

Finalised as per the directions of the Hon'ble Supreme Court by the Environment Pollution (Prevention and Control) Authority on September 10, 2007.

Outdoor policy -defining strategy for change, an initiative by MCD
EPCA report on the Outdoor Advertisement Policy of the Municipal Corporation of Delhi (MCD) as applicable also to the area under the New Delhi Municipal Corporation (NDMC) and other Agencies

The Honorable Supreme Court in its order dated 27.4.2007 directed EPCA to examine and file its opinion on the Outdoor Advertisement Policy prepared by the Municipal Corporation of Delhi. EPCA has held consultations with different city agencies concerned with the policy, as well as heard the representation of different groups who have direct involvement in the matter. Based on these meetings and EPCA's review of global practices, the following recommendations are being made.

1. Background: Hon'ble Courts have mandated safety

The Hon'ble Supreme Court directed in its order of November 20, 1997 and then reiterated on 10.12.1997 (M C Mehta v Union of India) that safety of road users is paramount. It had clarified that hazardous hoarding, which are disturbance to safe traffic movement, are those which are visible to traffic on the road. It accordingly directed for removal of these hoardings. On 16.04.2001 in the case of P Narayana Bhat v State of Tamil Nadu, it had further clarified its previous order saying that "mere visibility of the hoarding to the traffic" was not a sufficient reason for removal of the hoarding and could not be deemed as hazardous.

In another matter (Chandigarh Administration v Namit Kumar) the state government had appealed against the decision of the High Court to direct the removal of advertisements facing highway main roads and side roads on grounds that it would lead to huge loss of revenue. The Hon'ble Supreme Court while disposing off the matter on September 27, 2004 maintained its earlier position on the hazards of public hoarding, while allowing for affected parties and the state government to bring to the notice of the High Court that there is no safety hazard involved.

The Delhi High Court in its order dated 26.03.2007 (Court on its motion vs Union of India) directed that "hoarding and/or advertising boards near and facing the roads are traffic hazards." The Hon'ble High court reiterated the Hon'ble Supreme Court order of November 20, 1997. It rejected the application of the Delhi Outdoor Advertisers

Association and made it clear that the officers of the government, who have taken a decision to permit hoarding in the teeth of the Hon'ble Supreme Court order, have “clearly misread” the direction and this “ex-facie amounts to violation of the orders of the court.”

In Municipal Corporation of Delhi (MCD) on 9.5.2007 filed an appeal against this order in the Supreme Court. The key questions raised in the appeal of MCD are:

i. Whether the High Court was right in substituting its views where studies conducted by expert bodies have revealed that there is no connection or relation between advertisements and accidents;

ii. Whether overruling of extensive research in this aspect which has been conducted in Delhi by the department of transport and planning and the school of planning and architecture was warranted. Further, the traffic police, Delhi have not produced any statistical evidence to show any correlation between advertisements traffics and accidents. Overruling the studies conducted by expert bodies by the Hon'ble High Court was not warranted and runs contrary to various judgments by this Hon'ble Court that courts ought to restrain itself in matters of policy?

The outdoor advertisement policy of the MCD, given to EPCA was based on this premise: that there is no connection between hoardings and traffic accidents. EPCA has carefully deliberated on this issue, drawing upon the research and experiences of different countries.

2. The basis of the policy: the need to account for traffic safety

The MCD SLP no 9232/2007 takes the plea that studies do not show any relationship conducted between hoardings and accidents. It uses two studies by – the Delhi based School of Planning and Architecture and the Kolkata based Centre for Advance Research on Transportation (CART) to substantiate its position. EPCA finds, based on global literature survey and its review of the mentioned studies, that this position is inaccurate and cannot be the basis of the policy. It is clear from studies done across the world that there is substantial concern regarding the correlation between the distraction caused by the outdoor advertisements and driving. The studies state that it is not possible to correlate the danger to the specific accidents caused in the city, partly because drivers fear losing their insurance claim and partly because data does not exist in accident records, which tracks the correlation. The two studies Indian cited by the agency are also found seriously lacking in their research methodology and basis.

For instance, the Australian government's Report of the Road Safety Committee on the Inquiry into Driver Distraction makes it clear that visual clutter impacts driver safety. It also quotes that a motor insurance company observed from their investigations that the clutter of road signs and advertising accounted for a number of crashes.

A global review and analysis of different studies done by B Wallace, a UK based researcher found that following:

- a. The effect is real. However, it is situation-specific. Many billboards and signs may have no measurable impact on road safety, but there is overwhelming evidence that, at least in some situations, signs and billboards can be a threat to road safety.
- b. Almost all studies agree that too much 'visual clutter' at or near intersections and junctions can interfere with drivers' visual search strategies and lead to accidents.

The Indian studies as mentioned above, cited by the MCD, do not find any correlation between road safety and outdoor hoardings. However, a careful review of the two studies finds serious flaws in their research methodology and resultant conclusions. The study done by the School of Planning and Architecture, New Delhi has only reviewed global studies that found no connection or studies whose results were inconclusive. It ignores in its review the numerous studies (available easily) that have found such correlations. It also ignores the basic issue raised by international studies that even if the driver does not cite a correlation between the hoarding and his or her distraction, it cannot be negated. The school of planning study uses police data to prove that there is no correlation between the two. However it does not clarify if the police are required to specifically question (as part of their questionnaire) those involved in the accident if they were affected by roadside signs? And even if they were, would the driver admit to the police because of legal and insurance claim issues.

The Calcutta study, cited by the MCD in its affidavit, incidentally was commissioned Selvel advertising limited, which has major stakes in the business. This study, done by the Centre for Advance Research on Transportation, Indian Institute of Social Welfare and Business Management is also poor on methodology. For instance, its conclusions have been drawn on the basis that accidents were mostly caused by negligence and carelessness of drivers, passengers and pedestrians. However, the possibility that hoardings may have led to the negligence in the first place (distraction, moving signs) is not questioned. This is in spite of many previous studies that found such links, notably ones which found an increase in accidents at/near 'visually cluttered' junctions. The study also draws on accident related data collected by the police. But it gives little cognizance to the fact that police questionnaire does not have a provision specific to the hoarding-accident linkage.

It is therefore clear that an Indian policy for outdoor hoarding must not negate the safety of road users and in fact, it must be driven by the concern for road safety.

This concern drives the outdoor advertisement policy in most major cities. The city of Malborough in New Zealand, for instance, in its outdoor advertising policy says that there is a need for signs but they may have an adverse effect on visual amenities and traffic safety. It adds that in particular, from a traffic safety viewpoint, careful consideration needs to be given to the location, design, size or type of sign along major arterial routes, where the potential for conflicts with traffic safety are highest. Their policy is to avoid the display of outdoor advertising which may adversely affect traffic safety by causing confusion or distraction to, or obstructing the views, of motorists or pedestrians.”

Even while outdoor advertisements do bring revenue to the city, policy must be driven by considerations of safety and aesthetics.

EPCA has taken the view that all hoardings are not hazardous, but clearly hoardings on roads, visible to traffic, are potential dangers to drivers. The outdoor advertising policy must give careful and high consideration to issues of road safety. This would require the policy to consider the location, design, size or type of sign along the arterial routes, where the potential for conflicts with traffic safety is highest. It would also require enforcement measures to ensure that these hoardings follow these stipulations.

3. City aesthetics: Maintaining balance between revenue and aesthetics

It is also clear that cities across the world are learning the need to balance city aesthetics with revenues that they earn through advertisements, often the hard way. Beijing, for instance, has decided to remove all hoarding within the city. Its officials say this is being done to “to sanitize the city's image cranes have dismantled many of the 90odd billboards lining the city roads. An advertising ban has been extended across most of the city. City officials want to prevent Beijing from becoming one very big Times Square. Now billboards are to be allowed only along the fifth ring road encircling the city – many miles away from the city centre.

Similarly, Arnold Schwarzenegger, as governor of California is insisting on strict regulation of outdoor advertisements. The state's outdoor advertising act 2005 is, he says, intended to protect public investment in highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

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In many cities of UK, local councils have removed hoardings, which they say leads to improving the visual environment and image. These cities say that the objective of the outdoor advertising policy is “to seek the enhancement of the physical character and visual appearance of the city.” These cities argue that 'promotion signs' – hoarding which advertise products – can significantly add to the visual clutter in a locality and so are not encouraged. In other cities the outdoor advertisement policy is designed to discourage the proliferation of signs along major transport routes, including roadways and railways. Given this objective, these cities say that major promotion signs are “generally inconsistent with their image” and are generally discouraged.

In its global review, EPCA found a significant number of cities, which discourage the use of large hoarding within the city. Hoardings are preferred in highways or if these large billboards are allowed within the city limit, then these are restricted to business or already commercial districts and areas. For instance, the city of Sydney in its policy for outdoor advertising says the objective is to “reduce the number of large and freestanding billboard signs in the city.

Sydney and many other cities argue that commercial signs (hoardings) are only necessary

when they are important to the amenity of the city. Therefore, under policy, advertising hoardings are 'discouraged' and only permitted based on the following criterion:

- a. If they support the commercial viability of a significant building tenant (advertisements in cinemas etc)
- b. If they advertise a civic/community event involving the city
- c. If they can be considered as public art
- d. If the cumulative impact of the signs does not give rise to visual clutter.

The city explicitly bans the use of commercial advertising signs on pedestrian or vehicular overpasses, over-bridges, bridges, elevated roadways (our flyovers).

Land use determines hoarding placement

It is also evident from the policies of cities that commercial advertisements are promoted primarily in parts of the city which are commercial in nature. For instance, the South African city of Manguang has divided the city into zones, which then decides the advertisement policy. For instance, while some advertisements is allowed in mixed land use areas, it is openly promoted in business, industrial and shopping districts and discouraged in residential areas and urban freeways. Signs are only allowed on urban roads where the road agency demonstrates that it is satisfied that the effect on traffic safety is within acceptable norms.

This concern is not restricted to cities aboard. The New Delhi Municipal Council (NDMC) in its submission to EPCA had made it clear that it does not intend to permit any hoardings in its area. Instead advertisements have been limited to street furniture, street lighting poles and on utilities – bus shelters, public conveniences etc. Clearly, the question then is why should large hoardings be allowed on the roads of the rest of the city?

4. EPCA's recommended modifications

The guiding principles of the Outdoor Advertising Policy will be as follows:

1. The policy for outdoor advertising will be driven, not by revenue imperatives, but by city development imperatives. Therefore, in its implementation, it will be clear that outdoor hoardings are permitted only if they are not a road safety hazard or if they support the city's public service development and enhance its aesthetics.
2. The policy will explicitly work to discourage visual clutter. This will be done by increasing the space between the billboards and in restricting large billboards to select areas of the city, like its commercial hubs.
3. The policy will be designed to ensure that outdoor advertising is not hazardous to road traffic. It will assume that there is a significant correlation between road safety and distraction because of roadside billboards, visible to the drivers. This will be done by allowing large size billboards only after significant distance from the traffic junctions and intersections, by providing significant space between the two billboards on roads, by completely banning billboards on pedestrian walkways and in placing billboards at significant distance from the right of way of any road.

4. In addition, large size billboards will be completely banned on major city arterial roads, like the ring road. The list of roads will be decided jointly between the MCD and the traffic police.

5. The policy will actively promote the large size billboards in commercial areas (defined as metropolitan city centre, district centre/sub central business district, community centre/local shopping centre/convenience shopping centre in the master plan) of the city. In this case, the agency will work to maximize the revenue gains, which can be used for city development.

6. The policy will also promote the use of advertising in what is commonly known as street furniture. These are devices placed on public service amenities of the city like railway carriages, buses, metro trains, commercial passenger vehicles, bus shelters, metro shelters, public toilets and public garbage facilities, to name a few.

This is done to improve the revenue viability of these public provisions. But it will be noted that the use of advertising space is not the primary function of the utility, it is its supporting function. Therefore, the city agency will ensure that the placement of the public utility is done keeping in mind its public purpose, not its advertising viability. In addition, the agency will ensure that the primary function of the "street furniture" is being maintained and if not then suitable punitive action must be taken against the advertising concessionaire.

7. The policy will be judicious in ensuring that there is a differentiation between the use of commercial advertising and private advertising, where signage is used to identify the location of the owner of the building or the space within the building. The policy will do this by laying down clear lists of what is allowed and what is completely disallowed to guide members of the public.

5. Directions sought from the Hon'ble Supreme Court

1. The MCD policy for Outdoor Advertising as amended after discussions with stakeholders and finalized on September 6, 2007 should be cleared with the addition of the guiding principles as enunciated by EPCA.

2. It should be made clear that this policy will be applicable to the entire city. The city agency will only be allowed to modify the policy if it is more stringent and protective for road safety as well as city aesthetics.

3. The policy will be governed by strict adherence and enforcement. In case, the allowances given in this policy are misused, then it will be withdrawn and the directions already given by the Hon'ble Supreme Court in its order of November 20, 1997 will be put into effect immediately.

4. The Hon'ble Supreme Court may also direct that this policy is the matter of the apex court and no court can give directions and stay which are contrary to the policy. After the introduction of this policy all stay orders granted by courts will be vacated in order to ensure strict adherence to its guidelines and provisions.

5. The policy will be put out in the public domain so that it provides citizens an opportunity to intervene in cases of misuse.

6. The implementation of the policy will be reviewed in terms of its adherence to the guiding principles and specific provisions at the end of the next calendar year and reported to the Hon'ble Supreme Court.

7. The Hon'ble Supreme Court may also direct that before any new outdoor advertising

tender or contract is signed based on this policy, all the non-conforming hoardings on the city roads, will be dismantled and removed.

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Background of the Outdoor Advertisement Policy prepared by the Municipal Corporation of Delhi,

as applicable also to the New Delhi Municipal Council.

In 1997 The Supreme Court of India passed a judgment on regulating outdoor advertising. Increased intensity and haphazard display of advertising in Delhi marked that period. The Supreme Court judgment laid restrictions on outdoor advertising displays in the city.

In a Public Interest Litigation being Writ Petition (Civil) No. 13029/85 titled MC Mehta Vs Union of India etc, The

Hon'ble Supreme Court of India vide order dated 20/11/1997 inter alia, directed that:

“ The civic authorities including DDA, the railways, the police and transport authorities, are directed to

identify and remove all hoardings which are on roadsides and which are hazardous and a disturbance to safe traffic movement in addition, steps be taken to put up road/traffic signs which facilitate free flow of traffic”.

On 16/04/2001 in Civil appeal no 2803 of 2001, titled 'P.Narayana Bhat Vs State of Tamil Nadu and ors', the Hon'ble

Supreme Court of India Held as under:

“That the authorities concerned are empowered either to refuse or grant license/ renewal or to remove the existing hoardings only if the same is hazardous and is disturbance to safe traffic movement which, in turn, should adversely affect free and safe flow of traffic, unless these impediments are present in hoardings, merely because the said hoardings are visible to traffic, cannot be ground for either refusing the grant/ renewal of license”.

Municipal Corporation of Delhi (MCD) which is committed to provide civic services to 95% of Delhi is complying with courts directive, and as a policy discontinued providing fresh license for hoardings which are identified as hazardous, both structure and traffic wise. Furthermore on the directives of the Hon'ble court, agreed to frame policies to govern and regulate the outdoor advertising in Delhi.

As submitted to Hon'ble Supreme Court of India, MCD drafted this policy with objective that the policy must be geared towards the city development.

Impact of Outdoor Advertising

A: Economical Impact

Recent estimates indicate that total budget for advertising range between Rs10,000 to 15,000 Crores. The share of TV advertisement is around 41%, Print is 48%, Outdoor is 6%, Radio is 3% and rest is approximately 2%. Outdoor is the third largest means of mass communication, and is very critical for the economical development of country. For the year 2006 the outdoor industry witnessed a growth of 10% and the total budget was almost touching Rs1000 Crores.

On a conservative side Delhi accounts for approximately 20% of these advertising budgets. The Delhi and NCR budget forms close to Rs200 Crores. Municipal Corporation of Delhi (MCD) collects taxes as per relevant provisions of section 142 and 143 of the DMC Act.

In year 2002-03, MCD collected a revenue share of Rs11.3 Crores. In 2003-04 this figure increased to Rs12.1 Crores, same saw a growth to Rs18.7 Crores in year 2004-05. For year 2005-06 the figure crossed over a collection of around Rs19.9 Crores. The revenue collected in year 2006-07 was Rs34.61 Crores (figures upto 31.12.2006). The current potential of the market is to participate with a revenue share of over Rs80-100 Crores, which can be further increased to the tune of Rs300 Crores.

The figures when compared with other means of Revenue generation by MCD, Outdoor advertising is currently the Fourth highest, behind revenue collected from House Tax, Toll Tax & Parking. MCD is currently working on various innovations and is trying to make Outdoor more organized and hazard free. Revenue from Organized Outdoor Advertising would surely be the second highest behind only revenue collected for House Tax in next couple of years. This revenue share is very essential for MCD to provide better facilities to the citizens of Delhi.

B: Social Impact

Outdoor medium is widely used for promoting various social awareness programmes targeted to a wide range of audience. As it is one medium which assures the permanence of the message to be displayed its effectiveness in comparison to television or print media is manifold. Various programmes on Aids awareness, Pulse Polio, Leprosy, Tuberculosis, Cancer, etc are effectively communicated through use of outdoor advertising. Programmes on Women and Child up-liftment, giving information on laws against Child Labor, Bonded labor, Sex Determination Test etc are reinforced by Outdoor Media. Bringing awareness amongst people against Dowry, Child Marriage, Alcohol, Tobacco and related product is spread through this medium. Various government policies, schemes and messages are advertised through OOH.

Outdoor Advertising because of its lower cost in comparison to Print and Television media is a natural choice of the Government and other Institutes committed to public welfare.

Outdoor advertisement through its Private Public Participation (PPP) module is contributing towards providing various amenities for general public. Its supporting various social causes. MCD being given responsibility for providing better facilities to

the citizens of Delhi has integrated Outdoor Advertisement with provision of the same on Build, Operate and Transfer Basis (BOT).

The vision to transform Delhi into a world class city will have to place more reliance on this model of BOT for providing quality public utility services in Delhi.

All the above advertisement rights are being granted after ensuring the road safety aspect and in this regard MCD is solely guided by the opinion of the Delhi Traffic Police.

Outdoor advertising is important for providing quality public utilities and civic facilities and marinating them properly in Delhi and therefore have a valid place on the road side provided they are non- hazardous from the road safety point of view and are aesthetically fitting in the city's visual environment.

C: Impact on Traffic- Relationship between outdoor advertising & road accidents

The advertising industry aims to serve the public by attracting their attention, then providing information. However this can sometimes direct motorists' attention away from their driving task, which does not support the Hon'ble Supreme Court of India aim of removing hazardous hoardings and providing a safe road environment.

However it has been stated that "as the efficacy of any advertising sign and also any traffic control sign is going to be affected by the environment in which it is located, the efficacy of both will be improved if some action were to be taken over visual clutter"

Drivers operate in an increasingly complex visual environment, and yet there has been little recent research on the effects this might have on driving ability and accident rates. Review of the existing literature suggests that, the subject is under-researched across globally and almost no known scientific research have been conducted in India.

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Environmental Impact

Outdoor advertising impacts on the amenity of the area in which it is located through its effect on the appearance of the building, structure or place where it is displayed. Advertisement can be visually attractive and have a positive effect on the surrounding area by providing information and contributing interest and character.

Outdoor advertising has a significant physical presence in the city. It affects larger public domain within it. It provides a window into socio-cultural and political characteristics of a place. All this allows it to distinguish one city or town from another. Hence it is far more critical to Organize and Manage Outdoor advertising to create a sense of harmony and unity between the city elements or it may display a sense of anarchy in sporadic, disconnected or overwhelming ways. In addition, the crudeness or the refined and sensitive manner in which an advertising device is presented provides an impression and understanding of the society. This is further qualified by choice of materials and the design sensitivity to the environment.

In the advanced cities of the world outdoor forms a layer that provides colour and shape to city form. Examples of this include The Times Square and the 5th Avenue commercial districts in New York. Piccadilly in London, are the brightest examples of exhibiting the roadside display to a great extent. Their impacts have added another dimension in the visual fabric of city. With proper planning and design, they bring changes in the city life and contribute to the visual richness and diversity.

Role of Municipal Corporation of Delhi

Any advertisement to Public view, in the areas controlled by MCD is governed by provisions of section 142 to 146 of the DMC Act. As per the provisions of the DMC Act, prior permission of the Commissioner is needed to display any advertisement to public view.

MCD is also responsible to collect taxes by section 142 of the DMC Act, from every person who displays any advertisement to public view in any what so manner visible from a public street or public place.

MCD keeps a check on unauthorized and illegal outdoor advertising and have the powers to remove or prohibit the display of any such advertising.

Prohibition of erection, exhibition, fixation, retention or display of advertisement in without written permission of the Commissioner — No person shall erect, exhibit, fix or retain or over any land, building, wall, hoarding, frame, post, kiosk/Bill Board (to be displayed on electric pole) or structure or upon or in any vehicle, any advertisement or display any advertisement to public view in any manner whatsoever in any place within

the jurisdiction of the Corporation without the prior written permission of the Corporation without the prior written permission of the Commissioner.

The MCD have the power to take action against the violators of the section 143 of DMC Act. Whenever any advertisement is displayed in contravention of section 143 of the DMC Act, the same is actionable as per provisions of Section 146 and 461 of the DMC Act. The MCD has the authority to either give direction to the owner of property to dismantle, remove, spoil, deface or screen any unauthorized and illegal advertisement or MCD itself can take similar action.

MCD can take punitive action against the violators by imposing a fine or imprisonment.

The registration of the Outdoor advertisers is undertaken by MCD. They shall pay license or registration fee and security deposit as may be determined by the Commissioner from time to time in respect of registration as advertiser

No person except licensed or registered advertisers or agencies is allowed to undertake the display of advertisement on behalf of others. Persons or agencies who undertake the display of advertisement, enroll themselves as licensed or registered advertisers with the Corporation and furnish in this regard the required information, documents, surety, as may be determined by the Commissioner.

The approval on placement or location of any advertisement visible from public place, their sizes etc are all provided by MCD. MCD can alter, re-position or remove any hoarding as per the powers vested in them. The Commissioners direction on the same are final and binding on all outdoor advertisers.

Provisions applicable to all Outdoor Advertising Devices

The outdoor advertising in the city of Delhi must be created without compromising following conditions in the city:

1. Health conditions: Safeguarding Health Conditions is essential to well being of the city. No sign must block opportunities for natural light or ventilation in buildings or across open spaces.
2. Safety: A sense of security and comfort are basic elements that facilitate smooth operations within a city. No sign must be located to obstruct movement. Neither should it be placed in a manner or technique that chances compromise, risk or vulnerability to life or operations.
3. Social Benefit: 'Public Good' is the fundamental axiom on which the collective and shared community spirit are based and engrained. To protect it is to ensure a continuity of socio-cultural aspects of national character and civic values. The demands of the city for public amenities is far ahead than that the MCD could plan and implement, leading to scarcity of basic facilities/ utilities in many economically weaker parts of the city. Over 90% of Delhi area comes under the administration of MCD, and it realizes the potential of outdoor advertising for creating, providing and maintaining public amenities with the

help of Private Public Partnership. Where in the private partner would have to provide and maintain the basic facilities as per the terms and conditions laid by MCD in lieu of his recovering his cost and creating reasonable revenue for himself, by offering various advertising devices installed at these amenities. Hence the outdoor advertising has the potential or means to maintain/ create/ service various other amenities like Parks, Schools, Roads, Orphanages etc, so that the OOH participate and contribute towards making Delhi a world class city, and that it cares for the underprivileged and weaker economical section of society. Outdoor advertising can enable the provision of new amenities and services

4. Ability to mitigate negative impacts: Beyond intended needs of supporting advertising and providing information, outdoor within the city can be reorganized to enable the creation of an ordered layer. This layer can support the creation of organized outdoor advertising sympathetic to Delhi's city form, colour and structure of the city. It can allow the possibility of creating a distinct form that evokes the deep structure and spirit of the city.

General Permission Criteria for Advertising Devices

A: Outdoor Advertising and Road Safety Criteria

Roadside Advertising Devices are one of the many stimuli confronting road users. Cognitive assessment of roadside objects or devices becomes more difficult as the level of driver I attention, distraction and decision making is increased.

The permission criteria for the display of Advertising Devices within the boundaries of MCD- Jurisdiction roads are intended to ensure that a high level of safety for road users is maintained traffic efficiency is assured.

An Advertising Device may be considered a traffic hazard

If it interferes with road safety or traffic efficiency

If it interferes with the effectiveness of a traffic control device (eg. traffic light, stop or give way sign).

Distracts a driver at a critical time (eg. making a decision at an intersection).

Obscures a driver's view of a road hazard (eg. at corners or bends in the road).

Gives instructions to traffic to "stop", "halt" or other (eg. give way or merge).

Imitates a traffic control device

Is a dangerous obstruction to road or other infrastructure, traffic, pedestrians, cyclists or other road users.

Is in an area where there are several devices and the cumulative effect of those devices may be potentially hazardous.

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.

The traffic hazard potential of an Advertising Device varies depending on its size, location, luminance and background. The hazard generally diminishes the further the device is away from the road.

Typical situations where additional driver attention and decision making are required include: n

Within 75m of any other category one advertising device

High speed diverging, merging or weaving at an intersection such as at a "Y" intersection or large high-speed n

In such form as will obstruct the path of pedestrians and hinder their visibility at crossings roundabouts On pedestrian areas and traffic island where carriageways diverge so much that on- coming traffic is not visible in the vicinity of intersections where through lanes merge and where vehicles are required to merge at higher because of topography or dense vegetation. speeds (eg. where "trap lanes" are created on the approaches to, or exit from, intersections and where a

No Advertising Device under Category-One shall be permitted within a round-about of diameter less than 100m. divided motorway becomes a two-way road) nintersections or sections of road which, because of lane configuration or geometry, may require an increased level of driver concentration (eg. five-way intersections, back to back horizontal curves) 1.2 Physical Characteristics

On the outside curve of a divided road where advertising is directed at traffic on the opposite carriageway and

. The application of control on physical characteristics is intended to minimize the level of driver distraction. the geometry, angle or other factors make this undesirable Control of the physical characteristics of Advertising Devices shall relate to the: sections of road displaying traffic signals, directional signage, regulatory or advisory signage that (when Size and shapeconsidered 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 .

Colour

period of the traffic control device(s) would be significantly longer) n

Illumination and luminance

Sections of road that have a vehicle crash history higher than the system average n

Movement and rotation

Pedestrian crossing facilities n

Advertising Device content

Structure

To maintain safety and traffic efficiency for road users, the following two main areas should be controlled for proposed Advertising Devices: Size and Shape

1. Site selection –This is comprised of: Advertising Devices shall not use shapes that could potentially result in an Advertising Device being mistaken for an official traffic sign.

The lateral placement of Advertising Devices (which influences the hazard potential for an errant vehicle and the effectiveness of official traffic signs) 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. The longitudinal (driver distraction control) placement of Advertising Devices relative to designated traffic situations and official traffic signs, road features and other Advertising Devices (which influences sight distances and driver distraction).

Colour

Advertising Devices shall not use colour combinations that could potentially result in an Advertising Device

2. Physical characteristics of Advertising Devices -including shape, illumination, colour and font size (which can being mistaken for an official traffic sign. influence the extent of driver distraction or confusion).

The Code of Practice for Road Signs IRC: 67-2001, by Indian Roads Congress prescribes the basic design

1. 1 Site Selection Criteria parameters of official traffic signs and includes standard legend/background colour combinations.

1.1.1 Lateral Placement

. Illumination and Luminance

Advertising is not permitted in medians because these areas are set aside for important traffic control devices.

Advertising Devices will not be permitted on traffic islands. Where carriageways diverge so much that oncoming n

Advertising shall not contain flashing red, blue or amber point light sources which, when viewed from the road, traffic is not visible because of topography or dense vegetation, the MCD may apply its discretion by approving could give the appearance of an emergency service or other special purpose vehicle warning light/s,

Advertising Devices between the carriageways. All lighting associated with the Advertising Device shall be directed solely on the Advertising Device and its immediate surrounds.

Advertising devices on footpaths shall not be permitted

Outdoor advertising devices shall not be permitted within the right of way. n

External illumination sources shall be shielded to ensure that external 'spot' light sources are not directed at

1.1.2 Longitudinal Placement (Driver Distraction Controls) approaching motorists.
Illumination of advertising device is to be concealed or be integral part of it
Longitudinal placement set out minimum distances between the device and traffic conflict points, official traffic signs and other Advertising Devices (ie. reduce advertising density). n

Up-lighting of the device shall not be allowed, any external lighting is to be downward pointing and focused

To facilitate the smooth flow of the traffic and to avoid any traffic hazard caused by the placement of outdoor directly on the sign to prevent or minimize the escape of light beyond sign. advertising devices following shall be followed while finalizing longitudinal placement of any device, the distance n

Any light source shall be shielded so that glare does not extend beyond the Advertising Device.

for placement of sign shall be measured from the edge of the road and not from the centre of the road for all type The average maintained luminance shall be reduced to 0.5 candela or all together shut, after 2300 hours (11PM) of junction, intersection, roundabouts etc. and sunrise. This shall be accomplished by automatic timing devices.

Advertising devices under Category-One shall not be permitted within 75m of any road junction, traffic Non-static illuminated Advertising Devices (flashing lights) are not permitted within the boundaries of MCD-

intersection or another crossing. Jurisdiction roads.

Within 75m along the road, of any traffic sign board erected for the regulation of traffic. The distance will be measured from the edge of the road not from the center.

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Movement and Rotation

Moving, rotating or variable message Advertising Devices are not permitted within the boundaries of MCD-controlled roads.

Moving displays cause a statistically significant distractive influence on motorist's response times to external stimuli. Controls imposed upon moving Advertising Devices in this guide generally depend on device location.

This permission criterion is not intended to apply to variable message displays used by road authorities for traffic management or for displaying other corporate information. Variable message displays located at bus stops or similar places where messages are directed at, and intended for, pedestrians (not motorists) are excluded.

Advertising Device Content

MCD will generally rely upon self- regulatory controls within the advertising industry to enforce minimum advertising standards. Notwithstanding this approach, the Department may take action to modify or remove any Advertising Device that contravene the Advertising Industry's Code of Ethics, (refer List of Negative Advertisements) or that otherwise causes a traffic hazard.

List of negative advertisements

Nudity

Racial advertisements or advertisements propagating caste, community or ethnic differences

Advertisement of drugs, alcohol, cigarette or tobacco items

Advertisements propagating exploitation of women or child

Advertisement having sexual overtone

Advertisement depicting cruelty to animals

Advertisement depicting any Nation or Institution in poor light

Advertisement casting aspersion of any brand or person

Advertisement banned by the Advertisement Council of India or by law

Advertisement glorifying violence

Destructive devices and explosives depicting items

Lottery tickets, sweepstakes entries and slot machines related advertisements

Any psychedelic, laser or moving displays

Advertisement of Weapons and related items (such as firearms, firearm parts and magazines, ammunition etc.)

Advertisements which may be defamatory, trade libelous, unlawfully threatening or unlawfully harassing

Advertisements which may be obscene or contain pornography or contain an "indecent representation of women" within the meaning of the Indecent Representation of Women (Prohibition) Act, 1986

Advertisement linked directly or indirectly to or include description of items, goods or services that are prohibited under any applicable law for the time being in force, including but not limited to the Drugs and Cosmetics Act, 1940, the Drugs And Magic Remedies (Objectionable Advertisements) Act, 1954, the Indian Penal Code, 1860; or

Any other items considered inappropriate by the Committee.

Legibility

For all categories of devices (except Category 3 and some Category 4 devices which are directed at pedestrians), text elements on an Advertising Device 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.

The content or graphic layout exhibited on advertising device 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.

All signs 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 sign area, unless otherwise permitted by the MCD.

B: Development Criteria

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. The Department does not know the accurate location of all underground services. The advertiser or the licensee 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 licensee and in no way MCD would be liable to help, support, negotiate or waive off any of the conditions set in the agreement or this guide.

Advertising Device owners are solely responsible for ensuring that during erection, maintenance, alteration and operation of an Advertising Device, the device does not conflict with services or other things within the road reserve.

MCD may ask the licensee to either replace or altogether remove any outdoor advertising device on MCD-

Jurisdiction roads to facilitate the work undertaken by utility services such as power, telecommunications, gas, storm water, water supply and sewerage, or for road widening.

C: Structure

Advertising Device structures for Categories 1 and 2 devices shall be certified by a Structural Engineer practicing in the field of structural engineering.

This certification confers compliance of the design with relevant Indian structural design standards, codes of practice and conditions of this guide.

The foundations for the category-1, 2 &3 devices shall be designed and checked for extreme wind conditions, earthquakes, soil bearing capacity etc. The same designed to be certified by an experienced and practicing structural engineer, and post verification at MCD, should only the work start at site.

The supporting structure shall have a non-reflective finish to prevent glare.

The device structure shall be well maintained. It shall be painted in colours that are consistent with, and enhance, the surrounding area.

Official road furniture such as official signs and delineator guide posts shall not be used as the supporting structure of an Advertising Device.

The name of the Advertising Device license holder should be placed in a conspicuous position on the device.

D: Electrical Connection

Electrical connections to Advertising Devices located within the boundaries of MCD-controlled roads shall accord with relevant Indian Standards.

Electrical connections to Advertising Devices shall be designed to ensure there is no safety or traffic risk.

Electrical connections to Advertising Devices shall be designed to be safe in the event of accidental knock down.

As Constructed certification shall be supplied immediately following installation and connection.

The licensee is the power consumer and shall make application- for power connection shall obtain electricity connection from the respective Discoms for illuminated display at each site in his own name, for which MCD would provide him necessary no objection certificate on his specific request.

Any charges for power connection and supply shall be incurred directly by the licensee. A copy of the electricity iii. In case land belongs to other organisation and the structure has been built/installed by them or the advertiser supplier's letter of acceptance/billing arrangement shall be provided to the MCD before entering into the in their territory and it faces the vehicular traffic plying on it, the concern organisation will have to share 25% formal license agreement. of the revenue if it is in non MCD area, and 50% of the revenue if it is in MCD area. This, however, will be

The electrical installation work shall be performed by a licensed electrical worker in accordance with the further subject to minimum rate prescribed for the area. relevant Electricity Regulation and, the Wiring Rules and the relevant electricity supplier's requirements. iv. For determining any case of remission or formulation/change of policy governing out-of-home advertisement

Adequate insulation and protection equipment and procedures shall be in place to protect maintenance and including award of contract, Commissioner MCD or his nominee will be a member of the committee/panel service personnel working on either the Advertising

Device or the road lighting circuit. For earthing, a separate taking such decision, as it involve sharing of revenue between the two organisations.earth electrode shall be used, and active and neutral conductors shall be used only for supply from the supply

point. F: Visual Amenity

Lack of control on Outdoor Advertising or hoardings (including wall panels or roadside structures) often causes

A sketch plan shall be submitted to MCD 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 serious detriment to local amenity and the general aesthetic characteristics of a neighborhood.same field. .

For visual and aesthetic considerations, the display of commercial advertisements should be strictly controlled

.where either the general characteristics of the locality are predominantly those of a residential neighborhood

A copy of the electrical contractor's test certificate shall be provided to the Department. The switching device shall be of a type approved by the electricity supplier. Electrical components shall accord with relevant Indian or where natural scenery or public improvements are thereby likely to be depreciated. Advertising Devices shall Standards. in no case be higher than the prevailing tree canopy line of the city unless allowed by the MCD Commissioner.

The advertising device should be located such that the trimming of vegetation will be unnecessary

The frontage of buildings of a dignified and subdued character such as hospitals, educational institutions, public

Electricity from Renewable energy sources offices, memorials of national importance, place of worship, graveyards, crematoriums, historical monuments

To promote conservation of electricity, it is important that the illumination at all outdoor advertising devices shall etc should not be allowed for any outdoor advertisement of categories 1 and 2. The devices coming under draw from power from alternate renewable resources like Solar power. This would help save lot of electricity that categories 3 and 4 may be allowed with prior permission from MCD and other related authorities/institutionscould be of use to general public. To promote the advertisers and licensee of the advertising devices they shall be etc. given a 1/3 (one third) rebate on monthly licensee fee, this would encourage them to make necessary investments

Advertising Device Signs involving communication through sound, smell, etc. not

permitted in the procuring technology.

This would also help in reducing the licensee cost for paying for consumption of electrical power from Discoms.

No generator running on diesel/ petrol/kerosene or any bio fuel, causing noise, air or water pollution would be allowed in Conservation Areas for providing power for illumination of any outdoor advertising device. There are certain areas where advertising may be inappropriate due to the nature of the surrounding area.

Advertising is generally not permitted on roads in the following areas:

National Parks, district forests and water bodies in it

E: Advertising Management Plans and Revenue from other Sister Concerns in Government n

Historical monuments, cremation grounds, graveyards and ruins

Currently there are many agencies like MCD, NDMC, Delhi Cantonment Board, PWD, etc who have been entrusted with smooth running of the city, looking after and providing better facilities and amenities to the citizens. They are n

World Heritage areas also been given responsibilities to collect revenues on behalf of State or Central government. Revenues from other Areas classified as remnant endangered regional ecosystems government agencies shall be formalized and it is estimated that this revenue sharing arrangement will yield at least 50% of the revenues generated to the MCD coffers. n

Exceptions to the above restrictions may apply in special circumstances. For example – for tourist service/accommodation businesses, Advertising Devices may be permitted as part of a regional tourist plan.

The current revenue sharing arrangement with other sister government agencies is as follows:

All religious places, like Temple, Mosque, Church & Gurudwara etc.

i. All the advertisement which face the MCD roads, irrespective of jurisdiction of land, will be governed by the rules and regulations laid down for out-of-home advertisements in MCD areas. The only difference in case the In exceptional circumstances, applications would be considered on a case-by-case basis by the MCD in consultation land belongs to other organisation, will be in terms of sharing of revenue. with the relevant authority.

ii. However, it must be ensured that all the organisation provide advertisement space through tendering system or other transparent procedure in which MCD will also be represented. It should also be ensured that these contracts are not allowed to continue beyond the contractual period. Any contract which is in contravention to this policy

should be allowed only to maximum till end of current financial year or the end date of the present year contract, whichever is earlier.

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The Outdoor Advertising Policy 2007

Guiding Principles

1. The policy for outdoor advertising will be driven, not by revenue imperatives, 5. The policy will actively promote the large size billboards in commercial areas but by city development imperatives. Therefore, in its implementation, it will (defined as metropolitan city centre, district centre/sub central business be clear that outdoor hoardings are permitted only if they are not a road district, community centre/local shopping centre/convenience shopping safety hazard or if they support the city's public service development and centre in the master plan) of the city. In this case, the agency will work to enhance its aesthetics. Maximize the revenue gains, which can be used for city development.

2. The policy will explicitly work to discourage visual clutter. This will be done by 6. The policy will also promote the use of advertising in what is commonly known increasing the space between the billboards and in restricting large billboards as street furniture. These are devices placed on public service amenities of to select areas of the city, like its commercial hubs. the city like railway carriages, buses, metro trains, commercial passenger vehicles, bus shelters, metro shelters, public toilets and public garbage

3. The policy will be designed to ensure that outdoor advertising is not hazardous facilities, to name a few. This is done to improve the revenue viability of these to road traffic. It will assume that there is a significant correlation between public provisions. But it will be noted that the use of advertising space is not road safety and distraction because of roadside billboards, visible to the the primary function of the utility, it is its supporting function. Therefore, the drivers. This will be done by allowing large size billboards only after city agency will ensure that the placement of the public utility is done keeping significant distance from the traffic junctions and intersections, by providing in mind its public purpose, not its advertising viability. In addition, the agency significant space between the two billboards on roads, by completely banning will ensure that the primary function of the “street furniture” is beingbillboards on pedestrian walkways and in placing billboards at significant maintained and if not then suitable punitive action must be taken against the distance from the right of way of any road. Advertising concessionaire.

4. In addition, large size billboards will be completely banned on major city 7. The policy will be judicious in ensuring that there is a differentiation between arterial road, like the ring road. the use of commercial advertising and private advertising, where signage isThe list of roads will be decided jointly between the MCD and the traffic used to identify the

location of the owner of the building or the space within police. the building. The policy will do this by laying down clear lists of what is allowed and what is completely disallowed to guide members of the public.

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S. No Description of device

Permitted

Subject to General and
Specific Permission

Criteria Not Permitted

2.1 Public amenity mounted devices

2.1.a Devices Mounted on Service oriented facility Permitted

2.1.b Devices mounted on Road side Kiosks Permitted

2.1.c Devices along with Information for public Permitted

2.1.d Devices mounted on Public assistance facility Permitted

2.1.e Devices mounted on street furniture Permitted

2.2 Pier or pylon mounted device

i Flyover columns Permitted

ii Metro columns Permitted

iii Others

Not Permitted for any other
area or surface unless approved by MCD commissioner.

2.3 Pole Kiosk Permitted

2.4 Protection screen/ Nallah culvert advertising devices Permitted

2.5 Informal advertising display board

i Residential area Permitted

ii Commercial area Permitted

iii Recreational areas Permitted

iv Public parks, gardens etc Permitted

v Permisses of Public buildings Permitted

vi Other areas along side road

Not Permitted for any other
area / zone, unless approved
by MCD commissioner.

2.6 Banner Not permitted

2.7 Posters Not permitted

2.8 Vehicular Mounted Devices

2.8.a Bus advertising-Private Permitted

2.8.b Bus advertising-Public Permitted

2.8.c Delivery vehicle advertising Permitted

2.8.d Service vehicle advertising Permitted

2.8.e Taxi advertising Permitted

2.8.f Mobile vehicle Not permitted

2.9 Air Borne devices Permitted

2.10 Roof mounted devices Not permitted

2.11 Demo stations

2.11a Road shows Not permitted

2.11.b Demo tents Not permitted

2.12 Product replicas Not permitted

Summary for Category-Two
Status

S. No Description of device
Permitted

Subject to General and
Specific Permission Criteria Not Permitted

1.1 Billboards/ Unipoles/ Bipoles

i Industrial area Permitted

ii Commercial area Permitted

iii Recreational areas Permitted

iv Crematoriums and Burial grounds Not permitted

v

Transportation areas like airports/ rail terminals/ bus terminals/ truck terminals etc
Permitted

vi

Other areas like residential area, institutional, heritage, monument etc including mixed
land use.

Not Permitted for any other area / zone, unless approved by MCD commissioner.

vii Outside city limit Permitted

1.5 Trivision

Not Permitted for any area / zone, unless approved by MCD commissioner.

1.6 Railway Bridge panels Permitted

1.7 Flyover panels

Not Permitted for any area / zone, unless approved by MCD commissioner.

1.8 Building wraps

i Commercial area Permitted

ii Recreational areas Permitted

iii

Other areas like residential area, industrial, institutional, heritage, monument etc including mixed land use.

Not Permitted for any other area / zone, unless approved by MCD commissioner.

Status

Summary for Category-One

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Summary for Category-Three

S. No Description of device Status

Permitted

Subject to General and Specific

Permission Criteria Not Permitted

3.1 Bus shelter Permitted

3.2 Parking Permitted

3.2a Parking-Two Display Boards Permitted

3.2b Two sides of Khokha Permitted

3.2c Parking tickets Permitted

3.2d Parking uniforms Permitted

3.3 Landscape Advertising devices Permitted

3.3.a Fence Advertising devices Permitted

3.3.b Devices mounted on Tree Guards Permitted

3.4 Traffic Barricading Permitted

Summary for Category-Four

S. No Description of device Status

Permitted

Subject to General and Specific

Permission Criteria Not Permitted

4.1 Fascia Sign for self advertising Permitted

4.2 Awning Sign for self advertising Permitted

4.3 Projected sign for self advertising Permitted

- 4.3a Installed on Building ht not exceeding 18m Permitted
- 4.3b Installed on Building ht not exceeding 36m Permitted
- 4.3c Installed on Building ht exceeding 36m Permitted
- 4.4 Footway and Road side vendor sign for self advertising Permitted
- 4.5 Real estate sign Permitted
- 4.6 Welcome Sign Permitted
- 4.7 Construction sign for self advertising Permitted

a Lateral Placement not permitted in medians not be permitted on traffic islands and where carriageways diverge so much that oncoming traffic is not visible because of topography or dense vegetation not permitted on footpaths not permitted within the right of way. where the footpath does not exist the outdoor advertising device shall not be permitted within 3 metres of existing road as

Measured from the end of the road and not its middle. where footpath exists, the outdoor advertising device shall be permitted 3 metres after the footpath as measured from its edge.

b Longitudinal Placement not permitted within 75 m of any road junction, traffic intersection or another crossing. The distance will be measured from the edge of the road and not the centre of the intersection. not permitted within 75 m along the road, of any traffic sign board erected for the regulation of traffic. not permitted within 75 m of any other category one advertising device not permitted if any such form as will obstruct the path of pedestrians and hinder their visibility at crossings not permitted if in any manner and at such places as to obstruct or interfere with the visibility of approaching, merging or intersecting traffic not permitted within a round-about of diameter less than 100m as measured from the outer width of the round-about.

Specific Permission Criteria

S. No Type General description of device Specific parameters

Length Width Max Height Min Ground Clearance

1.1 Category-One Large format outdoor Billboards / Unipole 6m 3m 8m 2.5m advertising device 14m for Railways

1.5 Trivision

1.6 Railway Bridge panels 6m 3m 2.5m

1.7 Flyover panels

Outdoor Advertising Policy for Category - One

Not permitted

Not permitted

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NOTE 1: The locations where in large format outdoor devices are placed along the sides of the railway bridge, flyover than maximum height of the device from the road level shall be measured clearly from the top of flyover and centre of the flyover.

NOTE 2 : Building wrap or large format advertisement may be permitted strictly in commercial areas (mixed land used areas are omitted). However, the revenue charged by the corporation on such building shall be decided by MCD

Commissioner or the authorised committee on year to year basis, and shall be based on the 8 different property tax zone identified in the city.

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S. No Type General description Description of device Specific parameters Special conditions

Length Width Area Max Height Min Ground

Category two Clearance

2.1 Public amenity mounted devices nPermitted only over approved surfaces of specified properties designed for providing certain civic amenity/facility/service for public benefit. The Amenity shall not interfere with the general function of the road or premises or cause impediment to sight distances for motorists. The activities of the amenity shall not spillover beyond the designated area onto the surroundings, unless otherwise permitted. Under no circumstance shall any addition or alteration be permitted to the utility structure.

No device placed within the designated area of facility shall project beyond the assigned surface proposed in facility The amenity and the device mounted on the surface of facility shall be such that it creates no hindrance to the flow of vehicular or pedestrian traffic. The advertiser shall be responsible for providing services like water, sewage, garbage collection etc as required for smooth functioning of the facility. Daily and regular upkeep shall be the responsibility of the advertiser, is also responsible for maintenance of hygienic conditions in and around the facility. General illumination required for the functioning of the facility shall be provided and maintained by the Advertiser. Allotment will be made through tender system or through other transparent system as laid down by the corporation. For all the public amenities,

The Outdoor Advertising Policy for Category-Two

a Lateral not permitted in road medians excluding Pole Kiosks. • not be permitted on traffic islands and where carriageways diverge so much that oncoming traffic is not visible

Placement not permitted within the pedestrian footpath if any part of device is projected in the right of way

a minimum gap of 2m must be maintained between amenity and site features like pavement curbs, trees, electrical poles, boundary walls etc.

b Longitudinal n the distance shall be maintained as per the specific contract clauses as mentioned by MCD while inviting tenders and proposals

Placement n any deviation from the clause shall be approved by the MCD Commissioner N for devices mentioned under 2.1 for amenities, the location shall be such that it does not result in inappropriate stopping or parking of vehicles on roads.

N a minimum gap of 2m must be maintained between amenity and site features like pavement curbs, trees, electrical poles, boundary walls etc.

Unless specified, the principle of lateral and placement will be applicable to category 1 device only.

Longitudinal

Outdoor Advertising Policy for Category-Two

<23sqm

per single

wrap

<70% of

the visible

surface

area to

public

2.1.a Devices Mounted on Drinking Water, No advertising shall be permitted till the facility is completely operational.

Service oriented facility Garbage Bins, Public telephone, An "Out Of Service" sign shall be placed on the facility in case of the facility

Public Toilets and urinals, kiosks becoming non-operative on account of a fault, repair or routine maintenance. outside colonies to facilitate directory /payment of bills etc All defunct or non-operational facilities shall not be allowed to advertise any advertisement.

Allotment system shall be developed for the allotment of kiosks, shops & booths etc.

2.1.b Devices mounted on Tea/Cold Drink kiosk/ <2.25sqm A strict control shall be maintained on the timing of operation of the facility or

Road side Kiosks Fruit juice, Snack bar, Florist, service and the same shall be displayed appropriately on the facility interface.

Paan Cigarette kiosk,

Puncture repair, Kiosk for barber,

cobbler etc, milk booths

2.1.c Devices along with City maps, Colony maps, <2.25sqm All Kiosks shall be equipped with emergency fire fighting equipment

Information for public Neighborhood Bulletin boards, etc.

2.1.d Devices mounted on Public Police assistance, traffic police <2.25sqm The activities like washing or preparation shall be carried out within the area assistance facility assistance, tourist designated for the same. assistance etc.

The space required for group / queue formation wherever applicable in front of the facility shall be included in the setback from the adjoining curb' line or any adjoining structure or site features.

Malls should only be allowed to display advertisement devices pertaining to the product they are selling or trading in. Such roadside kiosks should not become the center of publicity for others.

Outdoor Advertising Policy for Category-Two

3m from immediate surrounding like footpath, curb, etc.

S. No Type General description Description of device Specific parameters Special conditions

Length Width Area Max Height Min Ground

Clearance

2.1.e Devices mounted on street Benches, clock towers, <2sqm As per MCD approval Street furniture signs shall not exceed 2 sqm. in area of sign on a single side furniture thrash bins etc. When more than one facility is installed parallel to the roadway or in a cluster, they shall be separated by a minimum of 5m.

Shall not be placed so as to obstruct pedestrian movement and shall be located so as to not create a hazard for traffic, bicycle, or wheelchair users in and around the locations.

Not permitted on a road median, which is less than 4m wide.

Shall not have sharp edges with a view to avoid any chance of injury or damage to any person or object.

On Arterial roads with curbs, the facility should be placed no closer than 1m from the face of the curb. In those cases where this is not practicable, the minimum distance from the face curb shall be no less than 0.5m.

Device mounted on street furniture shall be non reflective in nature.

2.2 Pier or pylon mounted device road flyover pylons, metro 0.76m 0.1m <0.91sqm 1.2m As per MCD approval Surface mounted device shall be permitted only in the landscaped area under pillars etc. the Viaduct or Flyover and shall not spillover to the roads footpaths or to the top.

No Pier surface mounted device shall be permitted on the pier abutting a traffic intersection.

The Pier surface mounted device shall be fitted on every alternate pier after the traffic intersection wherever it cuts under the viaduct or the flyover.

Surface mounted device shall be mounted on two sides of the Metro / Flyover pier in the direction of the traffic flow and not parallel to it.

In case of their being more than one Pier per bay as in the case of Flyovers, maximum of two Surface mounted device shall be permitted per bay preferably on the outer road-side piers.

The Pier surface mounted device shall be fixed to the Pier with extreme care without causing any damage to the structure. Minimizing the contact points with the Pier, the fixing member/s shall be invisible and concealed behind the sign.

The Rights for advertising under the Metro Viaducts and Roadway Flyovers shall be granted in lieu of provision and maintenance of landscaping of the areas located directly under the Viaducts and Flyovers.

2.3 Pole Kiosk 0.76m 0.1m <0.91sqm 1.2m Shall not exceed 0.91 sqm. in sign area and shall only be displayed in portrait format.

Under no circumstances shall a sign project beyond 0.1m from the face of the pole on which it is mounted.

Sign shall not be placed so as to obstruct pedestrian movement or view of the traffic (in case where sign is placed on the median of the road) or pedestrians (where sign is placed over a pedestrian walkway).

The commercial advertising sign attached to Pole Kiosk shall be non reflective in nature.

The top of a sign shall be at least 2 m below any light fixture and the bottom of such poster not less than 3.0 m above the ground level.

Sign shall not cover any Mandatory / Cautionary signs or the cover plates on street lamp poles.

Sign shall not be displayed on the first three street lamp poles from any intersection or traffic light.

Only one sign structure (single frame containing one or two back to back posters) is permitted per street lamp pole.

The sides, top/bottom and the rear sides (in case of single sided sign) shall be claded/framed with an appropriate material to hide the inside and their fixing system.

The material of the poster can be paper (large size printed paper) or stretched vinyl sheet.

No projection, cutout on the pole kiosk is permitted.

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2.4 Protection screen/ Nallah 1.2m 1.8m <2.16sqm 3m 0.75m Permitted only on road-facing side. culvert advertising devices Shall be centered along with the structural grid of the existing protection screen by placing them centrally in between the structural support alternately e.g. one filled and two empty.

Wherever the structural supports are located at closer intervals, the number of empty grids may be increased to three or four, as the case may be, the minimum empty interval shall, in no case, be less than 4650 mm centre to centre.

The advertising sign shall be in no case project above the top of the cill of the protection screen.

The device panel corners shall not have sharp edges with a view to avoid any chance of injury or damage to any person or object."

2.5 Informal advertising display board 2.5m 1.2 <3sqm 2.5m 1.2m As per the policy of NDMC informal advertising devices should be restricted to a demarcated basis in govt./pvt. colonies, inside market areas, near public parks, and the premises of public buildings. Informal advertising shall not be permitted along the roads. The billboard/poster will be allowed for a maximum period of 48 hours.

As per the policy of MCD, informal advertising devices should be restricted to the

specific site / wall as may be provided by the MCD in each of its wards, near Govt./private colonies, inside market areas, near public park and the premises of the public buildings. As it is free of cost mainly covering the political/ religious/social messages, it must be ensured that no billboard/poster is allowed to stay beyond one week. No political/religious/social poster free of cost, should be allowed to be pasted beyond the stipulated area.

2.8 Vehicular Mounted Devices

2.8.a Bus advertising-Private na na na na na Area for advertisement/name/logo shall not exceed 75% of the surface area on each side of the vehicle except the front of the vehicle. Permitted only on vehicles whose primary purpose is to serve a useful function in the transportation or conveyance of persons or commodities from one place to another, unless otherwise specified, no transportation vehicle shall be used for the sole purposes of advertising.

No vehicles carrying shall be parked on a public right-of-way or in a location on a private property, which is visible from a public right-of-way.

Vehicles with advertising under no circumstances shall be parked in residential areas.

No directional signs or arrows shall be permitted on vehicles carrying Fleet advertising.

All Fleet advertising shall be affixed, painted, magnetically applied on the outer surfaces of the vehicle or mounted on the vehicle as specified.

No animation or movement in any form shall be permitted in Fleet advertising

Bus Advertising devices shall not interfere in anyway with the mandatory vehicle signs such as purpose of the bus service, number plate, etc.

2.8.b Metro Trains City Rails na na na na na Metro Rails or The City Rails running within the city limits can use the entire exterior body of the rail wagon for the purpose of advertisement. The sharing of revenue will be governed by clause E covering 'Advertising Management plans and Revenue from other sister concerns in government'.

S. No Type General description Description of device Specific parameters Special conditions

Length Width Area Max Height Min Ground

Clearance

Outdoor Advertising Policy for Category-Two

Bus advertising-Public

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2.8.c Delivery vehicle advertising na na na na na Area for Advertisement/name/logo shall not exceed 50% of the surface area on each side of the vehicle.

Separate application for separate delivery vehicle, with detail of registration number etc

Taking clearance from Delhi Traffic police and RTO etc shall be the responsibility of advertiser.

The delivery vehicles shall only be permitted to advertise the own product / service offered/carried by the company/owner.

2.8.d Service vehicle advertising na na na na na nArea for Advertisement/name/logo shall not exceed 75% of the surface area on each side of the vehicle.

nSeparate application for separate service vehicle, with detail of registration number etc
nTaking clearance from Delhi Traffic police and RTO etc shall be the responsibility of advertiser"

2.8.e Taxi advertising na na na na na nArea for Advertisement/name/logo shall not exceed 25% of the surface area on each side of the vehicle.

nSeparate application for separate taxi, with detail of registration number etc

nNo animation or movement in any form shall be permitted on taxi advertising

nTaking clearance from Delhi Traffic police and RTO etc shall be the responsibility of advertiser, and the conditions set by them shall be followed

nThey will have to share the revenue with the MCD.

nThe revenue parameter will be fixed by the MCD.

2.8.f Radio Taxi advertising Roof Top 36" 10" na 10" na nArea for advertisement shall not exceed the prescribe limit. Each side of the vehicle. nEach of the Radio Taxi Operator

shall be require to enter into an agreement with

MCD for the Radio Taxi permitted to him.

nNo animation or movement in any form shall be permitted on taxi advertising

nThe Radio Taxis shall be placed at the disposal of the MCD for inviting tenders for award of advertising rights.

nThe revenue fetch by the MCD against the contract allotted for advertising rights shall be shared between the MCD and Radio Taxi Operators on terms & conditions mutually agreed upon.

2.8.i Mobile vehicle

2.9 Air Borne devices Volume of airborne device na na na 25.5m 19.5m nAir borne devices will be exclusively for social messages.

nThe Air Borne Device shall, be erected, fixed and secured in accordance with thespecified guidelines as per MCD offer letter/ contract/ agreement

nThe gas used in inflating the balloon shall not be hazardous or flammable.

nNo other smaller balloons shall be attached to the balloon or its supporting or secure lines.

nAir Borne Device not be permitted in the air funnel area."

nAs per NDMC the air-bone advertising devices may be permitted in central vista area & at Central park, Connaught Place with prior approval of Chairperson, NDMC.

S. No Type General description Description of device Specific parameters Special conditions

Length Width Area Max Height Min Ground

Clearance

Outdoor Advertising Policy for Category-Two

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Specific parameters

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Outdoor Advertising Policy for Category - Three as per MCD and DTC approval

S. No Type Description of deviceLength Width Area Max Height Min Ground Special Conditions

Clearance as per MCD and DTC approval

<2.2sqm for each device

2.5m 0.75m

3.1 Category-Bus shelter The approach end of passenger transport shelter shall be either open or transparent to provide waiting

Three passengers with maximum visibility of the approaching passenger transport vehicle.

nThe advertisement space permitted is as follows:

Roof-top : Front - 9m x 1.2m sides - 3m x 1.2 m

Below roof - back panel parallel to road : 4.75m x 1.5 m

nThe advertisement can either be backlit or nonlit, front lighting with additional projected brackets etc.shall not per permitted.

nThe advertisement devices shall not project outside the roof top boundary.

nNon static illumination, neons, changing LEDs, changing of illumination colour, flashing lights etc. are not permitted.

nA minimum specified gap of 1500mm must be maintained between the bus shelter and the site features like trees/shrubs, pavement curbs, boundary / building walls, electrical poles, etc.

nSince a BQS would only be erected at a site where it is not a traffic hazard, the advertisement on the BQS should be excluded from the various conditions of minimum distances from road junction, etc.

nThe content of advertisement will be governed as per the general advertisement policy.

Specific permission criteria for Bus Any Advertising Device attached to a passenger transport shelter or a seat requires relevant DTC and MCD approval and a standard licence agreement.

Shelter nSponsorship arrangements (BOT or Swiss challenge system) for the supply of infrastructure may be managed by MCD and DTC subject to keeping in considerations the interest of both.

nWhere new infrastructure is to be installed on a MCD-controlled road, the Department shall be consulted by DTC and the advertiser (BOT or Swiss Challenge system) early in the planning phase.

nThe proponent shall provide evidence of a public liability policy of insurance and must provide indemnity for all such installations.

nThe bus shelters shall be provided with a city map of the neighbourhood area close to bus stop, the map shall be provided on the side panels for the commuter to read easily.

3.2 Parking nNo part of the parking advertising device shall project into the public right of way.

nParking signs should be electronic controlled to give clear information about occupancy status. Free

Standing parking advertising devices shall be placed on the edge of the Authorised Parking Lots in a manner as to not interfere with vehicular or pedestrian movement into

and out of the facility.

nAdvertising Sign face/ of the Free Standing advertising devices in parking area shall be oriented inwards facing the parking bays.

nThe number of free standing devices shall be determined by the peripheral length of the Parking facility.

However, overall spread of the parking advertising Signs shall not exceed 50% of the Sum total of the peripheral length and the same shall be spread across to a maximum of three sides of the peripheral edge.

nMinimum distance to be maintained shall not be less than 1.5m.

nNo Free Standing advertising device on any parking location shall be permitted abutting the periphery of the following

o Access road passing in front of the Parking Lot / filling station

o Shopping Arcade/ Precincts.

o Access roads / lane leading to another facility beyond

o Any other built or open landmark.

nThe power supply shall be as per mentioned in general permission criteria

nSystem of state parking may be introduced which may be supported by the finances being accrued from the advertisement displayed on the stacks.

3.2a Parking nTwo display boards of the size 40ft x 8ft each shall be permissible in each parking site.

(Two Display Boards) nThe boards will contain advertisement at first half portion (20ft x 8ft) & parking rates prescribed by the MCD at the other half portion.

Two sides of Khokha nEach parking has a provision for erection of a Khokha for keeping helmets, sitting of parking attendants etc. on which advertisement will be permitted on any two sides with the maximum limit of each display not exceeding 20ft x 8 ft. It will be duty of the advertiser to ensure that Khokha are well lit and aesthetically built.

Parking tickets nThe parking tickets shall contain MCD hologram on the front side with rates of parking fee & advertisement on the reverse side.

nThere will be uniformity in the parking tickets in all MCD authorised parking areas

Parking Uniforms nThe uniforms meant for parking attendants shall have advertisement/logo of the firm on one side and MCD logo on the other side.

Specific permission The parking advertising rights shall be clubbed with developing a proper parking information system, that should provide real time information on the proper location & availability of parking spaces criteria for Parking to facilitate the vehicle owners as well as the MCD Authorities for better management of the existing parking scenario. Provision at the entry and exit point regarding the parking fee, timeline, name of the parking site owner with telephone number, complaint box, along with advertising devices shall be provided. The parking attendant shall be in uniform with logo in front of uniform and advertisement at rear is permitted. Also the advertisement on parking tickets and small kiosk erected inside.

as per MCD

approval

as per MCD

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as per MCD
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20 ft 8 ft 160 sq.ft. 20 ft 7 ft
20 ft 8 ft 160 sq.ft. 20 ft 7 ft

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Outdoor Advertising Policy for Category - Three

S. No Type Description of device Specific parameters

Length Width Area Max Height Min Ground Special Conditions
Clearance

3.3 Landscape Advertising All Landscape advertising devices shall be located only at designated locations as approved by MCD. devices All Landscape advertising devices shall be adequately maintained to assure continued readability of the message.

Advertiser shall be responsible for suitable upkeep and maintenance and pruning of vegetation surrounding the Landscape advertising devices such as shrubs etc. to enable visibility of the advertisement.

No Landscape advertising devices shall project beyond the assigned surface on which it is fixed.

Advertiser shall be responsible for all landscaping related work including planting, daily maintenance and watering etc.

Permission should be given to the empaneled landscaper. The requirement of the landscape advertising for the specific zone must be led down.

3.3.a Fence Advertising 1.5m x 0.3m 2.25sqm 1.5m as per MCD The Fence Advertising Signs shall be Advertising Plates measuring 0.2sqm in area devices including base approval The fence over which Sign is fixed shall consist of fence modules of specified design. In case of locations where the fence modules are not already in place the same shall be designed and approved by the Concerned Authority.

The signs shall be fixed on the outer face of the fence parallel to the direction of the traffic flow.

The sign shall be permitted on every alternate fence module maintaining a minimum interval of 3m centre to centre between any two signs.

The sign shall be centered and aligned to the centre of the fence module horizontally

The total number of fence advertising signs appearing on a particular fence shall depend on the design and length of the fence.

The fence shall be covered with green cover such as creepers etc. to the maximum extent possible planted from within.

No illumination in any form shall be permitted on the fence advertising sign.

All fence advertising sign shall be non-reflective in nature. No retro-reflective, reflective film or paint shall be used on fence."

3.3.b Devices mounted on 0.3m x 0.3m 0.09sqm the device shall as per MCD Signs shall be square advertising plates measuring 0.3m x 0.3m.

Tree Guards be integral part approval The tree guards shall be provided with 1.5m x 1.5m or 1.2m x 1.2m cast iron modular grating for protection of tree guard of roots and for water to seep in the roots, as per approved design by MCD.

The Tree Guards advertising sign attached to Tree Guard shall be non reflective in nature. Advertiser shall make sure to plant, maintain, prune and water the plant without causing any damage to the tree guard or the Tree Guards advertising sign.

No illumination in any form shall- be permitted on the Tree Guards advertising sign.

Following ratio of 70:20:10 proportionate numbers of Tree Guard Advertising Signs shall be distributed at regular intervals for Commercial Advertising, social message and logos of participating agencies respectively. Permutations and combinations shall be worked out according to the - frequency of the Sign.

Permission should be granted in a transparent manner

3.4 Traffic Barricading 0.6 x 0.3m 0.18sqm 0.3 Mounted on traffic Signs shall be advertising plates measuring 0.6mx0.3m barricading Advertising sign shall be an integral part of the design.

The advertising sign attached to the barricading can be reflective in nature.

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S. No Type Description of device Specific parameters

Length Width Area Max Height Min Ground General condition

Clearance

Outdoor Advertising Policy for Category - Four

4.1 Category-On premises signs na 0.3m <0.9m 2.5m All Fascia signs shall conform (should not exceed) to a maximum height of

Four and Miscellaneous 0.9m. signs (Advertisement nNo part of any such sign shall extend above the top level of the wall upon or in pertaining to front of which it is situated own product/ nThe width of the signage is allowed to extent of the width of the shop- External services/shops Fascia signs shall be mounted at a datum line not lower than 0.9m from top finished level.

nWithin the enclosed corridors or verandah like in location, the fascia sign must follow the datum line coinciding with the top of the shop/ business opening.

nIncase of double height openings in frontage the datum line of the sign shall be at 0.9m from the soffit of the ceiling.

nThe signage should not obstruct the open railings, jail, grill or any architectural features. Incase the signage is placed below a railing or grill, its datum line shall coincide with the slab level or up to 0.9m from the bottom of the drop whichever is less to expose the architectural design of the railing.

nEach business shall restrict itself to only one fascia sign. The signs by no means shall exceed the frontage of the premises of the business (in terms of the Width).

nOne additional sign is permitted for each business establishment having a rear, or side building face with a public entrance.

nOne additional fascia sign is permitted on each wall face fronting on a dedicated pedestrian or vehicular street or parking lot.

nInternal illumination of a translucent sign face, or individual letters, characters or figures shall be permitted, such that the sign face, letter or character glows.

nFlashing and Mechanical Movement graphics are not permitted. Excessive or Special illumination schemes, both on & within buildings (including windows & doorways) and sites shall not be permitted. Illuminated & animated signs are not to detract from the architecture of the supporting building during the daytime.

nThe advertiser shall be only be permitted to advertise the product/service/ organisation name/logo that is being offered from the facility. No surrogate advertising shall be permitted on fascia sign.

4.2 Awning Sign: For self advertising only <2m <1m <2sqm As approved 2.7m nA sign shall be fixed at right angles to the street line. by MCD

nWhere enterprise facades exceed 20m in length, more than one sign may be allowed, spaced at a minimum of 6m intervals.

nSelf-illuminated Awning Signs are not permitted.

nPermitted only on premises used for commercial, office, industrial or entertainment purposes. No Under-awning sign shall project at any point more than 100 mm from the surface to which it is affixed.

nNo Under-awning sign shall exceed a vertical dimension of 600mm and a horizontal

dimension of 900 mm

nNo Under-awning sign shall extend above, below or beyond any extremity of a parapet wall, balustrade, railing, beam or fascia.

- Not more than one Under-awning sign per facade per enterprise shall be allowed, unless the facade exceeds 20m in length, where more than one sign shall be allowed if they are spaced at a minimum of 6m Intervals.

n"Fascia Sign: For self advertising only outdoor policy -defining strategy for change, an initiative by MCD

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S. No Type Description of device Specific parameters

Length Width Area Max Height Min Ground General condition

Clearance

Outdoor Advertising Policy for Category - Four

4.3 Projected sign: Maximum height of letters: not exceeding 250mm when horizontally aligned;

Four and Miscellaneous not exceeding 400mm when vertically aligned to the sign.

Maximum height of logo shall not exceed 750mm within the sign surface.

In no case shall any projecting sign be attached to a lamppost, traffic sign or any vertical structure other than the shop front where the business or service is practiced.

In no case, shall any projecting sign be attached to a heritage building, educational facilities, and buildings that house government offices.

For the NDMC areas - NDMC is not in favor of permitting separate signages for each business on the outside wall of a multi-storied building.

4.3a Installed on Building ht not exceeding 18m >2.5m but <9m Projecting signs overhanging public land must have a minimum clearance of 2.5 meters above ground level (or a footpath).

No projection of the signage or any part of its supports or frame- work shall project more than 1 m beyond the building.

The sign shall not project more than 0.6m beyond the building, or plot line facing the street.

A projecting sign shall not be fixed other than at right angles to the street line.

No projected sign shall be attached to the transom of a doorway or display window.

No projecting signs shall extend above the parapet or top most edge of a roof or above the part of the building face to which it is attached.

4.3b Installed on Building ht not exceeding 36m 12m Only one projecting sign shall be allowed per enterprise façade provided the width of the facade is at least 4.5m.

Only one projecting sign per façade shall be permitted vertically as well as horizontally

Material of the framework or supporting structure of the sign should be made of non-combustible material.

The lateral movement of the sign should be restricted and restrained securely using appropriate bracing/ bracketing to prevent from swinging.

4.3c Installed on Building ht exceeding 36m 15m The projecting sign shall be designed so that it is capable of supporting reasonable horizontal as well vertical load at all points/ loading points.

4.4 Footway and Road side vendor sign 0.6m 0.6m 0.6sqm 1m na Footway signs are

permitted within the Clear Zone provided that the structure, which performs the sole purpose of supporting the Advertising Device, is frangible.

No portion of a footway signs shall project over the carriageway or any surface used by motor vehicles.

The placement of a footway sign not cause a safety hazard to other traffic (eg. Pedestrians and cyclists)

Generally be limited to one sign per premises in busy business precincts.

Generally be limited to two signs per premises where there is more than one business on the premises

Be located directly outside the premises they refer to.

Not be located so as to restrict sight distance on approaches to intersections or the restrict the visibility of other authorized signs.

Be permitted only during trading hours.

Footway signs shall have a maximum height of 1.0 meter, a maximum width of 0.6 meters and a maximum depth of 0.6 meters.

Footway signs shall relate only to the business or product that may be obtained on the premises.

Category-On premises signs for self advertising only n

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S. No Type Description of device Specific parameters

Length Width Area Max Height Min Ground General condition
Clearance

Outdoor Advertising Policy for Category - Four

4.5 Real estate sign: na na <2sqm 1m na A Real estate Sign shall be erected to advertise the sale/rent or lease of property upon which the sign is placed.

All Real estate Sign shall be temporary in nature.

All Real estate Sign shall be non-illuminated.

All Real estate Sign shall be displayed only during the times the premise is open for inspection or to be let out.No Real estate sign shall be placed at a distance less than 4m from the street line or the road right-of-way.

A Real estate Sign shall be placed so as to not impede pedestrian or traffic now.

Real estate sign shall be limited to one sign per street face

The maximum size of Real estate Sign permitted shall not exceed 2 sqm (but not more than 1 sqm per side).

A Real estate sign shall not have letters, figures, symbols or similar features that exceed 0.5m in height.

4.6 Welcome Sign 2.4m na <3.85sqm 1.6m na The content of Welcome signs must be approved by MCD Commissioner

4.7 Construction sign: For self advertising only na na <4.5sqm 3m na Under no circumstance shall a Construction Site sign be permitted prior to the issuance of first

building permit.

A sign shall not be permitted unless there is direct access to that road from the property being advertised.

Signs shall be located as close as practicable next to, and parallel to, the property alignment.

A sign shall not interfere with any underground services.

No portion of a sign shall project over the carriageway or any surface used by motor vehicles.

The placement of the sign shall not cause a safety hazard to traffic (eg. vehicles, pedestrians and cyclists)

Signs must not present a danger to traffic when exposed to natural wind forces or wind created by passing vehicles.

One or more signs as per the guide, with a maximum area of 1 sqm, may be displayed per property.

For self advertising only n

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Permission criteria All on premises advertising devices/ business/trade signs should be restricted to commercial areas and authorized business/trade establishments within institutional areas

Under no circumstances shall On Premise Advertising Device be permitted in residential areas.

Under no circumstances shall illuminated on premise signs be permitted to be in shops/commercial establishments facing residential areas on streets with width less than 12 meters.

No sign shall be attached in any way to trees or shrubs.

No Trade and Business sign, messages, posters or printed material of any nature shall be pasted onto any supporting column, pillar or post.

On Premise Advertising Device in any form shall not obstruct any pedestrian movement (vertically and laterally), fire escape, door or window openings

No On Premise Advertising Device shall be in any form or manner interferes with openings required for light and ventilation.

Under no circumstances shall On Premise Advertising Device be located to obstruct or alter the frontal silhouette of any transparent/translucent surfaces/ openings.

Non-illuminated transparent/translucent signs shall be permitted on transparent/translucent external surfaces at any level.

No trade and business sign shall be in any form or manner interfere with fire safety transit/exit space requirements and prescribed norms.

All On Premise Advertising Device should under no circumstances reflect activity/activities other those undertaken within the premises.

No sign 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.

All On Premise Advertising Device must have the compulsory required information as

under:

o Name of the trade and business

o Shop/Premise number

All On Premise Advertising Device must conform to the prevailing laws with regard to decency, decorum, social harmony etc.

All the signs be visually interesting and exhibit a high level of design quality.

All On Premise Advertising Device must conform to structural/ architectural discipline of the surface / edifice / building / open areas.

The scale and location of a sign should be compatible not only with the building to which it is affixed but also take into consideration nearby buildings, streets and existing signs.

Materials used and all On Premise Advertising Device should be non-polluting, fire resistant and injury proof.

Any new sign 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.

All signs shall have a minimal projection from a building.

The cabling and conduit should 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.

No sign under any circumstances shall be supported from, hung or placed on other signs. Each sign should be self-supporting or fixed securely with the architectural structure.

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.

The sign information should be kept to a minimum in the interest of both aesthetics and traffic safety.

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 will be allowed as they present a traffic hazard.

Sign should be non reflective such that they do not flash or glare at drivers on the streets. Signs should not use reflective surfaces as mirror foils etc as the use of such material are visually disruptive to traffic and can be hazardous to oncoming drivers.

All permitted signs would attract levies payable as outlined by the MCD.

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Variable message Advertising Devices

The following controls relate to electronically controlled variable message displays for roadside advertising for example LED signs, LED screens, LCD screens etc. Because electronic displays are conspicuous by design and have the greatest potential to distract motorists, the objective is to limit this potential. It will be preferable if it is installed in the market area, not facing vehicular movement of traffic.

The following controls aim to reduce the frequency and extent of movement and colour change within a display.

Signs should be installed only where the required sign viewing time does not result in a safety problem for the particular environment.

Sign should not be facing and shall not be visible from any road meant for vehicular traffic.

There is adequate advance visibility to read the sign.

The environment is free from driver decision points and there is no competition with official traffic signs.

The device is not a moving Advertising Device.

Graphics with or without text

While driving the drivers glance from road to read the content of sign, and then glance back on road. In a study it was concluded that during this glance, the maximum amount of copy which can be read by ordinary driver is three to four familiar words.

Electronic display generally refers to a variable message sign (VMS) which may display combinations of any of the following:

Graphics, pictures, shapes, conspicuous colours or colour combinations. It may or may not contain text.

Long duration display periods are preferred in order to minimize driver distraction and reduce the amount of perceived movement. Each screen should have a minimum display period of 8 seconds. The time taken for consecutive displays to change should be within 0.1 seconds.

The complete screen display should change instantaneously. Methods of display change such as 'fly in' or 'scroll', or any other type of message change, are not recommended.

Sequential message sets are not recommended.

The time limits will be reviewed periodically.

The world is dynamic today, everyday new technology evolves, the policy shall be open to adopting these new technologies provided they do not contravene any general permission criteria, and shall also be approved by MCD commissioner.

The policy shall also be open towards providing and developing these mediums for provision of new public services/utilities etc. for the overall development of the city without being a hazard to traffic or the visual environment of the city. The permission shall be taken from MCD commissioner before implementing any such mediums.

Implementation

Strategy for Authorized Existing Devices

MCD had permitted and authorized the display of Outdoor advertising at various locations prior to drafting and actual implementation of the policy. There is a possibility that some of them may not be in accordance to the policy currently drawn, however the deviation can not be allowed in the overall concept and implementation of the guidelines, parameters, conditions as laid down in this guide. It is important for MCD to apply the policy uniformly all across Delhi so that there is a consistent, aesthetical, functional and safe outdoor advertising. However the caution has to be taken as many of the contracts and agreements that MCD would have signed with numerous authorized and registered advertisers. The sudden or abrupt termination of the contracts or agreements would lead to unnecessary legal hassles. The same shall at best be avoided and an understanding with the advertisers must be reached for relocation / removal of the Category-1 devices that are Hazardous to the traffic, public and visual environment. It is suggested that whenever there is reallocation of an existing advertising device, the current advertiser should be given the option to accept or reject the reallocated site without any alteration in fee structure.

In case he refuses to accept the offer, it may be put to tender or other method of selected the preferred bidder.

The advertiser, however, will not be entitled to any compensation on account of shifting of the site due to adoption of new policy.

The decision of the MCD Commissioner, however, on the same shall be final. MCD should remove all unauthorised hoardings from the city, which are being displayed without MCD permission.

Compliance, enforcement and removal of unauthorized advertising devices

General Enforcement

MCD offices and other agencies, local governments should be familiar with the management responsibility for advertising in outdoor for city. In particular, Staff should be alert to the existence of unauthorized Advertising Devices within their jurisdiction. A range of actions is available when an Advertising Device is observed to create a traffic hazard and does not comply with the requirements of this guide.

To ensure equity, enforcement should be applied uniformly across Delhi.

Un-authorized Advertising Devices within MCD boundaries

Any unauthorized Device installed at any location, property, vehicle, bridge, building etc shall be removed. No leniency shall be shown towards any violator or unauthorized device. During the removal of any unauthorized device, the priority shall be to remove the Devices creating a traffic hazard.

nIf the Advertising Device is creating, or likely to create, a traffic hazard, immediate action should be taken to make safe the hazard or remove the Advertising Device.

nLow Value Advertising Devices may be immediately removed and disposed of. These are typically attached to guide posts, power poles, lighting columns and trees; and manufactured from low cost materials such as cardboards or conflate.

nHigher value sign devices such as steel framed Advertised-signs, wall mounted panels, unregistered trailers or devices that incorporate a substantial structure where the device does not pose a traffic hazard, the owner must be advised in writing of the required action to be taken within a specified time period. The Advertising Device may be removed if, after reasonable effort, its owner cannot be located. If the Advertising Device owner has not satisfactorily undertaken remedial action within the specified time period, the Advertising Device may be either altered, relocated, made safe or removed by MCD on the instructions of MCD Commissioner.

nWhere unauthorized advertising is removed, it may be disposed of after being stored for a period of 15days. The owner may collect the Advertising Device upon payment of a fee plus additional penalties.

nAdvertising attached to a vehicle, where a registered motor vehicle or trailer is parked on a MCD road for the sole purpose of Advertising, the Delhi Traffic Police should be requested to remove the vehicle. A current registration label or registration plate would be evidence of registration. The vehicle owner shall be given custody of vehicle only after paying the fine or penalties, otherwise the vehicle can be confiscated and non payment of penalties in due time would lead to MCD and Traffic police to dispose the vehicle.

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Legal Action

Legal proceedings or the issue of an infringement letter may be undertaken for an unauthorized Advertising Device

(in addition to removing the device). The unauthorised advertisement will be removed soon after the deduction at the risk and the cost of the advertiser, for which no legal notice is required to be given. All level action can be taken which falls in the jurisdiction of Delhi court. Action can be taken, apart from others provision under the West Bengal prevention of defacement of property act, 1976.

Arbitration

Any controversy or dispute arising out of the permission granted to the advertiser, for display of advertisement in the

MCD area shall be referred to sole arbitration of the Commissioner, MCD or any other officer nominated by him in this behalf either by himself or on party's request.

There shall be no bar to the reference of dispute to the arbitrator or such officer as nominated by the Commissioner even if the said officer might have dealt with the matter is originally referred is transferred or vacates his office or is unable to act for any reason, the Commissioner, MCD shall be competent to appoint another person to act as an arbitrator, who shall be entitled to proceed with the reference from the stage at which it was left by his predecessor.

No person other than the one nominated by the Commissioner, MCD shall act as arbitrator. The decision of the Commissioner or the arbitrator nominated by him, shall be final and binding on the party(ies). The limitation for filing claims for arbitration is 90 days from the expiry of the contract period and in case no claim is filed within this period; it shall be presumed that there is no claim/dispute.

The party invoking the arbitration clause shall specify the dispute or disputes, to be referred to arbitration under this clause together with the amount or amounts claimed in respect of each dispute.

Jurisdiction;

All disputes shall be subject to the jurisdiction of the courts of Delhi only.

Indemnity

A licensee/sign owner/applicant (licensee) shall be required to indemnify the MCD for the designated Advertising Device and activities located within the boundaries of MCD. The licensee shall indemnify the MCD against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon the MCD which arise as a result of the installation of an Advertising Device. The licensee shall keep the MCD indemnified against all actions, proceedings, claims, demands, costs losses damages and expenses which may be brought against, or made upon, the MCD which might arise from the existence of such Advertising Device.

The advertiser shall always be responsible for any injury or damage caused to or suffered by any person or property arising out of or relating to the display of device/ advertisement and the consequential claim shall be borne by the advertiser who will also indemnify and safeguard the MCD in respect of any such claim or claims

Insurance

The Licensee shall provide evidence of public liability insurance for the following types of Advertising Devices and activities located within the boundaries of MCD.

nCategory 1 Advertising Devices

nCategory 2 Advertising Devices

nDuring the term and at its sole cost and expense, the licensee shall obtain and keep (in full force and effect in the joint names of the licensee and the MCD) a public liability insurance policy for their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons; or accident damage to property.

nThe public liability policy of insurance shall be for an amount as specified by MCD for any single event (or such higher amount as may be notified in writing by the MCD from time to time) and shall be effected with an insurer approved in writing by the MCD and on the terms approved in writing by the MCD

nThe public liability policy of insurance shall include a clause in which the Insurer agrees to waive all rights of subrogation or action that it may have or acquire against all or any of the persons comprising the insured.

nThe licensee shall produce evidence to the satisfaction of the MCD of the insurance affected and maintained by the licensee for the purposes of the second paragraph above, within seven days of receiving a written request to do so from the MCD.

Appeals

Among other things, a person whose interests are affected by a decision relating to an Advertising Device may lodge such an appeal. Before lodging an appeal, the affected person shall seek a review of the decision.

The MCD shall provide a statement of reasons for the decision.

Procedure for grant of permission for erection, exhibition, fixation, retention or display of advertisement

nEvery person desiring to erect, exhibit, fix, retain or display an advertisement shall send or cause to be sent to the Commissioner an application for permission. The said application form duly completed in all respects shall be submitted or cause to be submitted by the applicant in the Concerned Zonal Office against a proper receipt,

The Commissioner may after making such inspection as may be necessary and within thirty days after the receipt of the application, grant, refuse, renew or cancel the permission, as the case may be, in accordance with the provisions of the Act, and the Bye-laws made there under.

nNo application shall be considered by the Commissioner, if it is not submitted in the prescribed Performa along with all the documents as are required by the Commissioner from time to time. Any application submitted in any other shall be deemed to be rejected without any notice and no person shall exhibit, erect, fix or retain upon or over any land, building, wall etc. any advertisement and display any advertisement to public view on the basis of the same.

nThere shall be no deemed permission even after the expiry of 30 days of the submission of application in the prescribed Performa along with all the documents.

nIf any tax on advertisement and penalty is not paid within stipulated time after the

demand notice, the same shall be recoverable as an arrear of tax and the permission shall be deemed to be terminated. The

Commissioner shall be at liberty to remove the hoarding, etc.

nIf any advertisement erected, exhibited, fixed or retained on any land and building unauthorized and in contravention of provision of the Act and the bye-laws framed there under, such advertisements or hoardings shall be removed by the Commissioner without any notice whatsoever and expensed regarding removal of such unauthorized advertisement or hoardings shall be recovered from the concerned as per MCD Commissioner instructions.

Tax to be paid in advance

nThe tax on each advertisement shall be payable in advance for the concerned financial year.

nAll dues shall be payable in cash or by pay order or by demand draft.

Penalty

nWhoever contravenes any provisions of the Act, the Bye-laws and the terms and conditions on the subject or fails to comply with the order or directions lawfully given shall be punishable with a fine as decided by MCD Commissioner for each day during which such contravention or failure continues. The contravention of the Byelaw shall be punishable as mentioned in Sections 143 and 483 of the Act.

nIf the contravention still continues, the Commissioner shall require the owner or occupier of the land, wall, hoarding, frame, post, or vehicle upon or over or in which the same is erected, exhibited, fixed or retained to take down or removed such advertisement or enter any land, building, property or vehicle and have the advertisement dismantled, taken down or removed or spoiled, defaced or screened.

nAny other action including blacklisting of the defaulting agency or advertiser as the Commissioner may decide may also be taken by him.

Revenue:

An attempt has been made to lay down some suggestions based on which the reserved price for the advertisement fee can be fixed for any new device permitted by MCD or any new location/ site identified. The suggestions laid are for reference only and shall not be applicable unless confirmed by MCD as per the laid process in MCD. The MCD may change or add any new fee or condition for any location or device.

A strategy wherein fewer surface are utilized to maximize returns shall be adopted. So that the city will benefit from revenue collection for a higher price for an advertising surface, than extremely low prices for much larger surface area of advertising to create a similar value of revenue.

Outdoor policy -defining strategyfor change, an initiative by MCD
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The advantages of this strategy are:

nIt will bring parity in advertising prices with other media.

nThere would be a more 'controlled number' of advertisements in the city.

nRemoval of clutter will not only induce a cleaner image for the city, but provide greater value and focus for advertising.

1. Commercial advertising fee for Category-1 and Category-3 sign.

The commercial advertising fee shall be decided in an open tender bid basis, for each zone or as per the locations decided by the MCD commissioner.

Any tender will be given for a period not exceeding three years, except in the case of BOT/BOLT contracts. The basic aim, however should be to maximize the civic amenities as well as earning revenue for the corporation which can be used for the development of the city.

The MCD commissioner may tie or link up additional conditions like providing certain amenities at MCD schools, providing public facilities etc. The decision of MCD commissioner is final and binding in this regard.

To promote the usage of renewable energy sources like solar energy, one third of the monthly advertising fee shall be waived off in favor of advertiser.

In case of BOT arrangement, after bearing the cost of making, running and managing of the device / structure, the advertiser shall pay to the MCD an amount as per decided in agreements term and conditions for a fixed duration as per contract . However, after expiry of BOT lease arrangement, the Advertiser shall be liable to pay 100% of the Commercial Advertising Fee. The BOT arrangement unless otherwise indicated shall be permitted in lieu of a service/ amenity/facility for the city.

MCD can club various devices to form a set of devices to be offered to advertisers; however the individual charges for each of the device would be applicable as zone wise mentioned earlier.

The advertisement tax as applicable shall be in addition to the commercial advertising fee, and shall be paid to MCD as per MCD directions or terms and conditions of the contract. Any other tax levied by either the State, Central orCorporation shall be applicable over and above of advertisement tax and the commercial advertising fee as per norms.

2. Commercial advertising fee for Category-2

The commercial advertising fee for Category-2, for the devices listed below shall be decided in an open tender bid basis, Limited tender basis or BOT basis, for each zone or as per the locations decided by the MCD commissioner. The selection of mode of tender

to be floated for any job is to be decided by the MCD commissioner. The MCD commissioner may bind or link up additional conditions. The decision of MCD commissioner is final and binding in this regard.

List of devices under category-2 for which MCD floats tender

- I. Wall mounted display panels
- II. Devices mounted on public utilities/amenities
- III. Pier mounted devices under flyovers/ metro etc.
- IV. Pole Kiosk
- V. Air Borne Device
- VI. Street Furniture

In case of BOT arrangement, after bearing the cost of making, running and managing of the amenity/ facility/ utility, the advertiser shall pay to the MCD an amount as per decided in agreements term and conditions for a fixed duration as per contract . However, after expiry of BOT lease arrangement, the Advertiser shall be liable to pay 100% of the Commercial Advertising Fee.

For the following devices under category-2 the commercial advertising charges shall be applicable as specifically mentioned

I. Informal Advertising Display Board: The device meant for informal advertising is not subject to any charge, however it is to the discretion of zonal deputy commissioner to allow pasting of any advertisement.

II. Banner: The Commercial Advertisement fee on banner devices has not been recommended, however the only regulatory charges of Rs100/sqm shall be applicable on banner signs.

III. Fleet advertising

a. for company owned vehicles: The commercial advertisement charges payable per vehicle per month shall be

Rs. 270 per sqm/month/per vehicle.

b. Service and Delivery vehicles: The commercial advertisement charges payable for service and delivery vehicle per month shall be Rs540 per sqm/month/per vehicle or Rs20000/- per vehicle per month.

IV. Demo-stations

4. Revenue from category-4 devices*

No signage will be allowed beyond the length of the shop. Signages with a total surface area less than or equal to 2.5

sqm for advertising (sum total of all advertising devices visible from road), per property, shall not be subjected to any charges. The width of sign on shop front shall not be more than 0.75m and the length of the sign shall be as per laid down guidelines.

For all the other advertising exceeding 2.5 sqm, the commercial advertisement fee on all devices coming under

Category 4 shall be linked to 8 different property tax zones identified in the city. The regulatory fee would be applicable in addition to commercial advertising fee as explained

by applicable formula

{Unit area Value (UAV) for Applicable zone} + (1) x 100

1000

Example

The Commercial advertising fee for device exceeding 2.5sqm surface area under Category-4, located in Zone-A shall be

$$= 1 + \{630/1000\} \times 100 = \text{Rs } 163/\text{year/sqm}$$

- Device installed in area with Property Tax Zone-A – Rs163 per year/sqm
- Device installed in area with Property Tax Zone-B – Rs150 per year/sqm
- Device installed in area with Property Tax Zone-C – Rs140 per year/sqm
- Device installed in area with Property Tax Zone-D – Rs132 per year/sqm
- Device installed in area with Property Tax Zone-E – Rs127 per year/sqm
- Device installed in area with Property Tax Zone-F – Rs123 per year/sqm
- Device installed in area with Property Tax Zone-G – Rs120 per year/sqm
- Device installed in area with Property Tax Zone-H – Rs110 per year/sqm

*Not applicable currently. Will be introduced after first revision of policy

