

# BMC Draft Policy Guidelines for Display of Outdoor Advertisements 2024



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## **P R E F A C E**

It gives me great pleasure to formulate new policy guidelines 2024 for Outdoor display of advertisements by means of hoardings, kiosks, glow signs, etc. Julius Klien has rightly said in the year 1929 that “Advertising is the key to world prosperity.” This still holds true and especially for cities like Mumbai which houses over 70% of India’s Corporate and is rightly termed as Commercial Capital of Country.

Advertising is an essential and inevitable part of commerce. The provisions relating to such display of advertisements are covered and regulated by Section 328 and 328(A) of BMC Act 1888. The existing policy guidelines were valid for ten years and have expired on Jan 10, 2018. Further B.M.C. has been mandated to frame the new policy guidelines in pursuant to recent High court order in PIL No.155 of 2011 dated 31.01.2017 and subsequent government directives. Hence need was felt to formulate the policy guidelines, to keep pace with changing scenario of outdoor advertisement field nationally and internationally.

In the current global environment, where capital is scarce and all global players are vying for a share of the global capital pie, it is important to make Mumbai an investor-friendly destination that offers world class advertising tools and services in the outdoor media. As a regulator for the street facing advertisement, B.M.C. aims to facilitate Advertising sector with simplified procedures, rules and regulations. Improved business processes and procedures open up new avenues of opportunities and create confidence among entrepreneurs. While doing so, a balance between releasing the control to cater to the growing needs of the advertising industry and due consideration to existing rules, regulations and policies, has been maintained.

Taking into consideration the legal orders, the present policy guidelines 2024 has been framed with an objective to improve the quality of outdoor advertising and bring it on par with international standards, and to strike a balance between aesthetics of the city and the commercial potential of Advertising sector.

These new guidelines are aimed at regulating display of advertisements by means of hoardings, glow signs, bus queue shelters advertisements on construction site of buildings, advertisements during festival seasons, Due attention has also been paid to relatively new concepts such as digital advertising on Malls, Big Shopping Centres, National & International Banks, Commercial Institutes, etc. as also temporary permissions for display of banners / boards etc.

These new guidelines supersede the previous guidelines of 2008 and all circulars issued here to before. This Policy will applicable for 10 years from the date of approval or approval of next policy guideline whichever is later.

**Municipal Commissioner**

## WHAT'S NEW

1. Considering Mumbai's commercial potential as Financial Capital of India, the earlier system of different sizes for different zones was found to be without any rationale and therefore, division of Mumbai in Zone 1/2/3 has been dispensed with. Now, the Policy allows Advertiser to put any size of hoarding (as defined in the Policy) anywhere in the jurisdiction of B.M.C.
2. Standard Operating Procedure for structural stability.
3. Permit shall be renewed 3 months in advance before the expiry of licence
4. No hoarding shall be permitted near high tension wire.
5. While finalising the policy for grant of permission for banner / boards / flag, etc., adequate care has been taken to keep in mind the "Code of Conduct" to grant permission for political displays during elections.
6. Policy regulating digital advertising has been introduced. All Malls, Multiplexes, Shopping complex, Commercial Buildings can apply for digital LED advertisements.
7. The Advertiser has to obtain No Objection Certificate from Joint Commissioner of Police (Traffic) for illuminated or digital hoardings. In absence of an NOC from Jt. Commissioner of Police (Traffic), advertisement permit will not be granted / renewed for illumination.
8. Policy regarding blacklisting of the advertiser / permit holder for frequent violations on account of non-payment of fees has been introduced.
9. B.M.C is in the process of providing online services for grant and renew of permits. Accordingly, the procedure of scrutiny highlighted in the policy guidelines will undergo suitable changes.
10. Review of decision taken regarding rejection of permit on technical grounds will be done at Jt. / Dy. M. C. (Special) level. This will reduce a lot of delay on account of appeals.
11. Advertisements on B.M.C premises have been introduced by inviting e-tenders.
12. Advertisement permitted in lieu of operation & maintenance of public utilities.
13. Bank guarantee proportional to 6 months of licence fees
14. Insurance of 5 lakh to 1 cr proportional to licence fees
15. This policy shall be applicable to the hoardings on the seaward side under the jurisdiction of Maritime board.

## **PART I**

### **1. GENERAL**

#### **1.1 TITLE**

These guidelines shall be known as “Policy Guidelines for Display of Outdoor Advertisements 2024”.

#### **1.2 JURISDICTION**

These guidelines fall within the ambit of The Mumbai Municipal Corporation Act, 1888 and all other related Acts, Rules and Regulations. Hence, these guidelines are to be read in conjunction with such Acts and associated Rules, Regulations and Guidelines.

#### **1.3 DATE OF EFFECT**

These policy guidelines shall come into effect from the date of issue and will be valid for next ten years from the date of issue or approval of next policy guidelines whichever is later.

#### **1.4 SUPER SESSION OF PREVIOUS POLICY AND CIRCULARS**

These guidelines supersede the previous guidelines and circulars issued in this regard.

#### **1.5 PERMITS AND COMPLIANCE FOR HOARDINGS**

Permissions/Permits granted under section 328 and 328A of the B.M.C. Act 1888 will not automatically legitimize or regularize the structure upon which the permission for advertisement is granted. Furthermore, for the erection of hoardings, the systematic permission structure outlined in the MR&TP Act 1966 and the MMC Act 1888 must be strictly followed.

#### **1.6 INTERPRETATION OF POLICY GUIDELINE**

In case of dispute in the matter of interpretation of the Policy Guidelines, the decision of the Municipal Commissioner or any officer authorised by the Municipal Commissioner shall be final and binding.

#### **1.7 ADVERTISEMENT FEE SCHEDULE**

Modified Clauses and rules relating to norms of payment of fees / deposits are subject to approval from Corporation till then existing schedule of fees and rules shall apply.

#### **1.8 DEFINITIONS**

**ADVERTISEMENT** means and includes any device or representation in any manner such as announcement or direction by word, letter, model, sign by means of posters, hoarding boards, banners, temporary arches, illuminated signs, name boards, direction boards, sky sign,

placard, Digital, LED, LCD, backlit board, electronic display, Laser show, balloons etc. placed on any private/public/State Government/Central Government/Public Sector undertakings / Government companies/Government authorities etc. land/building/Structures visible from any street for the purpose of commercial exploitation or for publicity. However, any display in the form of graffiti and civic messages published by the B.M.C. or any government authorities (having no commercial exploitation) for the benefit of the citizens shall not be considered as an advertisement.

**ADVERTISEMENT ON VEHICLE (MOVABLE)** means single, double or multiple advertisement boards affixed by means of sticker/boards on vehicle in a manner that the advertisements draw visibility while the vehicle is driven on the road.

**ADVERTISEMENT ON VEHICLE (PARKED)** means a single or double board, panel, or panels mounted on a vehicle in a manner that draws visibility when the vehicle is parked at strategic locations.

**AGENCY** means an applicant who may be an individual, registered charitable organization, firm, partnership, or a company incorporated under the Companies Act, 1956.

**BANNER** means cloth or any other material, which contains some advertisement or announcement or written matter for display in public place.

**BUILDING** means a house, out house, stable, shed, hut, tank, (except tank for storage of drinking water in a building or part of building) and every other such structure, whether of masonry, bricks, wood, mud, metal, or any other material what-so-ever.

**BUS SHELTER ADVERTISEMENT** means an advertisement displayed on the structure of a bus shelter. It does not include cantilever, lollipop etc.

**BUILDING WRAP ADVERTISEMENT** means an advertisement displayed on the scaffolding of a building under construction or repair.

**COMMISSIONER** means Municipal Commissioner of the Municipal Corporation of Greater Mumbai and includes Additional Municipal Commissioner.

**COMPETENT AUTHORITY** means Commissioner, or any officer of the Municipal Corporation duly authorized by the Municipal Commissioner.

**CORPORATION** means the Municipal Corporation of Greater Mumbai.

**DIGITAL / ILLUMINATED HOARDING:** Digital hoardings is defined as outdoor advertising displays that use digital technologies for content presentation. These hoardings must follow regulations regarding brightness levels, content duration, and placement to ensure they do not compromise road safety or pedestrian visibility.

**DIRECTION BOARDS** means any surface of structure erected on ground or on or above the parapet / wall of any structure which indicate a direction to a road, building, park or any site and boards put up by private and commercial establishments to indicate direction to their offices or commercial outlets, etc. The establishment of boards is not permitted on roads and footpaths.

**ELECTRONIC DISPLAY** means electronically operated advertisement display fixed on a structure.

**GANTRY ADVERTISEMENT** means advertisement affixed on a gantry erected across a road and usually fabricated from metal section pillars fixed on either side of a road with a beam shaped section connecting the top of the pillars across the road with advertisement on the face opposite to the direction of traffic.



**GLASS FAÇADE ADVERTISEMENT** means any advertisement which is affixed or pasted to the glass façade of any building/ structure.

**GLOW SIGN BOX ADVERTISEMENT** means an advertisement displayed on a transparent or translucent sheet of any material mounted on a metal sheet box, illuminated from behind using electrical lamps.

**GRAFFITI** means paintings on wall.

**GROUND RENT** means rent paid under the terms of a lease / tenancy by the occupier of building / land to the owner of land on which it is used for any purpose by the occupant.

**HOARDING** means any structure erected on ground or on dead wall with characters, letters or illustrations applied thereto and displayed in any manner whatsoever, out of doors, for purpose of advertising or to give information with a view to attract the public to any place, person, public performance articles of merchandise whatsoever and also includes advertisement by using lamps / lights /digital, which flash and appear in a synchronized manner in one or more different colours.

**KIOSK** means a small structure in a public area used for providing information, often incorporating an interactive display screen or screens.

**LAND** means land which is being built upon or is built upon or covered with water, benefits to arise out of land, things attached to the earth or permanently fastened to anything attached to the earth and rights created by legislative enactment over any street.

**LASER ADVERTISEMENT** means advertisement displayed on surface of the premises / screen by using laser projector.

**LICENCE** is permission, accorded by a competent authority, conferring the right to do some act which without such authorization would be illegal, or would be a trespass or a tort.

**LICENCE FEES** refers to an amount of money paid by an individual or business to a government agency for the privilege of performing a certain service or engaging in a certain line of business.

**LOLLY POP** means round / square piece of advertisement board at the end of the pole which is erected from the ground within the compound wall. It does not extend onto BMC's roads and footpaths.

**OWNER**, when used in reference to any premises, means the person who receives the rent of said premises or who would be entitled to receive the rent there of, if the premises were let and include:

Agent or trustee who receive such rent on account of owner and

Agent or trustee who receive such rent on account of or is entrusted with or concerned for, any premises devoted to religious or charitable purpose; and

A receiver, sequester, or manager appointed by any court of competent Jurisdiction to have the charge of, or to exercise the rights of an owner of the said premises.

In case of Co-operative society, a General Body of the society.

**PERMIT** means written permission of the Municipal Commissioner to erect, fix or retain any sky sign.

**PREMISES** means any land or buildings of any tenure; whether open or enclosed, whether built on or not and whether public or private.

**PRESCRIBED APPLICATION FORM** means a format prescribed by the Commissioner at Appendix – A on which an application for permission to erect and display of any advertisement is to be made to the Corporation.

**PRIVATE STREET** means a street which is not a Public Street.

**PUBLIC STREET** means any street heretofore levelled, paved, metalled, channelled, severed or repaired by the Corporation or any street which became Public Street under any of the provision of the BMC Act 1888 or which vests in the Corporation as Public Street.

**ROOFTOP** means the structure having roof of Mangalore tiles, asbestos/metal sheets or any other material sloping roof of the structure.

**SCROLLER DISPLAY ADVERTISEMENT** means a box type display with rollers for scrolling a display of looped printed sheet which displays advertisements.

**SEAWARD SIDE** means the direction or side away from land and toward the open sea.

**SHOW CASE ADVERTISEMENT** means a case covered from three sided and visible from any street, used for display of advertisements.

**SPONSORER** means a person who sponsors the advertisement either by payment or without any commercial exploitation.

**STOP-LINE** means the line at which the traffic must stop before crossing the junction at signal intersection. Usually this is a solid line painted parallel to the Zebra Crossing.

**SKY-SIGN** means any word, letter, model, sign, device or representation in the nature of an advertisement, announcement or directions, supported on or attached to any post, pole, standard framework or other support wholly or in part upon or over any land, building or structure which, or any part of which sky sign, is visible against the sky from some point in any street and includes all and every part of any such post, pole, standard framework or other support. The expression “sky-sign” shall also include any balloon, parachute, or other similar device employed wholly or in part for the purposes of any advertisement, announcement or directions upon or over any land, building or structure or upon or over any street but shall not include:-

Any flagstaff, pole, vane or weathercock, unless adopted or used only or in part for the purpose of any advertisement, announcement or direction.

Any sign, or any board, frame or other contrivance securely fixed to or on the top of the wall or parapet of any building or on the cornice or blocking course of any wall, or to the ridge of a roof. Provided that such board, frame or other contrivance be of one continuous face and not open work and does not measure more than three feet in height above any part of the wall, or parapet or ridge to, against, or on which it is fixed or supported.

Any word, letter, model, sign, device or representation as aforesaid, relating exclusively to the business of a railway company, and placed wholly upon or over a railway, railway station, yard, platform or station approach belonging to a railway company, and so placed that it cannot fall into any street or public place.

Any notice of land or building to be sold, or let, placed upon such land or buildings.

**TAX** means a compulsory contribution to the government levied on persons, income, commodities, transaction, etc.

**TEMPORARY ARCHES** mean temporary structures erected across the road for greeting of personalities or for display of advertisement.

**TERRACE** means the flat roof of a house, building, open to sky portion of the constructed place having rooftop.

**TRAFFIC ISLAND** means a traffic island which is a solid or painted object on a road that channels traffic. It can also be a narrow strip of island between roads that intersect at an acute angle.

**TRAFFIC ISLAND WATCH TOWER** means a tower/structural created for the use of safety and security of the public and smooth movement of traffic.

**TRI-VISION ADVERTISEMENT** (or 'Tri-Ads') means an advertisement hoarding / board that use rotating triangular panels in a synchronized manner such that the three faces of the triangular section are seen one after the other displaying three different advertising messages.

**VEHICLE** shall include auto motor cars which is used or capable of being used on a public street.

### **1.9 TYPES OF ADVERTISEMENTS FOR WHICH PERMISSION IS NOT REQUIRED**

(1) The following types of advertisements, excluding illuminated advertisements and sky-signs, are not required to obtain permission from Corporation: -

- a) Advertisements related to the trade, profession, or business conducted on the premises may be permitted within the window of that premises, provided they do not obstruct light and ventilation.
- b) Advertisements displayed on or within business premises that relate to the trade or business conducted within those premises are permissible.
- c) Advertisements displayed on or within any premises that relate to the sale or letting of the premises or any items within them are allowed.
- d) Advertisements that relate to the name of the land or building, or the name of the owner or occupier of such land or building, are allowed as long as they do not form a sky sign.

(2) Display of illuminated / non-illuminated advertisement published by B.M.C. or government authorities

- a) Display of Graffiti on the walls of any building which is purely artistic and does not contain any advertisement.
- b) Civic message, signage, name board erected on the land or building for the benefit of citizens at large is not required to obtain permission from corporation.
- c) Hoardings/Advertisement boards etc., erected by BMC on land, buildings, roads, and other properties belonging to BMC, for display of civic messages, directional boards etc. for the benefit of citizens at large, are not required to obtained permission, in such distance criteria between two hoardings shall not be applicable.

(3) Advertisements on other media for which no permission is required from licence department

- a) Advertisements published in newspaper, magazine, print media, etc.
- b) Advertisements broadcast on radio, television and other electronic media
- c) Advertisement on social media

## **1.10 RULES RELATED TO FEES / DEPOSITS**

Modified clauses and rules relating to norms of payment of fees/ deposits are subject to approval from corporation till then existing schedule of fees and rules shall apply.

***NOTE:** The Brihanmumbai Municipal Corporation (BMC) has established a committee under Hon' Additional Commissioner for the regularization of digital hoardings No. D.M.C./Spl/OD/13/dt. 08/05/2024. This committee comprises experts from IIT Bombay, environmental specialists, and other authorities within the BMC. The expert committee shall establish norms and standards for illumination, brightness, and other criteria for digital hoardings. Also, this committee will play a crucial role in developing comprehensive guidelines that balance the aesthetic, economic, and regulatory aspects of outdoor advertising in Mumbai, enhancing the city's urban character. Meetings and discussions on digital hoardings, specifically regarding safety, environmental norms, brightness, and illuminance, are currently ongoing, with extensive research being conducted on these matters. Following the committee's deliberation and study, these standards will be officially published as the criteria for the display of digital hoardings.*

## **PART II**

### **2. ADVERTISEMENTS ON BUSINESS PREMISES**

#### **2.1 GENERAL NORMS FOR GRANT OF PERMISSION ON BUSINESS PREMISES FOR DISPLAY OF ADVERTISEMENT RELATING TO TRADE, PROFESSION, AND SERVICES RENDERED IN THE ESTABLISHMENT**

- a) No agency, without the permission in writing from the Competent Authority, shall erect, exhibit, fix or retain any advertisement by means of glow signs, illuminated establishment name boards, electronic displays, digital advertisement, back lit advertisements or any type of illuminated advertisement and any advertisement forming sky-sign on business premises such as shops, show rooms, offices, petrol pumps, cinema theatres, malls, commercial institutions / buildings, upon any land, wall on any floor of the premises.
- b) The norms guiding the grant of permission will be as detailed in this section. An agency displaying advertisement / sky sign or advertisement, without seeking permission of the Competent Authority and in contravention of these guidelines, will be committing offence punishable under section 328 / 328A read with 471 of the B.M.C. Act, 1888.
- c) In case of continuation of offence, the action of removal of advertisement board will be initiated at the risk, costs and consequences of the Agency or Advertiser.
- d) The advertisement board permitted on Business Premises shall not project beyond the building line (i.e. plinth of the building) where the establishment exists as well as on the premises of the adjacent establishments.
- e) Business premises may be either by way of ownership or by way of tenancy / lease agreement on which agency can erect / display / exhibit / retain advertisement relating to trade, profession, services rendered in the establishment.

#### **2.2 TYPES OF ADVERTISEMENT ON BUSINESS PREMISES**

- a) Sky-sign.
- b) Advertisement Board (Name / Direction / Standby / Emblem / Scroller, etc.)
- c) Advertisement on Mall / Within Mall including vehicle – Moving / Parked / Digital Advertisement (Including LED/ LCD/ Computerised coloured/Multi coloured/ Graphic Display)
- d) Illuminated Board (Glow Sign)
- e) Show Cases which is use for display of advertisement by any means which covered from three sided and visible from any street (Illuminated)
- f) Advertisement by Laser Projector (for specific events only).
- g) Advertisement on Construction Fence & inside the premises by means of glow sign boards/ LED etc. (Advertisement other than name of the project site will be treated as commercial, advertisement and will be charged accordingly).

#### **2.3 PROCEDURE FOR APPLICATION FOR ADVERTISEMENT ON BUSINESS PREMISES**

- a) The Applicant / Agency has to apply online for permission in the prescribed form as annexed at “Appendix-A” with B.M.C., addressed to the respective ward in whose jurisdiction the advertisement is proposed to be displayed.

- b) Applicant / Agency shall pay as applicable processing fees.
- c) The Applicant / Agency shall submit self-attested documents along with the application at the time of grant of permission. However original documents shall be submitted for verification as and when demanded by B.M.C.

#### **2.4 FEES & DEPOSITS FOR ADVERTISEMENT PERMITS ON BUSINESS PREMISES**

- a) In case of grant of fresh permission, the Agency / Applicant shall make the payment within the period of 10 days on receipt of B.M.C.'s Demand Letter.
- b) If the Agency/Applicant fails to make the payment as mentioned in (a), a proportionate composition charge based on the monthly advertisement fees will be levied for any delay beyond 10 days.
- c) In the event Applicant / Agency failed to make the payment within a period of 90 days from receipt of demand letter by the Applicant / Agency, the application for grant of permission shall be treated as cancelled and action will be initiated as per provision of B.M.C. Act 1888.
- d) On grant of permission, Applicant / Agency shall be liable to pay the one year advertisement fees in advance as per schedule along with security deposit equal to one month's advertisement fees for faithful compliance of the terms and conditions of the permission / permit.
- e) If the deposit is forfeited for breach of any terms and conditions, the resultant shortfall in deposit shall be recouped within 30 days from the receipt of B.M.C.'s demand letter.
- f) It will be the responsibility of the permit holder, to renew the permit before its expiry date. In case if the permit is not renewed before the date of its expiry, composition charges equivalent to 25% of the proportionate monthly advertisement fee for month of delay is liable for payment. If payment is not made within the period of three months the permit shall be ceased and outstanding amount of advertisement fee will be adjusted by forfeiting the security deposit and subsequently permit shall be cancelled and action will be initiated as per B.M.C. Act 1888.
- g) If Agency intends to restore the ceased / cancelled permit as stated at Sr. No (f) above, it can be restored on payment of advertisement fee from the date of expiry of the permit along with composition charges on the proportionate monthly advertisement fee for total months of delay and security deposit equal to one month's advertisement fee.
- h) If advertisement is found displayed without prior permission of Municipal Commissioner / Competent Authority of B.M.C. and thereafter if agency come forward to obtain the permission for advertisement, then regularisation charges equal to one year advertisement fee shall be recovered in addition to schedule fees as stated above at Sr. No.(d). (Permit shall be granted from the date of first detection of display / actual display of advertisement board).
- i) In the event, if Sunday or Public Holiday falls on first date of the month thereby advertiser / agency could not pay the advertisement fee and subsequently paid the advertisement fee then no composition charges shall be charged on advertisement fee.

Modified Clauses and rules relating to norms of payment of fees / deposits are subject to approval from Corporation till then existing schedule of fees and rules shall apply.

## **2.5 DUTIES AND RESPONSIBILITIES OF PERMIT HOLDER**

a) **Aesthetically Design**

The permit holder shall ensure that the structure and the advertisement board are aesthetically designed, framed and properly maintained at all times.

b) **The Character or Appearance of the Area.**

Advertisements must align with the character and appearance of the locality. In residential areas, advertising is restricted to business premises and should be minimized to the greatest extent possible.

c) **The Character and Appearance of Buildings**

Advertisements fixed to buildings should be designed to suit the scale, proportions, period, architectural detailing, and use of the building. They must not harm the character of the building or obscure architectural features. Illumination will be resisted if it is considered harmful or detracting from the special interest of the building.

d) **Heritage Assets and their Settings**

Advertisements positioned on heritage buildings may also require permission from Heritage Committee. Advertisements will be resisted if they are considered to harm the setting of heritage assets. Advertisements on heritage building require Heritage Committees consent, even where advertisement licence is not required, and must be designed and attached to the building with particular care. With heritage assets and their settings (including the setting and approaches to the World Heritage Sites and Art Decoratives) a stricter line will be taken on the design, materials, method of illumination, positioning, number, type and scale of advertisements allowed in order to protect special interest. In Heritage areas the Corporation will resist advertisements that fail to preserve or enhance the character or appearance of the conservation area. Without NOC of Heritage Committee any type of advertisement are not allowed.

e) The permit holder shall ensure that advertisements of obscene (as defined in BNS 2024) nature or any other offensive message or in contravention of the provisions of section 328 / 328A of the B.M.C. Act 1888 shall not be displayed.

f) The permit holder shall abide the terms and conditions stipulated in the permission letter.

g) In case of any accident, Advertiser shall be solely liable against all actions / suits / claims / damages and demand of any nature.

h) Advertisements which are banned by Government shall not be displayed.

## **2.6 STRUCTURAL DESIGN / ERECTION OF THE ADVERTISEMENT BOARD ON THE BUSINESS PREMISES.**

a) Agency / Applicant shall submit detailed Structural Stability Report from the registered B.M.C. structural engineer along with the application if they intend to erect, exhibit, fix, retain or display the advertisement board more than 300 sq. ft. or if it is forming a sky-sign above 100 sq. ft.

b) The name board should be restricted to the business premises only.

## **2.7 NORMS FOR DISPLAY OF ADVERTISEMENTS ON GLASS FACADE**

a) Advertisement on glass facade can be permitted on Business Premises having glass façade is duly approved as per approved plan from Building Proposal Department.

b) The advertisement on glass facade can be permitted on 50% portion of the glass

- facade.
- c) Illuminated / LED Display not allowed on Glass Facade.
  - d) Applicant shall obtain prior permission for display of advertisement on glass facade if advertisement is by means of illumination, shall pay charges for the same as per schedule of fees.
  - e) Permission of Glass facade shall be given subject to N.O.C. from Chief Fire Officer considering safety at large.

## 2.8 SCRUTINY

- a) Advertiser / Agency shall apply for grant of permission in prescribed form Appendix 'A' along with required documents in concerned ward along with the processing fee if applicable.
- b) For grant of permission for display of advertisement board size up to 200 sq. ft
  - i. Upon receipt of Application for grant of permission to display of advertisement board with multiple boards having size up to 200 sq. ft. such application shall be assigned by Sr. Inspector (Licence) to concerned Inspector.
  - ii. Concerned Inspector shall visit the site and scrutinize the proposal so received strictly as per prevailing guidelines and shall submit to Sr. Inspector (Licence) with specific recommendation either positively or negatively for approval in stipulated period.
  - iii. Upon receipt of application, Sr. Inspector (Licence) of ward shall either grant or reject the permission within stipulated period.
- c) For grant of permission for display of advertisement board size above 200 sq. ft., to 400 Sq.Ft.
  - i. Upon receipt of Application for grant of permission for display of advertisement board with multiple boards having size above 200 sq. ft., upto 400 Sq.Ft., such application shall be assigned by Sr. Inspector (Licence) to concern Inspector.
  - ii. Concerned Inspector shall visit the site and scrutinize the proposal so received strictly as per prevailing guideline and shall submit within stipulated period to Sr. Inspector (Licence).
  - iii. Sr. Inspector (Licence) of ward who in turn shall forward the same within stipulated period to Asst Commissioner of ward with the specific recommendation either positively or negatively.
  - iv. Upon receipt of application, Assistant. Commissioner of ward shall either grant or reject the permission within stipulated period.
- d) For grant of permission for display of advertisement board with multiple boards size above 400 Sq. Ft.
  - i. Upon receipt of Application for grant of permission for display of advertisement board with multiple boards size above 400 Sq.Ft., such application shall be assigned by Sr. Inspector (Licence) to concern Inspector.
  - ii. Concerned Inspector shall visit the site and scrutinize the proposal so received strictly as per prevailing policy guideline and shall submit within stipulated period.
  - iii. Sr. Inspector (Licence) of ward who in turn shall forward the same within stipulated period to Assistant Commissioner of respective ward with the specific recommendation either positively or negatively.



- iv. Assistant. Commissioner shall forward the same to Superintendent of Licence.
  - v. Superintendent of License shall forward the same to DMC (in Charge of Licence Dept) for approval.
  - vi. Upon receipt of application, DMC (in Charge of Licence Dept) shall either grant or reject the permission within stipulated period.
- e) In case of rejection of application, the competent authority shall for reason to be recorded in writing, refuse permission for grant of permit / permission.

## **2.9 TRANSFER OF ADVERTISEMENT PERMIT ON BUSINESS PREMISES.**

The advertisement permit can be transferred with the prior permission of competent authority and on payment of transfer fees, as prescribed by the BMC from time to time, subject to the submission of following: -

- a) Consent in writing from the holder of the permit and the land-owning authority / Co-operative society.
- b) In case of transfer of permit to legal heir, death certificate of the original permit holder, proof of legal succession, and Indemnity Bond from other legal heirs indemnifying the Municipal Commissioner from all other claims / disputes.
- c) In case of transfer through sale, the sale document and Indemnity Bond from purchaser indemnifying corporation from all claims and disputes.
- d) Permit holder shall pay the Transfer fee equal to one month advertisement fee.
- e) In case of Change in Constitution of Company / Partnership / LLP, documents such as indemnity bond and resolution or agreement.

## **2.10 DISPOSAL OF APPEAL APPLICATIONS**

The Appeal application for the decision taken on grant / reject / revocation of permit for display of advertisement on Business Premises shall be dealt as under: -

- a) Appeal lies with Asst. Commissioner of the ward, if the application for grant of permission is rejected or permit granted is cancelled / revoked by Sr. Inspector (Licence) of the ward.
- b) Appeal lies with Joint / Deputy Municipal Commissioner, in-charge of Licence Department in case application for grant of permission is rejected or permit cancelled / revoked by Asst. Commissioner of the ward.
- c) An appeal must be filed along with appeal fees as applicable within 30 days from the date of rejection of application or revocation of permit granted against the orders of the authority or cause of action as the case may be and copy of appeal shall be given to Appellate Authority.
- d) The Appellate Authority as far as possible shall dispose off the appeal within two months from the date of filing appeal in normal circumstances.

## **2.11 GRANT OF PERMISSION FOR DISPLAY OF ILLUMINATED OR NON-ILLUMINATED ADVERTISEMENT RELATING TO ADVERTISEMENT OTHER THAN TRADE, PROFESSION, SERVICES RENDERED IN THE ESTABLISHMENT**

**A) This is only applicable for Handicapped (Divyang) PCO stall granted by B.M.C.**

- a) This is permissible only for handicapped (Divyang) PCO stall granted by B.M.C.
- b) The procedure for grant of permission and other procedures are applicable as stated in Part II above. This type of permission will not be granted to non – HPCO stalls / premises.
- c) Size of advertisement board shall be restricted total 24Sq.Ft., to the size of HPCO stall. No advertisement on the top / roof of HPCO will be permitted.

**B) Commercial Advertisement on Business premises**

Commercial Advertisement on Business Premises not related to Trade Profession/ Services rendered in the same premises shall be permitted. Maximum width & height 10x10ft Horizontal x Vertical.

## **PART – III**

### **3. TEMPORARY ADVERTISEMENTS**

#### **3.1 GENERAL NORMS FOR TEMPORARY ADVERTISEMENTS**

- a) No agency, without the permission in writing from the Competent Authority, shall temporarily erect, exhibit, fix or retain any advertisement by means of advertisement boards on buildings under construction / building wrap on building under repair, banners, boards, flags, direction boards.
- b) The application shall be made in the prescribed form (Appendix – A) to B.M.C. along with prescribed processing fees as applicable. In case permission is required for more than one ward, the application shall be made in the ward where the administrative office of the applicant agency is situated and the same will be processed as per the procedure laid down in the policy guideline.
- c) An agency displaying advertisement / sky sign or advertisement without seeking permission of the Competent Authority or in contravention of these guidelines, will be committing offence punishable under section 328A read with 471 of the B.M.C. Act, 1888. Such advertisements shall be removed by B.M.C. at the risk, cost and consequences of the Agency.

#### **3.2 TYPES OF TEMPORARY ADVERTISEMENTS.**

- a) Banner
- b) Board
- c) Flag
- d) Advertisements on Mobile Vehicle (Parked / Moving)
- e) Advertisements by means of Laser / Digital Display / Video Displays specifically for the events.
- f) Wall Painting.
- g) Advertisement on under repairing of building or under construction building by means of Wrap.
- h) Floating Balloons
- i) Advertisement on moving Cars / Taxi by means of illuminated.
- j) Advertisement on moving vehicles displayed by stickers by means of non-illuminated on Taxi/ Buses etc.

#### **3.3 PROCEDURE FOR APPLICATION FOR TEMPORARY ADVERTISEMENTS**

- a) The applicant agency shall apply for permission in the prescribed form as per “Appendix-A” with B.M.C., in the ward in which advertisement is proposed to be displayed.
- b) Applicant / Agency applying for advertisement on building under construction site on private land shall pay processing fees if applicable along with the application form duly filled in Auto DCR of Chief Engineer (Development Plan).
- c) In case planning authority S.R.A. / MHADA / MBPT / PWD, the respective agency shall be apply for advertisement permission on building under construction in the respective ward along with requisite documents. (As per Appendix ‘A’)

**The Applicant / Agency shall submit self-attested documents. However, original documents shall be submitted for verification as and when demanded by B.M.C.3.4 NORMS FOR GRANT OF ADVERTISEMENT PERMISSION ON CONSTRUCTION FENCE AND BUILDING WRAP, RELATED TO THE PROJECT (NO COMMERCIAL ADVERTISEMENT)**

- a) Advertisements of any sizes shall be allowed on Construction Fence / Open land / Wall / Scaffolding / or on above any other equipment of the building under construction, after taking due permission from Competent Authority.
- b) Advertisement boards shall be placed on available permitted spaces of construction fences.
- c) It shall be responsibility of the applicant / agency to remove the advertisement boards, on completion of the project, failing which intimation will be sent to Building Proposal department for refusal to issue Occupation Certificate.
- d) Temporary advertisement on construction fence can be granted upto validity of Commencement Certificate or RERA Registration Validity. The minimum period is one year and the said permission shall be renewed for the maximum period upto the project completion date mentioned in the RERA Registration Certificate.
- e) In case, building under construction is on the land of S.R.A. / M.M.R.D.A./ M.H.A.D.A. / M.B.P.T. / P.W.D., in such cases application shall be submitted to Sr. Inspector of licence department of concerned ward. However, in cases, where B.M.C. is planning authority (plans approved by the BMC), the permission shall be granted by the Building Proposal department of B.M.C., in Auto DCR.
- f) Advertisement of any size, on Construction Fence / Open land / Scaffolding / or on above any other equipment of the building under construction, by means of illuminated / non-illuminated displays, i.e. Glow Sign/ digital displays shall be allowed till the completion of the project.
- g) The advertisement fees shall be accepted in Miscellaneous Head.
- h) The applicant must display only the advertisement for which permission has been granted.

**3.5 FEES & DEPOSITS FOR TEMPORARY ADVERTISEMENT**

- a) On grant of permission, the agency shall be liable to pay the advertisement fees in advance as per the schedule of fees along with security deposit equivalent to one month's advertisement fees for faithful compliance of the terms and conditions of the permission.
- b) The fees are payable, as per Schedule of Fees as decided by the Corporation which can be amended from time to time.
- c) The fee is to be paid for the whole month in advance even though the permission is granted for a period less than a month.
- d) The advertisement fees will not be accepted through post or by courier service or by cheque.
- e) If the advertisement displayed without valid permission, prosecution under section 328 / 328A read with 471 of the M.M.C. Act 1888, shall be initiated and such advertisement shall be liable for removal with a risk, cost and consequences of the Applicant / Agency.
- f) It will be the responsibility of permit holder, to apply one month prior to expiry of permit in order to renew the permit before its expiry date. In case if the permission is not renewed before the date of its expiry, it shall stand cancelled / revoked.

- g) If Agency displayed advertisement without prior permission of Municipal Commissioner / Competent Authority of BMC and thereafter Agency come forward to obtain the permission for advertisement, in such cases regularisation charges equal to one month advertisement fee shall be recovered in addition to regular fees as stated above (Permit shall be granted from the detection of display / Actual display of Advertisement Board).

Modified Clauses and rules relating to norms of payment of fees / deposits are subject to approval from Corporation till then existing schedule of fees and rules shall apply.

### **3.6 DUTIES AND RESPONSIBILITIES OF PERMIT HOLDER**

- a) The permit holder shall ensure that the structure and the advertisement board are aesthetically designed, framed and properly maintained at all times.
- b) The permit holder shall ensure that advertisement of obscene or ostentatious nature or any other offensive message (as defined in BNS 2024) or in contravention of the provisions of section 328 / 328A of the M.M.C. Act 1888 shall not be displayed.
- c) Renewal of the permit for the advertisement board shall be done before expiry as per the terms and conditions of the permit.
- d) Permit holder shall abide the above terms and conditions stipulated in the permission letter.
- e) In case of any accident, Advertiser shall be solely liable against all actions / suits / claims / damages of any nature.
- f) The permit holder shall ensure that on expiry of the permit / permission Advertisement shall be removed along-with the structure.

### **3.7 SCRUTINY**

- a) Advertiser / Agency shall apply for grant of permission in prescribed form Appendix 'A' along with required documents in concerned ward along with the processing fees as applicable.
- b) For grant of permission for display of advertisement board size up to 200 sq. ft.
  - i. Upon receipt of Application for grant of permission to display of advertisement board having size up to 200 sq. ft. such application shall be assigned by Sr. Inspector (Licence) to concerned Inspector.
  - ii. Concerned Inspector shall visit the site and scrutinize the proposal so received strictly as per prevailing guidelines and shall submit with specific recommendation either positively or negatively for approval within stipulated period to Sr. Inspector (Licence).
  - iii. Upon receipt of application, Sr. Inspector (Licence) of ward shall either grant or reject the permission within stipulated period.
- c) For grant of permission for display of advertisement board size above 200 sq. ft.
  - i. Upon receipt of Application for grant of permission for display of advertisement board having size above 200 sq. ft., such application shall be assigned by Sr. Inspector (Licence) to concern Inspector.
  - ii. Concerned Inspector shall visit the site and scrutinize the proposal so received strictly as per prevailing guideline and shall submit within stipulated period to Sr. Inspector (Licence)
  - iii. Sr. Inspector (Licence) of ward who in turn shall forward the same within stipulated period to Asst Commissioner of ward with the specific

- recommendation either positively or negatively.
- iv. Upon receipt of application, Asst. Commissioner of ward shall either grant or reject the permission within stipulated period.
- d) In case of rejection of application, the competent authority shall for reason to be recorded in writing, refuse permission for grant of permit.

### **3.8 GRANT OF PERMISSION FOR DISPLAY OF BANNERS / BOARDS / FLAGS ETC.**

- a) This policy will be applicable for grant of permit for display of advertisement by means of Banners/ Boards/ Flags visible from any street.
- b) No agency, without the permission in writing from the Municipal Commissioner/ Competent Authority of BMC, shall erect, exhibit, fix or retain any advertisement by means of Banners / Boards/ Flags, the norms guiding the grant of permission will be as detailed in this section.
- c) An agency displaying advertisement through Banner / Boards/ Flags, without seeking permission of the Competent Authority and in contravention of these guidelines, will be committing offence under section 328 / 328(A), punishable under section 471 of the B.M.C. Act, 1888 as well as under The Maharashtra Prevention of Defacement of Property Act, 1995.
- d) No permission shall be granted on the premises of Corporation/ Government / Public places / roads however, exemption can be considered for certain event by Municipal Commissioner for example, Event organized by the Government; event organized by the Corporation, or any other event as deemed fit by the Commissioner.
- e) The permission for display of Banners / Boards / Flags visible from any street will be granted on Private premises subject to submission of No Objection Certificate from concerned landowner / House owner / Society. In the event where flat / premises is occupied by other than owner, then in such case, the No Objection Certificate shall be required from owner & occupier both.
- f) Applicant / Agency shall apply for grant of permission in prescribed form Appendix 'A' along with required documents in concerned ward along with the processing fee as applicable.
- g) The applicant / agency shall pay one month's advertisement fee even if the period granted for permission is less than a month.
- h) The applicant / agency shall pay Security Deposits equal to one month's advertisement fee for faithful compliance of terms and conditions of permit. For non-compliance / for breach of terms and conditions of permit, the Security Deposit lying with B.M.C is liable for forfeiture.
- i) The applicant / agency shall remove the banner upon expiry of the permission, failing which the same will be removed by B.M.C. and the Security Deposit lying with B.M.C. shall be forfeited.
- j) In the event, when the advertiser or agency removes the advertisement on its own and does not claim security deposit within 90 days period from date of expiry of permission, then Security Deposit paid is liable for forfeiture in Municipal treasury.
- k) All Political parties can display a non – illuminated banner / board on their party offices located in private premises and no permission is required for display of such advertisement.
- l) Board displaying information regarding name of the project, duration of project, name of contractor, name of Member of Parliament/Member of Legislative Assembly/Councillors and constituency can be displayed. However, no photographs/pictures of Member of Parliament/Member of Legislative Assembly /

- Councillors shall be displayed.
- m) Applicant / agency shall pay ground rent and advertisement fee if the banner / board displayed on B.M.C road / land.

### **3.9 GRANT OF PERMISSION FOR DISPLAY OF BANNERS / BOARDS / FLAGS ETC.-**

#### **(A) DURING RELIGIOUS FESTIVAL (GANESH CHATHURTHY AND NAVRATRI UTSAV ONLY).**

Permission for display of commercial / social / political advertisements by means of Banners / Boards / Flags on pandals for religious festivals will be permitted considering the circular issues by BMC time to time.

#### **(B) ON GOVERNMENT / SEMI GOVERNMENT PROPERTIES.**

No permission is required for display of illuminated / non illuminated Banners / Boards in the premises of B.M.C., Central Government, State Government, Semi-Government Authorities for display of their Names / Civic messages.

### **3.10 BANNER POLICY DURING ELECTION CODE OF CONDUCT**

- a) Following point no.1 to 4 are set of norms of Model Code of Conduct (MCC) pertaining to display of Flags, Banners during General Election of Lok Sabha/Vidhan Sabha/Corporation.

All the Assistant Commissioners / Sr. Inspector (Licences) are hereby directed to note the following instructions while permitting display by means of Flags, Banners, Hoardings during the General Election of Lok Sabha/Vidhan Sabha/Corporation.

#### **Set of Norms of MCC:**

##### **1. Use of schoolground / public property: –**

- Use of maidan/parks/playground on equitable basis,
- Use of space in public properties for wall writing, displaying election material/banners/ flags/hoardings prohibited, State transport buses/ government owned vehicles shall not be used for political advertisement.

##### **2. Party flags / banners at private residence/vehicle: –**

- Maximum 3 flags of a party/candidate to be displayed. If someone wants to display flags of more than one party or candidate, it should be restricted to only one flag of each party/candidate.
- On vehicles, one flag of maximum size of 1 ft. X ½ ft. with a pole/stick of not more than 3 ft., allowed.
- No banner allowed on any vehicle. During road show, a banner of maximum size of 6 ft. X 4 ft. allowed to be carried out with hand.
- 1 or 2 small stickers of appropriate size permitted on a vehicle.
- No spot focus /flashing/search light /hooter allowed on a vehicle.

##### **3. Defacement of private property: -**

- Flag/banners in private premises with voluntary permission of the occupant.
- Where specific state /local law exists, provisions of the same will be applied.
- On private vehicle, flags and stickers can be put by owner in the manner, they do not cause any inconvenience to other road users.
- On commercial vehicles, display of election material not permitted, unless vehicle is validly being used for election campaign.

**4. Temporary campaign office of political parties/candidates: -**

- Not to be setup in an encroached property
- Not to be opened in a religious place
- Not to be in a place contiguous to any hospital/educational institution
- Not to be within 200 meters of an existing polling station
- Only one-party flag/banner with party symbol/photograph to be displayed at such office
- Size of banner shall not exceed 4 ft X 8 ft subject to condition of local laws.
- Expenditure observer to monitor and book expenditure in the account of candidate.

**General Instructions: -**

In general display of advertisement by means of Flags, Banners, Hoardings by any candidate or any political party in public places shall not be allowed during ensuing the General Election of Lok Sabha/Vidhan Sabha/Corporation.

The Flags, Banners displayed on the offices of political parties / candidates in private premises may be allowed subject to the following conditions: -

- i. That the Applicant / Candidate shall obtain voluntary permission of the occupant.
  - ii. That the Applicant / Candidate shall pay the scheduled charges i.e. advertisement fees and security deposit at prevailing rate.
  - iii. Posters, flags, symbols or any other propaganda materials shall not be displayed in the place being used on the day of poll for distribution of identity slips or near polling booths.
  - iv. That the Applicant shall remove the permitted display object after expiry of such permit.
- b) The candidates contesting election, or any political party can display advertisements pertaining to the elections by hiring the hoardings which are duly permitted by BMC in private premises. However, such type of display by the candidates or political parties shall not be permitted on the hoardings which are erected on public properties like the Municipal or Government land belonging to the Collector, MHADA, Railway Authority, PWD, MSRDC, Airport Authority, BEST Undertaking and any other public body.
  - c) No banner allowed on any vehicle. During road show, a banner of maximum size of 6 ft. X 4 ft. allowed to be carried out with hand. As per Motor Vehicle Act and Rules, RTO permission is required to display any advertisement on any vehicle. Also, the



Election Officer is required to monitor use of vehicles by any candidate or political party. Therefore, permission to display advertisement by way of banners/posters on any vehicle permitted by RTO can be issued and ward should intimate the vehicle permission given to officer of Returning concerned. The vehicle permission on poll day may be given by the Returning officer concerned.

- d) Display of flags / banners / hoardings by any political candidate or any political party shall not be permitted on the public properties such as existing Bus Queue Shelters, ADP Pillars, Canti
- e) levers, Kiosks, Electric poles or any other structure of the BEST Authority on Municipal roads.
- f) Whenever permission in accordance with the aforesaid restrictions is granted, necessary advertisement fees as per the prescribed schedule be charged.
- g) Non-compliance of these directions by any individual candidate or political party shall be liable for action under the provisions of Maharashtra Prevention of Defacement of Property Act, 1995 and Section 328/328A read with section 471 of the BMC Act, 1888; BNS 2024 and BNSS 2024.
- h) The report of permission granted along with action taken if any against unauthorized display of flags / banners / hoardings or any advertising materials shall be submitted to the Model Code of Conduct Cell and Superintendent. Of Licences.
- i) The above directions be followed scrupulously by all the Assistant. Commissioner of Wards and Sr. Inspector (Licence).

### **3.11 GENERAL POLICY GUIDELINE FOR DEVELOPMENT AND MAINTENANCE OF CENTRAL MEDIANS, TRAFFIC ISLANDS, STRIP GARDENS, PUBLIC TOILETS, ETC. THROUGH SPONSORS.**

- a) Assistant Commissioners shall consider the proposal from registered Companies, Scheduled Banks, Financial Institutions, Real Estate Developments or major commercial establishments.
- b) The eligible sponsor shall construct and / or maintain the Central Medians, Traffic Islands, Strips Gardens, etc. in civil as well as horticulture aspects.
- c) The selection of the eligible sponsors shall be done on “first-come-first serve” basis.
- d) The sponsors shall be allowed to display sponsorship boards of size 12” x 18” and it should clearly display the logo of B.M.C. along with name of sponsors and B.M.C back-to-back. In case of Central Medians, distance of 30 metres. should be kept between two sponsorship boards of one foot by one & half feet. In case of traffic islands, a maximum of 4 nos. of sponsorship boards will be allowed to be placed in the island.
- e) The sponsorship agreement for the development and maintenance of Central Medians, Traffic Islands, Strip Gardens, etc. shall be executed through Assistant Commissioner of concerned ward.
- f) All such permissions for illuminated or non-illuminated boards will be granted by Asst. Commissioner of ward and no advertisement fee is payable.

### **3.12 THE MAHARASHTRA PREVENTION OF DEFACEMENT OF PROPERTY ACT, 1995.**

As per section 2(b) of The Maharashtra Prevention of Defacement of Property Act, 1995;

“**DEFACEMENT**” includes impairing or interfering with the appearance or beauty, damaging, disfiguring, spoiling or injuring in any way whatsoever and the word “deface”

shall be construed accordingly.

Whoever by himself or through any other person defaces any place open to public view shall, on conviction, be punished.

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

1. is exhibited with the written permission of the local authority having jurisdiction over such area in this behalf.
2. is exhibited within the window of any building if the advertisement relates to the trade, profession or business carried on in that building.
3. relates to the trade, profession or business carried on within the land or building upon or over which such advertisement is exhibited or to any sale or letting of such land or building or any effects therein or to any sale, entertainment, or meeting to be held on or upon or in the same.
4. relates to the name of the land or building upon or over which the advertisement is exhibited, or to the name of the owner or occupier of such land or building.
5. relates to the business of a railway administration and is exhibited within any railway station or upon any wall or other property of a railway administration.

Considering the provision of Defacement Act and direction given by Hon'ble High Court in PIL-155 of 2011, Senior Inspector (licence) shall furnish information regarding advertisement display of banner / boards / flags, etc. with photograph to the Senior Inspector of Police of the concerned police station for filling FIR.

## **PART – IV**

### **4. ADVERTISEMENT PERMISSION OF HOARDINGS AND ADVERTISEMENT ON OTHER THAN BUSINESS PREMISES**

#### **4.1 GENERAL NORMS FOR ADVERTISEMENT PERMISSION OF HOARDINGS**

- a) No agency, without the permission in writing from the Competent Authority, shall display advertisement by means of hoarding. An agency displaying sky sign or advertisement without seeking permission of the Competent Authority or contravention of these guidelines, punishable under section 328 read with 471 of the B.M.C. Act, 1888.
- b) The competent authority may, for reasons to be recorded in writing may refuse permission for grant of advertisement permit.
- c) If Applicant / Agency intend to change the size of existing hoarding then the same shall not be considered as new proposal and in such case, following documents are required to be submitted along-with application.
  - i. Specific remarks from Building & Proposal department for non-violation of norms about open space / compulsory open space & non-obstruction of light, air and ventilation of adjacent premises as per the prevailing norms of advertisement policy guideline.
  - ii. No Objection Certificate from traffic branch of Mumbai Police for illumination of hoarding.
  - iii. Fresh Structural Stability Report from B.M.C. registered structural engineer.
  - iv. Insurance of each hoarding shall be taken for Rs 5 lakhs to 1 Cr considering location of hoarding where at pedestrian and vehicle movement criteria will be considered while deciding insurance amount in case to case. Non-renewal or non-submission insurance certificate of each hoarding will amount to violation of hoarding and action will be initiated as per the provision of BMC Act 1888.
  - v. No Objection Certificate from landlord or society.
  - vi. Certificate from Approved Architect certifying that distance criteria between two hoardings are as per the prevailing norms i.e. 70 meters distance between two hoardings.

#### **4.2 TYPES OF ADVERTISEMENT ON OTHER THAN BUSINESS PREMISES**

##### **i) HOARDING ON GROUND**

- a) Size- Hoardings / Sky-signs on ground
- b) Hoardings or sky-signs on ground across the city shall be allowed in the following sizes as well: 10'x10', 10'x15', 10'x20', 20'x10', 20'x20', 20'x30', 20'x40', 30'x10', 30'x20', 30'x30', 30'x40', 40'x20', 40'x30' and 40'x40' in vertical x horizontal manner.
- c) The hoarding on ground may be permitted as a single sided and back-to-back and 'V' shape only.
- d) The size of hoarding on, back-to-back and 'V' shape shall not vary.

##### **ii) HOARDING ON TERRACE**

While constructing the building the weight of hoarding, wind pressure, etc. are not considered and as such due to erection of hoarding structure on the roof top or terrace of the building which directly affect the strength of the building and therefore likely to cause the damage to

the building in due course of time. Further, the city of Mumbai situated on the west coast and the climatic condition like wind pressure, humidity thus, life of the hoarding due to corrosion also goes down, which make invite untoward incidence. Mumbai is having high density of population, therefore, considering the citizen safety at large.

- a) No new hoarding shall be permitted either on terraces / rooftops.
- b) Upon the expiration of the authorized period of the existing rooftop or terrace hoardings, the decision will align as per the outcome of W.P.(L) 2869 of 2014 in the High court. Henceforth, no additional permissions for hoardings on rooftops or terraces will be granted.
- c) However, permit can be revoked / cancelled on following ground-
  - i. Hoarding projecting beyond building line i.e. Plinth line of the building.
  - ii. On the building of archaeological, architectural, aesthetical and historical importance as per relevant rule of Development Control Rules for Greater Mumbai.
  - iii. Building on which hoarding is erected and declared / classified in 'dilapidated' category i.e. C-1, C-2(A).

### **iii) DIGITAL / LED / LCD / ELECTRONIC**

- a) Digital / LED / LCD / Electronic display hoardings of all sizes can be permitted subject to No Objection Certificate from Traffic Branch of Mumbai Police.
- b) Digital / LED / LCD / Electronic Display hoarding can be permitted on ground.
- c) For promotion of Digital Technology, all existing Advertisement hoardings can be converted into Digital Hoarding with prior approval of Competent Authority and specific NOC from Traffic Branch of Mumbai Police.
- d) Flickering advertisements are not permitted.
- e) Digital / LED / LCD / Electronic shall be switched off at 11 pm.
- f) Automatic timer shall be fixed to switch off the illumination as specified in condition (e) above.
- g) Structural Stability Report from registered B.M.C. structural engineer shall be submitted while converting existing advertisement hoardings into digital advertisements.
- h) No objection certificate shall be submitted from landowner / Society for conversion of existing display into digital displays.
- i) Digital / LED / LCD / Electronic \ Display hoardings shall have equal amount of advertising fees as per schedule of fees in force.

### **iv) LASER SHOW (in case of events only)**

- a) Laser show can be permitted on available dead wall/ sky subject to No Objection Certificate from Traffic Branch of Mumbai Police.
- b) No objection certificate shall be submitted from landowner / Society or premises where the event is conducted.
- c) Laser show permissions shall be granted for specific event purpose with the sanction of Deputy Municipal Commissioner (Special), in charge of Licence dept only.
- d) Automatic timer shall be fixed to switch off the illumination as specified in condition (iv (1) (f)) above.

### **v) ADVERTISEMENT MOUNTED ON VEHICLES (PARKED)**

- a) Advertisements can be allowed by means of single and double advertisement boards or panel mounted on vehicle and same shall be parked at location in private premises, however, 70 mtrs. distance norms will be followed, if agency intends to display

another mobile hoarding in same premises for a display of advertisements subject to No Objection Certificate of traffic branch of Mumbai Police and Regional Transport Office.

- b) The distance criteria of 70 meter shall be applicable between parked vehicle mounted hoarding and hoarding on land. The minimum distance not applicable on land/road/other properties of BMC for display of civic messages. Stationery vehicles: 30 m from any other OOH).
- c) The permission can be granted for illumination or non- illumination advertisement for display of board maximum up to height of 10 feet and width of 20 feet.
- d) Advertisements can be panel displays or backlit.
- e) Advertisements on vehicles parked on footpaths / carriageway / roads shall not be allowed.
- f) The vehicles utilised for display of advertisements shall always be in good operational condition.

**vi) ADVERTISEMENT AFFIXED ON VEHICLES (MOVING)**

- a) Single- or double-sided advertisement board affixed by means of sticker on side panel or behind and glow sign/digital display on top of the light motor vehicle/heavy vehicles or any other vehicle duly registered under Motor Vehicle Act, in a manner that the advertisements draw visibility while the vehicle is driven on the road as specified in No Objection Certificate of traffic branch of Mumbai Police.
- b) Advertisement on bus panel of BEST undertaking will be allowed, however, 20% amount of contract value or advertisement fees whichever is higher shall be payable in lieu of advertisement schedule fee.
- c) Other than B.E.S.T. Undertaking, other private agencies shall pay advertisement fee as per schedule for display of advertisements on their vehicle with prior permission of B.M.C.

**vii) ADVERTISEMENT BOARD ON FLYOVER BRIDGES / ADVERTISEMENT BOARD ON SIDES AND PILLARS OF SKY-WALK AND FOOT-OVER BRIDGES OF MMRDA / MSRDC / PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONORAIL CORPORATION, ETC.**

In accordance with the directives issued by the Ministry of Road Transport & Highways, an ISO 9001:2008 Certified Ministry S&R (R) Zone, the placement of any form of advertisement within the Right of Way on the National Highway (in this case Western Express Highway and Eastern Express Highway) is strictly prohibited. No hoarding shall be projected on the footpath / Right of way/ roadway/traffic island.

The existing hoarding permits in the ROW issued by M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONORAIL CORPORATION, or any other Government Agency will not be renewed upon the expiration of BMC permission.

Gantries shall be used exclusively for the purpose of displaying direction boards by road authorities and no commercial hoarding/advertisements will be allowed as per directives issued by the Ministry of Road Transport & Highways, Finos. RW/NH-33044/18/2016/S&R (R) dated 07.09.2016 and Urban Development Department, MGC/G/4802 dated 24.05.2024.

**viii) BUS QUEUE SHELTERS**

- a) Advertisement at the front and rear side of Bus Queue` Shelter can be allowed.
- b) Advertisement on Bus Queue Shelter can be allowed in any size as per the design

approved by the concerned authority (BEST & MSRTC). Such advertisement shall not be beyond the size of the bus queue shelter. No advertisements on Kiosks, Lollypop, etc. shall be given along with the permission for advertisements on Bus Queue Shelter. Digital Advertisement can be permitted subject to NOC from Traffic Department of Mumbai Police. The cut-outs shall not be allowed.

#### **ix) KIOSKS**

- a) Advertisement on existing kiosks used for the providing information is allowed and no new kiosks are permitted on footpath/ROW.
- b) The existing permission granted for kiosks shall be continued till the permission/renewal period granted by BMC.

#### **x) CANTILEVER**

The following type of advertisement shall not permitted henceforth:

- i. Cantilevers
- ii. Gantry
- iii. Advertisement on Bicycles/ Tricycles
  - a) The existing permission shall be revoked if any such cantilever is found violating the rules laid down in this policy.
  - b) The existing permission granted for cantilever shall be continued till the permission/ renewal period granted by BMC.
  - c) Cantilevers projection within carriageways strictly prohibited.

#### **xii) COMPOUND WALL**

Advertisement on compound walls of residential premises shall be permitted as per advertisement on business premises section 2.1 .

### **4.3 RESTRICTIONS**

- a) No illuminated / Digital / LED / LCD advertisement hoarding shall be permitted without NOC from the Traffic Police Department. Traffic Police Department NOC once issued shall be treated as permanent, unless it is specifically revoked by Traffic Police Dept with prior intimation to BMC Licence dept.
- b) No mobile hoardings will be permitted in carriageways of any road.
- c) No hoarding shall be permitted in the compulsory open space required to be maintained under the Development Control Regulations of Greater Mumbai (DCR) including public recreation grounds, playgrounds, parks and Gardens. However, the permission for erection and display of hoarding can be given after specific remarks from Building & Proposal dept certifying that, the subject proposed hoarding does not fall in compulsory open space.
- d) No hoarding shall be permitted which would obstruct the light or ventilation of any premises. However, the permission for erection and display of hoarding can be given after specific remarks from Building & Proposal dept certifying that, the light and ventilation will not affect after the erection of proposed hoarding.
- e) No hoarding shall be permitted on Parking plots, Public Playgrounds, Structures / Buildings in Heritage Precincts, Buildings of Archaeological, Architectural, Aesthetical, and Historical or Heritage importance, inside mangrove areas.
- f) No hoardings can be permitted in private premises in case of hoarding in / on Listed Heritage Building, Buildings in Heritage precincts or Buildings with heritage

- importance, without NOC from Mumbai Heritage Conservation Committee (MHCC).
- g) No hoardings shall be permitted in Coastal Regulation Zone Area, without 'No Objection Certificate' from Maharashtra Coastal Zone Management Authority.
  - h) No hoarding shall be permitted within the funnel area i.e. take-off and landing area of airport without NOC from Airport Authority of India. The height of the hoarding shall be certified by the registered Architect or Licenced Surveyor specifying the height given in No Objection Certificate by aviation department for above sea level and above ground level.
  - i) No hoarding shall be permitted near high tension wire.
  - j) To avoid clustering / mushrooming of the hoardings, minimum distance criteria shall be:
    - i. No new hoarding shall be permitted having distance less than 70 meters.
    - ii. Existing permitted hoardings (Except hoardings specifically prohibited as per the new policy) having distance less than 70 meters will not be renewed upon expiry of the existing permission.
    - iii. The distance criteria shall be fulfilled in such a manner that the proposed OOH advertisement media does not obstruct the view of any other existing OOH advertisement media up to a distance of 70 meters.
    - iv. This criteria shall not be applicable for any OOH advertisement media erected by BMC on land/road/other properties of BMC for display of civic messages.
    - v. This distance will be measured from outer edge of the hoarding.
    - vi. In case of new permission, the distance between existing hoarding and new proposed hoarding the distance shall not be less than 70 meter between these hoardings, even those hoarding and existing hoarding facing two different direction on the same alignment of the road. (70-meter criteria should be strictly followed).
    - vii. Restrictions of 70-meter criteria between two hoardings shall not apply to back-to-back / V shape hoarding.
    - viii. For grant of new permission at the back side of existing permitted hoardings, the subject hoarding should comply the condition of minimum distance of 70 metres norm.
  - k) The lower bottom of the edge of hoarding board shall not be less than 3.60 meters (12 ft) from ground level.
  - l) The colour used on hoardings shall not have any resemblance with the colour of traffic signals such as Red, Amber and Green symbols and boards and also no hoardings shall be placed so as to obstruct clear vision of any traffic signal.
  - m) In accordance with the directives issued by the Ministry of Road Transport & Highways, an ISO 9001:2008 Certified Ministry S&R (R) Zone, the placement of any form of advertisement within the Right of Way on the National Highway is strictly prohibited. No hoarding shall be projected on the footpath / Right of way/ roadway/traffic island. Upon the expiration of the authorized period for existing permissions, these structures will be systematically phased out.
  - n) No hoarding shall be renewed which is projecting on or above hutment / slum situated below the advertisement board without No Objection Certificate from the land-owning authority / landlord.
  - o) No hoarding shall be permitted above 100 feet height from the surface of the ground. The height of hoarding will be measured from surface of ground below the hoarding.
  - p) No new hoarding shall be permitted within 50 meters around the statues of historical/national importance personalities.
  - q) No hoarding shall be permitted within 25 meters from stop line of each approach road

facing the hoardings erected on the ground level from each signal at traffic junctions; drawing enclosed.

- r) Illumination of all the advertisements shall be switched off at 11.00 PM by connecting automatic timer device in electric circuit for illumination of hoarding.
- s) In case of advertising agency in default of advertisement fee / assessment tax for any hoarding / hoardings then, no new permission will be given, or existing permit will not be renewed.
- t) All pending proposals for new hoarding will be processed as per the new policy guidelines only.
- u) Permission for increase or decrease in size or shifting of hoarding, which are affected by government project can be allowed similarly permission for any addition, modification in existing hoarding can be allowed only if subject hoarding is in compliance with all provisions of Policy Guideline and there is no litigation such permission shall be granted at the level of Jt. MC/DMC (Spl), in charge of licence dept.
- v) In case of application for new hoarding on the back side of the existing hoarding, permission can be granted only if existing hoarding is in compliance with all provisions of Policy Guideline and there is no litigation of any kind about that hoardings.

#### **4.4 DOCUMENTS TO BE SUBMITTED WITH APPLICATION FOR ADVERTISEMENT THROUGH HOARDINGS, BALLONS, ETC.**

In case of application for advertisement through hoardings, balloons, etc. following documents are required to be submitted along with the application: -

- a) NOC from Landlord of the land / building on which advertisement is proposed to be displayed.
- b) If the land on which advertisement is to be displayed is given on lease by public authority, viz. Corporation, Government, Port Trust, MHADA, MMRDA, PWD, AAI, etc. NOC from the Lessor is also required.
- c) If the NOC is from a Co-operative Housing Society, copy of the Resolution duly passed in the General Body meeting, certified by the Auditor of the Society.
- d) A joint Indemnity Bond-cum-Undertaking by the agency and the owner / co-operative housing society in the prescribed format at Appendix B and Appendix C in case of Municipal leasehold property.
- e) In case of leased out Municipal land, a joint undertaking by the lessee and the agency in the prescribed format (Appendix C) to the effect that they will jointly and severally be liable to pay to the Estate Department of the Corporation, extra ground rent as laid down on this behalf.
- f) Two copies of key plans of the location in the scales of 1":2500' and Block plan in the scale of 1":250'.
- g) Two copies of the design and colour scheme and sketch showing the exact location of the proposed site in question, including computer generated design image along-with external lighting fixtures.
- h) Two copies of 10"x8" size photographs taken from a distance of 50 meters from the proposed site with marking of the proposed hoarding thereon.
- i) Two copies of the location plan indicating presence of any other hoarding within 70 meters of the location along the same alignment and dimensions thereof. The details of the owners, if known, may be given.
- j) NOC from the office of Traffic Police Dept., if the advertisement is to be



- illuminated.
- k) NOC from the Civil Aviation Department of the Government of India wherever it is necessary.
  - l) The structural design / plan along with structural design calculations approved by a Licenced structural engineer.
  - m) The Structural Stability Report from a Licenced Structural Engineer of the Hoarding Structure.
  - n) No hoarding shall be permitted near high tension wire.
  - o) The agency applying for the permission shall submit an undertaking that they have paid property tax and other taxes and dues of B.M.C., and in the event non-payment of taxes the permit granted liable for revocation.

#### **4.5 NORMS FOR ISSUANCE OF NOC FOR ERECTION OF ADVERTISEMENT HOARDINGS / BOARDS**

- a) An agency / advertiser shall erect the hoarding within a period of 90 days from receipt of “No Objection Certificate” by the B.M.C.
- b) Advertiser / agency shall intimate before display of advertisement to concerned Sr. Inspector along with Structural Stability Report certifying that the hoarding is erected as per design and plan submitted at the time of granting permission.
- c) The advertiser / agency must get an adequate insurance coverage to the loss of life / property due to any mishap due to hoarding structure. The insurance validity must be for 2 years. Insurance of each hoarding shall be taken for Rs 5 lakhs to 1 Cr location of hoarding where at pedestrian and vehicle movement criteria will be considered while deciding insurance amount in any case. Non-renewal or non-submission insurance certificate of each hoarding will amount to violation of hoarding and action will be initiated as per the provision of BMC Act 1888. *The advertiser/ agency shall give bank guarantee to the amount proportional to 6 months licence fee, so as to ensure recovery of advertisement fees case to case advertiser/ agency failed to pay BMC dues i.e. advertisement fees.*
- d) The advertisement fees shall be paid from the date of actual display of advertisement OR from the expiry of 90 days period, whichever is earlier, as per schedule of fees, which will be amended from time to time.
- e) In the event, if applicant advertiser does not erect the hoarding structure within a period of 90 days from receipt of NOC, the NOC shall stand revoked / cancelled. However, applicant / advertiser, if desires, can apply for extension of NOC before expiry of existing NOC. A maximum grace period up to 90 days can be granted subject to payment of one-time charges, equivalent to one month's advertisement fee for respective size of hoarding at the time of grant of extended NOC. However, on expiry of total period of 180 days (i.e. from the date of receipt of original NOC), in any circumstances, no further extension of NOC can be granted. After expiry of period of 180 days, applicant advertiser shall apply afresh.
- f) On grant of permission, the agency shall pay the advertisement fee on monthly basis along with security deposit, which is equivalent to one months of advertisement fees for faithful compliance of terms and conditions of permit. However, the advertiser / agency is at liberty to pay the advertisement fees on quarterly, six monthly, nine monthly or yearly basis in advance.
- g) The permit holder shall pay the advertisement fee before expiry of the permit. In case, if the permit is not renewed before the expiry of its validity, then, permit holder shall pay composition charges equivalent to 25% of the total outstanding amount of the

advertisement fee.

- h) If advertisement fee is not paid up to three months, then permit shall be revoked and cancelled and security deposit paid by the permit holder shall be forfeited and will be adjusted against the advertisement fee and action will be initiated as provided by law including removal of hoarding structure at the risk, cost and the consequences of permit holder. In the event, agency / permit holder desires to restore the permit as stated above, then subject permit can be restored on payment of advertisement fee from the date of expiry of permit along with 25 % composition on outstanding amount of advertisement fee and fresh security deposit equivalent to one month advertisement fee.
- i) The permit holder shall pay the advertisement fees for the month even though there is no advertisement display i.e. hoarding board is kept blank.
- j) If advertisement is found displayed without prior permission of Municipal Commissioner / Competent Authority of B.M.C and thereafter if agency come forward to obtain the permission for advertisement, then regularisation charges equal to one year advertisement fee shall be recovered in addition to schedule fees as stated above at Sr. No.(f). (Permit shall be granted from the date of first detection of display / actual display of advertisement board).

#### **4.6 FEES & DEPOSITS FOR ADVERTISEMENT HOARDING PERMITS**

- a) On grant of permission, the agency shall liable to pay the monthly advertisement fees with security deposit equal to one month's advertisement fees for faithful compliance of the terms and conditions of the permit. If the deposit is forfeited for breach of any terms and conditions, the resultant shortfall in deposit shall be recouped within 15 days from the receipt of demand letter.
- b) In case of fresh permits, if the payment is delayed beyond the period of 30 days from the date of receipt of demand letter, composition charges equal to 25 % of the proportionate monthly advertisement fees for every month of delay will be levied. If payment is not done within 30 days from the date of receipt of demand letter the application for grant of permission shall be cancelled and the same shall be communicated to the applicant.
- c) The advertisement licence fee (i.e. Advertisement schedule fees) shall be increased by 10% every year.

Modified Clauses and rules relating to norms of payment of fees / deposits is subject to approval from Corporation till, then existing schedule of fees and rules shall apply.
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#### **4.7 NORMS FOR FORFEITURE OF SECURITY DEPOSIT FOR VIOLATIONS BY PERMIT HOLDER**

Advertiser/ Agency if found violating any condition of the policy guidelines the action will be initiated as per the provision of BMC Act 1888 and the security deposit lying with BMC shall be forfeited and advertiser/ Agency shall pay fresh security deposit within 15 days.

#### **4.8 SCRUTINY OF APPLICATION FOR ADVERTISEMENT HOARDING**

- a) Advertiser / Agency shall apply for grant of permission in prescribed form Appendix -

'A' along with required documents as shown in Appendix in concerned ward along with the processing fee as applicable.

- b) Upon receipt of the application, Advertisement Inspector / Sr. Inspector (Licence) shall visit the site within stipulated period and submit the same to Asst. Commissioner of the ward who in turn shall forward the same within stipulated period to Superintendent of Licence with their specific recommendation either positively or negatively.
- c) Upon receipt of proposal, Superintendent of Licences shall assign the proposal to Jt. Superintendent of Licences / Dy. Superintendent of Licences / Asst. Superintendent of Licences. Concerned shall scrutinize the proposal independently within stipulated period and submit the same to Superintendent of Licences.
- d) Superintendent of Licences in turn shall further scrutinize the proposal so received strictly as per prevailing guideline and shall submit the same to Jt. / Dy. Municipal Commissioner, in charge of licence department, within stipulated period.
- e) Upon receipt of proposal Jt. M. C. / Dy. Municipal Commissioner in charge of Licence Department shall submit the proposal to Additional Municipal Commissioner with recommendation either for approval or rejection within stipulated period.
- f) Upon receipt of proposal Additional Municipal Commissioner in charge of Licence Department shall either approve / reject the proposal within stipulated period.

#### **4.9 TRANSFER OF ADVERTISEMENT HOARDING PERMIT**

The advertisement hoarding permit can be transferred with the prior permission of Competent Authority and on payment of transfer fees, as prescribed by the B.M.C. in schedule of fees which is revised from time to time, subject to document shown in Annexure A and following:

- a) Consent in writing from the Agency i.e. the holder of the permit and the land-owning authority / Co-operative society. In case of Co-operative Housing Society, a resolution passed in Annual General meeting of the society, duly attested by the Auditor of the Society shall be submitted.
- b)
- c) In case of tender floated by B.M.C., BEST, MMRDA, MSRDC or any other Government authority, in such cases, the permit will be transferred in the name of successful bidder without written consent from the existing permit holder.
- d) In case of legal transfer, death certificate of the original permit holder and proof of legal succession or legal heir and NOC from other legal heirs.
- e) Affidavit indemnifying the Municipal Commissioner from all other claimants shall be submitted.
- f) In case of transfer through sale, the sale / purchase document and Indemnity Bond from purchaser, indemnifying Corporation from all claims.
- g) In case of change in constitution, documents such as indemnity bond, resolution or agreement shall be submitted.

#### **4.10 REVENUE SHARING**

- a) Revenue sharing between M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONORAIL CORPORATION/BEST, or any other Government Agency and BMC shall be 50:50 in addition of the corresponding licence.

- b) Advertising agencies desirous of erecting any OOH advertisement media on the land premises of other public authorities must obtain a valid permit from BMC.
- i. In case land belongs to other government or semi-government organisation and such organisations are willing to allow/permit display of advertisement, it must be ensured that all necessary written permission are taken from the corporation before floating of any tender.
  - ii. Roads developed by M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONORAIL CORPORATION/BEST, or any other Government semi Authority and if it is not handed over Brihanmumbai Municipal corporation then revenue sharing on by M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONORAIL CORPORATION, or any other Government semi Authority by floating tender for awarding display rights then 50: 50 proportion of revenue on by M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONORAIL CORPORATION/ BEST, or any other Government semi Authority shall be share with Brihanmumbai Municipal corporation and when road is handed over to Brihanmumbai Municipal Corporation then 100% revenue sharing to BMC ( advertiser/agency shall pay revenue sharing in addition to the advertisement fees) except restrictions as applicable.
  - iii. The respective concerned organisation through the advertiser will have to share with the BMC as prescribed in the fee schedule agreed between the authorities.
  - iv. It should also be ensured that the awarded contracts are not allowed to continue beyond the contractual period. Any contract which is in contravention to this policy should be allowed till the permission/ renewal period granted by BMC.
  - v. Above mentioned revenue sharing is exclusive of the corresponding license fee as per the schedule of fees amended from time-to-time and applicable taxes payable to Municipal Corporation.
- c) Roads developed by M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONO RAIL CORPORATION/ BEST, or any other Government Agency. and other Government Authorities and if it is handed over to B.M.C then revenue sharing earn by M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONO RAIL CORPORATION/ BEST, or any other Government Agency by floating tender for awarding display right then 50:50 proportion of revenue earn by MMRDA / MSRDC Ltd. and other Government Authorities shall be shared with B.M.C and after 10 years if the road is handed over to B.M.C then 100% revenue sharing to B.M.C (Advertiser / agency shall pay revenue sharing in addition to the advertisement fees) except restriction as given in clause 4.3. B.M.C shall have 50:50 revenue sharing with M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONO RAIL CORPORATION/ BEST, or any other Government Agency if road is handed over to BMC.
- d) No revenue sharing will be insisted for advertisements inside Mono Rail/Metro rail Stations if those advertisements are not visible from Municipal / Public roads.
- e) The NOC from Traffic Police will be insisted from the applicant for allowing advertisements on Monorail / Metro rail poles and beams.
- f) The permission will be issued only after payment of 50 percent of the tender/ premium amount by the advertiser in the B.M.C's exchequer.

- g) The advertiser will have to make payment of advertisement fees as approved by the Standing Committee /Corporation separately and the payment of advertisements fees will not be waived in lieu of payment of revenue sharing amount in the form of premium / tender amount.
- h) Such permissions will be given to only those advertisers who have been selected by M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONORAIL CORPORATION/ BEST, or any other Government Agency.
- i) MSRDC/ Government agency may allow beautification works under their flyovers to any corporate house after approval from B.M.C. Such proposals shall be routed through Ward A.C.'s who should certify that the area below flyover requires beautification. The Corporate house can display their name and logo along with B.M.C logo on 12"x18" display board (non-illuminated) without any commercial advertisement. Such name board will not attract licence fee.

#### **4.11 FLOATING OF ADVERTISEMENT TENDER**

- w) M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONORAIL CORPORATION/ BEST, or any other Government Agency shall float advertisement tender after taking concurrence / NOCs from B.M.C Licence department. regarding compliance with policy guidelines. This NOC shall be issued by Jt. .MC /D.M.C.(Special) in charge of Licence Department.

#### **4.12 DUTIES AND RESPONSIBILITIES OF PERMIT HOLDER AGENCY**

- a) The permit holder shall ensure that the structure and the advertisement board are properly maintained at all times as per structural design / plan submitted at the time of grant of permission. Further, the hoarding structure and back side of hoarding shall be painted with dark green enamel paint at least once in a two years or as advised by registered structural engineer.
- b) The permit holder shall ensure that no advertisements of obscene or any other offensive message displayed in contravention of the provisions of section 328 / 328A of the B.M.C. Act. 1888 Any other offensive message or advertisement related to tobacco product or advertisement of liquor either directly or surrogate advertisement shall not be displayed on the hoarding (as defined in BNS 2024).
- c) The agency / advertiser shall display the following information by QR code which shall have contents as follows:
  - i. Name of Advertiser / Agency.
  - ii. Permit number of hoarding.
  - iii. Size of the hoarding.
  - iv. Illuminated/ Non-Illuminated LED
  - v. Any tag or identification mark informed by Licence Department.
- d) It will be mandatory on the part of the agency to display a civic message or any other message as and when directed by the B.M.C for period not less than 15 days in a calendar year.
- e) The permit holder should abide by all terms and conditions of the permit granted and also comply necessary instructions issued from time to time by Licence Department.

#### **4.13 RENEWAL PROCEDURE OF THE ADVERTISEMENT HOARDING PERMIT**

- a) Renewal of permit will be considered after every two year if the advertisement hoarding is in accordance with section 328 / 328A of B.M.C. Act 1888 and the Policy Guidelines amended from time to time.
- b) Renewal of existing permit is not a new permission / permit.
- c) Show cause notice will be issued by Jt. M.C./D.M.C. (Spl) in charge of Licence Department, if the hoarding is not in accordance with the provisions of policy guidelines, to the advertiser / agency for removing the violations pointed out.
- d) The advertiser shall submit Structural Stability Certificate of the hoarding. As and when directions are issued by Jt. M.C./D.M.C. (Spl) in charge of licence department, the Structural Audit Report should be submitted for particular hoarding from B.M.C. approved structural Engineer within prescribed time.
- e) Structural Stability Certificate of the hoarding structure shall be submitted as and when directions are issued by Jt. M.C./D.M.C.(Spl) and In-charge of licence department. The Structural Stability Report should be submitted as per the SOP for hoardings from B.M.C approved structural Engineer within prescribed time.
- f) In case of illuminated hoarding advertiser / agency shall submit certificate from approved Electrical Engineer.

#### **4.14 REPAIRING AND MAINTENANCE OF HOARDING STRUCTURE**

- a) If the advertisers intend to repair the existing permitted hoarding structure, in such case they have to submit the application along with necessary requirement letter/ Certificate from Structural Engineer as per the SOP for proposed repairs.
- b) Sr. Inspector of Licence of the Ward will submit the proposal to Assistant. Commissioner of Ward for approval.

#### **4.15 HOARDINGS ON THE PREMISES OF PUBLIC AUTHORITIES**

Advertisement permit for hoarding on the land of public authority (egg. Government, Semi-Government, Public Sector Undertakings ,Air-Port Authority, Defence Ministry, , PWD, MBPT M.S.R.D.C. / M.M.R.D.A/ PWD / BPT / MUMBAI METRO RAIL CORPORATION / MUMBAI MONO RAIL CORPORATION/ BEST, or any other Government Agency etc.) will be permitted under section 328 – 328A of the B.M.C. Act 1888 subject to the submission of NOC from concerned authority and compliance of the required documents.

#### **4.16 HOARDING ON BMC PROPERTIES**

- a) Commercial Advertisements:
  - i. OOH advertisement media on corporation properties shall be permitted by inviting e-tender/ e-auction.
  - ii. Operation & Maintenance of public utilities in lieu of Advertisement: OOH Advertisement media shall be allowed in BMC owned public utilities in lieu of Operation and Maintenance for which no licence fees shall be chargeable. However, the contract shall be awarded by inviting e-tender or e- auction.
  - iii. **Operation & Maintenance of public utilities in lieu of Licence Fees:**
    - Assistant Commissioner shall consider the proposal from registered Companies, Scheduled Banks, Financial Institutions, Real Estate Developments, or any other major commercial establishments in

consultation with the licence department.

- The advertiser shall be allowed to display advertisements in exchange of operation and maintenance of public utilities, the advertising rights shall be granted through a tender/auction process.
  - All such permissions for advertisements/hoardings boards will be granted by the competent authority on case-to-case basis.
- b) Every successful bidder shall enter into Agreement with B.M.C.
- c) The successful bidder / advertising agency shall submit the Bank Guarantee equivalent to one year advertisement fee to ensure the recovery of next years yearly advertisement fee.
- d) Upon expiry of the tender period, the agency shall handover the structure to B.M.C. Thereafter display of advertisement on the said site shall be allowed to new successful bidder coming through regular tender procedure.

#### **4.17 CONVERSION OF NON-ILLUMINATED HOARDING INTO ILLUMINATED HOARDING AND VICE-A-VERSA.**

- a) If advertiser intends to convert the hoarding from non-illuminated to illuminated hoarding and vice-a-versa, they have to submit NOC from Traffic Police Department.
- b) Sr. Inspector of Licence will submit the proposal through Ward Assistant. Commissioner for approval to Jt. MC/ DMC (Spl) in charge of Licence dept.

#### **4.18 HOARDING MODIFICATIONS AND SHIFTING**

Permission for increase or decrease the size of existing hoarding or shifting it due to a government project can be granted. Likewise, alterations or modifications to existing hoardings are allowed only if they comply with all policy guidelines and are not subject to any litigation. These permissions will be issued by the Joint Municipal Commissioner or Deputy Municipal Commissioner (Special) in charge of Licence.

#### **4.19 REVIEW OF DECISION TAKEN REGARDING GRANT / REJECTION OF PERMIT**

**i. Scope**

Authority can review its decision in the event, if authority empowered for grant / rejection of permit thinks that, decision taken for grant / rejection of permit needs to be reviewed, as decision is found incorrect on account of clerical mistake, technical flaw, appearance of new facts or non-consideration of documentary evidence submitted by the applicant.

**ii. Prior Sanction**

If the competent authority thinks it necessary to review any order which s/he has not herself/himself passed, on the ground other than that of clerical mistake, s/he shall first obtain the sanction of the authority one step above in rank. For example, if Superintendent of Licence is reviewing decision of earlier Superintendent of Licence, then s/he shall take prior sanction from DMC (Incharge of Licence Department). Likewise, if DMC (Incharge of Licence Department) is reviewing his/her decision, it shall be mandatory to obtain prior sanction from Addl. M. C., in-charge of Licence department.

#### **4.20 APPEALS AGAINST ORDERS / DECISIONS (ADVERTISEMENT PERMIT OF HOARDINGS AND ADVERTISEMENT ON OTHER THAN BUSINESS PREMISES)**

##### **i. SCOPE**

Disputes that arise among agencies need a definite forum for Grievance Redressal. Sometimes, agency-applicants are aggrieved by the rejection of their applications for grant of permit/renewal. The present guidelines are providing for rejections of incomplete applications, forfeiture of deposit for cutting / pruning of trees on Corporation footpaths etc. These issues need expeditious redressal within the system for appeal. Hence, these provisions have been made.

##### **ii. APPELLATE AUTHORITIES**

- a) Appeal against the decisions taken by Asst. Commissioners of respective wards, shall lie with the Jt. /Deputy Municipal Commissioner, in charge of Licence Department.
- b) Appeal against the decisions taken by the Jt. /Deputy Municipal Commissioner, in charge of Licence Department shall lie with the Additional Municipal Commissioner in-charge of Licence Department, the Addl. Municipal Commissioner may authorise two Jt. . / Dy. M. Cs to jointly hear and dispose off the Appeal.
- c) Appeal against the decisions taken by the Additional Municipal Commissioner, in charge of Licence Department shall lie with the Municipal Commissioner and Municipal Commissioner may authorise two A.M.Cs to jointly hear the same and dispose off the Appeal.

**If any advertisement is found displayed during the litigation period, the penalty of Rs. 5000/ day from the day of cancellation shall be applicable.**

Modified Clauses and rules relating to norms of payment of fees / deposits is subject to approval from Corporation till then existing schedule of fees and rules shall apply.
---

#### **4.21 STANDARD OPERATING PROCEDURE (SOP) FOR STRUCTURAL DESIGN, AND STRUCTURAL STABILITY/ STRUCTURAL AUDIT FOR ERECTION OF HOARDING**

The Hoarding Structure Stability Guidelines (H.S.S.G.), RO-2022, established to ensure the safety and stability of hoarding structures, mandate standardized design, audit, inspection, and certification procedures. As per IS 875-2015 Part III, structures in Mumbai region must withstand wind speeds up to 44 m/s (158.4 km/h). This is mandatory for issuing stability certificates for new and existing hoardings.



**Guidelines for Design, Audit, Inspection and  
Certification for Stability of Hoarding Structures.  
(Hoarding Structure Stability Guidelines  
(H.S.S.G.) - RO-2022)**

**S.O.P. Sanctioned vide No.**

Committee for SOPs of structural stability of Hoarding



# Section 1

## Requirements for Design Basis Report for Design of New Hoarding Structure

### 1.1 Introduction

The following section enlists the requirements for input data to be recorded in the Design basis reports which shall be submitted for the design of new hoarding structures. The requirements have been listed so as to provide a standard operating procedure for all designs pertaining to the hoarding structures.

### 1.2 Requirements

The following points shall be a part of design basis report of a Hoarding structure.

1. **Introduction** regarding the design and geometry of the structure. Any special precautions pertaining to the structure's location shall be listed in the section.
2. **Geometry and Google Location** of the structure shall be recorded in the design basis report.
3. **Design codes** being adhered to shall be listed. The following design codes shall be referred during the design of the Hoarding structure.

IS 456: 2000 Plain and Reinforced Concrete - Code of Practice

IS 800: 2007 General Construction in Steel - Code of Practice

IS 875: 1987 CODE OF PRACTICE FOR DESIGN LOADS (OTHER THAN EARTHQUAKE) FOR BUILDINGS AND STRUCTURES (PART 1 DEAD LOADS-UNIT WEIGHTS OF BUILDING MATERIALS AND STORED MATERIALS)

IS 875: 2015 CODE OF PRACTICE FOR DESIGN LOADS (OTHER THAN EARTHQUAKE) FOR BUILDINGS AND STRUCTURES (PART 3 Wind loads)

IS 1893: Part 1 to 4 Criteria for Earthquake Resistant Design of Structures

IS 2062-2011 HOT ROLLED MEDIUM AND HIGH TENSILE STRUCTURAL STEEL - SPECIFICATION

IS 816: 1969 CODE OF PRACTICE FOR USE OF METAL ARC WELDING FOR GENERAL CONSTRUCTION IN MILD STEEL

The above list is not exhaustive and additional technical documents/literature/codes/guidelines referred by the designer shall be clearly mentioned in the DBR.

4. Details of the **design loads**: Dead loads, Live loads, Collateral loads, Wind loads, and Seismic loads. (Mention codal clause for each load parameters)
5. **Material** data regarding the grades and conforming codes.
6. Geotechnical investigation report (including location map for boreholes) with the specific recommendation for the type of foundation by Geotechnical consultant shall be a part of DBR. Borehole location should be located within 5m of the centre of foundation.
7. The analysis **software** shall be listed and the input file for analysis software shall be included in the Appendix of the report.
8. The analysis **results** shall be included in structural design basis report as the end chapter to provide details regarding the results for safety of the provided member sizes.
9. Details for **connection design** in accordance with the Indian standards shall be

provided along with DBR.

10. Type of anticorrosion protection i.e., metalizing process or with zinc rich primer over the structural steel members.

### **1.3 Drawings to be submitted**

1. Site location plan with the mention of CTS No.
2. General Arrangement drawings.
3. Foundation and pedestal drawings.
4. Columns and superstructure drawings.
5. Fabrication drawing.

### **1.4 Guidelines**

In addition to the above following shall be strictly followed in design of hoarding structures.

1. The Consultant to ensure that the building structure does not fall in C1 & C2A category for erecting hoarding on it.
2. The Consultant to ensure & comply that the buildings with age more than 30 yrs. will required to submit the audit report and the audited building with C3 and C2B category will be only permitted for the hoarding, where as in C2B category building after repairs within the 90 days after audit certification along with the Licensed Site Supervisor's certification & boarding shall be permitted for building portion not under dis-stress as certified by Structural Consultant.
3. The Consultant to ensure & comply that buildings with age less than 30 yrs. will be required submitting the audit report with the stability certification by Structural Consultant, considering requirement of repairs, if any, completed within the 90 days of audit certification along with the Licensed Site Supervisor's certification.
4. Certificate from the Geotechnical consultant with regards to suitability of foundation.
5. Certification from licensed Site Supervisor for the completion of work as per design.
6. Certificate of the structural consultant with regards to structural stability of newly constructed hoarding.
7. Certificate from Electrical licensed contractor certifying electrical wiring, fittings and fixtures with special mention of adequacy of earthing.
8. Maximum allowable life for the hoardings will be 50 yrs. from the first approval for new structure.
9. Submit as built drawings of the new hoarding.
10. Provisions for the climbing arrangement for regular inspection of hoarding structure.
11. Perforated sheets to be used for the new hoardings.
12. 50% of the panels (perforated sheets) should have arrangement for remove and stacking within the hoarding structure (Provision of removing the panels to allow reduction of the 50% wind pressure during the cyclonic conditions). Hence bolted connections are recommended with the locking nut provisions for safety. Allow existing hoarding to comply this condition within Two years.
13. All the welding shall be shop welded. On site only bolting may be allowed. The structure may be assembled with Bolted/Riveted connections.
14. Test reports and manufacturer's certificate, and test report of material used for construction/fabrication of the hoarding.
15. Structural Consultants certification for the used Steel material on basis of procurement of steel as per IS certified materials.
16. All other existing norms/bylaws/ approvals / criteria / procedure enacted by competent authorities shall be complied with.
17. The supporting structure should have a non-reflective finish to prevent glare

18. No generator running on diesel/petrol/kerosene or any bio funnel causing noise, air or water pollution would be allowed for providing power for illumination of any other advertise device
19. To promote conservation of electricity that the illumination at all outdoor advertising device may draw power from alternate renewable resources like solar power.
20. No cladding allowed for the hoardings on the as the same will Make it complex to inspect any member.

Tests on concrete:

1. Cube compression test.

Test on reinforcement steel

1. Tensile test including bend, rebind and weight per mtr.

Test on structural steel

1. Tensile test including weight per mtr. 2. Cross sectional dimensions with thickness.

Test on welded connections.

1. Dye penetration test.
2. Magnetic particle inspection test.

## Section 2

### Guidelines for Existing Hoarding

#### 2.1 Introduction

The following chapter enlists the requirements for checks to be ensured and adhered to during the structural stability audit of existing hoarding at site.

#### 2.2 Documents to be submitted

1. Site layout plan.
2. Google map location.
3. As Built drawings.
4. Detailed structural audit report.
5. Certificate from Geotechnical consultant with regards to suitability of existing foundation after every five terms of renewal or 10 years.
6. Certificate from structural consultant with regard to stability of hoarding structure after every renewal of 2 years.
7. Report on details of repairs carried out.
8. Certificate from Electrical licensed contractor certifying electrical wiring, fittings, and fixtures with special mention of adequacy of earthing.
9. For hoarding on the building the stability certification from the original consultant, who had designed the building. In absence of the availability of original consultant the stability certification should be receiver from registered consultant and get verified from educational Institute from any of IIT/VJT. I/SPCE.
10. DBR after every 10 years.
11. The Consultant to ensure that the building structure does not fall in C1 & C2A category for erecting hoarding on it.
12. The Consultant to ensure & comply that the buildings with age more than 30 yrs. will required to submit the audit report and the audited building with C3 and C2B category will be only permitted for the hoarding, where as in C2B category building after repairs within the 90 days after audit certification along with the Licensed Site Supervisor's certification & boarding shall be permitted for building portion not under dis-stress as certified by Structural Consultant.
13. The Consultant to ensure & comply that buildings with age less than 30 yrs. will required submitting the audit report with the stability certification by Structural Consultant, considering requirement of repairs, if any, completed within the 90 days of audit certification along with the Licensed Site Supervisor's certification.
14. No cladding allowed for the hoardings on the as the same will Make it complex to inspect any member.
15. All other existing norms/bylaws/approvals/criteria/procedure enacted by competent authorities shall be complied with.
16. The supporting structure should have a non-reflective finish to prevent glare.
17. No generator running on diesel/petrol/kerosene or any bio funnel causing noise, air or water pollution would be allowed for providing power for illumination of any other advertise device.
18. To promote conservation of electricity that the illumination at all outdoor advertising device may draw power from alternate renewable resources like solar power.

### **2.3 Structural audit report**

The following points shall be incorporated in the structural audit report.

1. Google location map.
2. Brief about the existing hoarding including age of hoarding, type of structure, etc.
3. As Built drawing of the Foundation and Hoarding superstructure.
4. Thickness measurement using ultrasonic thickness gauge (15-20% of steel members).
5. Test of welded connections using Dye penetration test and magnetic particle inspection test.
6. Photographs showing the condition of the members, joints, base plate and connection at footing.
7. Tilt of the structure if any shall be measured and mentioned in the report.
8. Condition of the Painting/Anti-corrosion coatings.
9. Specific recommendations for repairs of super structure, columns and foundation as the case may be.
10. Specific recommendation for anti-corrosive coating/paint.
11. Specific mention of period within which the repair should be initiated.
12. Compliance of the repairs recommended/suggested by the consultant.
13. Photographs after repairs

### Section 3

#### Stability Certificate from Structural Engineer

##### 3.1 Stability certificate format for Existing Hoarding Structure

Date: xx/xx/xxxx

Ref. No.:

#### Stability Certificate

This is to certify that hoarding structures situated at \_\_\_\_\_ is strictly sound. The above mentioned structure is safe for display. The structural audit was carried out by \_\_\_\_\_ on date \_\_\_\_\_ and subsequently the owners (M/s \_\_\_\_\_) have carried out strengthening and repairs as per recommendations of audit report.

Based on the visual inspections and NDT tests, I hereby conclude that the said structure is safe for its intended use.

The validity of the above certificate is till \_\_\_\_\_

Name & Registration No.  
of Structural Engineer.

### 3.2 Stability certificate format for New Hoarding Structure

Date: xx/xx/xxxx

Ref. No.:

#### Stability Certificate

This is to certify that hoarding structure situated at \_\_\_\_\_ and owned by (M/s \_\_\_\_\_) is structurally stable and safe for intended use. The design and execution of the structure has been in adherence to the relevant Indian Standard codes.

The validity of the above certificate is till \_\_\_\_\_

Name & Registration No.  
of Structural Engineer.



### 3.3 Geotechnical certificate format for New Hoarding Structure

Date: xx/xx/xxx

Ref. No.

#### Geotechnical Certificate

This is to certify that hoarding structure situated at \_\_\_\_\_ and owned by (M/s \_\_\_\_\_) is founded on sound and stable strata. The foundations have been constructed as per the recommendations of the geotechnical investigation report.

I hereby certify that the said structure is placed over stable strata.

The validity of the above certificate is till \_\_\_\_\_

Name & Registration No.  
of Geotechnical Engineer.

### 3.4 Electrical vendor certificate format for New Hoarding Structure

Date: xx/xx/xxxx

Ref. No.:

#### **Certificate for Electrical safety**

This is to certify that electrical wiring, fittings, fixtures and earthing for hoarding structure situated at \_\_\_\_\_ and owned by (M/s \_\_\_\_\_) has been inspected by me and are in accordance with the required safety norms.

The validity of the above certificate is till \_\_\_\_\_.

Name & Registration No.  
of Electrical Engineer.

## PART V

### 5. BLACKLISTING

#### 5.1 GENERAL

- a) Blacklisting will be for a specific period or permanent.
- b) Blacklisting can be withdrawn on satisfactory compliance of cause of blacklisting.
- c) Applications from a firm with director / proprietor / partner serving as the director / proprietor / partner in a previously blacklisted firm, shall not be considered.
- d) Directors /proprietors/ owners of blacklisted firm cannot apply for new site/hoarding under new name of company/firm.

An Advertiser / Permit Holder are liable to be blacklisted on one or more of the following grounds:

#### Criteria

- a) If the proprietor of the firm, its employee, partner or representative is convicted by a court of law investigation or under normal process of law for offences involving moral turpitude in relation to business dealings viz. Conviction by court of law.
- b) If there is strong justification for believing that the proprietor or employee, or representative of the firm has been guilty of malpractices such as bribery, corruption, fraud substitution of tenders, interpolation, misrepresentation, evasion or habitual default in payment of any tax levied by law.
- c) If the firm refuses to return or pay taxes / fees due towards B.M.C or State Government's dues without showing adequate cause, and B.M.C. is satisfied that, this is not due to a reasonable dispute which would attract proceedings in arbitration or court of law.
- d) Persistent and intentional violation of terms and conditions of advertisement permit.
- e) An attempt to cheat B.M.C., an attempt to obtain the permit through unfair means or bringing to bear outside influence, an attempt to secure unauthorized copies of Municipal records and documents in relation to any tender / contract or any other official matter, an attempt to tamper with Municipal record and documents, threatening, misbehaving with or physical attack on any Municipal employee / Officer,
- f) An attempt to instigate or collude with other contractor/s / Advertiser with a view to securing undue advantage.

#### 5.2 SUSPENSION OF LICENCE PENDING ENQUIRY

Whenever any Show Cause Notice is issued to the Advertiser / permit holder calling for the explanation on the alleged lapses by him, the permit/s may be banned / suspended up to the arrival of final outcome of the said show cause notice is issued. Show cause notice shall be issued by the officer not below the rank of Deputy Municipal Commissioner, in charge of Licence Department.

#### 5.3 AUTHORITY

On the basis of report/s received from concerned Jt. /Dy. Municipal Commissioner, Additional Municipal Commissioner/Brihanmumbai Municipal Commissioner will be

competent to impose any of the penalties viz. Blacklisting.

#### 5.4 PROCESS

- a) Before initiating action for blacklisting, the competent authority not below the rank of Deputy Municipal Commissioner in charge of the Licence department, shall issue a Show Cause Notice to the Advertiser / Permit holder, as to why penal action should not be taken against the said advertiser. The notice period shall not be less than 15 days and shall be counted from the date of receipt of the notice by the advertiser and can be extended, for adequate reasons (to be recorded), by the officer who issued the said notice, up to a period of 30 days (including the initial period).
- b) If the Advertiser fails to give satisfactory clarification within the period stipulated in the show cause notice (or, the extended period, if any), the Jt. /Deputy Municipal Commissioner shall forward the proposal to A.MC./M.C. for approval to pass the reasoned order on the issue of blacklisting.
- c) As far as possible, the competent authority shall pass reasoned order within 15 days of closer of hearing.
- d) Any order of penalty passed by the competent authority under this Policy shall state the facts of the case and record the reasons for the order. In case of, blacklisting, the order shall also specify the name(s) of the proprietor / partner(s) / directors / power of attorney holders of the blacklisting in his / her order and shall intimate all concerned in writing.

#### 5.5 APPELLATE AUTHORITY

Appellate Authority and Procedure for appeal will be same as stated in **Part IV – 4.20**.

S/d- 09/08/2024  
A.S.L

S/d- 09/08/2024  
Dy S.L.

S/d- 09/08/2024  
Superintendent. of  
Licence,  
Commissioner

S/d- 09/08/2024  
D.M.C (Spl.)

S/d- 09/08/2024  
A.M.C (City)

S/d- 09/08/2024  
Hon'ble Municipal  
Commissioner

**APPENDIX 'A'**

**BRIHANMUMBAI MUNICIPAL CORPORATION**

**Licence Department**

*(Application form for permission to exhibit Advertisement on Other than Business premises/ on Business premises /Temporary Advertisement under section 328/328A of BMC Act 1888.respectively)*

To,

**Asst. Commissioner / Sr. Inspector (licences)**

\_\_\_\_\_ **Ward.**

1. Name of Applicant:

First Name	Middle Name	Surname	Relation with firm/ Agency/ Trust

2. Name of the Agency/Firm/Trust:- \_\_\_\_\_

3. Status: Proprietary firm/ Partnership firm/ Company (Pvt Ltd. / Pub Ltd) / Charitable Trust/ Public body / Political / Others (Specify) - \_\_\_\_\_

4.

Postal Address of the Company / Firm/ Agency:-	
	Tel. No. / Mob. No:-
	Fax:- Email ID

5. Details of Proposed Permit Holders:

Name			Relation with firm/Agency/ Trust	Mobile No.	Aadhar No.	PAN No.
First	Middle	Last				

Details of Advertisement:

6. a) Types of premises – On Business Premises / Other than Business Premises/ Temporary Advertisement on Municipal Road: \_\_\_\_\_

b) Address of advertisement /Exact Location:- \_\_\_\_\_

c) Property Number (SAC No):- \_\_\_\_\_

d) Purpose of Advertisement (Academic / Religious/ Public awareness/ Health/ Political / Educational / Commercial / Political (Election) / Others (Specify) - \_\_\_\_\_

e) Matter to be displayed-

f) Period of advertisement date from which the advertisement is **proposed to be displayed / been displayed**:- From \_\_\_\_\_ to \_\_\_\_\_.

g) Size and No. of Advertisement:

Sr. No	Type of Advertisement	Length (ft.)	Width / Height (ft)	Total Area (Sq. ft)	Illumination / Non Illumination	Number of board

7. All required documents as per the Annexure are submitted: Yes / No

I / We have read carefully the approved policy guideline of the B.M.C on above and have complied with all the conditions. I accept that, in the event the information submitted by me is found false, I am liable for all such penal actions as prescribed under the law, further I also state that the property/ building over which board is proposed to be erected is not under any litigation in any Court of Law.

Date:

Signature of the Applicant

**APPENDIX 'B'**

**INDEMNITY BOND-CUM-UNDERTAKING  
ON STAMP PAPER**

**TO,**

**The Brihanmumbai Municipal Commissioner  
Brihanmumbai Municipal Corporation.**

**SUBJECT: GRANT OF PERMISSION FOR ADVERTISEMENT AT \_\_\_\_\_  
\_\_\_\_\_**

I, Shri / Smt / Messer \_\_\_\_\_ Age \_\_\_\_\_,  
the owner of the property situated at \_\_\_\_\_  
[Or in the case of society]

We, Shri/Smt. [1] \_\_\_\_\_  
[2] \_\_\_\_\_  
[3] \_\_\_\_\_  
[4] \_\_\_\_\_

of the Management Committee of M/s \_\_\_\_\_ Co-  
operative Society [hereinafter called as 'the owner']  
[Or in case of trust]

I, Shri/Smt. \_\_\_\_\_,  
Proprietor/Partner/Director of the firm, M/S \_\_\_\_\_  
having its registered office at \_\_\_\_\_  
and residing at \_\_\_\_\_

[Hereinafter called as "the Advertiser"];

WHEREAS the Advertiser has made application to Brihanmumbai Municipal Corporation for a permission for display of advertisement under section 328 and 328A of the B.M.C. Act;

AND WHEREAS the owner has permitted the Advertiser to erect a hoarding and display advertisement in their property situated at \_\_\_\_\_

AND WHEREAS the Advertiser has applied to the Corporation for permission for display of advertisement at \_\_\_\_\_ [location] and we the owner and Advertiser are required in terms of the laid down policy in this behalf to give joint undertaking; \_\_\_\_\_

The owner and the Advertiser do hereby agree and undertake as under:-

The owner and the advertiser hereby expressly agree and undertake to abide by the rules, regulation and guidelines framed by the Brihanmumbai Municipal Corporation for grant of permission for advertisement.

The owner and the Advertiser hereby undertake that the erection of the hoarding and display of advertisement will not adversely affect or cause any obstruction to the air, light and

ventilation of the building belonging to the owners or to the neighbouring building and / or premises.

The owner / society hereby confirm that, the General Body has passed a resolution permitting the Advertiser to erect the hoarding and display advertisement in the society premises by passing resolution in the General Body meeting held on \_\_\_\_\_, the copy of the resolution, thereof, has been certified by the Auditor of the Society.

The owner and Advertiser undertake to approach the appropriate Appellate Authority prescribed in the guidelines for redressing the grievances. The owner and the Advertiser further agree that the decision of the Appellate authority as prescribed in the guidelines shall be final and binding upon them.

\*\*The owner and the Advertiser hereby further agree and undertake that they shall and will, at all times hereinafter, save and keep harmless and indemnify the Brihanmumbai Municipal Corporation and the Brihanmumbai Municipal Commissioner or either of them from and against all actions, acts, suits, cost claims, damages, demands of any nature and kind whatsoever which may be instituted, claimed or made against the Municipal Corporation or the Brihanmumbai Municipal Commissioner or either of them by any person or persons by reason of the Brihanmumbai Municipal Commissioner granting permission for display of advertisement in the premises.

We further agree and undertake that the Municipal Corporation / Brihanmumbai Municipal Commissioner shall not be responsible in respect of any litigation that may arise between the advertiser and the owner or with any other person or persons in this connection.

We further indemnify the Municipal Corporation / Brihanmumbai Municipal Commissioner for - (i) structural stability of the building over which hoarding is proposed to be erected and also the structural stability of the structure of hoarding; (ii) aesthetic view; (iii) safety of trees within the distance of 25 mtrs. in front of proposed hoarding.

The owner and the advertiser hereby jointly confirm that the building / property on which hoarding is proposed to be erected is not under any litigation in any Court of Law and that in future if it is observed that there is dispute pending about the building or property in any Court of Law, we hereby authorize B.M.C. to revoke the permission granted to advertiser and I / we as an owner take responsibility to remove the hoarding and hoarding structure.

This Undertaking is binding upon us, our heirs, Executors, Administrators, Successor / Successors and assignees.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20

Yours faithfully,

[ ]

[ ]

Witness:

[1] \_\_\_\_\_

[2] \_\_\_\_\_



**APPENDIX 'C'**

**UNDERTAKING ON STAMP PAPER**

To,

The Brihanmumbai Municipal Commissioner

SUBJECT: GRANT OF PERMISSION FOR ADVERTISEMENT AT

I, Shri / Smt/ Messrs \_\_\_\_\_ Age \_\_\_\_\_, the owner  
of the property situated at \_\_\_\_\_ [Or in the case of society]

We, Shri / Smt. [1] \_\_\_\_\_

[2] \_\_\_\_\_

[3] \_\_\_\_\_

[4] \_\_\_\_\_

of the Management Committee of M/s \_\_\_\_\_ Co-operative Society  
[hereinafter called as 'the owner']

[Or in case of trust]

I, Shri / Smt. \_\_\_\_\_ Proprietor / Partner /  
Director of the firm M/s \_\_\_\_\_ having its registered  
office at \_\_\_\_\_ and residing at  
\_\_\_\_\_ [hereinafter called as "the  
Advertiser"];

WHEREAS the Advertiser has made application to Brihanmumbai Municipal Corporation for  
a permission for display of advertisement under section 328 and 328A of the B.M.C. Act  
1888;

AND WHEREAS the owner has permitted the Advertiser to erect a hoarding and display  
advertisement in their property situated at \_\_\_\_\_ AND WHEREAS the  
Advertiser has applied to the Corporation for permission for display of advertisement at  
\_\_\_\_\_ [location] and we the owner and Advertiser are  
required in terms of the laid down policy in this behalf to give joint undertaking;

The owner and the Advertiser do hereby agree and undertake as under:

The owner hereby confirm that the land on which advertisement is to be displayed is leased  
out Municipal land bearing C. T. S. No. \_\_\_\_\_ situated at  
\_\_\_\_\_. The owner and the Advertiser hereby further confirm  
that the amount of annual consideration for granting permission by the owner to the  
Advertiser for erection of hoarding and display of advertisement is Rs. \_\_\_\_\_  
(Rupees \_\_\_\_\_) and the true and correct amount actually paid  
by the Advertiser to the society had been disclosed in the application for permission for  
advertisement. The owner and the Advertiser hereby jointly and severally further agree and  
undertake to pay extra annual ground rent equal to 50% of the net annual compensation  
received as described above or calculated at the rate of 15% of the current market value of the  
land on the notional land area equal to the surface area of the hoarding board or boards, or

50% of the amount arrived at on the basis of actual realization on a proportionate surface area basis obtained by B.M.C. from any hoarding though public auction on the same road or corridor, whichever of the three is the highest (or as per the policy frame by estate department time to time).

The owner / society hereby confirm that the General Body has passed a resolution permitting the Advertiser to erect the hoarding and display advertisement in the society premises by passing resolution in the General Body meeting held on \_\_\_\_\_, the copy of the resolution, thereof, has been certified by the Auditor of the Society.

\*\*The owner and the advertiser hereby jointly confirm that the building / property on which hoarding is proposed to be erected is not under any litigation in any Court of Law and that in future if it is observed that there is dispute pending about the building or property in any Court of Law, we hereby authorize B.M.C. to revoke the permission granted to advertiser and I as an owner take responsibility to remove the hoarding and hoarding structure.

This undertaking is binding upon us, our heirs, Executors, Administrators, Successor / Successors and assignees.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Yours faithfully,

[ \_\_\_\_\_ ]

[ \_\_\_\_\_ ]

Witness:

[1] \_\_\_\_\_

[2] \_\_\_\_\_