vehicles either moving or parked.
- 6.4 Litter from carrying vehicles: No person shall drive or move any truck or other vehicle filled with waste / litter unless such vehicles are so designed to cover the waste / litter and loaded as to prevent any litter from being blown off or deposited upon any road, sidewalks, traffic islands, playground, garden or other public place.
- 6.5 Creating Public Nuisance: No person shall cook, bathe, spit, urinate, defecate, feed animal or birds, utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes.

7. Prohibition on burning of any kind of garbage etc.:

Whoever by himself or through any other person burns any kind of garbage, leaves, waste, plastic, rubber, self moulding compound or such other materials in the place open to public view shall, on conviction, be punished with fine which may extend to a minimum sum of five thousand rupees or as enhanced by NOIDA Board from time to time.

8. Removal of difficulties:



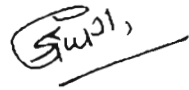
If any difficulty arises in giving effect to the provisions of these bye-laws, the Authority may, as occasion requires, by order, do anything not inconsistent with the objects and purposes of these bye-laws, which appears to it to be necessary or expedient for the purpose of removing the difficulty:


Provided that no such order shall be made after the expiry of a period of two years from the date these bye-laws coming into force.

9. Penalties for contravention of these Bye-laws:

- 9.1. Whom so ever contravenes any of the provisions of these Byelaws or fails to comply with any requisitions made under any of the Bye-law shall be punished with a fine which may extend to five thousand rupees.
- 9.2. In the event of continuation of the breach of the provisions of these Bye-laws, the amount of fine for every day for each subsequent default shall be five hundred rupees in addition to original fine.
- 9.3. Penal action in addition to the fine shall be taken against the violators under relevant provisions of Indian Penal Code or any other law for time being in force.

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