

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT
NOTIFICATION

The 27th February, 2018

No. 2/4/2017-R-II The following draft of the Haryana Municipal Corporation Advertisement Bye-Laws, 2018 which the Governor of Haryana proposes to make in exercise of the powers conferred by clause (16) of section 392 G of the Haryana Municipal Corporation Act, 1994 (16 of 1994), is hereby published as required under section 394 of the said Act, for information of persons likely to be affected thereby.

Notice is hereby given that this shall be taken into consideration by the Government on or after the expiry of a period of fifteen days from the date of publication of this notification in the Official Gazette, together with objections or suggestions, if any, which may be received by the Principal Secretary to Government, Haryana, Urban Local Bodies Department, Chandigarh from any person with respect to amend the following draft bye-laws, namely:—

Draft Bye-Laws

1 (1) These bye-laws may be called the Haryana Municipal Corporation Advertisement Bye-laws, 2018.

(2) These bye-laws shall come into force on the date of their publication in the Official Gazette.

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

- (i) **“Act”** means the Haryana Municipal Corporation Act 1994 (16 of 1994);
- (ii) **“acknowledgement OMD”** means an outdoor media device that acknowledges an agency displaying an advertisement on road medians or roundabouts in lieu of provision or maintenance of such structures;
- (iii) **“advertisement”** means any representation by a word, or abbreviation thereof, letter, logo, symbol, sign, figure, painting, drawing or other pictorial representation, or light or sound, displayed on media device and visible to public from any place on land, building, airspace, water in the control area and/ or visible from public place or public street subject to excluded media;
- (iv) **“advertising”** means the act or process of displaying an advertisement;
- (v) **“agency”** means an applicant who may be a registered charitable organization, firm, partnership or a company incorporated under the Companies Act, 2013 (18 of 2013) intending to display an advertisement within the Municipal area;
- (vi) **“billboard/ hoarding”** means an outdoor media device with space for advertising in the form of an advertisement panel and where such panel is mounted with its foundation on any structure either on ground or building;
- (vii) **“building line”** means the line up to which the plinth of a building may lawfully extend on the side, which abuts the street or an extension of a street or a strip of land ear-marked or reserved for future construction of street and such line is mentioned in the approved plan or co-ordination plan or the scheme by the Government Authority having jurisdiction or power;
- (viii) **“carriageway”** means the width of the road under the metalled portion;
- (ix) **“commercial building”** means a building used or constructed or adopted to be used or intended to be used wholly or partially for business, trade or commerce;
- (x) **“controlled area”** means the geographic area including airspace in the jurisdiction of the Municipal area;
- (xi) **“display”** means an advertisement being visible to public, irrespective of the space on which the advertisement is installed;
- (xii) **“gantry”** means a structure erected across a road and usually fabricated of metal section pillars fixed on either side of a road with a beam shaped section connecting the top of the pillars across the road;
- (xiii) **“gantry advertisement”** means a gantry displaying an advertisement on the face opposite to the direction of traffic;
- (xiv) **“ground OMD”** shall mean an outdoor media device detached from a building, erected or painted on temporary structure, screen and fence placed/ fixed on land and visible to public for the purpose of self-advertisement;
- (xv) **“Indian Road Congress (IRC)”** means the applicable codes, regulations made and directions issued by the Indian Road Congress, from time to time;
- (xvi) **“interested party”** means any person who has, in terms of these bye-laws, submitted comments or an objection or a grievance or made representation in respect of any application for display of OMD;
- (xvii) **“intersection”** means the same level junction where two or more roads either meet or cross;
- (xviii) **“electronic hoarding”** means an outdoor media device, with display made from LED (Light

Short title and
commencement.
Definitions.

- Emitting Diode) or LCD (Liquid Crystal Display) or any other electronic source, to display running text, displays and informational messages from computer programs and software or any other means;
- (xix) **“marquee OMD”** shall mean an outdoor media device attached to or hung from a marquee canopy or other **covered** structure projecting from and supported by the building and extending beyond the building wall, building line;
- (xx) **“National Building Code of India or NBC”** means the National Building Code of India, 2005 and regulations made thereunder;
- (xxi) **“OMD”** means an Outdoor Media Device as set out in **bye-law 14**;
- (xxii) **“owner”** means owner of the property and includes an association of owners under the Haryana Apartment Ownership Act, 1983 (10 of 1983);
- (xxiii) **“permission fee”** means fees levied by the Corporation for granting permission under section 122 of the Act.
- (xxiv) **“property”** means any land or building or part thereof in the limits of the Municipal Corporation;
- (xxv) **“public building”** means any building accessible by the general public, free of charge or on payment of a charge, and includes a building used or constructed or adopted to be used either ordinarily or occasionally, as a place of public worship, a theatre, hostel, Government office, public hall, public concert room, public lecture room, public exhibition or as a public place of assembly or occasionally for any similar purpose;
- (xxvi) **“registered agency”** means any agency registered with the Municipal Corporation under **clause (3) of bye-law 4** ;
- (xxvii) **“Right of Way (RoW)”** shall mean total land width required for the road, to accommodate the roadway (carriageway and shoulders), side drains, service roads, tree plantation, utilities, etc, owned by the respective authority.
- (xxviii) **“road traffic sign”** means any sign for public information for users of the road and includes a traffic sign as contemplated in law or by the IRC;
- (xxix) **“self advertisement”** means advertisement displayed in terms of bye-law 11;
- (xxx) **“service lane”** means a road along the main carriageway and used for movement of vehicles;
- (xxxi) **“street furniture advertisement”** means an advertisement displayed on any public facility or structure which is not primarily intended for advertising and includes a seating bench, plant box, footpath litter bin, pole-mounted litter bin, public transport shelter, sidewalk clock, suburban name device and a street name, drinking fountain etc. of appropriate size and shape serving the functional requirement of such street furniture with advertisement either directly pasted/ affixed or in the form of a panel;
- (xxxii) **“Structural Engineer”** means a person who is a graduate in Civil Engineering from a recognized University or corporate member of Civil Engineering Division of the Institute of Engineers of India with a minimum of ten years of experience in structural design structures and related field work, or person who is a post-graduate in Civil Engineering from a recognized University or corporate member of Civil Engineering Division of the Institute of Engineers of India with a minimum of three years of experience in structural design structures and related field work;
- (xxxiii) **“structural stability certificate”** means a certificate issued by a Structural Engineer;
- (xxxiv) **“third party advertising sign”** means any OMD other than self advertisement;
- (xxxv) **“temporary advertisement”** means an OMD, other than self advertisement, displayed immediately before and for the duration of any forthcoming event including entertainment events, festivals, mela, trade fair, conferences, road shows and does not exceed a maximum period of thirty days;
- (xxxvi) **“trailer advertising”** means an OMD mounted on a trailer, bicycle or vehicle, which is stationary or moving with the sole purpose of advertising;
- (xxxvii) **“unauthorized charge”** means charges levied by Municipal Corporation for unauthorized display of OMD and violation of any of the provision of these Byelaws;
- (xxxviii) **“unipole”** means an OMD with large space for advertising in the form of an advertisement panel and where such panel is mounted on a single column with its foundation on the ground;
- (xxxix) **“urban design”** means the actions of conceiving and managing the special and aesthetic characteristics of urban space between and around buildings, road including physical elements that make up the streetscape and the combined visual effect of building facades and other structures;
- (xl) **“wall wraps”** means advertisement pasted on the outer surface of a building or the wall painted color or the wall covered with any other material including aluminum composite panels which has been used as architectural feature to form the façade or used as wall of a building.

Application 3 (1) An agency intending to display an OMD within the Municipal area shall register with the Corporation

for
registration.

through the online process as laid out in **Annexure 1**.

(2) The registration obtained by the agency under **clause (1)** shall be valid for a period of six years from the date of registration for such agency.

(3) The agency shall deposit such registration fee, as the Government may, by general order, specify from time to time.

(4) Any person intending to display, within the permissible limits specified in **Schedule I**, an advertisement for the purposes of self-advertisement are exempted from the requirement to register with the Corporation.

(5) The single proprietor shall not be registered for installing third party advertisements on its property. However, the same is permitted to install self advertising on its property, subject to payment of fee for the OMD, if it is beyond the permissible limits specified in **Schedule-I**.

(6) A company incorporated under the Companies Act, 2013, (Central Act 18 of 2013) and intending to instal acknowledgement OMD consequent to development and maintenance of public utilities, parks, green spaces, traffic signs, or any other service for public benefit and in public interest through its Corporate Social Responsibility (CSR) funds, shall be required to register with the Corporation through the online process as laid out in **Annexure 1**.

Process for
registration.

4 (1) The Corporation shall, refuse to register any agency where-

- (i) the agency, any of its directors, owners or promoters has been debarred from the display of advertisement by any Corporation or Government or any agency owned and controlled by the Government;
- (ii) the agency, its directors, owners or promoters are in arrears of payment of any dues to the Corporation;
- (iii) the Director of the agency or the Director of any company has been debarred from the display of advertisement by any Corporation or Government or any agency owned and controlled by the Government;
- (iv) the authorized signatory of the agency has earlier been the authorized signatory of any company in arrears of payment of any dues to the Corporation.

(2) The agency intending to register with the Corporation shall submit the following information/ documents, namely:-

- (i) name of agency with registration details in Companies Act, 2013 (Central Act 18 of 2013), or Limited Liability Partnership Act, 2008 (Central Act 6 of 2009);
- (ii) Memorandum of Association and Articles of Association of company;
- (iii) experience, details of agency in advertisement business for last 3 years or for such period of time that the agency has been in the advertisement business, whichever is earlier;
- (iv) name of Directors along with Director Identification Number (DIN) of agency;
- (v) details of work experience of each Director of agency;
- (vi) details of any Director who was in arrears of payment of any dues in any municipality while earlier being Director in any other agency;
- (vii) balance sheet of last three years or for such period of time that the agency has been in the advertisement business, whichever is earlier;
- (viii) authorization letter by the Board of Directors (by passing resolution), for authorized signatory of agency;
- (ix) details of advertisement rights/ permission secured in last five years, or for such period of time that the agency has been in the advertisement business, whichever is earlier, in any municipality;
- (x) an undertaking that the agency, its directors, owners or promoters are not in arrears of payment of any dues in any municipality;

Note: Only a registered agency is permitted to participate in tender/ auction of advertisement sites on public land/ property and enter in contract agreement with the owner of private land/ property in the concerned Corporation;

(xi) any other information or document, as the Commissioner may require.

(3) On scrutiny of the application alongwith information/ documents as provided in **clause (2)**, the Corporation shall, within **thirty days** from the date of submission of complete application, register the agency for the purpose of these bye-laws and issue a unique identity number to such agency and the registration letter as set out in **Annexure-2**.

Approval of
OMDs.

5 (1) Application by a registered agency for display of any OMD shall be made by submitting an application containing the information in terms of **Annexure 3**.

(2) Where the owner of a property applies for permission for installing OMDs on his property for the purpose of self advertisement beyond the permissible limits defined in **Schedule-I**, such owner shall be required to register

in terms of the process specified in **bye-laws 3 and 4**, and apply for display of OMD by submitting an application containing the information in terms of **Annexure 3**.

- (3) The application form shall be accompanied with the following, namely:-
- (i) processing fee as the Government may, by an order, specify from time to time, which shall be non-refundable and non-adjustable in any manner whatsoever;
 - (ii) latest receipt as proof of payment of property tax in respect of the tax payable for any property owned by the registered agency or the property on or over which the OMD is intended to be displayed;
 - (iii) a drawing, in colour, showing the locality plan, indicating the proposed position (including GPS coordinates) of the OMDs and the distances in relation to any other structure, building, or OMD situated within a radius of twenty-five metres from the proposed OMD;
 - (iv) complete specifications showing the dimensions of the OMDs and locations;
 - (v) the design and the structural details of the OMDs duly by a Structural Engineer, certifying the safety aspect of its foundations capable of bearing extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant Indian Structural Design Standards, policy and guidelines framed from time to time. The structural details shall include size of all members of supporting frameworks, anchorages and design calculations including proof of compliance with any other law, including but not limited to, the applicable law and codes/guidelines including Indian Road Congress, the National Building Code of India and the Environment (Protection) Act 1986 (Central Act 29 of 1986), to the extent that such law is applicable;
 - (vi) if a proposed OMD is to be attached to or displayed on the facade of a building, an architectural drawing showing elevation and measurements of the building and the detailed measurements and position of the proposed OMD and the position of every existing OMD on the building drawn to a scale of 1:1000 or as specified by the Corporation;
 - (vii) copy of the contract document containing all terms and conditions entered into between the agency and the owner of the property, where the owner of the property where the OMD is proposed to be displayed is different from the registered agency;
 - (viii) an undertaking to the effect that the application for display of advertisement is not in contravention of the order of any Court;
 - (ix) any other information as the Commissioner may require, from time to time.

(4) Where the owner of the property where the OMD is proposed to be displayed is different from the registered agency, then the contract document entered into between the owner of such property and the agency shall contain a clause where the owner accepts the liability that may arise on the such property in case the agency is in default of payment of any dues to the Corporation under these bye-laws in respect of any advertisement displayed on such property and the right of the Corporation to recover the amount in default under the provisions of **section 130** of the **Act**, by way of attachment or sale of such property.

6 (1) While evaluating an application under **bye-law 5**, the Corporation shall ensure that-

- (i) the application is in compliance with these bye-laws;
- (ii) the application is not in contravention of any order of any Court;
- (iii) written representations, objections and comments received from any interested party on the application have been duly considered.

(2) The Corporation in its sole discretion and for reasons to be recorded in writing, reserves its right to accept or reject any application.

(3) The period of validity of the approval for display of OMD shall be as below:

- (i) Type A: equal to the agreement period between the concerned Government entity and the agency, with a maximum limit of three years;
- (ii) Type B and Type C : minimum of three months (quarterly) to maximum three years;
- (iii) Type D : As specified in **Clause 12 of Schedule-I**;
- (iv) Type E : As specified on case to case basis;
- (v) Type F / self advertisement: no restriction for advertisements within the permissible limits set out in **Schedule I**;
- (vi) Type G : As specified on case to case basis, with minimum of three months (quarterly);
- (vii) Type H : minimum of 3 months (quarterly) to maximum three years; and
- (viii) Type I : minimum of three months (quarterly) to maximum three years.

(4) The Corporation on scrutiny and after following due process, shall, within **thirty days** from date of application, in writing and electronically, notify its decision to approve through the issue of a Letter of Intent (LoI), reject or return, the applicant as per format attached as **Annexure 4**.

(5) The agency shall be liable to pay the permission fee to Municipal Corporation within **seven days** of issuance of Letter of Intent (LOI) failing which the approval shall be deemed to have been withdrawn.

(6) After submission of permission fee and requisite documents stated in the LOI to the Municipal Corporation, the registered agency shall enter into contract agreement with the Corporation, as per format at **Annexure 6**:

Provided that where the registered agency has obtained approval for display of OMD on property owned by a person other than the registered agency, then the registered agency has to enter into contract agreement with the owner of property including a clause to the effect that if the property continues to display any OMD or display any other OMD beyond the period of approval contained in the Letter of Intent than the liability with respect to violation of any provision of the byelaws, shall be upon owner, jointly and severally, and shall submit its copy to the Corporation along with other documents mentioned in **Annexure-3**.

(7) All approvals for OMDs of the type and time period specified at **clause (3) of byelaw 6** shall be reckoned from the 1st day of the month succeeding the month in which approval is granted up to the last day of the month in which the period limits specified in **clause (3) of bye-law 6** ends.

(8) All existing OMDs shall comply with these bye-laws within a period of six months from the date of notification of these bye-laws.

Exception. 7 (1) Nothing shall be construed to the effect that any approval granted in terms of these bye-laws means that:

- (i) any person is exempted from any provision of any other law for the time being in force;
- (ii) any person is exempted from the provision, requirements and applicability of the Haryana Prevention of Defacement of Property Act, 1989 (11 of 1990);
- (iii) the registered agency of an OMD is exempted from its obligations to ensure that such sign is designed, erected, completed, displayed and maintained in accordance with any other applicable law for the safety, security of public at large or to protect public decency and morality.

Withdrawal and amendment of approvals. 8 (1) The Corporation may withdraw an approval granted, or amend any condition, or impose any further condition in respect of such approval if, in the opinion of the Commissioner, or any officer so authorized, by a general order, by the Commissioner, the OMD for which the approval has been granted-

- (i) is, or has, as a result of a change to the road, provision of any public utility, the nature of the environment or the amenity of the neighborhood, streetscape or urban design existing at the time of such approval, become detrimental to the area in which it is located for any reason whatsoever;
- (ii) constitutes, or has become, a threat to any person or property;
- (iii) is obscuring a critical and aesthetically important natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance;
- (iv) is, or has become, prohibited in terms of these bye-laws or any other law for the time being in force;
- (v) falls, completely or a part thereof, either through an accident or any other cause;
- (vi) have any change made to it except under the direction of the Corporation;
- (vii) upon the building or structure or property proposed to be demolished or destroyed; and
- (viii) requires to be removed, as may be decided, for reasons to be recorded in writing, by the Commissioner, in public interest, safety, aesthetics etc.

(2) Before taking any decision under **clause (1) of bye-law 8**, the Corporation shall issue notice to the registered agency, informing it of the intent of the Corporation and the registered agency shall have the right to make a written representation in response to the notice within **seven days** of the date of notice.

(3) In case of withdrawal of approval in whole or in part by the Corporation, the registered agency shall have to remove or make such change of the OMD at its risk and cost, as may be directed by the Corporation within **seven days**. In case any refund of permission fees is due on account of withdrawal of approval, the balance amount of permission fees shall be refunded to the agency within **thirty days** of such withdrawal.

(4) The Commissioner, or any officer so authorized, by a general or special order by the Commissioner, shall give reasons in writing for its decision on receipt of a representation from a registered agency.

IT based solution for application, renewal and monitoring. 9 (1) The Corporation shall adopt a transparent system for grant of approval for display of OMDs and monitoring.

(2) For the purpose of **clause (1)**, the Corporation shall develop an Information Technology based system for grant of approvals and monitoring and shall prepare a Geographical-Information-System (GIS) based OMD Master Plan for the properties vested in or under the management or maintenance of the Municipal Corporation.

(3) All OMD with their Geographical Positioning System (GPS) coordinates shall be marked on the GIS map and shall be available on the website of Corporation for the information of the public.

(4) The features of the information technology based system referred to in **clause (2)** shall be as follows:

- (i) the bye-laws and notifications related to advertisements shall be made available for information on the website of the Corporation;
- (ii) online registration of entities shall be enabled and the registered agency shall be assigned a unique Identity number which shall be password protected for all future correspondence with the

Corporation;

- (iii) all OMDs shall be GPS tagged and shall be available on the website of the Corporation on a GIS map of the City;
- (iv) an application for the installation of outdoor media shall be submitted online;
- (v) each OMD site shall have unique code assigned to it which shall convey its ownership, location (GPS coordinates), type of media, size (area of display), advertisement/ permission fee payable, validity of agreement for display of advertisement and any other information which in the opinion of the Commissioner is required to be coded;
- (vi) approvals of all OMD shall also be given electronically to the registered agencies.

General requirements for OMD.

- 10** (1) On approval, the OMD shall not be altered, removed, re-erected or upgraded (except in respect of the content of the advertisement), without prior written approval of the Corporation.
- (2) Every power cable and conduit containing an electrical conductor for the operation of an OMD shall be so positioned and attached so that it is aesthetic.
- (3) No OMD shall be connected to any electricity supply with sub-meter without the prior written permission of the licensed electricity distribution company concerned in the name of the registered agency and such permission shall, on request by an authorized official of the licensed electricity distribution company, be presented to them by the registered agency of the OMD concerned.
- (4) The electrical connections and components in all the OMDs shall be in accordance with relevant Bureau of Indian Standards (BIS), Indian Electricity Rules and designed to ensure there is no risk to personal or public safety or to movement of motorised or non-motorised traffic.
- (5) Generators which are running on petroleum fuels or any bio-fuel or causing noise, air or water pollution, shall not be allowed for providing power for illumination of any OMD.
- (6) The registered agency of the OMD shall ensure that disposal of any type of material including media for display is disposed off in terms of the Environment (Protection) Act, 1986 (Central Act 29 of 1986) or rules made thereunder, the byelaws of the Municipal Corporation and any other applicable laws/rules/ bye-laws.

Self Advertisement.

- 11** OMDs for the purposes of set out in **sub-clauses (i) to (ix)** below shall follow the provisions of these bye-laws in respect of all conditions set out in **Schedule I** and shall be required to register in accordance with the provisions of **bye-law 3 and 4**; but such OMDs shall be exempted from payment of any permission fee or application other than fee for registration in the following cases, namely:-
- (i) relating to a public meeting, to an election to Parliament, Legislative Assembly, Corporation or to candidature in respect of such election; (may be installed on only authorized spaces identified/ earmarked by the Corporation);
 - (ii) if exhibited within the window of any building, the advertisement relates to the trade, profession or business carried in that building;
 - (iii) relating 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 analyze, entertainment or meeting to be held on or upon or in the same;
 - (iv) relating to the name of the land or building upon or over which the advertisement is exhibited, or to the name of the registered agency or occupier of such land or building;
 - (v) relating to the business of a railway administration and is exhibited within any railway station or upon any wall or other property of the railway administration;
 - (vi) relating to any activity of any department of the State Government or Union of India or the Municipal Corporation but excluding Board/ Corporations;
 - (vii) on a property where a building, swimming pool, tennis court, paving, fencing or garden landscaping or any other structure is in the course of being constructed, erected, carried out or altered and on which the activity concerned is described and the name of any architect, contractor or consultant concerned in such activity is displayed and the branch of the industry or the profession involved is specified;
 - (viii) media device for hawkers on stationary kiosk or handcarts.

Prohibited area.

- 12** (1) In addition to any other prohibition, expressed or implied, in these bye-laws, no person shall erect, maintain or display any OMD or advertisements on/ within:
- (i) national parks, district forests and natural water bodies;
 - (ii) residential sector, subject to fulfilment of conditions stated in **Schedule-I**;
 - (iii) National Highways or State Highways, subject to fulfilment of conditions stated in **Schedule-I**;
 - (iv) any wall posters and wall paintings;
 - (v) building or structures of archaeological, architectural, aesthetical, historical or heritage importance;
 - (vi) places of worship or religious significance;

- (vii) hospitals and nursing homes; educational institutions, libraries;
- (viii) cremation grounds, graveyards;
- (ix) areas classified as endangered regional ecosystems;
- (x) “no advertisement area” notified by the Corporation from time to time; and
- (xi) traffic signals and road signages.

(2) No person shall deface or cause to be defaced any display, device or structure that may have been put up by the Corporation and any contravention thereto shall be punishable under the Haryana Prevention of Defacement of Property Act, 1989 (11 of 1990); and the Act.

(3) In addition to any other prohibition, expressed or implied, in these bye-laws, the Corporation shall take necessary action to modify or remove the following advertisements or OMDs showing or expressing:

- (i) nudity;
- (ii) propagating caste, community, race or ethnic differences;
- (iii) promoting drugs, alcohol, cigarette or tobacco items;
- (iv) propagating exploitation of women or child;
- (v) depicting cruelty to animals;
- (vi) depicting any nation or institution in poor light;
- (vii) casting aspersion on any brand or person;
- (viii) banned by any law;
- (ix) glorifying violence;
- (x) promoting lottery tickets, sweepstakes entries and slot machines;
- (xi) displaying destructive devices and explosives depicting items;
- (xii) promoting weapons covered under the Arms Act, 1959;
- (xiii) defamatory, trade libelous, unlawfully threatening or unlawfully harassing;
- (xiv) obscene or pornography or indecent representation of women within the meaning of the Indecent Representation of Women (Prohibition) Act, 1986 (Central Act 60 of 1986);
- (xv) linked directly or indirectly to or include description of items, goods or services that are prohibited under any law applicable for the time being in force, including but not limited to the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940), the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 (Central Act 21 of 1954), the Indian Penal Code 1860 (Central Act 41 of 1860); and
- (xvi) any other items considered inappropriate and so notified from time to time by the Corporation.

OMDs on property of Municipal Corporation or for construction, operation or maintenance of any public utility etc.

13 (1) The Corporation shall, from time to time identify locations and property within its jurisdiction to allow OMDs and prepare or revise the master plan of OMDs on property vested in or under the management or maintenance of the Corporation (hereinafter termed as “Municipal properties”).

(2) The permission for display of advertisements on Municipal properties shall be granted by inviting e-tender/ e-auction for the city as a whole or in part, as per the policy of e-tender/ e-auction issued by the Government from time to time.

(3) The reserve price for the e-tender/e-auction shall be fixed by a committee, headed by the Commissioner. The Committee shall decide the reserve price on the basis of the following, among other parameters:-

- (i) location of the site;
- (ii) size of the advertisement board/ banner;
- (iii) prevailing market rate;
- (iv) past revenue collection; and
- (v) number of sites.

(4) The period for display of advertisements shall be in accordance with **bye-law 6** and may be terminated at any time after giving notice of **seven days** in the event of default of terms and conditions of the contract agreement.

(5) The Corporation shall have the complete and unhindered right to display, or permit the display of and at any time, hoardings/ advertisements of Government or any statutory authority, Board, Corporation or other entity owned and controlled by the Government for social messaging or promotion of the policies, schemes or programmes of the Government. The Corporation may direct the successful bidder in the e-tender/e-auction to reserve fifteen percent of the total advertising space for the Government advertisements under this clause and no fee shall be payable by the Corporation for these Government advertisements.

(6) The Corporation may assign advertisement rights for a specified period to any entity in lieu of construction, operations or maintenance of any public amenities including street light, public toilets, tree guards, street furniture, water dispensers, public information kiosks, etc.; and OMDs proposed to be installed in exercise of such rights shall be in accordance with the by-laws.

(7) In case of Build Operate Transfer (BOT) arrangements, the concessionaire/ advertiser shall have to apply for

permission to install each OMD and shall also pay applicable permission fees.

(8) The Municipal Corporation may permit acknowledgment OMDs in accordance with the provisions of these bye-laws to any agency that undertakes to construct, operate or maintain any public space or public utility including green spaces, parks, water bodies etc., out of its own funds including through funds made available under the Corporate Social Responsibility Policy under the Companies Act, 2013 (Central Act no. 18 of 2013).

OMDs on property of Government or Government entities

14 Advertisement rights assigned to any infrastructure project implementation entity by Government or the Corporation or any statutory authority, Board, Corporation, or other entity owned and controlled by the Government on implementation of any infrastructure project (other than a foot-over-bridge) shall be permitted in accordance with these bye-laws; and the provisions of **clause (2) of bye-law 13** shall not apply to display of advertisements by such infrastructure project implementation entity.

Formats of Outdoor Media Devices (OMD).

15 OMDs shall be classified as per details set out in **Annexure 5** and with permissible specifications and conditions set out in **Schedule 1**.

Permission fees.

16 (1) The permission fees in terms of **section 122** of the Act, shall be payable by the registered agency in advance on quarterly basis if the period of approval is less than a year or on annual basis if period of approval is more than **a year**, at such rates, as the Government may, by an order, specify from time to time.

(2) In case of removal of advertisement by Corporation on account of reasons attributable to Corporation, pro-rata amount shall be refunded to the agency.

(3) No refund of permission fee paid shall be made by the Corporation, if the registered agency seeks withdrawal of the permission granted under **clause (6) of bye-law 6**.

(4) In addition to the permission fee, the registered agency shall deposit bank guarantee of an amount equivalent to the quarterly permission fee payable to the Corporation in advance, valid for period of approval.

(5) The permission fee shall be applicable immediately on notification of these bye-laws on all OMDs including existing OMDs.

(6) The permission fee shall be increased by five percent at the beginning of every financial year.

(7) All the applicable taxes shall be the liability and be payable by the registered agency.

(8) The Municipal Corporation shall prepare, within a period of **five years** from the date of last revision of the permission fees, a proposal for revising the permission fees as per market conditions and submit the proposal to the Government for approval. If the Corporation fails to prepare a proposal for revision in the period of **five years**, the Government may, immediately on the end of the fifth year of the last revision of the permission fees, *suo motu* revise and notify the permission fees.

(9) Registered agencies permitted to install Acknowledgment OMDs under **clause (8) of bye-law 13** are exempted from payment of permission fee.

Inspections.

17 (1) The Commissioner or any officer authorized by him, by a general or special order, shall have the power to carry out an inspection of any OMD at any time.

(2) An officer authorized by the Commissioner shall carry out the inspection with respect to "Outdoor Media Device Audit form" as specified by the Corporation, from time to time.

Maintenance of OMDs and removal of unauthorized advertisements.

18 (1) Subject to provisions in these bye-laws,-

(i) the registered agency shall be responsible for maintaining the device and the surrounding area so that it does not become unsightly or deteriorate to such a degree that it is in conflict with any provision of these bye-laws;

(ii) a registered agency shall carry out at least once in three months inspection of an OMD with a view to satisfy himself that it has been properly maintained and forthwith carry out any necessary maintenance resultant upon such inspection; and

(iii) a registered agency shall keep a written record of any inspection made, maintenance carried out and shall retain record of it and make the same available for perusal on demand by an authorized officer of the Corporation.

(2) The registered agency shall ensure that a metallic plate (minimum size of one feet by one feet) with the embossed logo of Corporation providing details of approval of Corporation and details of the OMD, as required by Corporation, are displayed and maintained in good condition at all times. Failure to do so shall result in the levy of a non-compliance charge, as the Corporation may specify.

(3) If in the opinion of Corporation, any OMD is in a dangerous or unsafe or is likely fall into a state of disrepair or is in conflict with any requirement of these bye-laws, the Corporation shall serve a notice on the registered

agency to remove/ maintain the OMD, within the specified period and registered agency shall be required to comply thereof or take suitable action.

(4) If the Corporation is of the opinion that an OMD constitutes an imminent danger to any person or property, it shall without serving, or if such a notice has been served but not complied with within the period specified therein, remove/ maintain the OMD.

(5) The cost incurred for the removal and storage of an OMD, and any other costs incurred by the Corporation as contemplated in **clause (4) of bye-law 18**, shall be recovered from the registered agency. The OMD shall be removed at the risk of the registered agency by the Corporation.

(6) If an OMD has been removed in terms of **clause (4) of bye-law 18**, the Corporation shall promptly inform the registered agency, about such removal of OMD.

(7) Any OMD which has been removed and stored in terms of these bye-laws, shall be released to its registered agency subject to payment of fee/ charges as the Corporation may, specify.

(8) Any unauthorized outdoor advertisement shall be removed promptly by the Corporation and shall be immediately disposed off on as-is where-is basis.

(9) The entire list of authorized OMDs shall be displayed, without ownership display, for scrutiny by public at large and advertising companies, agencies, brands to identify and ensure that the advertisement being released by them is being mounted only on authorized OMDs. Failure to comply with above requirement shall be punishable under the Haryana Prevention of Defacement of the Property Act, 1989 (11 of 1990).

Documentation

19 The registered agency i.e. both owner or agency of a property upon which an OMD is erected, attached or displayed, shall retain certified copies of all documentation relating to the application for approval of such device in terms of these bye-laws, for as long as that device is erected or displayed, and shall on demand by an authorized officer, present such documentation.

Consideration of representations from interested parties.

20 (1) If any written comments, representations or objections have been received in respect of an application from any interested party contemplated, the Corporation shall consider such comments, representations and objections before taking a decision on the application.

(2) An applicant shall within **fourteen days** after receiving any comments, representations or objections to an application, submit a written response to the Corporation for consideration.

(3) If a response is not received within a period of **fourteen days**, the Corporation shall take a decision on the comments, representations or objections within a period of **twenty-one days** from the date of receipt of comments, representation or objections.

Serving of notices.

21 (1) Any notice that is required to, or may be served, delivered or given in terms of, or for the purposes of these bye-laws, shall be served in any one of the following ways:-

(i) by sending a copy of the notice by registered or under postal certificate to the last-known address of the person concerned/ registered agency, and, unless the contrary is proved, it is deemed that service was effected on the seventh day following the day on which the document was posted;

(ii) by faxing a copy of the notice to the person, if the person has in writing furnished a fax number to the Corporation;

(iii) by forwarding the notice through e-mail at the registered E-mail ID; and

(iv) by handing over a copy of the notice to the owner or any of the authorized representative of registered agency.

Appeal.

22 Any person, whose rights are affected by a decision of Commissioner or an officer authorized by him in terms of or for the purposes of these bye-laws, may appeal against that decision to the Divisional Commissioner of the Division.

Contraventions and consequences

23 (1) Whosoever contravenes any provision of these byelaws, shall be liable, without prejudice to any other action that may be taken by the Corporation to remove such contravention, to pay a charge for such contravention at a rate equal to three times the applicable permission fees on the date of commencement of such contravention for the period of such contravention or a quarter, whichever is more.

(2) In case of unauthorized media displayed by any agency not registered under **clause (3) of bye-law 4**, the owner of the property over which the unauthorized media has been displayed and the agency shall be, jointly and severally, liable for payment of the charge for such contravention as specified in **clause (1)**.

(3) In case of unauthorized media displayed by an agency registered under **clause (3) of bye-law 4**, the owner of the property over which the unauthorized media has been displayed and the agency shall be, jointly and severally, liable for the payment of charge for such contravention as specified in **clause (1)**. The registered agency which has displayed the unauthorized media shall also be liable to be deregistered by the Corporation:

Provided that any action for deregistration shall be taken by the Commissioner or an officer authorized by the Commissioner in this behalf, only after an opportunity of being heard has been provided to the registered agency:

Provided further that if the registered entity pays the charge for such contravention, removes the unauthorized

media within a period of **five days** from the date of notice of such contravention and gives a commitment to comply with the provisions of the bye-laws in future, then the Commissioner may, in good faith, provide an opportunity to the registered agency:

Provided further that the opportunity under the second proviso shall be provided only on one occasion of contravention and shall not be provided for any subsequent contravention within a period of **three years**.

(4) If the owner, promoter or Director of any agency that has been deregistered, is the owner, promoter or Director of any other registered agency, then action for deregistration shall be taken against such other registered agency:

Provided further that any action for deregistration shall be taken by the Commissioner or an officer authorized by the Commissioner in this behalf, only after an opportunity of being heard has been provided to the other registered agency.

(5) Consequent to the decision for deregistration of a registered agency under **clause (3) or clause (4)** above, any approval granted by the Corporation to any OMD of such registered agency shall be deemed to have been withdrawn forthwith without any further notice.

(6) A registered agency, once deregistered under **clause (3) or clause (4)** above, shall not be permitted to register for a period of three years from the date of deregistration.

(7) In case of continuing contravention beyond **fifteen days**, the property over which such contravention exists shall be debarred for display of advertisement for a period of **one year**.

(8) An officer authorized by the Commissioner, shall have the power to enter upon the property on or over which the unauthorized media has been displayed and remove such unauthorized media.

Insurance. **24** (1) The registered agency of the OMDs shall provide and keep in full force and effect in the joint names of the registered agency, a public liability insurance policy for their respective rights, interests and liabilities to the third parties in respect of accidental death, bodily injury to persons or accidental damage to the property.

(2) The registered agency shall produce evidence of the insurance public liability insurance policy to the Municipal Corporation.

Indemnity **25** (1) The registered agency shall be required to indemnify the Corporation against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon the Corporation which arise as a result of the installation or existence of OMDs.

(2) The registered agency shall always be responsible for any injury or damage caused or suffered by any person or property arising out of or relating to the display of advertisement and the consequential claim shall be borne by the owner who shall also indemnify and safeguard the Corporation, its employees or any entity employed/appointed by Corporation.

Repeal and **26** The Haryana Municipal Corporation Advertisement Byelaws, 2016 are hereby repealed.

saving. (2) Notwithstanding such repeal, anything done or any action taken under the said byelaws shall be deemed to have been done or taken under these byelaws.

Annexure 1
Registration Form
(See bye-law 3(1) and 3(6))
Municipal Corporation of
Registration for display of Outdoor Advertisement

1. Name of Company/ Firm/ Agency/ Owner with registration details in Companies Act or Limited Liability Partnership Act, 2009;
2. Registered Address:
3. Telephone Contacts:..... Business:
- Fax:..... E-Mail Address:.....

4. Details of the Directors/ Proprietors/ Partners:

Serial number.	Name	DIN No.	Mobile No.	E mail Address
(i)				
(ii)				

5. Memorandum of Association and Articles of Association of company;
6. Experience, details of agency in advertisement business for last 3 years, if available;
7. Work experience details of each Director of agency;
8. Details of Director who have been defaulter in any of the matter while remain Director in any other agency;
9. Balance sheet of last three years, if available;
10. Authorization letter by the Board of Directors (by passing resolution), not by any individual Director for Authorized signatory of agency;
11. Details of advertisement rights/ permission secured in last five years in any of the municipality of Haryana;
12. An undertaking that no amount is pending against it in any of the municipality of Haryana.
13. Type of entity:
14. PAN Number:
15. Service Tax Number:
16. Registration Amount:

10. The applicant firm/company has not been blacklisted by any Government entity in the last 3 years. Yes No

11. The applicant firm/company has no pending dues. Yes No

12. If yes please specify the total pending dues

13. The applicant firm/company has no court case pending. Yes No

I/we shall hereby abide the terms and conditions and guidelines of advertisement bye-law/policy framed by the Municipal Corporation. Also the information listed above is true and genuine and incase of adverse findings related to this, the registration shall stand cancelled. Yes Agree

SUBMIT

(In case of offline submission, please take print out of this form and submit it with the Demand Draft of such amount as specified by the Commissioner, Municipal Corporation time to time at Municipal Corporation office in favour of "The Commissioner, Municipal Corporation of, payable at,)

Note:- This is a typical format only and is subject to modification/ amendments by the Municipal Corporation offrom time to time. Latest version from the website to be used always.

Annexure 2
Approval Form
(See bye-law 4(3))

No.
 To,

Date:.....

.....
 Please refer to your application no., dated for registration of installation of Outdoor Media Device for Display of Outdoor Advertisement.

Dear Sir,

This is with reference to your application regarding registration with Municipal Corporation for installation of an Outdoor Media Device for display of outdoor advertisements.

It is to inform that following decision has been taken in consideration of your application:

1. Your application for registration is approved and unique identification number allotted to you is
 Please use the same for all future correspondence with the Municipal Corporation of and for activating your account on the website of Municipal Corporation,
2. Your application for new Media/ renewal is rejected on account of the following:
 - a. Incomplete application
 - b. Incorrect information provided
 - c. Pending dues with Municipal Corporation
 - d. Blacklisted status not verified
 - e. Others.....

Commissioner,

Municipal Corporation.....

Note¹: In case of rejection of application you may apply fresh on satisfying the above mentioned conditions.

Note²: This is a typical format only and is subject to modification/ amendment by the Municipal Corporation from time to time.

Annexure 3
Application Form
 (See bye-law 5(1), 5(2)(viii))

FOR OFFICE USE ONLY				
District:	City:	Ward:	Zone:	Permit Number:
Road/ Street/ Address:				
Date Granted:		Application No.:		
Permit Issue Date:		Permit Expired Date:		
Section I – Fees (No Cash accepted by mail)				
Application Fee (non refundable)				<input style="width: 50px; height: 20px;" type="text"/>
Account No.:		Bank Name:		IPSC code:
Account Number:			Total fees charged:	
Section II – Typology (Check the appropriate box)				
Type A • Bus and IPT Shelters <input type="checkbox"/> • Bus and IPT route markers <input type="checkbox"/> • Toilet Blocks <input type="checkbox"/> • Cycle Station <input type="checkbox"/> • Police booth <input type="checkbox"/> • Sitting benches <input type="checkbox"/> • Traffic Barricading <input type="checkbox"/> • Pylon mounted devices <input type="checkbox"/> • Metro/ MRTS/ FOB <input type="checkbox"/> • Public transport Vehicles <input type="checkbox"/>	Type B • OMD on Public land <input type="checkbox"/>	Type C • Billboards <input type="checkbox"/> • Unipoles <input type="checkbox"/> • Building Boards <input type="checkbox"/> • Wall Wraps <input type="checkbox"/> • LED/ Electronic <input type="checkbox"/>	Type D, E,F and G • Temporary Events <input type="checkbox"/> • Tree Guards <input type="checkbox"/> • Self Advertising <input type="checkbox"/> • Innovative <input type="checkbox"/>	

Section III –Applicant			
Name of the applicant (Please print or type name of firm or individual desiring permit);	Name of the Directors:	Unique Registration No.:	OMD ID:
Mailing address:	City:	State:	Office phone no/mobile no.:
Permanent address:	City:	State:	Pin code:
Section IV –Property			
Public <input type="checkbox"/>	Private <input type="checkbox"/>		
Owner Name (person/ association in control of property):	Address:	City:	Pin code: Phone no.:
Section V – Display location information			
Area:	Location: Khasra number:	Sector no: Street: Geo-Coordinate: Longitude/ Latitude:	Land mark:
Section VI – Media Specification			
Height:.....	Length:.....	Size (in sq. mtr.).....	
Material Metal <input type="checkbox"/> Wood <input type="checkbox"/> Others <input type="checkbox"/>	Illumination Yes <input type="checkbox"/> No <input type="checkbox"/>		Indicate Facing <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W
Section VII – Required documents			
Please upload the following documents:			
▪ Director’s information			Upload
▪ Building Permit/Property Tax			Upload
▪ Pan No.			Upload
▪ Service Tax No.			Upload
▪ Certificate of Structural Engineer Ownership Details			Upload
▪ Contract agreement between the owner and advertising agency			Upload
▪ City plan with location of advertisement sites			Upload
▪ Coordinates of OMD With GPS Location			Upload
▪ Photograph of the Site (signed by owner and agency)			Upload
▪ Sketch plan of the site (signed by owner and agency)			Upload
▪ Pending Dues (if any)			Upload
▪ Architectural Drawings (elevation, measurement scale 1:1000)			Upload

I/We, shall hereby abide by all provisions of bye-laws framed by the Municipal Corporation.

(In case of offline submission, please take print out of this form and submit it with Demand Draft of such amount as specified by the Commissioner, Municipal Corporation in favour of “The Commissioner, Municipal Corporation of, payable at))

SUBMIT

Note:- This is a typical format only and is subject to modification/amendment by the Municipal Corporation offrom time to time. Latest version from the website to be used always.

Annexure 4
(See bye-law 6(4))
Approval letter by the Municipal Corporation,

No.

Date:.....

To,

.....
.....

Please refer to your application no., dated for installation of New Outdoor Media Device/ renewal for Display of Outdoor Advertisement.

Dear Sir,

This is with reference to your application regarding installation of New Outdoor Media device/ renewal for display of Outdoor Advertisement by your Company/ Firm/ Agency with the Municipal Corporation,

It is to inform that following decision has been taken in consideration of your application:

1. Your application for New media/ renewal is approved for erection/ display of Outdoor Media Device from(date) to(date) of (size) (in sq. mtrs.) at(location), within(zone/ ward) limits of the Municipal Corporation of and You are hereby directed to deposit the quarterly fees of Rs. Within 07 days of issue of this letter.

2. The unique ID allotted to new OMD is.....

Your application for new Media/ renewal is rejected on account of the following:

1. Incomplete application
2. Incorrect information provided
3. Pending dues with Municipal Corporation
4. Blacklisted status not verified
5. Others.

Thanking you.

Commissioner,
Municipal Corporation.....

Endst no.

date:.....

A copy of above is forwarded to Sh. (Owner of property) at (Address), informing the above for information and stating that you shall be liable in case the agency (to whom you have entered in contract agreement(copy enclosed)) is in default of payment of any dues to the Municipal Corporation in view of above issued permission, and the Municipal Corporation shall have the right to recover the amount in default under the provisions of **section 130** of the **Haryana Municipal Corporation Act, 1994**, by way of attachment or sale of such property. Further, in case of any kind of unauthorized display by you after completion of period mentioned above shall also held you liable

Commissioner,
Municipal Corporation.....

Note: In case of rejection of application you may apply fresh on satisfying the above mentioned conditions.

Note: This is a typical format only and is subject to modification/ amendment by the Municipal Corporation from time to time.

Annexure 5
(See bye-law 15)

Typology	Typology Description
A.	Typology A: OMDs on public transport services / street furniture and public transport system
A1	Bus and Intermediate Public Transport (IPT) shelters
A2	Bus and IPT route markers
A3	Foot Over Bridges, Signage gantries, toilet blocks and urinals
A4	Cycle station

A5	Police booth, parking booth, telephone booth, pre- paid taxi booth, bus/rail booking information booth, drinking water facility, public utility kiosks, outside colonies to facilitate directory / payment of bills etc.
A6	Sitting bench, garbage bins
A7	Metro/MRTS
A8	Traffic barricading
A9	Public transport vehicle
B.	Typology B : OMDs on commercial advertising structures on public land
B1	OMD on public land
C.	Typology C: OMDs on commercial advertising structures on private land
C1	Unipoles, billboards, building boards.
C2	Wall wraps/ wall painting
C3	Multiple OMDs.
D.	Typology D: events
D1	Religious, Political and Conferences
D2	Entertainment and Exhibitions events
E.	Typology E: landscape advertising
E1	Tree guards
F.	Typology F: shop signage
F1	Self Advertising
G.	Typology G: innovative advertising
G1	Innovative advertising
H.	Typology H: cinema advertising
H1	In-cinema on screen advertising including slides and advertisement films (moving advertisements).
I.	Typology I: Inside commercial buildings and public buildings
I1	Inside commercial buildings and public buildings

The supporting structure shall have a non-reflective finish to prevent glare. The Outdoor Media Devices structure shall be well maintained at all times. It shall be painted in colors that are consistent with, and enhance the surroundings.

**Annexure 6
(See bye-law 6(6))
Standard Contract Agreement**

This agreement is entered into at _____ (name of City) on _____ between Municipal Corporation, _____ (LICENSOR) having its office at _____ through the Commissioner, Municipal Corporation, _____ hereinafter referred to as the **First Party** (which expression shall unless repugnant to the context mean and include its successors and assignees of the First Party).

AND

Shri / Smt. (Proprietor / Partner / Director)
of the firm M/s having its registered office at registered with MC _____ as Outdoor Media Agency hereinafter referred to as the **'Second Party'** (which expression shall unless repugnant to the context or meaning there of include the successors and assignees of the **Second Party**).

Whereas the **Second Party** has made an application for display of Outdoor Media Device on the land/building owned by sh/smt-----situated at----- for which second party has made bilateral agreement (Annexure 1) with the owner of property to erect a hoarding and display advertisement in his/her property for display, Under Section 121 of Haryana Municipal Corporation Act, 1994 and provisions of the

Haryana Municipal Corporation Advertisement Byelaws, 2018 applied vide Application ID..... to **First Party** on the premises of the above referred owner _____ for period of from to

NOW THEREFORE THIS AGREEMENT WITNESSETH AND IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERE TO AS FOLLOWS:

1. That the **Second party** hereby expressly agree and undertake to abide by the Haryana Municipal Corporation Act, 1994 and the provisions of Haryana Municipal Corporation Advertisement Byelaws, 2018, as amended time to time.
2. That the **Second Party** hereby expressly agrees to termination of contract at three months notice. In the event of default of terms and conditions of contract agreement, agreement shall be terminable forthwith
3. That the **Second Party** hereby undertake that the erection of the hoarding and display of advertisement shall not adversely affect or cause any obstruction to the air, light and ventilation of the building belonging to the Owners or to the neighboring building and / or premises.
4. The **Second Party** hereby further agree and undertake that they shall, at all times, hereafter, save and keep harmless and indemnify the Municipal Corporation and the Commissioner or either of them from all action, acts, suits cost claims, damages, demands of any nature made against any kind whatsoever which may be instituted and claimed.
5. The **Second Party** hereby further agree and undertake that they shall be liable for any claim, litigation and liabilities made against them by the **First Party**.
6. That the **Second Party** hereby agrees to timely deposition of annual permission fees in advance for the next year. It shall be ensured that advance fees is deposited thirty days prior to the lapse of annual permission fees paid, failing which the permission is liable to be cancelled. In case of non-deposition of fees, agreement shall be terminable forthwith and bank guarantee submitted by the Second party will be forfeited and pending dues, if any, will be adjusted
7. That the **Second Party** shall ensure proper maintenance of OMDs as defined in **byelaw 18** of the Haryana Municipal Corporation Advertisement Byelaws, 2018, as amended from time to time. In case of non-compliance, agreement shall be terminable forthwith and penalty as prescribed in the Byelaws will be imposed upon the firm.
8. That both the parties hereby agree that this agreement shall be deemed terminated on premature termination or expiry of the bilateral agreement signed between Second Party and owner of land/ building to erect a hoarding and display advertisement.
9. That the **First Party and Second Party** represents and warrant that they are authorized to sign this agreement.

IN THE WITNESS whereof the Parties have placed their respective hands and seals hereto on the day, month and year first herein above mentioned

SIGNED, STAMPED AND DELIVERED ON BY:

Representative of First Party	Representative of Second Party
Name:	Name:
Designation:	Designation:

IN PRESENCE OF WITNESSES

Sign:	Sign:
Name:	Name:
Designation	Designation

Schedule 1
General Permission Criteria - Outdoor Media Devices
(See bye-law – 3(5), 12(1) (i) (iii) and 15)

1. Traffic Hazard Potential Dependencies

(1) The traffic hazard potential of an OMD depends on its:

- (i) Site Location: OMD's location from the road which is measured in terms of lateral and longitudinal displacements from the edge of the road. The hazard generally diminishes the further the device is away from the road.

- (ii) size of the OMD,
 - (iii) luminance level of the OMD, and
 - (iv) background and other such related issues.
- (2) An advertising device may be considered a traffic hazard:
- (i) if it interferes with the effectiveness of a traffic control device (e.g. traffic light, stop or give way sign).
 - (ii) if it interferes with road safety or traffic efficiency
 - (iii) distracts a driver at a critical time (e.g. making a decision at an intersection).
 - (iv) obscures a driver's view of a road hazard (e.g. at corners or bends in the road).
 - (v) gives instructions to traffic to "stop", "halt" or other (e.g. give way or merge).
 - (vi) imitates a traffic control device
 - (vii) is a dangerous obstruction to road or other infrastructure, traffic, pedestrians, cyclists or other road users.
 - (viii) is in an area where there are several devices and the cumulative effect of those devices may be potentially hazardous.
 - (ix) if situated at locations where the demands on drivers' concentration due to road conditions are high such as at major intersections or merging and diverging lanes.
 - (x) if it violates the building bye-laws of Municipal Corporation.
- (3) Besides aforesaid, additional driver attention and decision making are required at the following:
- (i) high speed diverging, merging or weaving at an intersection such as at a "Y" intersection or large high-speed roundabouts;
 - (ii) in the vicinity of intersections where through lanes merge and where vehicles are required to merge at higher speeds (e.g. where "trap lanes" are created on the approaches to, or exit from, intersections and where a divided motorway becomes a two-way road);
 - (iii) intersections or sections of road which, because of lane configuration or geometry, may require an increased level of driver concentration (e.g. five-way intersections, back to back horizontal curves);
 - (iv) on the outside curve of a divided road where advertising is directed at traffic on the opposite carriageway and the geometry, angle or other factors make this undesirable;
 - (v) sections of road displaying traffic signals, directional signage, regulatory or advisory signage that (when considered singularly or in combination) are believed to be significantly more different or complex than would normally be expected (at these intersections, it would be expected that the required reading and interpretation period of the traffic control device(s) would be significantly longer);
 - (vi) sections of road that have a vehicle crash history higher than the system average;
 - (vii) pedestrian crossing facilities; and
 - (viii) schools, hospitals, old age homes.

2. OMD Location Selection Criteria

- (1) The site selection criteria comprise of:
- (i) the lateral placement of OMDs (which influences the hazard potential for an errant vehicle and the effectiveness of official traffic signs); and
 - (ii) the longitudinal placement of OMDs (driver distraction control) relative to designated traffic situations and official traffic signs, road features and other OMDs (which influences sight distances and driver distraction).
- (2) Lateral Placement
- (i) Advertising is not permitted in medians because these areas are set aside for important traffic control devices.
 - (ii) OMDs shall not be permitted on traffic islands.
 - (iii) Where carriageways diverge so much that oncoming traffic is not visible because of topography or dense vegetation.
- (3) Longitudinal Placement (Driver Distraction Controls)
- (i) Longitudinal placement set out minimum distances between the OMDs and traffic conflict points, official traffic signs and other OMDs (i.e. reduce advertising density).
 - (ii) To facilitate the smooth flow of the traffic and to avoid any traffic hazard caused by the placement of OMDs following shall be followed while finalizing longitudinal placement of any device, the distance for placement of OMD shall be measured from main carriageway or the edge of the junction, intersection, roundabouts etc.
- (4) Lateral and Longitudinal – Site Selection Criteria
- (i) **Lateral Criteria**

Site Selection Criteria for Lateral Placement of OMDs				
	Width (W) of Road including the ROW	Minimum Lateral Straight Clear Distance from the ROW of road to OMD	Curve Factor (In case there is curve on road)	Minimum Lateral Straight Clear Distance from the ROW of road to OMD (in case there is curve on road)
	1	2	3	4
(i)	W	1/3 rd of W	1.5	1.5 X 1/3 rd of W
e.g.	60 metres	1/3 X 60 = 20 metres	1.5	1.5 X 1/3(60) = 30 metres

- (a). The lateral distance criteria are applicable to all type of OMDs, except OMDs defined under Typology “A” in **Annexure-5**.
- (b). In case of a National Highway notified as an Expressway, the lateral distance shall be 1/3rd of ROW or 30 metres (whichever is greater) measured from the edge of the ROW as defined in item (xxiii) of clause (1) of bye-law 2; and in no case OMDs, shall be permitted within ROW of the National Highway
- (c). In case of National Highways and State Highways the lateral distance shall be 1/3rd of ROW or 10 metres (whichever is greater) measured from the edge of the ROW as defined in item (xxiii) of clause (1) of bye-law 2; and in no case OMDs, shall be permitted within the ROW of National Highway.
- (d). In case of scheduled roads declared by the Government under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, the lateral distance shall be measured from the edge of the ROW as defined in item (xxiii) of clause (1) of bye-law 2. The permissible lateral distance shall be either 1/3rd of the width of the ROW of the road as measured above or minimum 10 metres, whichever is greater.
- (e). In case of sector roads, municipal roads and roads other than scheduled roads, the lateral distance shall be measured from the edge of the ROW as defined in item (xxiii) of clause (1) of bye-law 2. The distance shall be 1/3rd of the ROW or 10 metres, whichever is lesser.

(ii) **Longitudinal Criteria**

Site Selection Criteria for Longitudinal Placement of OMDs			
	Minimum Longitudinal Straight Clear Distance between two OMDs along the road for notified speed upto 50 Km/ Hr	Speed Factor (In case notified speed of road is higher than 50Km/ Hr)	Minimum Longitudinal Straight Clear Distance between two OMDs along the road (In case notified speed is higher than 50Km/ Hr)
(i)	150 metres	i. 60 Km/ hr = 1.2 ii. 80 Km/ Hr = 1.5 iii. 100 Km/ Hr = 1.8	i. 150 X 1.2 = 180 metres ii. 150 X 1.5= 225 metres iii. 150 x 1.8 = 270 metres

Note: The longitudinal distance criteria shall be applicable to OMDs along any road or OMDs on public land, except OMDs defined in **Typology “A”** in **Annexure-5**.

- (iii) OMDs are not permitted within 75 metres of any road junction, traffic intersection or another road crossing. The distance will be measured from the edge of traffic inter-section not road junction or road crossing.
- (iv) OMDs shall not block any traffic signage or traffic signal or any other structure erected for the regulation of traffic.
- (v) OMDs are not permitted on a roundabout of diameter less than 100 metres measured from the outer width of the round-about (including the carriageway).
- (vi) OMDs on roundabout of diameter 100 metres and above measured from the outer width of the round-about (including the carriageway) are permitted at clear distance of 15 metres from the edge of carriageway.
- (vii) Where lateral placement requirements and driver distraction requirements are provided for by a particular restriction distance, the greater value shall be used.
- (viii) When two (2) OMDs, located together, are different in their general form, the driver distraction potential shall be determined considering both devices, simultaneously.

- (ix) The permissible distance between the edge of any Unipole OMD or Wallwrap OMD to any other Unipole OMD or Wallwrap OMD on private property shall be at least 50 metres of frontal façade.
 - (x) If an OMD is visible from more than one road or type of road (such as a motorway or motorway standard road and a ramp or other road) the restrictions shall be applied to each road or type of road the OMD is visible.
- (5) Physical characteristics of OMDs
- (i) The application of control on physical characteristics is intended to minimize the level of driver distraction. Control of the physical characteristics of Outdoor Advertising Devices shall relate to the:
 - (a). Size and shape
 - (b). Colour
 - (c). Illumination and Luminance
 - (d). Movement and Rotation
 - (e). OMD Content
 - (ii) Size and Shape
 - (a). OMDs shall not use shapes that could potentially result in an OMD being mistaken for the effectiveness of official traffic signs.
 - (b). The Code of Practice for Road Signs IRC:67-2001, by Indian Roads Congress prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.
 - (iii) Colour
 - (a). OMDs shall not use colour combinations that could potentially result in being mistaken for an official traffic sign.
 - (b). The Code of Practice for Road Signs **IRC: 67-2001**, by Indian Roads Congress prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.
 - (iv) Illumination and Luminance
 - (a). OMD shall not contain flashing red, blue or amber point light sources which, when viewed from the road, could give the appearance of an emergency service or other special purpose vehicle warning light's,
 - (b). All lighting associated with the OMD shall be directed solely on the OMD and its immediate surrounds.
 - (c). External illumination sources shall be shielded to ensure that external 'spot' light sources are not directed at approaching motorists.
 - (d). Illumination of OMD is to be concealed or be integral part of it.
 - (e). Up-lighting/upward pointing of the device shall not be allowed, any external lighting is to be downward pointing and focused directly on the OMD to prevent or minimize the escape of light beyond OMD.
 - (f). Any light source shall be shielded so that glare does not extend beyond the OMD.
 - (g). Non-static illuminated OMDs (flashing lights) are not permitted.
 - (h). The average maintained luminance shall be reduced to 0.5 candelas or all together shut, after 2300 hours (11 P.M) and sunrise by automatic timing devices or as specified by Municipal Corporation from time to time.
 - (i). OMDs containing retro-reflective material shall be rotated approximately five degrees away from the normal line of vehicle headlight beams in order to minimize specular reflection.
 - (v) Movement and Rotation
 - (a). Moving displays cause a statistically significant distractive influence on motorist's response times to external stimuli. Moving, rotating or variable message OMDs are permitted only in market place, parking spaces and other public spaces, where there is **only** pedestrian movement. In no case such advertisements shall be permitted towards vehicular traffic. (except advertisements affixed on public transport vehicles i.e. State Government Buses).
 - (b). OMDs on personal vehicles and any motor vehicle i.e. trailer advertising shall not be permitted.
 - (c). This permission criterion is not intended to apply to variable message displays used by road authorities for traffic management/ information. Variable message displays located at bus stops or similar places where messages are directed at, and intended for, pedestrians (not motorists) are excluded.

- (vi) Advertising Device Content

The Municipal Corporation will generally rely upon self- regulatory controls within the Advertising industry to enforce minimum Advertising standards. Notwithstanding this approach, the Municipal Corporation may take action to modify or remove any advertisement on the OMD that contravene the Advertising Industry's Code of Ethics, (refer List of Negative Advertisements provided in sub-rule 12(3) or that otherwise causes a traffic hazard.
- (vii) Legibility
 - (a). For all categories of OMDs (other than OMDs which are directed at pedestrians), text elements on an OMD face should be easily discernible to traveling motorists. This will minimize driver distraction. Additionally, a sign shall be quickly and easily interpreted so as to convey the required advertising message to the viewer and reduce the period of distraction.
 - (b). The content or graphic layout exhibited on OMD panel shall avoid hard-to-read and overlay intricate typefaces and have letters styles that are appropriate. Under no circumstances should device contain information in text sizes, which would necessitate the driver or passenger in a moving vehicle to stop, read and/or note down, which is detrimental to the smooth flow of traffic and distracting for the driver.
 - (c). All OMDs shall be so designed as to maintain a proportion where, as a general rule, letters should not appear to occupy more than 20% of the OMD area, unless otherwise permitted by the Municipal Corporation.

3. Installation, Operations and Maintenance Development Criteria

- (1) The following criteria shall also apply:
 - (i) Safe access shall be available to the OMD for erection, maintenance and alteration activities.
 - (ii) The OMD and surrounding areas shall be kept in a clean and tidy condition.
 - (iii) Unauthorized clearing, trimming, slashing and burning off or otherwise removal or destruction of vegetation is not permitted.
 - (iv) Apart from accommodating vehicular and pedestrian traffic, road reserves are corridors for utility services such as power, telecommunications, gas, storm water, water supply and sewerage. The location of these services is known by other agencies with their own legislative right to install these services within the road reserve.
 - (v) Municipal Corporation does not know the accurate location of all underground services. The owner is responsible to co-ordinate, inform and communicate to relevant authorities before any excavation or fabrication on site work is to be undertaken. Any liability, delay or accident that happens, is complete responsibility of the owner and in no way Municipal Corporation would be liable to help, support, negotiate or waive off any of the conditions set in the agreement or these bye-laws.
 - (vi) OMD owners are solely responsible for ensuring that during erection, maintenance, alteration and operation of an OMD, the device does not conflict with services or other things within the road reserve.
 - (vii) Municipal Corporation may ask the owner to either replace or altogether remove any OMD to facilitate the work undertaken by utility services such as power, telecommunications, gas, storm water, water supply and sewerage, or for road widening.

4. Structure

- (1) OMD structures devices shall be certified by a Structural Engineer practicing in the field of structural engineering. This requirement is not applicable to specific instances where the OMD is in the form of Advertisement pasted directly to the surface of a structure e.g. pasted sticker on a vehicle, wall wrap.
- (2) This certification confers compliance of the design with relevant Indian Structural Design Standards, Codes of practice and conditions of this guide. The foundations shall be designed and checked for extreme wind conditions, earthquakes, soil bearing capacity etc.
- (3) The supporting structure shall have a non-reflective finish to prevent glare.
- (4) The OMD structure shall be well maintained. It shall be painted in colours that are consistent with, and enhance, the surrounding area.
- (5) Official road furniture such as official signs and delineator guide posts shall not be used as the supporting structure of an OMD.
- (6) The name of the OMD permission holder, Number of permission/ media device identification number etc. shall be placed in a conspicuous position on the OMD as may be notified by Municipal Corporation from time to time.

5. Electrical Connections

- (1) Electrical connections to OMDs shall meet relevant Indian Standards.

- (2) Electrical connections to OMDs shall be designed to ensure there is no safety or traffic risk.
- (3) Electrical connections to OMDs shall be designed to be safe in the event of accidental knock down.
- (4) The registered agency is the power consumer and shall make application for power connection to obtain electricity connection from the respective electricity distribution company for illuminated display in his own name, for which Municipal Corporation/ concerned land owning agency would provide necessary no objection certificate on the owner's request.
- (5) Any charges for power connection and supply shall be incurred directly by the registered agency. A copy of the electricity supplier's letter of acceptance/ billing arrangement shall be submitted to Municipal Corporation.
- (6) The electrical installation work shall be performed by a licensed electrical worker in accordance with the relevant Electricity Regulation and, the Wiring Rules and the relevant electricity supplier's requirements.
- (7) Adequate insulation and protection equipment and procedures shall be in place to protect maintenance and service personnel working on either the OMD or the road lighting circuit. For earthing, a separate earth electrode shall be used, and active and neutral conductors shall be used only for supply from the supply point.
- (8) A sketch plan shall be submitted to Government Authority showing the location from where the electricity is being drawn along with position of various other ancillary requirements, duly signed by a qualified electrical engineer practicing in same field.
- (9) A copy of the electrical contractor's test certificate shall be provided to Municipal Corporation. The switching device shall be of a type approved by the electricity supplier. Electrical components shall accord with relevant Indian Standards.

6. Miscellaneous

- (1) OMDs involving communication through sound, smell, etc. are not permitted.
- (2) No generator running on diesel/ petrol/ kerosene or any bio fuel, causing noise, air or water pollution would be allowed for providing power for illumination of any OMD.

7. List of Non Permissible Outdoor Advertisement

- (1) Advertisements affixed on public property by pasting.
- (2) Banners.
- (3) Advertisement by way of pasting on Pillars/ Pylon.

8. OMDs on Public Transport Services/ Street Furniture (Typology 'A')

(1) Bus and Intermediate Public Transport (IPT) Shelters

Sr. No.	OMD Feature	Maximum permitted size (in metres)
1.	OMDs at the roof of shelter	i. One front panel - 9 x 0.3 ii. 2 side panels – 3 x 0.3
2.	OMDs at structure of shelter	i. One back panel parallel to road – 9 x 1.2 ii. One pole mounted back lit panel – 1.8 x 1.2

- (i) The approach end of passenger transport shelter shall be open to provide waiting passengers with maximum visibility of the approaching passenger transport vehicle.
- (2) Bus and Intermediate Public Transport (IPT) Route Marker.

Sr. No.	OMD Feature	Maximum permitted size (in metres)
1.	OMD space on both side of Route Marker	i. 1.2 x 2.0 (height) 0.2 x 2.0 shall be reserved for bus related information on both side

- (3) Advertisement regulation criteria for Foot Over Bridges.
 - (i) The advertisement shall be permitted only of transparent nature, on inside wall of pathway and with maximum height of 0.75 metre from the top surface of pathway. In all circumstances, the activities happening on pathway shall be clearly visible to public from all sides.
 - (ii) The advertisement visible from road shall be permitted on the side of the Foot Over Bridge in the opposite direction to the direction of traffic.
- (4) Public Toilet block and cycle station.

Sr. No.	OMD Feature	Maximum permitted size (in metres)
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1.	Maximum space for OMD on surface.	<ul style="list-style-type: none"> Seventy percent of total surface area of block. Additional back lit panel of at least 1.8 x 1.2 with city map/ neighbourhood map/ route map shall also be provided.
2.	<ul style="list-style-type: none"> In no case the height of OMD shall be above the parapet of structure. In case of public toilets water storage tanks shall be properly concealed and shall not be visible to public. 	

(5) Public Utility Furniture- Booths (e.g police booth, telephone booth, etc.)

Sr. No.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD on surface.	<ul style="list-style-type: none"> Seventy percent of total surface area of three sides of Booth. OMD on back side of booth is not permitted. OMD on glass surface (For light and ventilation) of booth is not permitted.

(6) Public Utility Furniture- Sitting Benches and Garbage Bins

Sr. No.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD.	<ul style="list-style-type: none"> percentage of total surface area decided by Municipal Corporation. OMD shall be facing pedestrian pathway only.

General Note:

- (i) The OMD panels shall be backlit without additional projected brackets (except sitting benches and Garbage bins).
- (ii) Non static illumination, neons, changing LEDs, changing of illumination color, flashing lights are not permitted.
- (iii) To be developed preferably on BOT basis, where BOT is not possible or for existing infrastructure, the advertisement space to be bid out with maintenance of amenity as an obligation on the bidder.
- (iv) Ventilation and natural lightning of structure shall not be compromised for installation of OMD.
- (v) Locations of Bus and IPT Shelter, toilet block, cycle station, utility booths and public utility sitting bench shall be identified by Municipal Corporation.
- (vi) The OMD shall not cause any hindrance to the flow of vehicular and pedestrian traffic.

9. OMDs on Public Transport System (Typology 'A')

(1) In public transport system, OMDs are permitted on rolling stocks, stations, shelters, Foot-Over-Bridges and other properties (except Metro structural pillars/ columns).

(2) OMDs on metro stations, shelters, foot-over-Bridges and other properties shall be installed as such that it does not face the direction of traffic on the public road.

(3) The location of OMDs shall be identified by the person, Company, Board or statutory Authority operating the public transport system with the approval of the Municipal Corporation. These shall be identified on case to case basis.

(4) The OMDs permitted shall follow the specification stated in the bye-law, as per typology and shall get audited by 3rd party only indulged in consultancy over road safety. In no case the 3rd party (or its sister company) shall be indulged in advertisement display business

(5) Traffic barricading

Sr. No.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD on both side of barricade	<ul style="list-style-type: none"> Maximum length – 0.6 Maximum Height – 0.3

10. Typical advertising device dimensions for Typology 'B' and 'C' OMDs (except Wall Wrap).

Type	Dimensions (in metres)	Remarks
Standard OMDs	4.6 x 3.05	Can be Placed at Drivers Eye Height, which shall not disrupt any pedestrian movement.
	6.1 x 3.05	Shall not come under direct horizontal vision of Drivers eye. Bottom of the advertisement panel should be minimum 3m above the adjacent road edge and foundation pole shall be away minimum 10metres from

		road edge.
Unipole and Large Size Billboards	4.5 x 2.25	Road with not less than 45 metres Row with minimum offset from paved road edge 10m
	5.0 x 2.5	
	7.6 x 3.8	Road with not less than 60 metres ROW with minimum offset from last paved road edge un-signalized intersections or roundabouts. Face not towards fast moving road traffic or along access controlled road/highways.
	10.0 x 5.0	Strictly in Pedestrian and Parking/ Market areas only.

(1) Municipal Corporation shall ensure that aforesaid sizes are used increasingly to bring more aesthetics in the City. The Registered Entities shall use the aforesaid standard dimensions.

(2) Where no or little construction has happened in such cases only the unipoles and billboards of sizes specified above shall be permitted.

(3) Gantries shall be permitted only on municipal road with divided carriageway for welcome signs and social messaging by Municipal Corporation. The sponsor OMD shall be put up on other side of the gantry i.e. opposite side of the incoming traffic. The clear distance between the road and lowest surface of gantries shall not be less than 8 metres.

(4) On vacant OMDs, mobile numbers covering the whole space shall not be permitted. Mobile numbers shall be provided in 1/10th of total space of OMD.

11. Maximum Permissible area for on premises advertisement.

(1) The maximum permissible area available for on premises (including buildings and land) advertisement on each face of the building, visible from public street/ road shall be as per table given below:

Sr. no.	Type of building	Maximum permissible area (on each face of the building) of the total area.
1.	Shopping mall, Corporate Office, Shop/ shopping complex	20%
2.	Self employed office i.e. Self Advertisers (Office/ Shop Signage)	2%

(i) Wall wraps shall allow natural light in the building by having material with 75% transparency.

(ii) The height of OMD is restricted in accordance to the height of building, which is as under:

Sr. No.	Height of Building (in metres)	Maximum height of OMD
1.	Upto three Storeys (upto 15 metres)	8 metres
2.	Four to Eight Storeys (15 to 36 metres)	12 metres
3.	Above Eight Storeys (above 36 metres)	15 metres

Provided that no openable door/ window shall be covered. Further, the advertisement shall not disturb the basic architectural character, features (i.e. arches, columns, niches, projections, etc.), standard façade (approved by authority) and shape of building.

12. OMDs for Events (Typology 'D')

(1) These OMDs shall be installed only for events such as conferences, entertainment events, exhibitions, etc and only on temporary structures permitted by Municipal Corporation.

(2) These OMDs shall not violate any of the provision of this Bye-law.

(3) These OMDs shall be permitted to install 30 days prior to the event and shall be removed within 24 hours of finishing of event.

(4) OMDs mentioned under **Typology-D1** shall be exempted from registration and payment of fees/ charges.

(5) OMDs mentioned under **Typology-D2** shall pay fee as decided by Municipal Corporation, but are exempted from registration process.

(6) Penal charges for violating provision of byelaw and not removing OMD after finishing of event shall be applicable on all OMDs defined under **Typology-D** and shall be charged on daily basis as decided by Municipal Corporation.

13. OMDs for Landscape Advertisement (Typology 'E')

(1) Landscape OMDs are permitted on only Tree guards, to cover trees less than 3 years old and/ or height less than 4 metres.

(2) The tree guard shall be of square size with 1.2 to 1.5 metre side and height of 1.5 metres.

Sr. No.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD shall be square plates on each side of guard	<ul style="list-style-type: none"> • Maximum length – equal to the width of guard • Maximum height – 0.9 • The bottom of OMD shall be 0.3 metre high from the ground.

14. Self Advertisements (Typology 'F')

- (1) The content of self advertisement is permitted only to the extent of office/ shop signage by the owner of the office/ shop. No third party advertisement shall be permitted on/ along self advertisement.
- (2) Self advertisement is permitted only on 2% of the total area of facia/ facade of the building, in form of bill board, walls wrap. If the owner utilizes more than 2% of total area for self advertising, then it shall be considered under categories defined in **Annexure-5** and accordingly applicable fee/ charges shall be levied.
- (3) In case of shops, the height of self advertisement board is limited to one metre and width shall be limited to width of building, installed above the lintel height of shop. In shopping complex, all shops shall maintain the uniformity in clear height of self advertisement board.
- (4) The self advertisement board shall not project beyond 150mm from the face of building.
- (5) Self advertisement by hawkers on stationary kiosk or handcart is limited to 3 square metres with dimension of 3 metres x 1 metre.
- (6) Self advertisement for rickshaw is limited to 1.5 square metres with 1 metre x 0.5 metre panel of back and both side of rickshaw.
- (7) Ground OMD shall not be permitted on ROW and pedestrian pathway.
- (8) Size of ground OMD shall be 0.3 square metres for every meter distance away from ROW, with maximum size limited to 2 square metres with size 2 metre x 1 metre.
- (9) On petrol pumps, only self advertising of Oil Company's Product or public messages are permitted, as per contract agreement between the Oil companies and distributors. 3rd party commercial advertisement is not permitted.

15. Innovative OMD's (Typology 'G')

- (1) Specific permission shall be required to be obtained for Innovative OMDs such as LED, LCD, inflatable or Gas Balloon and other such media.
- (2) This approval shall be for specified duration, and shall be in terms of **bye-law 6**.
- (3) While driving the drivers glance from road to read the content of sign, and then glance back on road. LED signs (without colour changes) are acceptable format of advertisement on building façade, since these are expected to be representing specific brand names and do not contain high visual information.
- (4) LCD / LED screens which typically contain high graphic and visual images shall be restricted to market areas, parking places, parks, walkways, primarily not facing vehicular movement of traffic.
- (5) Use of OMDs for distribution of Wi-Fi hotspots, mobile telephony antennae/ towers shall be permitted, based on specific project report.
- (6) Besides aforesaid, other criteria shall be:
 - (i) Frequency and extent of movement and colour change within a display.
 - (ii) OMD shall be installed only where the required sign viewing time does not result in a safety problem for the particular environment.
 - (iii) There is adequate advance visibility to read the sign.
 - (iv) The environment is free from driver decision points and there is no competition with official traffic signs.
 - (v) The device is not a moving Outdoor Media Device.
 - (vi) Long duration display periods are preferred in order to minimize driver distraction and reduce the amount of perceived movement. Each screen shall have a minimum display period of 8 seconds. The time taken for consecutive displays to change shall be within 0.1 seconds.
 - (vii) The complete screen display shall change instantaneously. Methods of display change such as 'fly in' or 'scroll', or any other type of message change, are not recommended.
 - (viii) Sequential message sets are not allowed.
 - (ix) The time limits may be reviewed periodically.
- (7) The gas balloons or inflatable OMDs shall be granted permission on following criteria, namely:-
 - (i) The gas balloons OMD shall be installed/ hooked in open area and to the ground with fixed anchor.
 - (ii) NOC shall be taken from Fire Officer, with regard to its fire safety.
 - (iii) Gas balloons OMDs are not permitted near/ around high rise building/ high voltage lines/ electricity towers and its distance from the nearest building/ High Voltage lines/ electricity towers shall be 1.5 times the total height of gas balloon.
 - (iv) Inflatable OMDs shall be inflate with air (any kind of gas is not permitted).
- (8) The policy shall be open for adopting new technologies provided they do not contravene any general permission criteria, and shall also be approved by the Municipal Corporation. The permission shall be taken from the Municipal Corporation before implementing any such mediums.

16. Permission criteria

- (1) All on premises OMDs/ business/ trade signs shall be restricted to commercial areas and authorized business/ trade establishments within institutional areas.
- (2) OMDs are not permitted in residential areas. However, OMDs in commercial component (i.e. neighbourhood market place) in residential area are permitted. OMDs shall strictly face the market only and in no circumstance shall face residential area.
- (3) Illuminated-On premise OMD is not permitted in shops/commercial establishments facing residential areas on streets with width less than 12 meters.
- (4) No OMD shall be attached in any way to trees or shrubs.
- (5) No trade and business sign, messages, posters or printed material of any nature shall be pasted onto any supporting column, pillar or post.
- (6) On premise OMD in any form shall not obstruct any pedestrian movement (vertically and laterally), fire escape, door or window openings
- (7) On premise OMD shall not in any form or manner interfere with openings required for light and ventilation.
- (8) Under no circumstances shall on premise OMD be located to obstruct or alter the frontal silhouette of any transparent/ translucent surfaces/ openings.
- (9) Non-illuminated transparent/ translucent signs shall be permitted on transparent/ translucent external surfaces at any level.
- (10) No trade and business sign shall be in any form or manner interfere with fire safety transit/ exit space requirements and prescribed norms.
- (11) All on premise Outdoor Media Device shall under no circumstances reflect activity/ activities other than those undertaken within the premises.
- (12) No OMD shall contain additional Advertising -promoting products or services other than approve use of the premises or site irrespective of whether that product or service is provided, sold or available on the site.
- (13) All on Premise OMD shall have the compulsory required information as under:
 - (i) Name of the trade and business
 - (ii) Shop/Premise number
- (14) All on premise OMD shall conform to the prevailing laws with regard to decency, decorum, social harmony etc.
- (15) All the OMD shall be visually interesting and exhibit a high level of design quality.
- (16) All on premise OMD must conform to structural/ architectural discipline of the surface/ edifice/ building/ open areas.
- (17) The scale and location of a sign shall be compatible not only with the building to which it is affixed but also take into consideration nearby buildings, streets and existing signs.
- (18) Materials used in all on premise OMDs shall be non-polluting, fire resistant and injury proof.
- (19) Any new sign Media Device shall consider existing signs on a building, site or adjoining streetscape to ensure that the sign does not give rise to visual and/ or physical clutter.
- (20) The cabling and conduit shall be concealed from view of the sign and any supporting structure from all angles, including visibility from the street level and nearby higher buildings and against the skyline.
- (21) No sign under any circumstances shall be supported from, hung or placed on other signs. Each sign shall be self-supporting or fixed securely with the architectural structure.
- (22) Signs painted on or applied on the roof of a building are not permitted. Signs built and/ or suspended from the roof at the roof level are also not permitted.
- (23) OMD on the rooftop of building is not permitted.
- (24) OMD on building surface in no circumstance shall project beyond the width of building.
- (25) OMDs shall not be put up on overhead traffic signs, ground mounted traffic signs, overhead traffic signals, and ground mounted traffic signals.
- (26) OMDS are not permitted on telephone/ electric poles/ transformers/ High Transmission line towers.
- (27) OMD shall not be allowed to install within One Hundred metres of a construction zone of roadwork site, where construction is going on.
- (28) The sign information shall be kept to a minimum in the interest of both aesthetics and traffic safely.
 - (i) Where subordinate information is allowed, the name or use of the business shall be the dominant message on the sign- No supplementary (as in bylines, product specifications, selling propositions) and subordinate information (addresses, telephone numbers, and other such details) which seeks the attention of drivers along vehicular stretches shall be allowed as they present a traffic hazard.
 - (ii) Sign shall be non-reflective such that they do not flash or glare at drivers on the streets. Signs shall not use reflective surfaces as mirror foils etc. as the use of such material are visually disruptive to traffic and may be hazardous to oncoming drivers.

(iii) All permitted signs shall attract levies payable as outlined by the Municipal Corporation.

(iv) In no case, OMD shall project over the ROW and pedestrian pathway.

(29) Where these byelaws are silent, provisions stated in **IRC-46-1972** "A Policy on Roadside Advertisement" shall be referred.

17. Acknowledgement OMDs.

(1) Acknowledgment OMD shall not contain contact information, directions, slogans, telephone numbers, or internet addresses. It shall have their acknowledgment logo placed on an Acknowledgment OMD. The acknowledgment logo shall be less than 1/3 of total OMD surface area specified below.

(2) Acknowledgment OMD on green lawns, landscaped islands, pedestrian/ cyclist pathway and central medians shall be restricted to 0.2 square metres area plate, and their spacing shall not be less than 15 metres at a road

(3) With speed less than 50km/h. If it is on roundabouts then spacing along installed perimeter length shall be taken and standard dimension board of 800mm and 250mm shall be installed. The installed sign shall not obstruct the view of any directional/diversion/warning sign. Such signages are qualified as Acknowledgement Signs and shall contain acknowledgment of sponsor only and no third party advertisement shall be permitted.

(4) Acknowledgement sign shall not be installed on the front or back of, adjacent to, or in close proximity to any other traffic control device, including traffic signs. At key decision points where a road user's attention is more appropriately focused on other traffic control devices, roadway geometry, or traffic conditions, including exit and entrance ramps, intersections, highway-rail grade crossings, toll plazas, temporary traffic control zones, and areas of limited sight distance. The minimum spacing between acknowledgment signs shall not be less than 25 metres at a road with speed less than 50km/hr.

18. Marquee OMD (Hangs from canopy projecting from the building) shall not be more than 2 metres in height and its bottom shall be 2.5 metres above the footpath.

Anand Mohan Sharan,
Principal Secretary to Government, Haryana,
Urban Local Bodies Department.