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~~TO BE~~ PUBLISHED IN THE GAZETTE OF INDIA, PART II, SECTION 3, SUB-SECTION(i) dated 5-11-66. page 1871

No.7/24/66-UTL
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

New Delhi-11, the 25th October 1966
3rd Kartika 1888

NOTIFICATION

G.S.R.1678 In exercise of the powers conferred by section 6 of the Goa, Daman and Diu(Administration) Act, 1962 (1 of 1962), the Central Government hereby extends to the Union territory of Goa, Daman and Diu, the Madhya Pradesh Control of Music and Noises Act, Samvat 2008(Madhya Bharat Act 14 of 1951), as in force in the State of Madhya Pradesh on the date of this notification, subject to the following modifications, namely:-

MODIFICATIONS

In the said Act, -

(1) for the word "Government" wherever it occurs, the word "Administrator" shall be substituted;

(2) in section 1,-

(a) in sub-section (2), for the words "Madhya Pradesh", the words "the Union territory of Goa, Daman and Diu" shall be substituted; and

(b) for sub-section (3), the following sub-section shall be substituted, namely:-

"(3) It shall come into force on such date as the Administrator may, by notification in the Official Gazette of the Union territory of Goa, Daman and Diu, appoint.".

(3) in section 2, the following clauses shall be inserted, namely:-

"(a) "Administrator" means the Administrator of the Union Territory of Goa, Daman and Diu appointed by the President under article 239 of the Constitution;"

(4) in the proviso to section 8 for the words "by the Government" the words "by the Administrator, District Magistrate" shall be substituted.

..2/-

(5) Section 12 shall be omitted.

ANNEXURE

The Madhya Pradesh Control of Music and Noises Act, Samvat 2008 (Madhya Bharat Act 14 of 1951) as extended to the Union territory of Goa, Daman and Diu.

An Act to provide for the better control of Music and other loud and annoying noises, specially during night in Madhya Pradesh.

Preamble. Whereas it is expedient to provide for the better control of music and other loud and annoying noises, specially during the night, in Madhya Pradesh, it is hereby enacted as follows:-

1. (1) This Act may be called "The Madhya Pradesh Control of Music and Noises Act, Samvat 2008".

Title, extent and commencement.

(2) It extends to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall come into force on such date as the Administrator may, by notification in the Official Gazette of the Union territory of Goa, Daman and Diu, appoint.

2. In this Act unless there be anything repugnant in the subject or context, -

Definitions.

(a) "Administrator" means the Administrator of the Union territory of Goa, Daman and Diu appointed by the President under article 239 of the Constitution;

(b) "Music" includes sound produced on or from the following instruments:-

(1) Sitara, Sarangi, Ektara, Violin, Bansi, Dilruba, Bin, Veena, Sarod, Jaltarang and like instruments producing soft music;

(2) Piano, Harmonium, Gramophone, Tabla, Khanjari, Dholak and Mridang;

(3) The radio, in so far as musical programmes only are concerned;

...3/-

(c) "Loud music" means and includes sound produced on or from Band, Bag pipes, Clarionets, Shahnais, Drum, Bugles, Dhol, Daf, Dafda, Nagara, Tasha, Jhanj and other instruments producing a loud sound;

(d) "Nocturnal Noise" means noise during night as is likely to cause annoyance or serious inconvenience to the public or to individuals.

3. Music prohibited in certain places at certain hours.

Music other than soft music produced by instruments detailed in clause (b)(1) of section 2, is prohibited in public streets, open public or private places and at shops, hotels and restaurants adjacent to public streets after midnight and before 4 a.m. in the morning.

4. Loud music prohibited at certain hours

Loud music is prohibited in all places between midnight and 4 a.m. in the morning.

5. Prohibition of nocturnal noises in certain areas and localities.

The District Magistrate or other officer empowered by the Administrator in this behalf may, in his discretion, declare any noise to be a noctural noise and prohibit it by notice given in such manner during such hours of the night and at such places as he thinks fit.

6. Use of loud-speakers or amplifiers

(1) No loud-speaker or sound amplifier shall be used for broadcasting any speech, sermon, music or radio programme or attached to any wireless receiving set or gramophone, after midnight and before 4 a.m. in the morning.

(2) No person shall use such loud-speaker or sound amplifier in a public place for the purpose of amplifying songs, ballad, or words which are obscene, or are likely to affect adversely the morality of the public in general.

7. Power to prevant music or noises at any time and at any place.

The District Magistrate or any other person authorised by the Administrator in this behalf may, on being satisfied that in his opinion it is necessary in public interest so to do, by an order in writing recording reasons therefor, prohibit music or noise of any kind whatsoever including amplification thereof in any place and at any time.

...4/-

8. Relaxation

The District Magistrate or any other officer empowered by the Administrator in this behalf may, in his discretion relax the provisions of sections 3,4 or 6 for a period not exceeding three days at a time in specified localities or on occasions of religious festivals and ceremonies generally or in favour of individuals for reasons to be recorded in writing;

Provided that in cases falling under section 7, the relaxation permitted under this section may at any time be revoked by the Administrator, District Magistrate or such other officer.

9. Power to police to arrest

It shall be lawful for any Police Officer not below the rank of Sub-Inspector to require any person acting or about to act contrary to the provisions of this Act to abstain from so doing; and in case of refusal, or disobedience, to arrest such person as if he has committed or is about to commit a cognizable offence.

10. Penalty

Whoever contravences or attempts to contravene or abets the contravention of any of the provisions of this Act or acts contrary to any order lawfully made under this Act shall be punished with imprisonment of either description for a term which may extend to one month or with fine not exceeding one hundred rupees or with both.

11. Offences to be bailable, cognizable and triable by a Magistrate of Second Class

An offence under this Act shall be cognizable, bailable and triable by a Magistrate of the Second Class.

12. * * * * * * * *

[F.7/24/66-UTL-867]

Sd/- P.N. Vasudevan
Deputy Secretary to the Govt. of India.

No.F.7/24/66-UTL Dated the 28th October 1966
6th Kartika 1888

Copy forwarded, for information, to -

1. The Law Secretary (Shri P.B. Venkatasubramanian to the Government of Goa, Daman and Diu, Panjim with reference to their letter No.LD/Conf/23/66 dated the 29th August 1966.

*with 10 spare copies.

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