

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT
NOTIFICATION

The 28th September, 2016

No. 3/8/2016-R-II. In exercise of the powers conferred by clause (16) of section 392 G of the Haryana Municipal Corporation Act, 1994 (16 of 1994) and with reference to Haryana Government, Urban Local Bodies Department notification no. 08/26/15-ICI, dated the 20th November, 2015, the Governor of Haryana hereby makes the following bye-laws, namely:-

Bye-Laws

Short title and commencement.
Definitions.

1 (1) These bye-laws may be called the Haryana Municipal Corporation Advertisement Bye-laws, 2016.
(2) These bye-laws shall come into force on the date of their publication in the Official Gazette.

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

- (i) **“Act”** means the Haryana Municipal Corporation Act 1994 (16 of 1994);
- (ii) **“advertisement”** means any representation by a word, or abbreviation thereof, letter, logo, symbol, sign, figure, painting, drawing or other pictorial representation, or light or sound, visible to public from any place on land, building, airspace, water in the control area and/ or visible from public place or public street subject to excluded media displayed on media device;
- (iii) **“advertising”** means the act or process of displaying an advertisement;
- (iv) **“agency”** means an applicant who may be an individual, registered charitable organization, firm, partnership or a company incorporated under the Companies Act, 2013 (18 of 2013) registered with the Municipal Corporation as Outdoor Media Agency.
- (v) **“billboard/ hoarding”** means an OMD with large space for advertising in the form of an advertisement panel and where such panel is mounted with its foundation on any structure either on ground or building;
- (vi) **“building line”** means the line up to which the plinth of a building may lawfully extend on the side, which abuts the street or an extension of a street or a strip of land earmarked or reserved for future construction of street and such line is mentioned in the approved plan or co-ordination plan or the scheme by the Government Authority having jurisdiction or power;
- (vii) **“carriageway”** means the width of the road where vehicles are free to move without any obstructions;
- (viii) **“commercial building”** means a building used or constructed or adopted to be used or intended to be used wholly or partially for business purpose;
- (ix) **“control area”** means the geographic area including airspace in the jurisdiction of the Municipal Corporation;
- (x) **“display”** means an advertisement being visible to public;
- (xi) **“gantry”** means a structure erected across a road and usually fabricated of metal section pillars fixed on either side of a road with a beam shaped section connecting the top of the pillars across the road with an advertisement on the face opposite to the direction of traffic;
- (xii) **“Indian Road Congress or IRC”** means the applicable Indian Road Congress codes, regulations made and directions issued thereunder, from time to time;
- (xiii) **“interested party”** means any person who has in terms of these bye-laws submitted an application or submitted comments or an objection or made representations in respect of any such application;
- (xiv) **“intersection”** means the same level junction where two or more roads are either meeting or crossing;
- (xv) **“electronic hoarding”**- means an OMD, with display made from LED (Light Emitting Diode) or LCD (Liquid Crystal Display) or any other electronic source, to display running text, displays and informational messages from computer programs and software or any other means;
- (xvi) **“National Building Code of India or NBC”** means the National Building Code of India, 2005 and regulations made thereunder;
- (xvii) **“OMD”** means an Outdoor Media Device as set out in bye-law 14;
- (xviii) **“owner”** means legal owner of the property;
- (xix) **“property”** means any unit of private or public land, including a public place, registered as a separate entity of land and includes any unit and land contemplated and/ or any public place depicted on the general plan of a city;
- (xx) **“public building”** means and include a building used or constructed or adopted to be used either ordinarily or occasionally, as a place of public worship, a theatre, hostel, Government office, public hall, public concert room, public lecture room, public exhibition or as a public place of assembly or occasionally for any similar purpose;
- (xxi) **“registering entity”** means any owner/ agency seeking permission for installing an OMD or having an intent for display of advertisement;
- (xxii) **“Right of Way or RoW”** means the full width of a public street between building lines across such public street including the median, carriageway, service road, shoulder and footpath/ sidewalk and the air space above it;
- (xxiii) **“road traffic sign”** means any road traffic sign and traffic signal as contemplated in the IRC or any applicable Act;

- (xxiv) "self advertising" means advertisement displayed in terms of bye-law 11;
- (xxv) "street furniture advertisement" means an advertisement displayed on any public facility or structure which is not primarily intended for advertising and includes a seating bench, plant box, footpath litter bin, pole-mounted litter bin, public transport shelter, sidewalk clock, suburban name device and a street name, drinking fountain etc. of appropriate size and shape serving the functional requirement of such street furniture with advertisement either directly pasted/ affixed or in the form of a panel;
- (xxvi) "Structural Engineer" means a person who is a graduate in Civil Engineering of a recognized Indian or Foreign University or corporate member of Civil Engineering Division of the Institute of Engineers of India or equivalent Institute with a minimum of three years of experience in structural engineering practice in designing structures and field work qualification in structural engineering;
- (xxvii) "structural stability certificate" means a certificate issued by a Structural Engineer;
- (xxviii) "third-party advertising sign" means any OMD other than self advertising;
- (xxix) "temporary advertisement" means an advertisement/ OMD displayed for a maximum period of thirty days for any forthcoming event including entertainment events, festivals, mela, trade fair, conferences, road shows, but excluding self advertising;
- (xxx) "trailer advertising" means an OMD mounted on a trailer, bicycle or vehicle, which is stationery or moving with the sole purpose of advertising;
- (xxxi) "urban design" means the actions of conceiving and managing the special and aesthetic characteristics of urban space between and around buildings, road including physical elements that make up the streetscape and the combined visual effect of building facades and other structures;
- (xxxii) "wall wraps" means advertisement pasted on glass/ surface of a building/ concrete wall or the wall covered with any other material including aluminum composite panels which has been used as architectural feature to cover/ form facade/ used as wall of a building.

Application registration.

for

- 3 (1) The owner/ agency shall seek permission for installing an OMD from the Municipal Corporation by registering themselves with Municipal Corporation using online process as laid out in **Annexure 1**.
 (2) This registration is compulsory for self Agencies ("SA") as well as owners who want to install OMDs on their premises using online process as laid out in **Annexure 1**.
 (3) Registration shall be valid for a period of ten years from the date of registration for self advertisers and five years for other owners/ agencies who wish to install OMD.
 (4) The registering entity shall deposit such registration fee, as the Government may, specify, by an order, from time to time.

Process registration.

for

- 4 (1) Before registration, the Municipal Corporation shall ensure that:
- the registering entity, any one of its directors, owners have not been debarred by Municipal Corporation or any other Government agency for undertaking display of advertisement business;
 - the registering entity, its directors, owners do not have any outstanding dues with Municipal Corporation;
 - if any Director of registering entity (company/ agency) has been remained Director of any defaulting company then that company shall be debarred from tendering/ bidding;
 - if any authorized signatory of registering entity (company/ agency) has earlier been authorized signatory of any defaulting company then that company shall also be debarred;
 - such approval shall be provided by Municipal Corporation within thirty days of submission of application.
- (2) The Municipal Corporation after scrutiny of following submitted information/ documents shall register agency, namely:-
- name of agency with registration details in Companies Act;
 - memorandum of Association and Articles of Association of company;
 - experience, details of agency in advertisement business for last 3 years;
 - name of Directors along with (Director Identification Number) DIN no. of agency;
 - work experience details of each Director of agency;
 - details of Director who have been defaulter in any of the matter while remain Director in any other agency;
 - balance sheet of last 3 years;
 - authorization letter by the Board of Directors (by passing resolution), not by any individual Director for Authorized signatory of agency;
 - details of advertisement rights/ permission secured in last five years in any of the municipality of Haryana;
 - an undertaking that no amount is pending against it in any of the municipality of Haryana.
 Note: Only a registered agency is permitted to participate in tender/ auction of advertisement sites on public land/ property and enter in contract agreement with the registered owner of private land/ property in concerned Municipal Corporation.
- (3) After ensuring the facts as mentioned above, the Municipal Corporation shall issue a unique identity number to a registering entity.
- (4) The Municipal Corporation shall complete the process of registration process within thirty days and Commissioner shall issue an approval as set out in **Annexure 2**.

Approval of OMDs.

- 5 (1) Application by registering entity for any OMD shall be made by submitting information in terms of **Annexure 3**.
 (2) The application form shall be accompanied with the following:

- (i) processing fee as the Government may, specify, by an order, from time to time, which shall be non-refundable and non-adjustable in any manner whatsoever;
- (ii) latest property tax paid receipt;
- (iii) a drawing showing the locality plan, in color, indicating the proposed position (GPS coordinates) of the OMDs and the distances in relation to any other structures, building, OMD situated within a radius of twenty five metres from the proposed OMD;
- (iv) complete specifications showing the dimensions of the OMDs and locations;
- (v) the design and the structure of the OMDs certified by a Structural Engineer, certifying the safety aspect from the point of view of its foundations which can bear extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant Indian Structural Design Standards, policy and guidelines framed from time to time. The details shall include size of all members of supporting frameworks, anchorages and design calculations including proof of compliance with any other law, including but not limited to, the applicable acts and codes/guidelines including Indian Road Congress (IRC), the National Building Code of India (NBC) and the Environment (Protection) Act 1986 (29 of 1986), to the extent that such law is applicable;
- (vi) if a proposed OMD is to be attached to, or displayed on, the facade of a building, an architectural drawing showing elevation and measurements of the building, and the detailed measurements and position of the proposed OMD and the position of every existing OMD on the building drawn to a scale of 1:1000 or as specified by the Municipal Corporation; and
- (vii) any other information in the application form (**Annexure 3**), updated by the Commissioner, from time to time.

(3) In case an agency gets into contract with owner(s) of property/ land for one or multiple advertisement locations, following documents are required to be submitted, namely:-

- (i) an application at **Annexure 3** shall be jointly signed by the owner and the agency;
- (ii) the agency shall get the owner registered with the Municipal Corporation;
- (iii) a city map showing location of all advertisement sites for which permission has been sought, along with detailed drawing asked above at 5(2)(v);
- (iv) a copy of contract agreement(s) executed between owner(s) of land/ property and agency.

6 (1) While evaluating an application for OMD, Municipal Corporation shall ensure the following:-

- (i) that the application is in compliance with these bye-laws and the Act;
- (ii) that the application shall not be in contravention of any directives of any Court; and
- (iii) any other issue which Municipal Corporation may deem appropriate based on written representations, objections and comments received from any objecting party.

(2) The Municipal Corporation, in its sole discretion, reserves its right to accept or reject any application.

(3) An approval shall be for a maximum period as set out below:

- (i) Type A and Type B: Equal to the agreement period between the concerned Government Agency and the concerned Agency;
- (ii) Type C, Type D : 3 years;
- (iii) Type E : As specified on case to case basis;
- (iv) Type F : As specified on case to case basis;
- (v) Type G/Self Advertising: 10 Years;
- (vi) Type H: As specified on case to case basis;
- (vii) Type I: 3 years; and
- (viii) Type J: 3 years.

(4) The Municipal Corporation, after following due process shall within thirty days, in writing and electronically, notify its decision to the applicant as per format attached as **Annexure 4**.

(5) The license fee shall be payable to Municipal Corporation within seven days of issuance of Letter of Intent (LOI).

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

Provided that, in case of owner (registered) only there shall be bi-lateral agreement between the owner and Municipal Corporation and in case there is any agency (registered) involved in between owner and Municipal Corporation then tri-partite agreement shall be executed between the owner, agency and Municipal Corporation.

(7) Any permission granted by Municipal Corporation pursuant to evaluation of an application, shall not be withdrawn by the registered entity before three months.

(8) Where the registered entity proposes to make any change in the approved application, an additional processing fee equal to one quarter license fee (higher of succeeding or preceding quarter) shall be payable by the registered entity to the Municipal Corporation for making any changes. Such approval shall be valid for period as set out in bye-law 6(3):

Provided that a fresh contract agreement stated at Byelaw 6(6) shall be executed between the parties.

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

7 (1) No approval granted in terms of these bye-laws shall have effect that:

- (i) any person is exempted from any provisions of any other law applicable to advertising;
- (ii) any person is exempted from the provision, requirements and applicability of the Haryana

Evaluation
scrutiny
applications.

and
on

Exception.

- (iii) the registered entity of an OMD is exempted from its obligations to ensure that such sign is designed, erected, completed, displayed and maintained in accordance with the provisions of these bye-laws and any other applicable law including safety and security of public at large.

Withdrawal
amendment
approvals.

and
of

8 (1) The Municipal Corporation may withdraw an approval granted or amend any condition or impose a further condition in respect of such approval if, in the opinion of the Municipal Corporation, the OMD concerned:

- (i) is or has, as a result of a change to the nature of the environment or the amenity of the neighborhood, streetscape or urban design existing at the time of such approval, become detrimental to the area in which it is located by reason of its size, intensity of illumination, quality of design, workmanship, material or its existence;
- (ii) constitutes, or has become, a danger to any person or property;
- (iii) is obscuring a critical and aesthetically important natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance;
- (iv) is or has become prohibited in terms of these bye-laws or any other law;
- (v) is the part thereof falls either through an accident or any other cause;
- (vi) have any addition made to it except for the purpose of making it secure under the direction of the Municipal Corporation;
- (vii) have any changes thereof;
- (viii) upon the building or structure or property demolished or destroyed; and
- (ix) relates to any other site/ location, as may be decided by the Commissioner, Municipal Corporation in public interest, safety, aesthetics etc.

(2) Prior to taking any decision mentioned in bye-law 8(1), Municipal Corporation shall issue notice to the registered entity, informing about its proposed decision. The registered entity within seven days of the date of notice may make written representations concerning the proposed decision.

(3) In case of partial or complete withdrawal of permission by Municipal Corporation, registered entity shall have to remove or amend within seven days the OMD at its risk and cost and refund of the balance amount of license fee shall be given to the registered entity within 30 days of such withdrawal.

(4) The Commissioner shall give reasons in writing for its decision on receipt of a representation from a registered entity.

IT based solution for
application, renewal
and monitoring.

9 (1) The Municipal Corporation shall adopt a transparent system for grant of permission for display of outdoor advertisements and monitoring of the same. Municipal Corporations shall develop an Information Technology based system for grant of such permissions and monitoring. Municipal Corporation shall prepare a GIS based Outdoor Media Master Plan for the areas which come under the jurisdiction of Municipal Corporation. All the existing and proposed OMD with their GPS coordinates shall be marked on the GIS map of the City and the same shall be available on the Website of Municipal Corporation.

(2) Salient features of the system shall be as follows:

- (i) these bye-laws and all notifications related to outdoor media shall be made available to general public by means of display of information on the website of Municipal Corporation;
- (ii) online registration of entities shall be enabled and the registering entities shall be assigned a unique Identity number which shall be password protected for all future correspondence with Municipal Corporation in matters related to Outdoor Media;
- (iii) all existing and proposed outdoor Media shall be GPS tagged and shall be available with Municipal Corporation on a GIS map of the City;
- (iv) all applications for the installation of outdoor media shall be submitted online;
- (v) each outdoor media site shall have unique code assigned to it which shall convey its ownership, location (GPS coordinates), type of media, size (area of display), advertisement/ license fee payable, validity of agreement for display of advertisement and any other information which in the opinion of Municipal Corporation is required to be coded;
- (vi) approvals of all OMD shall also be given electronically by Municipal Corporation; and
- (vii) all notices shall also be sent electronically to the defaulters.

General requirements
for OMD.

10 (1) After approval, OMD shall not be altered, removed, re-erected or upgraded (except content of advertisement), other than for maintenance work which may be required for the upkeep of an OMD, without prior written approval of the Municipal Corporation.

(2) Every power cable and conduit containing an electrical conductor for the operation of an OMD shall be so positioned and attached so that it is not unsightly.

(3) No OMD shall be connected to any electricity supply with sub-meter without the prior written permission of the electricity supply authority/power distribution company concerned in registered entity's name and such permission shall, on request by an authorized official, be presented to them by the registered entity of the OMD concerned.

(4) The electrical connections and components in all the OMDs shall be in accordance with relevant Bureau of Indian Standards (BIS), Indian Electricity Rules and designed to ensure there is no safety or traffic risk.

(5) Generators which are running on diesel/ petrol/ kerosene or any bio fuel causing noise, air or water pollution shall not be allowed for providing power for illumination of any OMDs. However, the registered entity may illuminate OMDs under its jurisdiction by installing solar photovoltaic panels.

(6) The registered entity of the OMD shall ensure that disposal of any type of material including media

for display is disposed of as per the Environment (Protection) Act, 1986 (29 of 1986) and any other applicable laws/ rules/ bye-laws.

Self Advertising.

11 (1) All OMDs shall follow the provisions of these bye-laws for purpose of self advertising only. However, OMDs shall be exempted from payment of any fee other than registration fee in the following cases, namely:-

- (i) relating to a public meeting, to an election to Parliament, Legislative Assembly, Corporation or to candidature in respect of such election; (may be installed on only authorized spaces identified/ earmarked by the Municipal Corporation);
- (ii) if exhibited within the window of any building, the advertisement relates to the trade, profession or business carried in that building;
- (iii) relating to the trade, profession or business carried on within the land or building upon or over which such advertisement is exhibited or to any sale or letting of such land or building or any effects therein or to analyze, entertainment or meeting to be held on or upon or in the same;
- (iv) relating to the name of the land or building upon or over which the advertisement is exhibited, or to the name of the registered entity or occupier of such land or building;
- (v) relating to the business of a railway administration and is exhibited within any railway station or upon any wall or other property of the railway administration;
- (vi) relating to any activity of any department of the State Government or Union of India or the Municipal Corporation but excluding Board/ Corporations;
- (vii) on a property where a building, swimming pool, tennis court, paving, fencing or garden landscaping or any other structure is in the course of being constructed, erected, carried out or altered and on which the activity concerned is described and the name of any architect, contractor or consultant concerned in such activity is displayed and the branch of the industry or the profession involved is specified;
- (viii) media device for hawkers;
- (ix) handcarts; and
- (x) cycle rickshaws.

Prohibited area.

12 (1) In addition to any other prohibition, expressed or implied, in these bye-laws, no person shall erect, maintain or display any OMD or advertisements on:

- (i) national parks, district forests and natural water bodies;
- (ii) any wall posters and wall paintings;
- (iii) building of archaeological, architectural, aesthetical, historical or heritage importance;
- (iv) places of worship or religious significance including temple, mosque, church and gurudwara etc;
- (v) statues, minarets or pillars of heritage importance;
- (vi) hospitals and nursing homes;
- (vii) educational institutions, libraries;
- (viii) cremation grounds, graveyards;
- (ix) areas classified as remnant endangered regional ecosystems;
- (x) specific no advertisement zones/ areas notified by the Municipal Corporation from time to time; and
- (xi) traffic signals/ signages/ devices.

(2) No person shall deface or cause to be defaced any device, mark, letter or words that may have been put up by the Municipal Corporation on the permitted OMDs/ advertisements by the Municipal Corporation. Any contravention thereto shall be punishable under the Haryana Prevention of Defacement of Property Act, 1989 (11 of 1990); and the Haryana Municipal Corporation Act, 1994 (16 of 1994).

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

- (i) nudity;
- (ii) racial advertisements or advertisements propagating caste community or ethnic differences;
- (iii) advertisement promoting drugs, alcohol, cigarette or tobacco items;
- (iv) advertisements propagating exploitation of women or child;
- (v) advertisement having sexual overtones;
- (vi) advertisement depicting cruelty to animals;
- (vii) advertisement depicting any nation or institution in poor light;
- (viii) advertisement casting aspersion on any brand or person;
- (ix) advertisement banned by any law;
- (x) advertisement glorifying violence;
- (xi) lottery tickets, sweepstakes entries and slot machines related advertisements ;
- (xii) destructive devices and explosives depicting items;
- (xiii) any psychedelic, laser or moving displays;
- (xiv) advertisement of weapons and related items (such as firearms, firearm parts and magazines, ammunition etc.);
- (xv) advertisement which may be defamatory, trade libelous, unlawfully threatening or unlawfully harassing;
- (xvi) advertisements which may be obscene or contain pornography or contain an "indecent representation of women" within the meaning of the Indecent Representation of Women

- (xvii) advertisement linked directly or indirectly to or include description of items, goods or services that are prohibited under any applicable law for the time being in force, including but not limited to the Drugs and Cosmetics Act, 1940, the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, the Indian Penal Code 1860; and
- (xviii) any other items considered inappropriate and notified from time to time by the Municipal Corporation.

OMDs on property of Municipal Corporation.

13 (1) The Municipal Corporation shall, from time to time identify locations and property within its jurisdiction, to allow new OMDs and prepare or up-date the master plan of outdoor media, simultaneously.

Formats of Outdoor Media Devices (OMD). License fees.

14 OMDs shall be classified as per details set out in **Annexure 5** and with permissible dimensions set out in **Schedule 1**.

15 (1) The license fees in terms of section 121 of the Act shall be payable by the registered entity in advance on annual basis at such rates, as the Government may, specify, by an order, from time to time.

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

(3) In addition to the license fee, the registered entity shall deposit bank guarantee of an amount equivalent to the quarterly license fee payable to the Municipal Corporation in advance, valid for license period.

(4) The license fee shall be applicable immediately on notification of these bye-laws on all OMDs including existing OMDs as the Government may, specify, by an order, from time to time.

(5) All the applicable taxes shall be paid by the registered entity of the OMD in addition to the license fee.

Inspections.

16 (1) The Commissioner or an officer nominated by him shall for any purpose relating to the implementation and enforcement of these bye-laws, carry out an inspection of any OMD.

(2) The Commissioner or an officer nominated by him, shall before the commencement of, or during an inspection, at the request of the registered entity, produce written confirmation of his appointment as a nominated officer empowered to carry out inspections for the purposes of these bye-laws.

(3) An officer nominated by the Commissioner shall carry out the inspection with respect to "Outdoor Advertising Media Device Audit form" as notified by the Municipal Corporation, from time to time.

Maintenance of OMDs and removal of unauthorized advertisements.

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

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

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

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

(2) The registered entity shall ensure that a metallic plate (minimum size of one feet by one feet) with the embossed logo of Municipal Corporation providing details of approval of Municipal Corporation and details of the OMD, as required by Municipal Corporation, are displayed and maintained in good condition at all times. Failure to do so shall result in penalty as specified in the Act.

(3) If, in the opinion of Municipal Corporation, any OMD is in a dangerous or unsafe condition or has been allowed to fall into a state of disrepair or is in conflict with any requirement of these bye-laws, the Municipal Corporation shall serve a notice on the registered entity to remove/ maintain the OMD, within the specified period and registered entity shall be required to comply thereof or take suitable action.

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

(5) The cost incurred for the removal and storage of an OMD, and any other costs incurred by the Municipal Corporation as contemplated in bye-law 17(4), shall be recovered from the registered entity. The OMD shall be removed at the risk of the registered entity by the Municipal Corporation.

(6) If an OMD has been removed in terms of bye-law 17(4), the Municipal Corporation shall promptly in writing inform the registered entity, about such removal of OMD.

(7) Any OMD which has been removed and stored in terms of these bye-laws, shall be released to its registered entity subject to payment of fee/ charges as the Government may, specify, by an order, from time to time.

(8) An unauthorized outdoor advertisement shall be removed promptly by the Municipal Corporation. The Municipal Corporation shall immediately dispose of such advertisement/ structures on as-is where-is basis and shall prepare and implement such adequate process for such removal and disposal process.

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

Documentations

18 The registered entity i.e. both owner or agency of a property upon which an OMD is erected, attached

or displayed, shall retain certified copies of all documentation relating to the application for approval of such device in terms of these bye-laws, for as long as that device is erected or displayed, and shall on demand by an authorized official, present such documentation.

Consideration of representations from interested parties.

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

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

(3) If a response is not received within fourteen days period, the Municipal Corporation shall take a decision on the application concerned without any intimation to the applicant.

Serving of notices.

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

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

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

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

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

Appeal.

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

(2) Before lodging an appeal, the affected person shall submit representation for seeking review of the decision of Commissioner or an officer nominated by him.

Offences and penalties.

22 (1) Whosoever contravene any of the provisions of these byelaws, shall be liable to fine/ penalty as specified under the Act.

(2) In case of continuing violation beyond fifteen days, the entire building shall be debarred for display of advertisements and existing sites shall be declared unauthorized. It shall remain unauthorized for a minimum period of one year or till such OMD is made to comply with bye-laws, whichever is later. This fine shall be over and above the license fee which is required to be paid for unauthorized display of advertisement.

(3) In case of unauthorized media installed by any unregistered entity, the owner of the OMD and the advertising companies, agencies, brands (entity responsible for releasing/ placing advertisement on the said media) shall each be liable to a fine/ penalty specified under the Act. This fine shall be over and above the license fee which is required to be paid for unauthorized display of advertisement.

(4) In case more than three separate instances of violation of OMD have occurred with the same owner/ registered entity, it shall lead to blacklisting of the owner including its Directors for a period of three years. Due to aforesaid blacklisting of the owner and Directors, other OMD with the owner shall automatically become unauthorized. Reintroduction of eligible OMD shall be possible with fresh application requiring submission and evaluation.

Insurance.

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

(2) The format of public liability policy of insurance shall be such as specified and shall be effected with an approval of insurer in writing and on terms approved by the Municipal Corporation.

(3) The registered entity shall produce evidence of the insurance affected and maintained for the purposes, to the Municipal Corporation.

Indemnity

24 (1) The registered entity shall be required to indemnify the Municipal Corporation for the designated OMDs and activities against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon the Municipal Corporation which arise as a result of the installation or existence of OMDs.

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

**Annexure 1
Registration Form
(See bye-law 3(1) and 3(2))
Municipal Corporation of
Registration for display of Outdoor Advertisement**

1. Name of Company/ Firm/ Agency/ Owner:
2. Registered Address:
3. Telephone Contacts:.....Business:.....
Fax:.....
4. E-Mail Address:.....
5. Details of the Directors/ Proprietors/ Partners:

Serial number.	Name	Mobile No.	E mail Address
----------------	------	------------	----------------

 - (i)
 - (ii)
6. Type of entity:
7. PAN Number:
8. Service Tax Number:
9. Registration Amount:
10. The applicant firm/company has not been blacklisted by any Government entity in the last 3 years. Yes No
11. The applicant firm/company has no pending dues. Yes No
12. If yes please specify the total pending dues Yes No
13. The applicant firm/company has no court case pending I/we shall hereby abide the terms and conditions and guidelines of advertisement bye-law/policy framed by the Municipal Corporation. Also the information listed above is true and genuine and incase of adverse findings related to this, the registration shall stand cancelled. Yes No
Yes Agree

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

SUBMIT

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

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

No. Date:.....
To,

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

Dear Sir,

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

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

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

Note¹: In case of rejection of application you may apply fresh on satisfying the above mentioned conditions.
 Note²: This is a typical format only and is subject to modification/ amendment by the Municipal Corporation from time to time.

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

FOR OFFICE USE ONLY				
District:	City:	Ward:	Zone:	Permit Number:
Road/ Street/ Address:				
Date Granted:		Application No.:		
Permit Issue Date:		Permit Expired Date:		
Section I – Fees (No Cash accepted by mail)				
Application Fee (non refundable)				<input style="width: 50px; height: 20px;" type="text"/>
Account No.:		Bank Name:		IPSC code:
Account Number:			Total fees charged:	
Section II – Typology (Check the appropriate box)				
Type A <ul style="list-style-type: none"> • Bus and IPT Shelters <input type="checkbox"/> • Bus and IPT route markers <input type="checkbox"/> • Toilet Blocks <input type="checkbox"/> • Cycle Station <input type="checkbox"/> • Police booth <input type="checkbox"/> • Sitting benches <input type="checkbox"/> 	Type B <ul style="list-style-type: none"> • Traffic Barricading <input type="checkbox"/> • Pylon mounted devices <input type="checkbox"/> • Metro/ MRTS/ FOB <input type="checkbox"/> • Public transport Vehicles <input type="checkbox"/> 	Type C <ul style="list-style-type: none"> • OMD on Public land <input type="checkbox"/> 	Type D <ul style="list-style-type: none"> • Billboards <input type="checkbox"/> • Unipoles <input type="checkbox"/> • Building Boards <input type="checkbox"/> • Wall Wraps <input type="checkbox"/> • LED/ Electronic <input type="checkbox"/> 	Type E,F, G and H <ul style="list-style-type: none"> • Temporary Events <input type="checkbox"/> • Tree Guards <input type="checkbox"/> • Self Advertising <input type="checkbox"/> • Innovative <input type="checkbox"/>
Section III –Applicant				
Name of the applicant (Please print or type name of firm or individual desiring permit);	Name of the Directors:	Unique Registration No.:	OMD ID:	
Mailing address:	City:	State:	Office phone no/mobile no.:	
Permanent address:	City:	State:	Pin code:	
Section IV –Property				
Public <input style="width: 50px;" type="text"/>		Private <input style="width: 50px;" type="text"/>		
Owner Name (person in control of property):	Address:	City:	Pin code:	Phone no.:
Section V – Display location information				
Area:	Location:	Street:	Land mark:	
Section VI – Media Specification				
Height:.....		Length:.....	Size (in sq. ft.).....	

Material			Illumination Yes <input type="checkbox"/> No <input type="checkbox"/>		Indicate Facing			
Metal <input type="checkbox"/>	Wood <input type="checkbox"/>	Others <input type="checkbox"/>			<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W

Section VII – Required documents

Please upload the following documents:

- | | |
|--|--------|
| ▪ Director’s information | Upload |
| ▪ Building Permit/Property Tax | Upload |
| ▪ Pan No. | Upload |
| ▪ Service Tax No. | Upload |
| ▪ Certificate of Structural Engineer Ownership Details | Upload |
| ▪ Contract agreement between the owner and advertising agency | Upload |
| ▪ City plan with location of advertisement sites | Upload |
| ▪ Coordinates of OMD With GPS Location | Upload |
| ▪ Photograph of the Site | Upload |
| ▪ Sketch plan of the site | Upload |
| ▪ Pending Dues (if any) | Upload |
| ▪ Architectural Drawings (elevation, measurement scale 1:1000) | Upload |

I/We, shall hereby abide by all provisions of bye-laws framed by the Municipal Corporation.
(In case of offline submission, please take print out of this form and submit it with Demand Draft of such amount as specified by the Commissioner, Municipal Corporation in favour of “The Commissioner, Municipal Corporation of, payable at))

SUBMIT

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

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

No. Date:.....

To,
.....
.....

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

Dear Sir,

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

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

1. Your application for New media/ renewal is approved for erection/ display of Outdoor media Device from(date) to(date) of (size)(in sq. fts.) at(location), within(zone/ ward) limits of the Municipal Corporation of and You are hereby directed to deposit the quarterly fees of Rs. Within 16 days of issue of this letter.
2. The unique ID allotted to new OMD is.....
Your application for new Media/ renewal is rejected on account of the following:
 1. Incomplete application
 2. Incorrect information provided
 3. Pending dues with Municipal Corporation
 4. Blacklisted status not verified
 5. Others.

Thanking you.

Commissioner,

Municipal Corporation.....

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

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

Typology	Typology Description
A.	Typology A: OMDs on public transport services / street furniture
A1	Bus and Intermediate Public Transport (IPT) shelters
A2	Bus and IPT route markers
A3	Foot Over Bridges, toilet blocks and urinals
A4	Cycle station
A5	Police booth, parking booth, telephone booth, pre- paid taxi booth, bus/rail booking information booth, drinking water facility, vending kiosks, kiosks outside colonies to facilitate directory / payment of bills etc.
A6	Sitting bench, garbage bins
B.	Typology B: Advertising-OMDs on public transport system
B1	Metro/MRTS
B2	Traffic barricading
B3	Public transport vehicle
C.	Typology C : OMDs on commercial advertising structures on public land
C1	OMD on public land
D.	Typology D: OMDs on commercial advertising structures on private land
D1	Unipoles, billboards, building boards, wall wraps, multiple OMDs
E.	Typology E: events
E1	Temporary events
F.	Typology F: landscape advertising
F1	Tree guards
G.	Typology G: shop signage
G1	Self Advertising
H.	Typology H: innovative advertising
H1	Innovative advertising
I.	Typology I: cinema advertising
I1	In-cinema on screen advertising including slides and advertisement films (moving advertisements).
J.	Typology J: inside commercial buildings and public buildings
J1	Inside commercial buildings and public buildings

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

Annexure 6
(See bye-law 6)

Agreement by owner/ agency/ both intending to obtain display rights for advertisement on land/ property other than public.

THIS AGREEMENT made on theday of.....Two thousand, sixteen.....between Shri/Smt./M/s. _____ Age _____, the owner of the property situated at/ residing at _____ (or in the case of Society) We, Shri/ Smt., (1) _____ (2) _____, (3) _____ Chairman/ Secretary and Treasurer of M/s. _____ Co-operative Housing Society, respectively. (owner of property) (hereinafter called the 'Promisee 1'). Registered with Municipal Corporation,..... with registration no. or/ and Shri/Smt. _____ Proprietor/ Partner/ Director of the Firm M/s. _____ having its registered office at _____ (Agency) (hereinafter called the 'Promisee 2'). Registered with Municipal Corporation, with registration no. (in case of Agency applied on behalf of Owner) of the one part and the Commissioner, Municipal Corporation, (hereinafter referred to as the 'Commissioner') of the other part.

WHEREAS the 'Promisee 1' has permitted the 'Promisee 2' to erect a hoarding and display advertisement in his/ her property situated at: _____ AND (in case of Agency applied on behalf of Owner), AND

WHEREAS the 'Promisee 1' or/ and 'Promisee 2' applied to the 'Commissioner' for permission required in terms of the laid down regulations, has to give joint undertaking. Both Promisee do hereby agree and undertake as under:

1. The Promisee 1 or/ and Promisee 2 hereby expressly agree and undertake to abide by the provisions of the Haryana Municipal Corporation Act, 1994 and the Haryana Municipal Corporation Advertisement Byelaws, 2016 for grant of permission or advertisement.
2. The Promisee 1 or/ and Promisee 2 hereby undertake that the erection of the hoarding and display of advertisement shall not adversely affect or cause any obstruction to the air, light and ventilation of the building belonging to the Owners or to the neighboring building and / or premises.
3. The Promisee 1 or/ and Promisee 2 hereby confirm that General Body of the Society have passed a Resolution permitting the Agency to erect the hoarding and display advertisement in the society premises by passing resolution in the General Body meeting held on. Copy of the resolution of the General Body meeting has been certified by the Auditor of the Society. (in case of Agency applied on behalf of Owner)
4. The Promisee 1 or/ and Promisee 2 hereby further agree and undertake that they shall, at all times, hereafter, save and keep harmless and indemnify the Municipal Corporation, and the Commissioner or either of them from all action, acts, suits, cost claims, damages, demands of any nature made against any kind whatsoever which may be instituted and claimed.
5. The Promisee 1 or/ and Promisee 2 hereby further agree and undertake that they shall be jointly liable for any claim, litigation and liabilities made against them by the Municipal Corporation,

Date _____

Signature of witness

Signature of the Promisee 1

Signature of the Promisee 2

The Commissioner

Schedule 1
General Permission Criteria - Outdoor Media Devices
(See bye-law - 14)

1. Traffic Hazard Potential Dependencies

- (1) The traffic hazard potential of an OMD depends on its:
 - (i) Site Location: OMD's location from the road which is measured in terms of lateral and longitudinal displacements from the edge of the road. The hazard generally diminishes the further the device is away from the road.
 - (ii) Size of the OMD,
 - (iii) Luminance level of the OMD, and
 - (iv) Background and other such related issues.
- (2) An advertising device may be considered a traffic hazard, if it interferes with road safety or traffic efficiency.
 - (i) If it interferes with the effectiveness of a traffic control device (e.g. traffic light, stop or give way sign).
 - (ii) Distracts a driver at a critical time (e.g. making a decision at an intersection).
 - (iii) Obscures a driver's view of a road hazard (e.g. at corners or bends in the road).
 - (iv) Gives instructions to traffic to "stop", "halt" or other (e.g. give way or merge).
 - (v) Imitates a traffic control device
 - (vi) Is a dangerous obstruction to road or other infrastructure, traffic, pedestrians, cyclists or other road users.
 - (vii) Is in an area where there are several devices and the cumulative effect of those devices may be potentially hazardous.
 - (viii) If situated at locations where the demands on drivers' concentration due to road conditions are high such as at major intersections or merging and diverging lanes.
 - (ix) If it violates the building bye-laws of Municipal Corporation
- (3) Besides aforesaid, additional driver attention and decision making are required at the following:
 - (i) high speed diverging, merging or weaving at an intersection such as at a "Y" intersection or large high-speed roundabouts;
 - (ii) in the vicinity of intersections where through lanes merge and where vehicles are required to merge at higher speeds (e.g. where "trap lanes" are created on the approaches to, or exit from, intersections and where a divided motorway becomes a two-way road);
 - (iii) intersections or sections of road which, because of lane configuration or geometry, may require an increased level of driver concentration (e.g. five-way intersections, back to back horizontal curves);
 - (iv) on the outside curve of a divided road where advertising is directed at traffic on the opposite carriageway and the geometry, angle or other factors make this undesirable;

- (v) sections of road displaying traffic signals, directional signage, regulatory or advisory signage that (when considered singularly or in combination) are believed to be significantly more different or complex than would normally be expected (at these intersections, it would be expected that the required reading and interpretation period of the traffic control device(s) would be significantly longer);
- (vi) sections of road that have a vehicle crash history higher than the system average;
- (vii) pedestrian crossing facilities; and
- (viii) schools, hospitals.

2. OMD Location Selection Criteria

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

Site Selection Criteria for Lateral Placement		
	No. of Lanes/ Width (W) of Main Road in metre	Minimum Straight Road Clear Distance in metre
(i)	< 4 lanes / < 14 m undivided/divided carriage ways	6
(ii)	>4 lanes/<6 lanes with undivided/divided carriage ways	10
(iii)	>= 6 lanes<8 lanes with undivided/divided carriage ways	15
(iv)	>=8 lanes with undivided/divided carriageways	50

- (iv) Where lateral placement requirements and driver distraction requirements are provided for by a particular restriction distance, the greater value shall be used.
- (v) When two (2) OMDs, located together, are different in their general form, the driver distraction potential shall be determined separately for each device
- (vi) If an OMD is visible from more than one road or type of road (such as a motorway or motorway standard road and a ramp or other road) the restrictions applicable to each road or type of road the OMD is visible from, shall be assessed.
- (4) Physical characteristics of OMDs
 - (i) The application of control on physical characteristics is intended to minimize the level of driver distraction. Control of the physical characteristics of Outdoor Advertising Devices shall relate to the:
 - a. Size and shape
 - b. Colour
 - c. Illumination and Luminance
 - d. Movement and Rotation
 - e. OMD Content
 - (ii) Size and Shape
 - a. OMDs shall not use shapes that could potentially result in an OMD being mistaken for the effectiveness of official traffic signs.
 - b. The Code of Practice for Road Signs IRC:67-2001, by Indian Roads Congress prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.
 - (iii) Colour
 - a. OMDs shall not use colour combinations that could potentially result in being mistaken for an official traffic sign.

- b. The Code of Practice for Road Signs IRC: 67-2001, by Indian Roads Congress prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.
- (iv) Illumination and Luminance
- OMD shall not contain flashing red, blue or amber point light sources which, when viewed from the road, could give the appearance of an emergency service or other special purpose vehicle warning light's,
 - All lighting associated with the OMD shall be directed solely on the OMD and its immediate surrounds.
 - External illumination sources shall be shielded to ensure that external 'spot' light sources are not directed at approaching motorists.
 - Illumination of OMD is to be concealed or be integral part of it.
 - Up-lighting/upward pointing of the device shall not be allowed, any external lighting is to be downward pointing and focused directly on the OMD to prevent or minimize the escape of light beyond OMD.
 - Any light source shall be shielded so that glare does not extend beyond the OMD.
 - Non-static illuminated OMDs (flashing lights) are not permitted.
 - The average maintained luminance shall be reduced to 0.5 candelas or all together shut, after 2300 hours (11 P.M) and sunrise by automatic timing devices or as specified by Municipal Corporation from time to time.
 - OMDs containing retro-reflective material shall be rotated approximately 5 degrees away from the normal line of vehicle headlight beams in order to minimize specular reflection.
- (v) Movement and Rotation
- Moving displays cause a statistically significant distractive influence on motorist's response times to external stimuli. Moving, rotating or variable message OMDs are not permitted. (except advertisements pasted on public transport vehicles only.)
 - This permission criterion is not intended to apply to variable message displays used by road authorities for traffic management/ information. Variable message displays located at bus stops or similar places where messages are directed at, and intended for, pedestrians (not motorists) are excluded.
- (vi) Advertising Device Content
- The Municipal Corporation will generally rely upon self- regulatory controls within the Advertising industry to enforce minimum Advertising standards. Notwithstanding this approach, the Municipal Corporation may take action to modify or remove any advertisement on the OMD that contravene the Advertising Industry's Code of Ethics, (refer List of Negative Advertisements provided in sub-rule 12(3) or that otherwise causes a traffic hazard.
- (vii) Legibility
- For all categories of OMDs (other than OMDs which are directed at pedestrians), text elements on an OMD face should be easily discernible to traveling motorists. This will minimize driver distraction. Additionally, a sign shall be quickly and easily interpreted so as to convey the required advertising message to the viewer and reduce the period of distraction.
 - The content or graphic layout exhibited on OMD panel shall avoid hard-to-read and overlay intricate typefaces and have letters styles that are appropriate. Under no circumstances should device contain information in text sizes, which would necessitate the driver or passenger in a moving vehicle to stop, read and/or note down, which is detrimental to the smooth flow of traffic and distracting for the driver.
 - All OMDs shall be so designed as to maintain a proportion where, as a general rule, letters should not appear to occupy more than 20% of the OMD area, unless otherwise permitted by the Municipal Corporation.

3. Installation, Operations and Maintenance Development Criteria

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

4. Structure

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

5. Electrical Connections

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

6. Miscellaneous

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

7. List of Non Permissible Outdoor Advertisement

- (1) Posters
- (2) Banners
- (3) Advertisement on Pillars/ Pylon Mounted Devices

8. Innovative OMD's

- (1) Specific permission shall be required to be obtained for Innovative OMDs such as LED, LCD, inflatable or Gas Balloon and other such media.
- (2) This approval shall be for specified duration, and shall be in terms of bye-law 6.
- (3) While driving the drivers glance from road to read the content of sign, and then glance back on road. LED signs (without colour changes) are acceptable format of advertisement on building façade, since these are expected to be representing specific brand names and do not contain high visual information.
- (4) LCD / LED screens which typically contain high graphic and visual images shall be restricted to market areas, parking places, parks, walkways, primarily not facing vehicular movement of traffic.
- (5) Use of OMDs for distribution of Wi-Fi hotspots, mobile telephony antennae/ towers shall be permitted, based on specific project report.
- (6) Besides aforesaid, other criteria shall be:
 - (i) Frequency and extent of movement and colour change within a display.
 - (ii) OMD shall be installed only where the required sign viewing time does not result in a safety problem for the particular environment.
 - (iii) There is adequate advance visibility to read the sign.
 - (iv) The environment is free from driver decision points and there is no competition with official traffic signs.
 - (v) The device is not a moving Outdoor Media Device.
 - (vi) Long duration display periods are preferred in order to minimize driver distraction and reduce the amount of perceived movement. Each screen shall have a minimum display period of 8 seconds. The time taken for consecutive displays to change shall be within 0.1 seconds.
 - (vii) The complete screen display shall change instantaneously. Methods of display change such as 'fly in' or 'scroll', or any other type of message change, are not recommended.
 - (viii) Sequential message sets are not allowed.

- (ix) The time limits may be reviewed periodically.
- (7) The gas balloons or inflatable OMDs shall be granted permission on following criteria, namely:-
 - (i) The gas balloons OMD shall be installed/ hooked in open area and to the ground with fixed anchor.
 - (ii) NOC shall be taken from Fire Officer, with regard to its fire safety.
 - (iii) Gas balloons OMDs are not permitted near/ around high rise building/ high voltage lines/ electricity towers and its distance from the nearest building/ High Voltage lines/ electricity towers shall be 1.5 times the total height of gas balloon.
 - (iv) Inflatable OMDs shall be inflate with air (any kind of gas is not permitted).
- (8) The policy shall be open for adopting new technologies provided they do not contravene any general permission criteria, and shall also be approved by the Municipal Corporation. The permission shall be taken from the Municipal Corporation before implementing any such mediums.

9. Permission criteria

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

Advertising Device – Minimum Clearances	
Location Description	Minimum Vertical distance
Generally (for all types of advertisements)	2.5 metres, from the highest point of ground surface to the lowest surface of the device.

Above the road surface (including shoulders and traffic lanes) or any part of the device is within the clear zone (no safety barrier) or the deflection zone of a safety barrier if a safety barrier is installed. (e.g. Gantries and Foot Over Bridges.)	6.5 metres from the highest point of ground surface to the lowest surface of the device.
Attached to road infrastructure (e.g. Overpass)	The billboard must be located so that no portion of the Advertising Device is lower than the minimum vertical clearance under the overpass or supporting structure at the corresponding location.

(v) Typical advertising device dimensions

Description	Dimension (in metres)	Area (in sq. metres)	Maximum height (in metres)
Small Portraits	3 x 4.5	13.5	7.5
Posters	6 x 3	18	10
Super 8's	8.22 x 2.26	18.6	10
Portraits	4 x 6	24	10
Supersites	12.66 x 3.35	42.4	12.5
Spectacular	18.99 x 4.45	84.5	12.5

(vi) Municipal Corporation shall prefer that aforesaid sizes are used increasingly to bring more aesthetics in the City. As far as possible, owners/ agencies shall try to use one of the aforesaid standard dimensions.

(25) Advertisement regulation criteria for Foot Over Bridge:

- (i) The advertisement shall be permitted only of transparent nature, on inside wall of pathway and with maximum height of 0.5 metre from the top surface of pathway. In all circumstances, the activities happening on pathway shall be clearly visible to public from all sides.
- (ii) The advertisement visible from road shall be permitted on side of Foot Over Bridge which shall be installed opposite to the direction of traffic and only above the roof of Foot Over Bridge.

10. **Maximum Permissible Area for on Premises Advertisement**

- (1) The maximum permissible area available for on premises (including buildings and land) advertisement is 75% (on each face of the building) of the total area (fascia) visible from public street/ road. The said space shall be inclusive of 2% for shop signage:

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

- (2) Where no or little construction has happened in such cases the percentage area for outdoor media shall be percentage of ground area i.e. assuming an FSI = 1.e.g. petrol pumps, property under development etc:

Provided that restrictions put through agreement between the owner and its business partner, shall remain as such.

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