

## WHAT'S NEW

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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 MCGM.
2. Permit will cease to exist after three months of expiry instead of six months.
3. Permission for hoarding near high tension wire will be subject to specific NOC from the concerned Electricity distribution company.
4. 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.
5. Policy promoting digital advertising has been introduced. All Malls, Multiplexes, Shopping complex, Commercial Buildings, Petrol Pumps can apply for digital LED advertisements, fees for which will be at par with non-digital advertisements. Additionally, all existing hoardings on terrace and with less than 100 metre distance between two hoardings can apply for converting their existing structures to digital hoarding structures.
6. Levels of Appeals against rejection / cancellation orders have been simplified in the new policy. Appeal against the rejection / cancellation of hoarding can now be filed directly before AMC (City).
7. The Advertiser has to obtain No Objection Certificate from Joint Commissioner of Police (Traffic) for illuminated or digital hoardings. This NOC will be deemed valid until there is any change in lateral size, lowering of height or change in position of the hoarding or any structural change.
8. In case of Government / Semi-Government Authorities putting up name boards, illuminated/non-illuminated/digital hoardings or banners for display of civic messages, there will be no need to take permission from the MCGM. All offices of MCGM can put up hoardings/banners for display of civic messages without any explicit need for permission for the same.
9. Policy regarding blacklisting of the advertiser / permit holder for frequent violations on account of non-payment of fees has been introduced.
10. MCGM 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.

11. Review of decision taken regarding grant / reject of permit on technical grounds will be done at DMC (Special) level. This will reduce a lot of delay on account of appeals.
12. The policy for grant of permission for display of banner has been incorporated in this Policy. The present Policy Guidelines supersede all previous circulars issued in respect of display of banners.
13. Photographs of all types of advertisement boards, hoardings, etc. are inserted in order to understand the concept properly.

# PART I

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## 1. GENERAL

### 1.1 TITLE

These guidelines shall be known as “Policy Guidelines for Display of Advertisements 2018”.

### 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.

### 1.4 SUPERSESION OF PREVIOUS POLICY AND CIRCULARS

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

### 1.5 NO LEGITIMISATION OF STRUCTURE ON WHICH PERMIT IS GRANTED

Permissions / Permits granted under section 328 and 328 A of MMC Act 1888 will not automatically legitimise or regularise the structure upon which the permission for advertisement is granted.

### 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

Advertiser / agency shall pay the advertisement fees as per Appendix ‘D’.

### 1.8 DEFINITIONS

- (1) **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, etc. for the purpose of commercial exploitation or for publicity. However any display in the form of graffiti and civic messages published by the MCGM or any

- government authorities for the benefit of the citizens shall not be considered as an advertisement.
- (2) ADVERTISEMENT ON BALLOONS means advertisement on hot air balloons which are filled with gas and floats in the air.
  - (3) ADVERTISEMENT ON VEHICLE (MOVABLE) means single or double sided advertisement board affixed by means of sticker on side panel or behind a vehicle in a manner that the advertisements draw visibility while the vehicle is driven on the road.
  - (4) ADVERTISEMENT ON VEHICLE (PARKED) means a single or double sided board panel or panels mounted on sides or behind a vehicle in a manner that can draw visibility when the vehicle is parked at strategic locations.
  - (5) AGENCY means an applicant who may be an individual, registered charitable organization, firm, partnership or a company incorporated under the Companies Act, 1956.
  - (6) BANNER means cloth or any other material, which contains some advertisement or announcement or written matter for display in public place.
  - (7) 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.
  - (8) BUS SHELTER ADVERTISEMENT means an advertisement displayed on the structure of a bus shelter. It does not include cantilever, lollipop etc.
  - (9) BUILDING WRAP ADVERTISEMENT means an advertisement displayed on the scaffolding of a building under construction or repair
  - (10) COMMISSIONER means Municipal Commissioner of the Municipal Corporation of Greater Mumbai and includes Additional Municipal Commissioner.
  - (11) COMPETENT AUTHORITY means Commissioner or any officer of the Municipal Corporation duly authorized by the Municipal Commissioner.
  - (12) CORPORATION means the Municipal Corporation of Greater Mumbai.
  - (13) DIRECTION BOARDS means any surface of structure erected on ground or any portion of roof of a building 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. Direction Boards set up by Government or semi-government authorities will not require any kind of permission.

- (14) ELECTRONIC DISPLAY means electronically operated advertisement display fixed on a structure.
- (15) 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.
- (16) GLASS FACADE ADVERTISEMENT means any advertisement which is affixed or pasted to the glass facade of any building.
- (17) 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.
- (18) 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.
- (19) 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, persons, public performance articles of merchandise whatsoever and also includes advertisement by using neon bulbs / lamps / lights, which flash and appear in a synchronized manner in one or more different colours.
- (20) KIOSK means a small structure in a public area used for providing information or displaying advertisements, often incorporating an interactive display screen or screens.
- (21) 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.
- (22) LASER ADVERTISEMENT means advertisement displayed on surface of the premises / screen by using laser projector.
- (23) LICENSE 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.
- (24) LICENSE 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.
- (25) LOLLY POP means round / square piece of advertisement board at the end of the pole erected from ground.
- (26) 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:

- a) Agent or trustee who receive such rent on account of owner and
  - b) 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
  - c) 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.
  - d) In case of Co-operative society a General Body of the society.
- (27) PERMIT means written permission of the Municipal Commissioner to erect, fix or retain any sky sign.
  - (28) PREMISES means messages, buildings and lands of any tenure; whether open or enclosed, whether built on or not and whether public or private.
  - (29) 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.
  - (30) PRIVATE STREET means a street which is not a Public Street.
  - (31) 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 MMC Act 1888 or which vests in the Corporation as Public Street.
  - (32) SCROLLER DISPLAY ADVERTISEMENT means a box type display with rollers for scrolling a display of looped printed sheet which displays advertisements.
  - (33) SEAWARD SIDE means the direction or side away from land and toward the open sea.
  - (34) SHOW CASE ADVERTISEMENT means a case covered from three sided and visible from any street, used for display of advertisements.
  - (35) 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.
  - (36) 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:-

- a) Any flagstaff, pole, vane or weathercock, unless adopted or used only or in part for the purpose of any advertisement, announcement or direction.
  - b) 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.
  - c) 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.
  - d) Any notice of land or building to be sold, or let, placed upon such land or buildings.
- (37) TAX means a compulsory contribution to the government levied on persons, income, commodities, transaction, etc.
- (38) TEMPORARY ARCHES mean temporary structures erected across the road for greeting of personalities or for display of advertisement.
- (39) 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.
- (40) 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.
- (41) VEHICLE shall include automotor cars, and every wheeled conveyance which is used or capable of being used on a public street.
- (42) WALL PAINTING ADVERTISEMENT means an advertisement displayed by painting it directly on the wall or structure of a building or any civil structure.



## 1.8 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) Non-illuminated advertisement relating to trade, profession or business carried in that premises can be permitted within the window of that premises, which shall not obstruct light and ventilation of the premises.
- b) Advertisement relating to business of the railways and displayed within the railway premises but not fronting any street.
- c) Non-illuminated Advertisements displayed on or upon business premises relating to trade or business carried on within the premises.
- d) Non-illuminated Advertisements displayed on or upon any premises relating to the sale or letting of the premises or of any effects therein.
- e) Non-illuminated Advertisement relating to the name of the land or building or to the name of the owner or occupier of such land or a building upon which is exhibited / displayed if it does not form a sky sign.

### (2) DISPLAY OF ILLUMINATED / NON-ILLUMINATED ADVERTISEMENT PUBLISHED BY MCGM 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.

### (3) ADVERTISEMENTS ON OTHER MEDIA

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



## **PART II**

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

#### **2.1 GENERAL NORMS AND TYPES FOR ADVERTISEMENTS ON BUSINESS PREMISES.**

Grant of permission on business premises for display of advertisement relating to trade, profession, and services rendered in the establishment.

No agency, without the permission in writing from the Competent Authority, shall erect, exhibit, fix or retain any advertisement by means of neon signs, glow signs, illuminated name boards, electronic displays, digital advertisement, back lit advertisements or any type of illuminated signages / 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, etc.

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 MMC Act, 1888.

In case of continuous of offence, the action of removal of advertisement board will be initiated at the risk, costs and consequences of the Agency or Advertiser.

Business premises having the permanent structure where the advertisement board relating to trade/ profession/ services rendered in the establishment can be permitted / regularised on his business premises, its include ground and upper floors.

The advertisement board permitted on Business Premises shall not project beyond the building line where the establishment exists as well as on the premises of the adjacent establishments.

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 / Standy / 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/ Neon 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 on Glass Façade.
- g) Advertisement by Laser Projector.
- h) Wall painting / Wrap on Dead Walls

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

- a) The Applicant / Agency has to apply for permission in the prescribed form as annexed at “Appendix-A” with MCGM, addressed to the ward in whose jurisdiction the advertisement is proposed to be displayed.
- b) Applicant / Agency shall pay Rs. 500/- as 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 M.C.G.M.

### **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 30 days on receipt of M.C.G.M's. Demand Letter by Applicant / Agency.
- b) In case Agency / Applicant has not made the payment as stated in above (a) then delay beyond the period of 30 days, composition charges equivalent to 10 percent of the proportionate monthly advertisement fees will be levied.
- 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 MMC Act 1888.
- d) On grant of permission, Applicant / Agency shall 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 M.C.G.M'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 10% 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 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 MMC 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 at the rate of 10% on 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 MCGM and thereafter if agency come

forward to obtain the permission for advertisement, then regularisation charges equal to six month 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 shall be charged on advertisement fee.

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

- 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 advertisements of obscene (as defined in IPC) nature or any other offensive message or in contravention of the provisions of section 328 / 328A of the MMC Act 1888 shall not be displayed.
- c) The permit holder shall abide the terms and conditions stipulated in the permission letter.
- d) In case of any accident, Advertiser shall be solely liable against all actions / suits / claims / damages and demand of any nature.

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

Agency / Applicant shall submit structural stability certificate from the registered structural engineer along with the application if they intend to erect, exhibit, fix, retain or display the advertisement board more than 500 sq. ft. or if it is forming a sky-sign above 100 sq. ft.

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

- a) Advertisement on glass façade 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 façade can be permitted on entire portion of the glass façade.
- c) Applicant shall obtain prior permission for display of advertisement on glass façade if advertisement is by means of illumination, shall pay charges for the same as per schedule of fees.
- d) Permission of Glass façade 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 of Rs. 500/-.
- 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 to Sr. Inspector (Licence) with specific recommendation either positively or negatively for approval within 5 working days.
  - iii. Upon receipt of application, Sr. Inspector (Licence) of ward shall either grant or reject the permission within 5 working days.
- 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 5 working days to Sr. Inspector (Licence).
  - iii. Sr. Inspector (Licence) of ward who in turn shall forward the same within 5 working days 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 5 working days.
- d) 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 Commissioner from time to time, subject to the submission of following:-

- a) Consent in writing from the Agency i.e. the holder of the permission / 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 or legal heir 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 Constitutions 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 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 fee of Rs. 500/- 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 shall dispose off appeal within 2 months from the date of filing appeal.

**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) If Applicant / Agency intends to display an advertisement on his/her business premises which is not related to its trade, profession, services rendered in the establishment, in such cases the permission can be granted / regularised on payment of advertisement fee as per schedule for other than business premises.
- b) Permission for display of illuminated or non-illuminated advertisement relating to advertisement other than trade, profession, services rendered in the establishment shall not be any way allowed on roof top or terrace of the establishments concerned.
- c) The procedure for grant of permission and other procedures is applicable as stated at in Part II above.

## **P A R T – III**

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### **3. TEMPORARY ADVERTISEMENTS**

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

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, wall painting, and advertisement boards on mobile vans.

The application shall be made in the prescribed form (Appendix - A) to M.C.G.M. along with prescribed processing fees of Rs. 500/-. 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.

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 MMC Act, 1888. Such advertisements shall be removed by M.C.G.M. 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) Kiosks
- f) Advertisements by means of Laser / Digital Display / Video Displays.
- g) Wall Painting.
- h) Building Wrap
- i) Floating Balloons
- j) Sticker
- k) Any other similar type of advertisement

#### **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 M.C.G.M., in the ward in which advertisement is proposed to be displayed.
- b) Applicant / Agency applying for advertisement on building under construction site shall pay processing fee of Rs. 500/- along with the application form duly filled in with Chief Engineer (Development Plan) (Except Building under construction on S.R.A. / M.M.R.D.A. / M.H.A.D.A. / M.B.P.T. project).

- c) The Applicant / Agency shall submit self attested documents. However, original documents shall be submitted for verification as and when demanded by M.C.G.M.

### **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 board on the terrace shall be in the nature of Neon sign / Glow sign / digital board only.
- c) Advertisement board shall be restricted to the space available on construction fence.
- d) 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.
- e) Temporary advertisement on construction fence can be granted for initial period of six months which will be renewable for after every six month on submission of revalidated commencement certificate, provided there is no genuine complaint.
- f) 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., in such cases application shall be submitted to Sr. Inspector of licence department of concerned ward. However, in cases, where M.C.G.M. is planning authority, the permission shall be granted by the Building Proposal department of M.C.G.M.
- g) Advertisement of any size, on Construction Fence / Open land / Wall / Scaffolding / or on above any other equipment of the building under construction, by means of illuminated / non-illuminated displays, i.e. Glow Sign, Neon Sign, digital displays shall be allowed till the completion of the project.

### **3.5 SPECIAL NORMS FOR DISPLAY OF ADVERTISEMENTS BY FLOATING BALLOONS:**

Permission for illuminated or non-illuminated advertisements by means of floating balloons can be granted subject to the compliance of conditions mentioned below:

- a) Any agency shall display the balloon in such a manner that it does not interfere with or obstruct other display of advertisements.
- b) The agency shall make all the necessary arrangements for watching the balloons for any emergency during the display of the said advertisement by means of balloon.
- c) The agency shall produce No Objection Certificate from the Civil Aviation Department of the Government of India and shall observe all their rules and regulations.
- d) The agency shall be liable to pay damages for any accidents or any injury which may be caused to any property or person by reason of keeping the said balloon or the material, gas or any device used in respect thereof or by reason of the fall or



otherwise the said balloon or any part thereof due to storm, faulty construction, negligence, accident or any other cause what so ever.

### **3.6 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 the permission/permit holder, to renew the permission 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 MCGM 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).
- h) In the event 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 shall be charged on advertisement fee.

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

- 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 Indian Penal Code) or in contravention of the provisions of section 328 / 328A of the MMC 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 and 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.

### **3.8 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 of Rs. 500/-
- 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 5 working days to Sr. Inspector (Licence).
  - iii. Upon receipt of application, Sr. Inspector (Licence) of ward shall either grant or reject the permission within 5 working days.
- 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 5 working days to Sr. Inspector (Licence)
  - iii. Sr. Inspector (Licence) of ward who in turn shall forward the same within 5 working days 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 5 working days.
- d) In case of rejection of application, the competent authority shall for reason to be recorded in writing, refuse permission for grant of permit / permission.

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

- a) This policy will be applicable for grant of permission for display of advertisement by means of Banners/ Boards/ Flags visible from any street.
- b) No agency, without the permission in writing from the Competent Authority, 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 MMC 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 land owner / 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 of Rs. 500/-
- 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 M.C.G.M. 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 M.C.G.M. and the Security Deposit lying with M.C.G.M. 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 office premises and no permission is required for display of such advertisement.
- l) Board consisting information regarding name of the project, duration of project, name of contractor, name of constituency of Member of Parliament / Member of Legislative Assembly / Councillors can be displayed. However, no photographs, name or pictures of Member of Parliament / Member of Legislative Assembly / Councillors shall be displayed.
- m) Applicant / agency shall pay ground rent if the banner / board displayed on MCGM road / footpath / land.

### **3.10 GRANT FOR PERMISSION FOR DISPLAY OF BANNERS / BOARDS / FLAGS ETC. DURING RELIGIOUS FESTIVAL**

- a) Permission for display of commercial / social / political advertisements by means of Banners / Boards / Flags on pandals for Religious festivals will be permitted considering the following conditions:
  - i. 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 of Rs. 500/-
  - ii. A Security Deposit of Rs. 2,500/- will be recovered for faithful compliance of the terms and conditions of the permission granted.
  - iii. Display of social / political advertisements will be allowed inside the pandals and up to 100 meters from the entrance of the pandals by recovery of Rs. 2,500/- as lump-sum advertisement fees.

- iv. For display of social / political advertisements will be allowed on the temporary arches of the festival, a lump-sum fees of Rs. 5,000/- will be recovered from the Applicant.
  - v. For display of Advertisement by means of LED, Rs. 5,000/- will be recovered per board.
  - vi. Applicant / agency shall display period of permission granted, permission number, name of the printing press, mobile / contact number on the advertisement.
  - vii. Upon expiry of permission the Agency / Mandal shall remove the banner / board / flag etc., else same will be removed by M.C.G.M. and action will be initiated as per provision of section 328 / 328 A read with section 471 of M.M.C. Act 1888.
- b) No permission is required for display of illuminated / non illuminated Banners / Boards in the premises of M.C.G.M., Central Government, State Government, Semi Government Authorities for display of their Names / Civic messages.

### **3.11 BANNER POLICY DURING ELECTION CODE OF CONDUCT.**

- a) During the Election Code of Conduct the permission for temporary banners / boards / flags will be granted as per the norms specified in the model code of conduct of Election Department / Election Commission.
- b) The Size of the Banners / Boards / Flags will not be more than the size as permitted by the Election Commission.
- c) Display of advertisement by means of cloth banners, boards, cut outs, etc. by any candidate or any Political Party in public places including Roads/ Footpaths / Gardens / Playgrounds / Markets and any other Municipal Corporation and Government property shall not be allowed during Election.
- d) The advertisement displayed on the offices of Political Parties / Candidates in private premises may be allowed subject to following conditions:-
  - i) That the applicant / candidate shall obtain necessary N.O.C. from the landlord / property owner.
  - ii) That the applicant / candidate shall pay the schedule charges i.e. advertisement fees and security deposit at prevailing rate.
  - iii) The permission is to be granted till the campaign period of the Election.
  - iv) That the applicant shall remove the permitted displays / object after expiry of such permit / permission.
- e) The candidates contesting election or any political party can display advertisements pertaining to the elections by hiring the hoardings which are duly permitted by M.C.G.M. 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 Municipal or Government lands like the land belonging to the Collector, MHADA, Railway Authority, P.W.D., M.S.R.D.C., Airport Authority, BEST Undertaking and any other public body.

- i. Permission for display of flags, vinyl and hand-held banners can be allowed by charging scheduled fees for any procession arranged by any candidate or political party with prior permission of Election Officer concerned.
- ii. As per Motor Vehicle Act and Rules 1988, Regional Transport Authority's permission is required to display any advertisement on any vehicle. Also the Election officer is required to monitor the use of vehicles by any candidate or political party. Therefore, permission to display advertisement by way of banners / posters on any vehicle permitted by Regional Transport Authority can be issued and ward should intimate the vehicle permission given to the Returning Officer concerned. The vehicle permission on poll day may be given by the Returning Officer concerned.
- iii. Display of advertisement by any political candidate or any political party shall not be permitted on the existing Bus-Queue-Shelters, Kiosks on Electric Poles or any other structure of the BEST Authority on Municipal roads or footpaths.
- iv. Wherever permission in accordance with the aforesaid restrictions is granted, necessary advertisement fees as per the prescribed schedule be charged.

### **3.12 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 M.C.G.M along with name of sponsors and MCGM back to back. In case of Central Medians, distance of 30 mtrs. should be kept between two sponsorship boards of one feet by two feet. In case of traffic islands a maximum of 4 advertisement 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.

### **3.13 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.

## **P A R T – IV**

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

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

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 MMC Act, 1888.

The competent authority may, for reasons to be recorded in writing may refuse permission for grant of advertisement permit.

If Applicant / Agency intend to change the size of existing hoarding then the same shall not be considered as new proposal and in a such case, following documents are required to be submitted alongwith application.

- i) Specific remarks from Designated Officer of ward 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.
- iii) Fresh Structural Stability Certificate from registered structural engineer.
- iv) Insurance certificate for the structure in case of any eventuality.
- v) No Objection Certificate from landlord or society.
- vi) Certificate from Registered Surveyor certifying that distance criteria between two hoardings are as per the prevailing norms i.e. 100 meters distance between two hoardings.

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

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

- a) Hoardings of all sizes will be permitted subject to minimum size of 10 feet x 10 feet and maximum size of 40 feet x 40 feet (Vertical or Horizontal) subject to availability of space. Odd size hoarding displays can be allowed. Advertisement fees shall be charges as per the nearest higher approved size of the hoarding i.e. 10'x10', 20'x20', 30'x20', 40'x20', 50'x20', 60'x20' and 40'x40'.
- b) There is no ward wise size restriction across the jurisdiction of MCGM.



- c) The hoarding on ground may be permitted as a single sided, back to back or in "V" shape or tri-vision. All standard sizes as mentioned above are permitted in all wards of MCGM.
- d) The size of hoarding on V Shape, back to back or Tri-vision 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 near by coastal area 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) The existing hoardings permitted on roof top / terraces of building will be continued till the expiry date of the current renewal period. Thereafter there will be no renewal.
- 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 is declared / classified in 'dilapidated' category.
  - iv. Any part of the structure or board falls / dismantles.

## **iii) HOARDING ON DEAD WALL**

- a) New permission for hoarding on dead wall can be allowed for any size, which can cover the whole area of dead wall. However, the erection of the hoarding shall not be beyond the dead wall.
- b) The hoarding shall be erected parallel to dead wall and the distance between the dead wall and hoarding structure shall not exceed 3 ft.
- c) Advertisement on Dead walls by means of Vinyl wrap, Graffiti, Wall painting, By way of pasting Sticker, LASER or projection of advertisement by means of Projector will also be permitted.

## **iv) (1) DIGITAL / LED / LCD / ELECTRONIC / NEON DISPLAY HOARDING**

- a) Digital / LED / LCD / Electronic / Neon Display hoardings of all sizes can be permitted subject to minimum size of 10 feet X 10 feet and maximum size of 40 feet X 40 feet subject to No Objection Certificate from Traffic Branch of Mumbai Police.
- b) Digital / LED / LCD / Electronic / Neon Display hoardings can be permitted on ground, dead wall and vehicle mounted displays for which minimum distance criteria between two hoardings shall be 100 meters.

- c) For promotion of Digital Technology, all existing Advertisement hoardings can be converted into Digital Hoarding with prior approval of Competent Authority.
- d) Existing hoardings can be converted in to digital hoardings. Digital displays means, advertisements by means of Digital / LED / LCD panels, / Electronic / Neon scrolling advertisements, etc.
- e) Flickering advertisements are not permitted.
- f) As per High Court directives, illumination of digital displays shall be switched off at 11 pm.
- g) Structural Stability Certificate from registered structural engineer shall be submitted during converting existing advertisements in to digital advertisements.
- h) The permission for digital displays will be revoked if genuine complaint is received from the nearby resident.
- i) No objection certificate shall be submitted from land owner / Society for conversion of existing display in to digital displays.

**iv) (2) ELECTRONIC SCREEN WITH VIDEO DISPLAY / LASER SHOW**

- a) Electronic screen With Video display / Laser Show of all sizes can be permitted subject to minimum size of 10 feet X 10 feet and maximum size of 40 feet X 40 feet subject to No Objection Certificate from Traffic Branch of Mumbai Police.
- b) Electronic screen With Video display / Laser Show can be permitted on ground, dead wall and vehicle mounted displays for which minimum distance criteria between two hoardings shall be 100 meters.
- c) As per High Court directives, illumination of Electronic screen display hoarding (Picture) / Laser Show shall be switched off at 11 pm.
- d) Structural Stability Certificate from registered structural engineer shall be submitted during converting existing advertisements in to Electronic screen display hoarding (Picture) / Laser Show.
- e) The permission for Electronic screen With Video display / Laser Show will be revoked if genuine complaint is received from the nearby resident.
- f) No objection certificate shall be submitted from land owner / Society for conversion of existing display in to Electronic screen With Video display / Laser Show.

**v) (1) ADVERTISEMENT MOUNTED ON VEHICLES (PARKED)**

- a) Advertisements can be allowed by means of single, double or multiple sided advertisement boards or panel mounted on vehicle and same shall be parked at location in private premises for a display of advertisements as specified in No Objection Certificate of traffic branch of Mumbai Police.
- b) 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.
- c) Advertisements can be LED / LCD panel displays or backlit.
- d) Advertisements on vehicles parked on footpaths shall not be allowed.

**v) (2) ADVERTISEMENT AFFIXED ON VEHICLES (PARKED OR MOVING)**

- a) Single or double sided advertisement board affixed by means of sticker on side panel or behind a vehicle 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 schedule fee for public transport i.e. advertisement on bus panel of BEST undertaking will be 20 % of revenue earned by BEST undertaking by floating tender for awarding display right of advertisement. (No advertisement fee will be payable as per schedule except 20 % revenue sharing)
- c) Other than public transport i.e. Bus undertaking shall pay advertisement fee as per schedule for display right awarded on vehicle

**vi) ADVERTISEMENT BOARD ON FLYOVER BRIDGES**

- a) Advertisement board can be permitted on the embankment of wall of flyover bridges.
- b) The lower bottom of advertisement board shall not come below the embankment of wall of Flyover Bridge.
- c) The upper edge of advertisement board shall not be higher than the upper edge of the embankment wall of the flyover bridge. However, ongoing permission granted with exemption by MCGM above the embankment of wall will be continued upto the expiry of contract period / tender period as floated by MMRDA / MSRDC, etc.
- d) Advertisement board shall be erected strictly as per approved structural design given by MSRDC / MMRDA / PWD / MBPT / Mumbai Metro Rail Corporation / Mumbai Mono rail Corporation or any other land owning authorities. Advertisement by means of Illumination can be given subject to NOC from Traffic Branch of Mumbai Police.
- e) After erection of the board by the Agency / Applicant the same shall be inspected by MMRDA / MSRDC officials and they shall certify that same is erected as per specification and land owning authority shall inspect the site every after 2 years considering the public safety at large.
- f) Structural Stability Certificate From registered structural engineer shall be submitted for the structure of the board erected on the embankment of fly over bridge.
- g) When Land owning authority, i.e. MMRDA / MSRDC / PWD / MBPT / Mono Rail Corporation / Mumbai Metro Rail Corporation fail to extend the existing contract; then respective authority is liable for untoward incident occurred as well as unauthorised displays on the subject advertisement board.

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

- a) The advertisement board shall be erected by keeping the distance of one meter from the flooring level of the sky-walk / foot-over bridges and the upper edge of the advertisement board shall not be higher than embankment of wall of the sky-walk / foot over bridge and one uniform line shall be maintained. However, existing permission granted for display of advertisement above the embankment

of wall will be continued till the expiry of tender period as floated by MMRDA / MSRDC, etc.

- b) Advertisement on the pillar of sky-walk / Foot over Bridge/ Bridges shall be permitted as per the structural design approved by concerned authority who have floated the tender i.e. MMRDA / MSRDC / PWD / BPT / Mumbai Metro Rail Corporation / Mumbai Mono Rail Corporation, etc. However, the length of the advertisement board shall not exceed the diameter of the pillar.
- c) Advertisement by means of illuminated board can be permitted on the pillars and sides of the sky-walk and foot-over bridges subject to No Objection Certificate from Traffic Branch of Mumbai Police.
- d) Advertisement boards shall be erected strictly as per structural design given by concerned government or semi-government or local or any other land owing authorities.
- e) After erection of the advertisement boards by the advertiser, the same shall be inspected by the concerned responsible officials of the agency, who have floated the tender viz. MMRDA / MSRDC / PWD / MBPT / Mumbai Metro Rail Corporation / Mumbai Mono rail Corporation and they shall certify that, advertisement board is erected as per the drawings & specifications.
- f) The officials of the authority who have awarded the tender shall inspect the site every 2 years considering the public safety at large.

#### **viii) BACKLIT BOARDS (BACK TO BACK AND TRI-VISION)**

No commercial advertisement boards shall be permitted on MCGM's footpath, except Information Kiosks, Direction Boards, No Parking Boards, Bus Queue Shelters, Kiosks on Electric Poles.

#### **ix) BUS QUEUE SHELTERS**

Advertisement at the rear side of Bus Queue Shelter can be allowed. Further advertisement on Bus Queue Shelter can be allowed in any size and which shall not be beyond the size of Bus Queue Shelter. Advertisements on Cantilevers, Kiosks, Lolly-pop, etc. shall not be given along with the permission for advertisements on Bus Queue Shelter. Digital Advertisement can be permitted subject to NOC from Traffic Department.

#### **x) KIOSK**

- a) Advertisement by means of Kiosk can be allowed on electric pole at the height of 12 ft. from the ground below it. The kiosk of standard size is 4 feet x 6 feet can be allowed on the footpath. The kiosks shall be firmly tightened with electric poles.
- b) Permission for display of kiosk shall not be granted on Traffic junction as well as divider having width less than 4 feet.

#### **xi) CANTELIVER**

- a) MCGM has the sole right to put up cantilever for Civic massage only.

- b) No other land owning authority shall float the tender for awarding display right of advertisement by means of cantilever.

#### **4.3 RESTRICTIONS**

- a) No illuminated / Digital / LED / LCD advertisement hoarding shall be permitted without the NOC from the Traffic Police Department. Once issued, it is deemed to be permanent NOC until changes in size and position of hoarding.
- 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 Designated Officer of the ward certifying that, the subject proposed hoarding does not falls 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 Designated Officer of the ward certifying that, the light and ventilation will not affect after the erection of proposed hoarding.
- e) No hoarding shall be permitted on Public Recreation grounds, Public Play grounds, Public Parks and gardens, structures / buildings in heritage precincts, buildings of archaeological, architectural, aesthetical, and historical or heritage importance as per DCR, Rule 48(3). The hoardings can be permitted in private layout and recreational grounds subject to NOC from Society / Federation. In case of hoarding in/on Listed Heritage Building, Buildings in Heritage precincts or Buildings with heritage importance, NOC from Maharashtra Heritage Conservation Committee is mandatory.
- f) No hoardings shall be permitted in Coastal Regulation Zone Area – I, II or III without No Objection Certificate from Maharashtra Coastal Zone Management Authority.
- g) No hoarding shall be permitted within the funnel area i.e. take off and landing area without NOC from Airport Authority of India. The height of the hoarding shall be certified by the registered Architect or licensed Surveyor specifying the height given in No Objection Certificate by aviation for above sea level and above ground level.
- h) No hoarding shall be permitted near high tension wire passing through the proposed hoarding without NOC from respective Electricity Distribution Company.
- i) No hoarding shall be permitted within the restricted limit fixed for erection of any structure to be maintained from existing railway track without No Objection Certificate from Railway Authority.
- j) No hoardings shall be permitted on the walls other than dead walls of any building.
- k) No new hoarding shall be permitted having distance less than 100 mtrs.
- l) Existing permitted hoarding less than 100 meters distance will be continued till the current renewal period. Thereafter permit will be cancelled and hoarding will be removed.
- m) Distance between two hoardings on ground on the same side of the road / alignment shall be 100 meters. This distance will be measured from the

perimeter of the hoarding. The distance criteria shall be applicable for Hoardings on Ground / Dead wall / Terrace. viz. Distance criteria is applicable for hoardings on terrace & ground, terrace & dead wall, ground & dead wall and ground & ground.

- n) Existing hoardings prior to 1.5.2014 shall be continued subject to replacement of old hoarding structure by new one subject to its re-erection on uni-pole or bi-pole either round or square.
- o) Restrictions of 100 meter criteria between two hoardings shall not apply to back to back and 'V' shape hoarding or Tri-vision (three sided advertisement hoardings). However, the distance criteria will be applicable as stated in 'm' above.
- p) The lower bottom of the age hoarding board shall not be less than at a height 3.60 meters (12 feet).
- q) No hoarding shall be projected on to the footpath / carriageway / road.
- r) No new permission for hoarding shall be permitted which would projecting on or above hutments / slum situated below the advertisement board.
- s) 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 / land lord.
- t) No hoarding shall be permitted at the height of above 100 feet from the surface of the ground. The height of hoarding will be measured from surface of ground below the hoarding.
- u) Illumination of all the advertisements shall be switched off at 11.00 PM as per the directives of Hon'ble High Court, Bombay.
- v) Existing hoarding will not be renewed if Assessment Department certified that, permit holder is in arrears of Assessment tax of the subject hoarding or any other hoarding / hoardings in other ward of MCGM.
- w) 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.

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

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

- a) NOC from Landlord of the land / building over 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 in his 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 60 meters from the proposed site with marking of the proposed hoarding thereon.
- i) Two copies of the location plan indicating presence of any trees or any other hoarding within 50 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 Commissioner of Police (Traffic), if the advertisement is to be illuminated.
- k) NOC from the Civil Aviation Department of the Government of India wherever necessary.
- l) The structural design / plan along with structural design calculations approved by a licensed structural engineer.
- m) The Structural Stability Certificate from a licensed Structural Engineer of the building on which the advertisement is to be erected and the structural stability certificate of the Hoarding Structure.
- n) NOC from Electricity Distribution Company in case high tension wire is passing near proposed hoarding is to be erected.
- o) The Agency applying for the permission shall submit the Registration Certificate under the Bombay Shops & Establishments Act 1948, if applicable.

#### **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 MCGM.
- b) Advertiser / agency shall intimate before display of advertisement to concern Sr. Inspector along with Structural Stability Certificate certifying that the hoarding is erected as per design and plan submitted at the time of granting permission and also submit insurance certificate before display of the advertisement.
- c) 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.
- d) In the event, if applicant advertiser do 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.
- e) 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.

- f) 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 10% of the total outstanding amount of the advertisement fee.
- g) 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 10% composition on outstanding amount of advertisement fee and fresh security deposit equivalent to one month advertisement fee.
- h) 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.
- i) If advertisement is found displayed without prior permission of Municipal Commissioner / Competent Authority of MCGM and thereafter if agency come forward to obtain the permission for advertisement, then regularisation charges equal to six month advertisement fee shall be recovered in addition to schedule fees as stated above at Sr. No.(e). (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 permission / 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 permissions, if the payment is delayed beyond the period of 30 days from the date of receipt of demand letter, composition charges equal to 10% of the proportionate monthly advertisement fee for a month of delay. 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 / filed.

#### **4.7 NORMS FOR FORFEITURE OF SECURITY DEPOSIT FOR MINOR AND MAJOR VIOLATIONS BY PERMIT HOLDER**

- a) **Minor Violations** : In case of minor violations by the permit holder the 50 % Security Deposit lying with MCGM shall be forfeited for violating the minor condition. The same are as under:
  - i. Non display of name plate, or incomplete, incorrect display of name plate.
  - ii. Non painting of hoarding structure with green enamel paint.
  - iii. Non submission of Structural Stability Certificate / Insurance Certificate after the expiry of the period.

- iv. In case of illumination found after 11.00 p.m.
  - v. In case banned advertisement found displayed.
- b) **Major Violations** : In case of minor violations by the permit holder the 100 % Security Deposit lying with MCGM shall be forfeited for violating the major condition. The same are as under:
- i. Structural changes in the hoarding without prior approval of MCGM.
  - ii. Non payment of advertisement fees upto the period of 3 months.
  - iii. In occurrence of more than 3 violations in a calendar year i.e. for forth violation 100 % Security Deposit shall be forfeited.
  - iv. Any violations for which MCGM intend to issue show cause.
  - v. Illumination of hoarding without NOC from Traffic Commissioner of Police and MCGM.
  - vi. Damage to Municipal property.
  - vii. Trimming / pruning / cutting of trees without permission of Supdt. of Garden.

#### **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 Rs. 5000/-
- b) Upon receipt of the application, Advertisement Inspector / Sr. Inspector (Licence) shall visit the site within 5 days and submit the same to Asst. Commissioner of the ward who in turn shall forward the same within 5 days to Supdt. Of Licence with their specific recommendation either positively or negatively.
- c) Upon receipt of proposal, Supdt. Of Licences shall assign the proposal to Jt. Supdt. Of Licences / Dy. Supdt. Of Licences / Asst. Supdt. Of Licences. Concerned shall scrutinize the proposal independently within 5 days and submit the same to Supdt. Of Licences.
- d) Supdt. Of Licences in turn shall further scrutinize the proposal so received strictly as per prevailing guideline and shall submit the same to Dy. Municipal Commissioner, incharge of licence department, within 5 days.
- e) Upon receipt of proposal Dy. Municipal Commissioner in charge of Licence Department shall forward the proposal either for approve or reject within 5 days to Additional Municipal Commissioner.
- f) Upon receipt of proposal Additional Municipal Commissioner in charge of Licence Department shall either approve or reject within 5 days. In case of rejection of application, the competent authority may, for reason to be recorded in writing, refuse permission for grant of permit / permission.

#### **4.9 TRANSFER OF ADVERTISEMENT HOARDING PERMIT OTHER THAN BUSINESS PREMISES.**

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

- a) Consent in writing from the Agency i.e. the holder of the permission/ 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) 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.
- c) Affidavit indemnifying the Municipal Commissioner from all other claimant shall be submitted.
- d) In case of transfer through sale, the sale / purchase document and Indemnity Bond from purchaser, indemnifying Corporation from all claims.
- e) In case of change in constitution, documents such as indemnity bond, resolution or agreement shall be submitted.

#### **4.10 REVENUE SHARING**

- a) Roads developed by MMRDA / MSRDC and other Government Authorities and if it is handed over to MCGM then revenue sharing earn by MMRDA / MSRDC and other Government Authorities by floating tender for awarding display right then 50:50 proportion of revenue earn by MMRDA / MSRDC and other Government Authorities shall be shared with MCGM and after 10 years if the road is handed over to M.C.G.M. then 100% revenue sharing to M.C.G.M. (Advertiser / agency shall pay revenue sharing in addition to the advertisement fees)
- b) No revenue sharing will be insisted for advertisements inside Mono Rail/Metro rail Stations if those advertisements are not visible from Municipal / Public roads.
- c) The NOC from Traffic Police will be insisted from the applicant for allowing advertisements on Mono rail / Metro rail poles and beams.
- d) The permission will be issued only after payment of 50 percent of the tender/premium amount by the advertiser in the MCGM's exchequer.
- e) The advertiser will have to make payment of advertisement fees as approved by the Municipal Standing Committee 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.
- f) Such permissions will be given to only those advertisers who have been selected by MMRDA/ MSRDC or any other Government Authorities.
- g) In case MSRDC requested to exploit advertisement potential by means of kiosks on electric poles on bridges etc. erected by MSRDC, subject to Traffic Police NOC and revenue sharing at a 50:50 proportion between MSRDC and MCGM. The size of the kiosks shall be as per MCGM Policy of Advertisement 2018 as amended time to time.
- h) In case MSRDC floated the tender for awarding display right on road which is not handed over to MCGM and subsequently the advertiser / agency applied for grant of permission for display of advertisement in a such cases the advertising agency shall pay 30% of the revenue sharing earned by MSRDC by floating tender in the subject matter. (Advertiser / agency shall pay revenue sharing in addition to the advertisement fees)
- i) MSRDC may be allowed to give advertisement rights to advertisers for beautifying areas under their flyovers on a case to case basis after approval by the MCGM. Such proposals shall be entertained only when no corporate house is

coming forward to beautify such areas. For this purpose, such proposals shall be routed through MCGM's Ward Assistant Commissioner concern who should certify that the area is very dirty and no corporate house is coming forward to beautify it.

#### **4.11 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 atleast once in a two years.
- 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 MMC Act. 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 Indian Penal Code).
- c) The agency / advertiser shall display the following information at a conspicuous place on the pole of the hoarding structure of the advertisement hoarding. Name plate shall contain following details:
  - i. Name of Advertiser / Agency.
  - ii. Permit number of hoarding.
  - iii. Size of the hoarding.
- 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 MCGM for period not less than 30 days in a calender year and no advertisement fees will payable for actual display days of Civic Message displayed. This Civic Message display period in days will be summarised at the end of every month and the effective rebate in advertisement fees will be given in the next month.

#### **4.12 PRESERVATION OF TREES IN THE VICINITY OF HOARDING**

- a) If advertising agency desires to prune the branches / trim the tree in front of the advertisement hoarding for better visibility, they shall obtain NOC from the Garden Department. Garden department shall recover four times the schedule fee for such pruning of tree. However it shall be the discretion of the garden Department to allow such pruning.

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

- a) Every permit granted for advertisement hoarding will be renewed for period of 2 years. Permit holder shall apply for renewal of permit before 60 days of its expiry of the permit.
- b) Renewal of permit will be consider if the advertisement hoarding is in accordance with section 328 / 328A of MMC Act 1888 and these Policy Guideline amended from time to time.

- c) In case the hoarding is not accordance with the provision of policy guideline then show cause notice shall be issued to the advertiser / agency for removing the defects pointed out.
- d) NOC from Assessment Department of MCGM shall be submitted regarding payment of property tax at the time of renewal of permit failing which renewal application shall not be considered.
- e) The advertiser shall submit Structural Stability Certificate of the hoarding structure and the building on which it is erected, from registered structural engineer.
- f) The advertiser shall submit copy of insurance policy for that period against liabilities arising from unforeseen mishap.
- g) Advertisement hoardings shall be allowed to erect on a dead wall of building on submission of Certificate regarding structural stability from approved Government Structural Engineer.
- h) In case of illuminated hoarding advertiser / agency shall submit certificate from approved Electrical Engineer.

#### **4.14 MINIMUM DISTANCE BETWEEN TWO HOARDINGS ON GROUND**

- a) No new hoarding shall be permitted having distance less than 100 mtrs.
- b) Distance between two hoardings on ground on the same side of the road / alignment shall be 100 meters. This distance will be measured from the perimeter of the hoarding. The distance criteria shall be applicable for Hoardings on Ground / Dead wall / Terrace. viz. Distance criteria is applicable for hoardings on terrace & ground, terrace & dead wall, ground & dead wall and ground & ground.
- c) The advertiser shall submit certificate from MCGM / Government surveyor about the distance norm.

#### **4.15 SHIFTING / RELOCATION OF HOARDINGS WHEN ERECTED ON GROUND**

- a) Agency shall realign, readjust or shift the hoardings whenever called upon by the competent authority Advertiser/ Agency shall not claim any compensation. The relocation can be allowed within the same premises on compliance of all rules and Policy Guidelines.
- b) If, advertiser intent to make any changes in existing hoarding then same may be considered on submission of fresh certificate from Registered Architect / Structural Engineer.

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

- a) Advertisement permit for hoarding on the land of public authority (Government, Semi-Government, Air-Port Authority, Defence Ministry, Public Sector Undertakings, PWD, MBPT etc) will be permitted under section 328 – 328A of the M.M.C. Act 1888 subject to the submission of NOC from concerned authority.

#### **4.17 HOARDING ON CORPORATION / GOVERNMENT PROPERTIES**

- a) Existing hoarding on Corporation / Government properties shall be continued by inviting tender only. The NOC from concerned MCGM department / Government authority is mandatory for erection of hoardings.
- b) Civic messages can be displayed on hoardings on Corporation properties if hoarding is found blank for non response of tender. In such cases property tax will not be applicable for particular site.
- c) New hoarding site identified by MCGM on Corporation properties shall be allowed by inviting tender only, if it is to be given for advertising.
- d) The maximum period for display of right will be 5 year on payment of occupancy charges (Higher Bid amount of respective tender) which shall be paid on yearly basis and advertisement fees as per prevailing schedule of fees.
- e) Every successful bidder shall enter into Agreement with MCGM.
- f) 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.
- g) Upon expiry of the tender period, the agency shall handover the structure to MCGM. Thereafter display of advertisement on the said site shall be allowed by inviting regular tender procedure.
- h) In case of Estate Department properties, NOC from Estate department is mandatory which is to be obtained by the successful bidder.

#### **4.18 STRUCTURAL DESIGN FOR ERECTION OF HOARDING**

##### **i. INTRODUCTION**

- a) This annexure provides specifications and details relating to the erection of hoardings under MCGM's jurisdiction.

##### **ii. GENERAL**

- a) The hoarding should be maintained properly by providing the painting time to time to prevent corrosion. All joints should be checked periodically to ensure its safety.
- b) The erection of the hoarding should be done by machineries (erecting equipments) wherever necessary and all the precautionary measures will be taken to prevent any accident.
- c) The agency shall take all necessary precautions to prevent nuisance or inconvenience to vehicular and pedestrian traffic movement due to erection of the hoarding.
- d) The Hoarding shall be erected on Unipole or Bipole with cylindrical or square frame poles.

##### **iii. PREVENTION OF NUISANCE AND POLLUTION**

- a) The agency shall take necessary precautions to prevent any nuisance or inconveniences to the owners, tenants or occupants of adjacent properties and to the public in general and to prevent any damage to such properties and any pollution of stream and waterways.

- b) Agency shall make good at their cost and to the satisfaction of the MCGM, any damage to roads, paths, cross drainage works or public or private property whatsoever caused during the execution of the work.
- c) No hoarding shall obstruct any doors and / or windows of the building near or on which it is erected or that of the adjoining property.
- d) All waste or superfluous materials shall be cleared away by the agency.

#### **iv. STRUCTURAL SPECIFICATION**

- a) The hoarding structure shall be either Uni-pole or Bi-pole, and in round or square shape only. The design of the structure shall be sound to withstand the wind pressure and shall be prepared and certified by the Structural Engineer registered with MCGM.

#### **v. ELECTRIFICATION**

- a) Whenever the illumination is to be provided, the necessary approval from the concerned authorities (BEST Undertaking, Reliance Energy, MSERC, TATA Power) should be taken and necessary safety measures (to prevent accidents) have to be taken.
- b) The illumination arrangement should not cause disturbance to traffic passing near or underneath the hoarding/gantry/foot bridge/over bridge, as the case may be. Illumination of hoardings in residential areas shall be switched off before 11 p.m. as per the directives of Hon'ble High Court, Bombay.
- c) The cabling shall be of high quality to withstand the specified load and as per the strict requirements of qualified Electrical Engineer.
- d) Meter box, ELCB, MCB, Fuse Cutout, Timer Contractor and Locking Arrangement should be as per requirements of the electric supply company.
- e) Earthling 1.8 m deep below the ground using GI Pipe, Funnel, Charcoal, Salt, Brick Masonry work, etc.
- f) Agency shall submit the certificate regarding electrification from Registered Electrical Engineer.



## **PART – V**

### **REVIEW**

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#### **5. REVIEW OF DECISION TAKEN REGARDING GRANT / REJECTION OF PERMIT.**

##### **5.1 Scope**

The authority can review its decision in the event, if authority empowered for grant / rejection of permission / permit thinks that, decision taken for grant / rejection of permission / 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.

##### **5.2 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 License is reviewing decision of earlier Superintendent of License then s/he shall take prior sanction from DMC Special. Likewise, if DMC Special is reviewing his/her decision, it shall be mandatory to obtain prior sanction from AMC in-charge of license department.

## **PART VI**

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### **6. APPEALS (ADVERTISEMENT PERMISSION OF HOARDINGS AND ADVERTISEMENT ON OTHER THAN BUSINESS PREMISES)**

#### **6.1 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. 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.

#### **6.2 FIRST APPELLATE AUTHORITIES**

- a) Appeal against the decisions taken by Asst. Commissioners, shall lie with the Deputy Municipal Commissioner, in charge of Licence Department.
- b) Appeal against the decisions taken by the Deputy Municipal Commissioner, in charge of Licence Department shall lie with the Additional Municipal Commissioner.

#### **6.3 PROCEDURE FOR APPEAL**

- a) An appeal must be filed, along with appeal fees of Rs. 1000/-, within 30 days from the receipt of the orders of a lower authority or cause of action, as the case may be.
- b) For sufficient cause, the Appellate authority at his discretion may condone delay of filing appeal up to 30 days, except in cases where order for removal of existing hoarding is passed by the authority.
- c) Appellate authority as far as possible decides the appeal within a period of 60 days.
- d) If the applicant simultaneously seeks redressal in a court of law for the same cause of action, the appeal shall stand automatically dismissed.
- e) In case the hoarding owner or licence holder prefer appeal being aggrieved by any order of Dy. Municipal Commissioner, in charge of Licence Department or Addl. M.C. during the pendency of appeal advertiser / agency shall not display Advertisement on the alleged hoarding.
- f) Appeal period of 60 days will be computed from the date of payment of appeal charges.
- g) During the pendency of appeal upto period of 60 days, advertiser / agency shall not display advertisement on alleged hoarding and agency / appellant shall pay advertising fee during the pendency of appeal upto period of 60 days.
- h) In the event appeal period is expired between first and end of the month in those cases advertiser / agency shall pay the advertisement fee for the entire particular month.
- i) If any advertisement or display is found during the appeal period, then action of forfeiture of security deposit and removal of display of advertisement shall

be initiated and also advertiser is liable for payment of advertisement fees after 60 days of appeal period.

- j) In the event agency / advertiser absent during the hearing or requested for adjournment then, advertiser is liable for payment of advertisement fees after the period of 60 days of appeal period.
- k) In the event appellate authority directed agency to remove the violation pointed out during the hearing then and such period granted for notification will be excluded for computation of 60 days of appeal period and advertiser / agency shall pay the advertisement fees during such period.
- l) Appellate authorities shall submit the list of pending appeal application to Addl. M.C. / M.C. after 90 days.
- m) On receipt of rejection order from learned 1st appellate authority, if advertiser agency moves to any court, there shall be no display of advertisement on the hoarding till finalisation / disposal of the case. If any advertisement or display is found during the litigation period, then action will of forfeiture of security deposit and removal of display of advertisement shall be initiated.
- n) In case the hoarding owner or licence holder prefer appeal being aggrieved by any order of Dy. Municipal Commissioner, in charge of Licence Department or Addl. M.C. during the pendency of appeal advertiser / agency intend to display of advertisement in alleged hoarding the same can be granted subject to payment of twice monthly advertisement fee and also undertake that they will not claim that refund of fees or interest on additional advertisement fees even if the alleged hoarding is regularised by appellate authority or by court.
- o) Existing pending 1<sup>st</sup> and 2<sup>nd</sup> appeal lying with 1<sup>st</sup> and 2<sup>nd</sup> appellate authority will be decided by the same appellate authority.

## **P A R T – VII**

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### **7.1 BLACKLISTING**

Blacklisting will be for a specific period or permanent. An Advertiser / Permit Holder are liable to be black listed on one or more of the following grounds:

- a) If security considerations including question of loyalty to the MCGM so warrant,
- b) If the proprietor of the firm, its employee, partner or representative is convicted by a court of law following of investigation or under normal process of law for offences involving moral turpitude in relation to business dealings viz. Conviction by court of law,
- c) 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.
- d) If the firm continuously refuses to return / pay MCGM or State Government's dues without showing adequate cause, and MCGM is satisfied that, this is not due to a reasonable dispute which would attract proceedings in arbitration or court of law.
- e) Persistent and intentional violation of important conditions of permit.
- f) An attempt to cheat MCGM, an attempt to obtain the permission 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,
- g) An attempt to instigate or collude with other contractor/s / Advertiser with a view to securing undue advantage,
- h) Any of the grounds mentioned in clause Demotion, if it is deemed serious enough

### **7.2 SUSPENSION OF LICENCE PENDING ENQUIRY**

- a) 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.

### **7.3 AUTHORITY**

- a) On the basis of report/s received from concerned Deputy Municipal Commissioner / Additional Municipal Commissioner / Municipal Commissioner will be competent, either suo-moto, or to impose any of the penalties viz. Blacklisting.

## **7.4 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 Deputy Municipal Commissioner shall either take a final decision regarding the demotion with specific time period or permanently or make detailed report with recommendations for blacklisting to Additional Municipal Commissioner (A.M.C.) / Municipal Commissioner. Before issuing a final order regarding banning / de-registration, the Deputy Municipal Commissioner shall give personal hearing to Advertiser or his / their authorized representative on his request in writing if any, or otherwise along with his / their letter of clarification.
- c) The competent authority i.e. concerned Deputy Municipal Commissioner / Additional Municipal Commissioner / Municipal Commissioner, shall give personal hearing to Advertiser or his / their authorized representative on his request in writing along with his / their letter of clarification, before taking final decision on blacklisting of the Advertiser with specific time period (temporary) or permanently.
- d) As far as practicable, the competent authority i.e. concerned Deputy Municipal Commissioner / Additional Municipal Commissioner / Municipal Commissioner, shall take final decision regarding banning / de-registration within 15 days of completion of hearing of the Advertiser.
- e) Any order of penalty passed by the competent authority i.e. concerned Deputy Municipal Commissioner / Additional Municipal Commissioner / Municipal Commissioner, under these Policy shall state the facts of the case and record the reasons for the order. In case of, banning / de-registration, the order shall also specify the name(s) of the proprietor / partner(s) / directors / power of attorney holders of the contractor(s) / firm / partnership / company banning / de-registration in his / her / their order, and shall intimate the advertiser accordingly.
- f) The decision regarding blacklisting shall be communicated to advertiser immediately with directions to submit the original explanation within 15 days from the date of receipt of the order regarding blacklisting, for taking necessary endorsement on the same. If any advertiser does not comply with this requirement within the period of 15 days mentioned above, he / they shall be deemed to have been blacklisted automatically at the expiry of the above mentioned period, even if the penalty imposed was blacklisted for a specific period.

## **7.5 APPELLATE AUTHORITIES FOR PENAL ACTION**

Appellate Authority and Procedure for appeal will be same as stated in **Part - VI**.

## APPENDIX - 'A'

### MUNICIPAL CORPORATION OF GREATER MUMBAI Licence Department

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

#### Sr. Inspector (licence)

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 / Footpath: \_\_\_\_\_

b) Address of advertisement /Exact Location:-

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c) 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 dvertisement 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 MCGM 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.

Applicant

Signature of the

Date:



## Annexure

### ❖ Types of Advertisement

<b>a) Advertisement on Other than Business premises</b>			
Sr. No	Types of Advertisement	Illuminated	Non Illuminated
1.	Hoarding (Ground / Dead Wall)	√	√
2.	Mobile Hoarding (Parked)	√	√
3.	Board on Skywalk/ Fly over Bridge/ Foot over Bridge	√	√
4.	Kiosks	√	√
5.	VMS( Variable Message Service)	√	x
6.	Skysign / Glow Sign Board	√	√
7.	Bus Queue Shelter	√	√
8.	Advertisement on Moving Vehicle	x	√
9.	Computerised Coloured/ Multi coloured /Graphic Display Advertisement	√	x
10.	Pictorial Advertisement	√	√
11.	Building Wrap	x	√
12.	Trivision	√	x
13.	Electronic Scroller Advertisement	√	x
14.	Advertisement on Traffic Pedestal	x	√
15.	Wall Display by Projector/ Wall Painting	√	x
<b>b) Advertisement on Business premises</b>			
1.	Skysign / Hoarding	√	√
2.	Advertisement Board (Name / Direction	√	√
3.	Advertisement on Mall / Within Mall including vehicle Moving / Parked( Including LED/ LCD/ Computerised coloured/Multi coloured/ Graphic Display	√	√
4.	Illuminated Board ( Glow Sign/ Neon Sign)	√	x
5.	Show Cases/ Showroom (Illuminated)	√	x
6.	Advertisement on Glass Facade	√	√
7.	Wall Display by Projector / Wall Painting	√	x
<b>c) Temporary Advertisement on Municipal Road/ Footpath</b>			
1.	Banner	x	√
2.	Board	x	√
3.	Flag	x	√

## A) Common Required Documents for permission of All Advertisement

Sr. No.	Attested true copies of following Documents be submitted
a)	<b>Identity Proof (Any One)</b>
	i) PAN Card
	ii) Aadhar Card
	iii) Passport
	iv) Driving Licence
	v) Election ID Card
b)	<b>Proof of Possession of premises (Any one)</b>
	i) Rent Receipt
	ii) Commercial Photopass
	iii) Registered Leave & Licence Agreement
	iv) Lease Deed
	v) PR card
	vi) Allotment Letter
	vii) Maintenance Receipt issued by C.H.S.
	viii) Electricity Bill
c)	<b>Proof of Business Entity (Which is applicable)</b>
	i) Copy of Partnership Deed <b>(Registered/ Notarized)</b>
	ii) Copy of Memorandum of Association
	iii) Certificate of Incorporation under the Companies Act
	iv) Certificate issued by the Charity Commissioner under the Registration of Societies Act and Mumbai public Trust Act
	v) Shop and Establishment Certificate
	vi) IOD and Commencement Certificate
	<b>viii) In case of Political party, authentication on party letter head.</b>
	<b>viii) Proprietary firm- Copy of first page of current account passbook or cancelled</b>

	<b>cheque of that account</b>
d)	Sketch of the advertisement board with dimension and details of matter to be displayed.
e)	Undertaking from the premises owner of Mall/ Shopping Complex premises about the permissions granted shall be exclusively utilized for display of advertisement of the business / commercial establishments within the premises.
f)	Structural Stability Certificate (If Board more 100 sq.ft.)
g)	Construction Fence SRA
h)	Glass Façade Certificate from Building proposal

**B) In additional to documents mentioned in 'A' above, following documents are required for grant of permission of following Advertisements.**

Sr. No	Description of Documents	Category wise Details of the Documents to be submitted (✓)						
		Hoarding (Ground / Dead Wall)	Mobile Advertisement on Taxi, Bus, etc.	Boards on Sky Walk/ Fly over bridges/ Foot Over Bridges	Bus Queue Shelters of BEST / MSRTC.	Gantries	VMS	Kiosks
1.	Original Receipt of the processing fees paid as per part III A (b)	✓	✓	✓	✓	✓	✓	✓
2.	NOC from Land Lord Part III B (a)	✓	✓		✓			
3.	NOC from Co-operative Housing Society – part III B (a) alongwith copy of General Body Resolution	✓						
4.	Indemnity Bond cum-undertaking as per Appendix B of the Policy Guideline	✓			✓			
5.	Joint indemnity Bond as per Appendix 'C' of the guideline.	✓						
6.	Location plan and block plan (Two copies)	✓	✓	✓	✓	✓	✓	✓
7.	10' X 8' size photograph taken from a distance of 60 mtrs. from the proposed site. (Two copies)	✓	✓	✓		✓	✓	✓
8.	NOC from Commissioner of Police (Traffic) in case of illuminated hoardings	✓	✓	✓	✓	✓	✓	✓
9.	NOC from civil Aviation Department if the proposed hoarding is located in the funnel area.	✓						
10.	Structural design and calculation	✓		✓	✓	✓	✓	✓

11.	Structural stability certificate from licence structural Engineer for proposed hoarding structure & building	✓		✓	✓	✓	✓	✓
12.	Certificate issued under the Shops & Establishment Act 1948	✓	✓	✓		✓	✓	✓
13.	Copy of insurance – Part II 3 (a)	✓	✓	✓	✓	✓	✓	✓
14.	NOC from M.H.C.C. if the proposed hoarding is to be erected in heritage building or heritage precincts.	✓	✓	✓		✓	✓	✓
15.	If the hoarding falling in CRZ, Copy of D.P. remarks along with plan showing the location of hoarding along with NOC from M.C.Z.M.A.	✓	✓	✓		✓		
16.	SAC no. of the property where the hoarding is to be erected with the copy of latest property tax bill.	✓	✓					
17.	Documents to be submitted by the Advertiser for establishing the ownership of the land (Any one): a) Property card b) 7/12 Abstract c) Index II d) Conveyance Deed	✓	✓	✓		✓	✓	✓
18.	NOC along with self attested copy of agreement if the proposed hoarding / board is to be erected on the property belonging to Indian Railways / Airport Authority of India / CPWD / MBPT / Salt Commissioner / MMRDA / MSRDC / MSRTC / MIDC / BEST / Mumbai Metro Rail Corp. / Mono rail Corp.	✓	✓	✓	✓	✓	✓	✓

	& Others.							
19.	Copy of I.O.D. in case of construction fence / Building wrap	✓						
20.	Copy of Commencement Certificate in case of construction fence / Building wrap.	✓						
21.	NOC from Commissioner of Police in case of Mobile Advertisement on Taxi, Bus, etc.		✓					
22.	NOC from Regional Traffic Officer in case of Mobile Advertisement on Taxi, Bus, etc.		✓					
23.	No Hoarding is in Compulsory Open Space. Certificate issued by the Designated Officer of the respective ward shall be submitted.	✓						

## APPENDIX 'B'

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

TO,  
The Municipal Commissioner  
Municipal Corporation of Greater Mumbai.

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 Municipal Corporation of Greater Mumbai for a permission for display of advertisement under section 328 and 328A of the M.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:-

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

2. 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.
3. 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.
4. 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.
5. \*\*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 Municipal Corporation of Greater Mumbai and the 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 Municipal Commissioner or either of them by any person or persons by reason of the Municipal Commissioner granting permission for display of advertisement in the premises.
6. We further agree and undertake that the Municipal Corporation / 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.
7. We further indemnify the Municipal Corporation / 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.
8. 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 MCGM to revoke the permission granted to advertiser and I / we as an owner take responsibility to remove the hoarding and hoarding structure.
9. 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 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 Municipal Corporation of Greater Mumbai  
for a permission for display of advertisement under section 328 and 328A of the M.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:

1. 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 M.M.C. from any hoarding through public auction on the same road or corridor, whichever of the three is the highest.

2. 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.
3. \*\*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 MCGM to revoke the permission granted to advertiser and I as an owner take responsibility to remove the hoarding and hoarding structure.
4. This undertaking is binding upon us, our heirs, Executors, Administrators, Successor / Successors and assignees.

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

Yours faithfully,

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

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

Witness:

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

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