



सर्वेषां विकासाय

OUTDOOR ADVERTISING POLICY

**State Infrastructure & Industrial Development Corporation
of Uttarakhand Ltd**

29-IIIE, IT Park, Sahastradhara Road
Dehradun-248001

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1. Overview

Objective of the policy document: Define guidelines for outdoor advertisements in the area under jurisdiction of SIIDCUL.

Preview of the policy: The outdoor advertisement policy covers a very wide range of advertisements including but not limited to:

- Posters and Notices
- Placards and Boards
- Fascia Signs and Projecting Signs
- Pole signs and canopy signs
- Model and devices
- Captive balloon advertising (not balloons in flight)
- Flag advertisements
- Price markers and price displays
- Sector and village name signs
- Billboards and Unipoles
- Tri-vision signs etc.

The corporation has explicit right to amend the policy from time to time as necessary.

2. Different groups of outdoor advertisement

To enable an advertiser to clearly understand the need the Corporation permission for outdoor advertisement, this policy divides all advertisements into three main groups, which are explained in more details further on in clauses 2.1, 2.2, 2.3 and 2.4 respectively. These groups are as follows:-

- Advertisement under deemed consent so that the Corporation consent is not needed, provided your advertisement is within the specifications described in this policy.
- Advertisements for which the Corporation express consent is always needed.
- Advertisements which shall be allotted by the Corporation through a tendering process.

2.1 Advertisement under the 'Deemed Consent' category

In this class of advertisements, the Corporation consent is not needed, provided the advertisement is within the classes of advertisement benefiting from deemed consent stated below:

In case of advertisement permitted under this category it shall be the responsibility of the advertiser to remove the advertisement at the end of the approved term (if applicable) barring which the Corporation has a right to levy a penalty as decided by the Corporation.

2.2.1 Class 1

Functional advertisements by public bodies: Advertisements in class 1 are those which are needed by public bodies (such as government departments and local authorities, the public utilities and public transport operators) to give information or directions about the services they provide. These would include:

- Notice-board at any Govt operated facility like the Stadium
- Bus Timetable
- Warning notice at an Electricity Sub-Station
- Display of bye-laws

Advertisement must not exceed 1.55 Sq.mtrs in area and a reasonable degree of illumination is allowed to enable the information or directions to be read in hours of darkness.

2.2.2 Class 2

Consent for a wide variety of small notice and signs to be displayed on the premises or buildings to which the notice or sign related. Class 2 is divided into three separate categories (A) (B) and (C), each with its own provisions for deemed consent.

- Class 2(A) permits notice or signs to be displayed on buildings or land as a means of identification, direction or warning. These would include:
 - Street number or name of a dwelling-house or sector names
 - Field-gate sign saying 'Please shut the gate' or Warning notice e.g. saying Beware of the dog.
 - Private sign saying 'No parking please'Advertisement in Class 2(A) must not exceed 0.3 of a square metre in area. Illumination is not allowed.
- Class 2(B) permits notices or signs to be displayed on any premises for the purpose of advertising the fact that a person partnership or company is carrying on a profession, business or trade at those premises. These would include:
 - Notice-board displaying the names of individuals in a partnership
 - Name of a company operating from the premises

An advertisement in class 2(B) must not exceed 0.3 of a sq.mtr in area, one such advertisement of 3 sq.mtrs is allowed on each gate, provided it is on a separate road frontage.

- Class 2(C) permits notice or sign which relate to:
 - Any educational, cultural, recreational, medical or similar institution; or
 - Any place of religious importance like a temple, gurudwara or church
 - Any hotel, inn, or public house, block of flats, club, boarding house or hostel

Provided that such facility is built in a land with area upto 2 acres

The advertisement shall be displayed at the premises and should not exceed 1.6 sq.mtrs in area. If there is more than one entrance to the premises on different road frontages, two advertisements of 1.2 sq.mtrs each may be displayed (each on a separate frontage).

Any advertisement in class 2B and 2C may be illuminated with deemed consent, if the illumination is intended to indicate that medical or similar services or supplies are available at the premises.

2.2.3 Class 3

Temporary Advertisement: Class 3 gives consent for a wide variety of notices and signs which are usually displayed to publicise a forthcoming event or to advertise a short-term use of the advertisement site. Class 3 is divided into five separate categories – (A) (B) (C) (D) and (E) - each with its own provisions for deemed consent.

- Class 3(A) permits boards to be displayed by such firms as estate agent, chartered surveyors, auctioneers and valuers, advertising that land or premises are for sale or to let. The advertisement board for each sale or letting must not exceed the dimension as stated in the table below.

S.No.	Type of Land use	Size of the advertisement
1	Industrial & Commercial	2 sq.mtrs if single, 2,3 sq.mtrs if two boards are joined together for a single advertisement
2	Residential	0.5 of a sq.mtr if single, 0.6 of a sq.mtr if joined together

No advertisement board is allowed to extend outwards from the wall of building by more than 1 metre.

- Class 3(B) permits firms or individuals who are carrying out building, engineering or construction work to advertise the fact at the site. One firm or individual may display their own advertisement board, provided it does not exceed 2 sq.mtrs but if all those engaged on the contract rely on a single advertisement board, it can have a total area of 2 sq.mtrs plus a further 0.4 of a sq.mtrs for each additional firm or person mentioned on the board.
- Additionally, if the development project is known by a particular name the size of the advertisement board may be increased to enable the name to be displayed. When this type of advertisement board is more than 10 metre away from a road, it can have a total area of 3 sq.mtrs plus a further 0.6 of a sq.mtrs for each additional firm or person mentioned on it. If the board is already being displayed, so that it is impracticable or inconvenient to add another name to it, any other firm, contractor or individual working at the site may display their own separate board for up to three months, provided that it is no larger than 0.5 of a sq.mtrs on each road frontage to the site of the project. Class 3(C)

permits this type of advertisement board only during the time when the building, engineering or construction works are actually taking place on site.

- Class 3(C) permits temporary notices or signs which are intended to advertise any local event being held for charitable or religious purpose, which may be educational, cultural, political, social or recreational but not for any commercial purpose. This permission would include an advertisement for :
 - A sanctioned bazaar
 - A sponsored cycle rally
 - An amateur sports event, but not any sporting event organized for commercial purposes.

The advertisement permitted by Class 3(D) must not exceed 0.6 of a sq.mtrs and the maximum time of display of such an advertisement for a max 7 days to the event. Locations for such add will be approved by Corporation.

- Class 3 (D) permits temporary notices or signs advertising that a demonstration of agricultural methods or processes is taking place on the land where they are being displayed. The total area of all such notices must not exceed 1.2 sq.mtrs in aggregate and no individual notice is to exceed 0.4 of a sq.mtrs. They may be displayed only for a period of six months in any year.
- Class 3(E) permits temporary notices or signs announcing the visit of a travelling circus or fair. These advertisements must not be displayed more than 7 days before the opening of the circus or fair and must be removed within 3 days afterwards. The Corporation must be told 14 days beforehand of the sites of the notice. The notice or sign must not exceed 2 sq.mtrs. Location as approved by Corporation.

Advertisement permitted by Class 3 must not:

- Have any letters, figures, symbols or similar features of the design over 0.75 of a metre in height.
- Have the highest part of the advertisement at more than 4.6 mtrs above ground level advertising a sale or letting of premises situated in a building above these specified height limits: or
- Be illuminated in any circumstances.

And if a class 3 advertisement relates to a sale or event **it must not be displayed more than 28 days before the sale or event beings and must be removed within 3 days after it ends.**

2.2.4 Class 4

Class 4 gives consent for a wide variety of notices, signs and advertisements to draw attention to any commercial services, goods for sale, or any other services available at the premises where the advertisement is being displayed. "Business premises means any building in which

a professional, commercial or industrial undertaking is being carried on, or any commercial services are being provided for the public. This term would include:

- Institutional premises like:
 - Office buildings
 - Colleges/Institutes
 - Schools
- Commercial premises like
 - Shops and shopping arcades
 - Supermarkets and hypermarkets
 - Theatres, Cinemas and dance-halls
 - Vehicle showrooms and garges
 - Restaurants and cafes
- Industrial premises
- Group Housing Societies

	Billboards allowed inside the premises with area 2-10 acres		billboards allowed inside the premises with area > 10 acres	
	No.	Sizes (sq.mtr)	No.	Sizes (sq.mtr)
Group housing	2	18 each	3	16 each
Institutional Area	1	6	3	8
Industrial Area	2	6	3	8
Commercial Areas	2	6	3	8

The billboard allowed in the premises listed above shall be erected upto a maximum height of 6.5 mtrs. Placement, design and structure of each such billboard shall be approved by the Corporation.

Class 4 is not intended to permit all forms of outdoor advertising on any business premises; **it only permits advertisements for the good or services available at the particular premises.** This means advertisement which refer to:

- Business or other activity at the premises
- Goods for sale or the services available and/or
- Name and qualifications of the firm or person providing the service in the premises

Illuminations are permitted in this category to ensure visibility in the dark.

2.2.5 Class 5

Advertisement on forecourts of business premises: When business premises have a forecourt for more than one), Class 5 gives a further consent to display the type of advertisement permitted by class 5, namely notices, sign and advertisements to draw attention to any

commercial services, goods for sale or other services available at the premises. The terms forecourt includes any enclosing fence, wall screen or other structure, so long as the means of enclosure is not part of the business premises itself.

So a forecourt would include:

- Enclosed area in front of a newagents or tobacconist's shop
- Area at a petrol filling station where pumps are situated
- Terrace in front of a restaurant or café

A forecourt does not include the area of pavement in front of business premises which forms part of the highway.

Because Class 5 permits advertisement on the forecourt of business, any such notices, signs or advertisement must be at ground level. And the total permitted area for all forecourt advertisements must not exceed 4.6 sq.mtrs on each forecourt frontage to the premises. So a building with two forecourt frontages may have advertisements not exceeding 9 sq.mtrs in all provided that those on each frontage do not exceed 4.6 sq.mtrs. Forecourt advertisements must not be illuminated in any circumstance. Designs of all such advertisements shall be approved by the Corporation.

2.2.6 Class 6

Advertisements on hoardings around temporary construction sites: Class 6 permits the display, of poster-hoarding which are being used to screen building or construction sites while the work is being carried out on site. The purpose of this consent is to bring about some environment benefit on building sites by enabling screening (and perhaps also temporary landscaping) of the site to take place, thus providing the advertisers with some financial incentive for this purpose.

Advertisements permitted by Class 6 must:

- Should not be displayed more than three months before the date of submission of map approval.
- Should not be more than 4.6 mtrs above ground level.
- Should be allowed for a max period 3 years on payment of a license fee as decided by the Corporation from time to time.

Additional the advertiser must send written notification to the Corporation of his intention to display such an advertisement atleast 14 days before the display starts, and provide a copy of the detailed planning permission for the site. These advertisements may be illuminated in a manner reasonably required to fulfill the purpose of the advertisement.

2.2.7 Class 7

Directional advertisements: Telling potential house buyers and other visitors how to reach a site where new residential development is taking place. The rules for Class 7 are:

- Signs must not exceed 0.15 of a square metre in area
- No sign may exceed 4.6 mtrs above ground level.
- Any lettering or other information on the sign must not be less than 40 millimetres or more than 250 millimetres high.
- Retroflective material and illumination must not be used.
- The sign must not look like an official traffic sign
- The sign must be near to, but not on highway land and not within 50 mtrs of an official traffic sign facing in the same direction.
- No sign may be more than two miles from the main entrance to the house building site.
- 14 days before any sign is put up the Corporation must be told where it is to be displayed and from what date and permission must be sought for the location.
- No sign may continue to be displayed after development of the house building site is completed or for more than two years
- On the roundabouts or the road medians

2.2.8 Class 8

Advertisements displayed inside buildings: class 8 permits advertisements to be displayed inside a building if,

The building is mainly used to displayed advertisement or

The advertisement is within one metre of any window or other external opening through which it can be seen from outside the building.

2.2.9 Class 9

Advertisements on kiosks: Class 9 allows the display of an advertisement on the outside of a kiosks which include a kiosk for small business, ATM kiosks and telephone kiosk.

- Illumination is not permitted in general, but a small (upto .25 sq.mtrs) backlit sign is allowed on an ATM to allow identification in the dark.
- The sing must relate to the business being run on the kiosk in reference and should not be more than 5 sq.mtrs in area
- With the exception of the name of the electronic communication code operator or the name of the bank operating the ATM. Its trading name or symbol, no advertisement may be displayed on more than one face of the kiosk.

2.2 Advertisement for which the Corporation ‘express consent’ is always needed

Express consent: If an advertisement you want to display is not excluded from control and does not benefit from any of the provisions for deemed consent, you need the Corporation express consent before you can display it. Some frequently displayed types of advertisement for which you need the Corporation consent are as follows:

1. Banners
2. Fascia signs and projecting signs on shop-fronts or business premises where the top edge of the sign is more than 4.6 mtrs above ground level.
3. **Captive balloons advertisement:** One balloon advertisement may be displayed if it is not more than 60 metres above the ground and not displayed for more than 10 days in any calendar year.
4. **Letter sign on rooftop:** These shall be allowed of institutional buildings where only the name of the business/institution is being displayed and the sign shall not be illuminated. The maximum height of each letter shall be restricted to 6 mtrs, together with frames, supports and braces.
5. **Flag advertisements:** The Corporation written permission is required: An advertisement that is displayed as a flag on one flagstaff. There is no height limit for this consent, but the flag itself may only have on it the name, emblem, device or trademark of the company or person occupying the building on which it is hoisted or refer to a specific event of a limited duration taking place in the building. The design location and duration of hoisting the flag shall need explicit approval of the Corporation.
6. **Advertisements on the facia commercial building like shopping malls and plazas etc:** Advertisements on the exterior façade of the commercial buildings shall be displaced on designated spaces in accordance with the approved elevation by the Planning Department of the Corporation. For all such advertisement whether of goods or services that are available or not available at the particular premis, there will be a separate license fee that will be applicable as per the discretion of the Corporation. The advertisement signs should be in line with the exterior façade and should not be extended beyond the façade.
7. **Vehicle wraps:** Also known as wrap advertising essentially refers to a marketing practice of completely or partially covering (wrapping) a vehicle in an advertisement or livery (a mobile billboard). Such advertisement vehicles can be positioned in the city only on designated locations in accordance with the advertisement Master Plan and need express consent of the Corporation. The application for such device has to be submitted to the Corporation atleast 15 days in advance alongwith the appropriate License fee.

2.3 Allotted through tendering process

Apart from all such advertisements that are permissible in the city, the Corporation shall prepare and advertisement Master Plan, identify specific location wherein advertisement will be allowed on payment of special fees and allotted by the Corporation through a transparent tendering process. Such allotments can also be in-lieu of maintenance of certain areas/spaces within the city. The locations are as follows:

- Rotary and central verge when permitted, these shall be small format advertisements, max 0.25 sq.mtrs in area displayed on the grill of the rotary and central verge. No advertisement is permitted in the centre of the rotary.
- Billboards on unipoles and bipoles
- Tivision-sanctioned as per the advertisement Master Plan prepared and approved by the Planning Department from time to time
- View cutter – on foot over bridge : In this case the advertisement size shall coincide with size of the view cutter in both length and width. More than one sign can also be displayed provided the overall area of the advertisement does not exceed total area of the view cutter.
- Culverts and bridges
- Bus shelters/public services area for the purpose of maintenance
- Garbage collection centre
- Building wraps
- Traffic Light: For the purpose of installation and maintenance of lights. However, no advertisement shall be permitted on the light pole or the control box. The installation and maintenance contract will identify locations for advertisement in accordance with the advertisement Master Plan.

3. General guidelines for outdoor advertisement placement and content

3.1 Placement criteria

The important criteria while considering and approving the location of advertising devices are mentioned as follows:

- The minimum distance between two large format advertisement (LFA's which include billboard on unipoles and bipoles, trivision etc.) on the same side of the road/expressway/alignment shall not be less than 200 mtrs. This distance shall be measured from the perimeter of the device.
- LFA are allowed only on roads above 80 mts and 100 mtrs in width and should be in conformity to
- Advertisements shall not be permitted (a) within 200 mtrs or bridge, intersection and interchange and (b) within 100 mtrs of road signage.
- Advertisements shall not be permitted on the following:
 - Traffic Lights
 - Traffic signage

- Kilometre stones
- Metal beam crash barriers
- Concrete crash barriers
- Tubular steel railing
- High light masts and light poles.
- All advertisement devices should complement their surrounding and should not create any public nuisance.

3.2 Road Safety Criteria

The permission criteria for display of advertising devices are intended to ensure that a high level of safety for road users is maintained and traffic efficiency is assured. An advertising device may be considered a traffic hazard:

- If it interferes with road safety or traffic efficiency
- If it interferes with effectiveness of a traffic control device (e.g. traffic light, stop or give way sign)
- Distracts a driver at a critical time (E.g. making a decision at an intersection)
- Obscures a driver's view of a road hazard (e.g. at corners or bend in road)
- Gives instruction to traffic to stop, halt, or other (give way or merge)
- Imitates a traffic control device
- Is a dangerous obstruction to road or other infrastructure traffic pedestrians, cyclists or other road users
- Is in an area where there are several devices and cumulative effect of those devices may be potentially hazardous
- If situated at locations where the demand on driver's concentration due to road conditions are high such as at major intersection, merging and diverging lanes and the Expressway.

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

In case of the BOT arrangements, the concessionaire/advertiser shall be responsible for the maintenance and running of the facility and advertisements shall not be permitted unless the facility and advertisements shall not be permitted unless the facility is functional in all respects.

2.5 Advertisement not permitted

- Pole Kiosk of any size
- No advertisement device shall be attached in any way to trees or shrubs
- Video screen shall not be permitted
- Moving, rotating or variable message advertising devices shall not be permitted

- No overhead gantries shall be erected for advertising
- No posters shall be stuck on any walls or any other surface
- No banners shall be hung along the road medians.

Control of the physical characteristics of advertising devices shall be as follows:

- Advertising Devices shall not use shapes that could potentially result in an Advertising Device being mistaken for an official traffic signal.
- The Code of Practice of Road Sign IRC: 67-2001, by Indian Congress prescribes the basic design parameters of official traffic signs and includes standard legend/background color combinations.
- Advertising shall not contain flashing red, blue or amber point light sources which when viewed from the road, could give the appearance of an emergency service or other special purpose vehicle warning lights.
- All lightning associated with Advertising Device shall be directed solely on the Advertising Devices and its immediate surrounds.
- External illumination sources shall be shielded to ensure that external ‘spot’ light sources are not directed at approaching motorist.
- Illumination of advertising device to be concealed or be integral part of it.
- Upward pointing light of device shall not be allowed, any external lighting is to be downward pointing and focused directly on the sign to prevent any escape of light beyond the sign.
- Any light source shall be shielded so that glare does not extend beyond the advertising device.
- The average maintained luminance shall be reduced to 0.5 candela or all together shut, after 2300 hours (11pm) and sunrise by automatic timing device.
- Non-static luminance Advertising Device (flashing lights) is not permitted within the boundaries of sector roads.
- Moving, rotating or variable message Advertising Device is not permitted within the boundaries of sector roads as these causes a statistically significant distractive influence on motorist’s response time to external stimuli.
- This permission criterion is not intended to apply to variable message displays used by road authorities for the traffic management or for displaying other corporate information. Variable message displays located at bus stops or similar places where message are directed at, and intended for, pedestrians (not motorists) are excluded.

3.3 Content criteria

The policy will rely upon self-regulatory controls within the advertising industry to enforce minimum advertising standards, notwithstanding this approach, the Corporation may take action to modify or remove any advertisement which is not in line with the advertising industry’s code of ethics (refer list of negative advertisements) or that otherwise causes a traffic hazard.

List of negative advertisements

- Nudity
- Racial advertisements or advertisements propagating caste, community or ethnic difference.
- Advertisements having sexual overtone
- Advertisement propagating exploitation of women or child
- Advertisements depicting cruelty to animals
- Advertisements depicting any nation or institution in poor light
- Advertisements casting aspersion of any brand or person
- Advertisements banned by Advertisements Council of India or by law
- Advertisements glorifying Violence
- Destructive devices and explosive depicting items
- Lottery tickets, sweepstakes entries and slot machines related advertisement
- Any psychedelic, lazar or moving display
- Advertisements of weapons and related items
- Advertisements which make obscene or contain pornography or contain an “Incident representation of women within the meaning of the Indecent Representation of Women (Prohibition) Act, 1986
- Advertisements depicting linked directly or indirectly to or include description of items, goods or services that are prohibited under any applicable law for the time being in force, including but not limited to the Drugs and Cosmetics Act, 1940, the Drugs and Magic Remedies (Objectionable advertisements) Act 1954, the Indian Penal Court 1860 of
- Any other item considered inappropriate by the Authority.

For all categories of devices text elements on an Advertisements device face should be easily discernible to travelling motorists. This will minimize driver distraction. Additionally, a sign shall be quickly and easily interpreted so as to convey the required advertising message to the viewer and reduced the period of distraction.

3.4 Structure criteria

Advertising Devices structures including the foundation, shall be designed and checked for extreme wind conditions, earthquake, soil bearing etc, and shall comply with relevant Indian structural designs standards, codes of practice and the policy guidelines. The designs shall be certified by an experienced and practicing structural engineer and shall be submitted to the Authority before the start of work at the site.

The supporting structure shall have non-reflective finish to prevent glare. The device structure shall be well maintained at all items. It shall be painted in colors that are consistent with, and enhance the surrounding area and will be compliant with criteria for colors laid out earlier in this policy.

Official road furniture such as official signs and delineator guide posts shall not be used as the supporting structures of an advertising device. The name of the Advertising Device license holder should be placed in a conspicuous position on the device.

3.5 Electrical connection

The electrical connections and components in all Advertising Devices shall be with accordance with relevant Indian Standards and designed to ensure there is no safety or traffic risk. A copy of the electrical contractor's test certificate shall be provided to the relevant department. No generator running on the diesel/petrol/kerosene or any bio fuel, causing noise, air or water pollution would be allowed for providing power for illumination of any outdoor advertising device.

Electricity from renewable energy sources:- To promote conservation of electricity, it is important that the illumination at all outdoor advertising devices shall draw from power from alternate renewable resources like solar power. To promote the use of alternative energy, advertisers and licensee of the advertising devices shall be given a 1/3 (on third) rebate on monthly licensee fee. This would also help in reducing the licensee cost for paying for consumption of electrical power from NPCL.

3.6 Conservation areas

There are certain areas where advertising may be inappropriate due to the nature of the surrounding area. Under this policy advertising will not be allowed in the following areas:

- National Parks, district forests and water bodies in it.
- Historical monuments, cremation grounds, graveyards and ruins.
- World Heritage areas
- Areas classified as remnant endangered regional ecosystems.
- All religious places, like Temples, Mosque, Church and Gurudwara etc.

Exceptions to the above restrictions may apply in certain circumstances. For example for tourist service/accommodation/businesses, advertising devices may be permitted as part of regional tourist plan.

4 Approval of advertising signs under the express category

1. No person may erect any advertising sign or use or continue to use any advertising sign or any structure or device as an advertising sign without the prior written approval of the corporation.
2. No advertising sign erected and displayed with approval contemplated in, may in any way be altered, removed, re-erected or upgraded, other than for maintenance work which may be required for the upkeep of an advertising sign, without prior written approval of the authority and subject to such conditions and requirements as the authority may consider appropriate which may include the submission of proof of compliance.

3. An application for approval must be made by submitting a duly completed application on a prescribed form which must be accompanied by-
 - a. The prescribed license fee;
 - b. The written consent of the owner of the proposed advertising sign and of the registered owner of the property or building upon which the advertising sign is to be erected or on behalf of the owner of the property or building by his or her agent duly authorized in writing by such owner;
 - c. A locality plan, in colour, indicating the proposed position of the advertising sign
 - d. A block plan of the property upon which an advertising sign is to be erected, drawn to scale acceptable to authority, showing the two boundaries of the property closest to the proposed advertising sign and the location of any public street and any building on a property adjacent to the property upon which such sign is to be erected.
 - e. An artistic impression showing all the detail, location and measurements of the proposed advertising sign;
 - f. A drawing showing the proposed advertising sign and the distance in relation to any other 3rd party or free-standing advertise signs situated within a radius of 200 m from the proposed advertising sign on the same side of the road.
 - g. A diagram showing that the proposed position of the advertising sign.
 - h. A copy of the title deed of the property upon which the proposed advertising sign is to be erected, if applicable.
 - i. A diagram of the property indicating the position of the proposed advertising sign with measurements from that position to the closest to boundaries of the property concerned.
 - j. If a proposed advertising sign is to be attached to or displayed on the façade of a building the approved building plans of that building showing an elevation and measurements of the building and the details, measurements and position of the proposed advertising sign and the details and the position of every existing advertising sign on the building drawn to a scale acceptable to the Authority.
 - k. A certificate by a registered person as confirming the structural safety of the proposed advertisement sign and its foundation if applicable and
 - l. Any other written information which the Authority may in writing require. The authority may at its discretion exempt an applicant from complying with any of the above requirement on good cause shown.
4. Every plan and drawing must be on a sheet of not less that A4 Size.
5. If any information requested by the Authority which is not provided within 90 days from the date of the first written request or within such further period as the Authority may in writing permit, the application concerned lapses without further notice.

5. Implementation of the Policy

5.1 Strategy of authorized existing devices

SIIDCUL may have permitted and authorized the display of outdoor advertising at various locations prior to drafting and actual implementation of the policy. There is a possibility that some of them may not be in accordance to the policy currently drawn, however deviation cannot be allowed in the overall concept and implementation of the guidelines, parameters, conditions, as laid down in the guide. It is important for SIIDCUL to apply uniformly all across the city so that there is a consistent aesthetic, functional and safe outdoor advertising. However the caution has to be taken as many of the contracts and agreements that SIIDCUL would have signed with numerous authorized and registered advertisers. The sudden or abrupt termination of contracts or agreements would lead to unnecessary legal hassles. The same shall at best be avoided and an understanding with the advertisements must be reached for relocation/removal of devices that are not in conformity with the policy 2016.

It suggested that whenever there is reallocation of an existing advertising device, the current advertiser should be given an option to accept or reject the reallocated site without any alteration in the fee structure. In case he refuses to accept the offer, it may be put to tender or other method of selected the preferred bidder. The advertiser, however will not be entitled to any compensation on account of shifting of the site due to adoption of new policy. The decision of the MD SIIDCUL, however, on the same shall be final. SIIDCUL should remove all unauthorized hoarding from the city, which are being displayed with SIIDCUL permission.

5.2 Compliance, enforcement and removal of unauthorized advertising devices

Any unauthorized and non-conforming device installed at any location, property, vehicle, bridge, building etc shall be removed. No leniency letter shall be shown towards any violator or unauthorized device. There will be strict adherence to this Outdoor Advertisement Policy 2016.

5.3 Legal Action

Legal proceedings or the issue of an infringement letter may be undertaken for an unauthorized Advertisement Device. The unauthorized advertisement will be removed immediately, at the cost of the advertiser, for which no legal notice is required to be given. All legal action can be taken which falls in the jurisdiction of High Court of Uttarakhand.

5.4 Arbitration

Any controversy or dispute arising out of the permission granted to the advertiser, for display of advertisement in the area shall be referred to sole arbitration of the MD SIIDCUL or any other officer nominated by him in this behalf either by himself or on party's request.

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

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

5.5 Jurisdiction

All disputed shall be subject to jurisdiction of the High Court of Uttarakhand

5.6 Indemnity

A license/sign/owner/applicant shall be required to indemnify corporation for the designated Advertising Device and activities the boundaries of Corporation.

The license shall indemnify the corporation against all actions, proceeding, claims demands, cost, losses damages and expense which may be brought against, or made upon the Corporation which arise as a result of the installation of an Advertising Devices. The licensee shall keep the Corporation indemnified against the actions, proceedings, claims, demands, cost, losses, damages and expenses which may be bought against, or made upon, the corporation which might arise from the existence of such advertising devices. The advertisers shall always be responsible for any injury or damage caused to or suffered by any person or property arising out of or relating to the display of device/advertisement and the consequential claim shall be borne by the advertiser who will also indemnify and safeguard the Corporation in respect of any such claim or claims.

5.7 Insurance

The Licensee shall provide evidence of public liability insurance for all types of advertising devices for which express approval has been sought from the Corporation and/or has been allotted through a tendering process. The guidelines for license are as follows:

- During the term and its sole cost and expense, the licensee shall obtain and keep (in full force and effect in the joint names of the licensee and Corporation a public liability insurance policy for their respective rights, interest and liabilities to third parties in respect of accidental deaths of, or accidentally bodily injury to, persons, or accident damage to property.
- The public liability policy of insurance shall be for an amount as specified by corporation for any single event (for such higher amount may be notified in writing by the Corporation from time to time) and shall be affected with and insurer approved in writing the GNIDA authority. The public liability policy of insurance shall include a

clause in which the insurer agrees to waive the rights of subrogation or action that it may have or acquire against all or any of the persons comprising the insured.

- The license shall produce evidence to the satisfaction of the Corporation of the insurance affected and maintained by the licensee for the purpose of the second paragraph above, within seven days of receiving a written request to do so from the Corporation.

5.8 Appeals

Among other things, a person whose interest are affected by a decision to an Advertising device may lodge such an appeal the affected person shall seek a review of the decision. Corporation shall provide a statement of reasons for the decision.

6. Consideration of applications

1. In considering an application the Corporation must, in addition to any other relevant factor, legislation, policy and by-laws of the Corporation, have due regard to the following:
 - (a) The compatibility of the proposed advertising sign with the environment and with the amenity of the immediate neighbourhood, urban design and streetscape.
 - (b) Whether the proposed advertising sign will-
 - i. have a negative visual impact on any property zoned or used for residential purposes under any applicable town-planning scheme; or
 - ii. constitute a danger to any person or property or to motorists or pedestrians or obstruct vehicular or pedestrian traffic
 - iii. in any way impair the visibility of any road traffic sign
 - iv. obscure any existing and legally erected advertising sign;
 - v. obscure any feature which in the opinion of the Corporation is a natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance or
 - vi. in the Corporation opinion be unsightly or objectionable or detrimentally impact on the architectural design of any building on the property concerned or any adjacent property
 - (c) the number of advertising signs displayed or to be displayed on the property concerned and on any adjacent property and its visibility in the circumstances in which it will be viewed in compliance with the minimum distances specified in this advertisement policy in clauses 2.1, 2.2 and 2.3
 - (d) any restrictive or other condition and any existing building line and servitude specified in a title deed, town planning scheme, conditions of establishment or any other law
 - (e) any written representations, objections and comments received from any interested party and
 - (f) any conflict with provisions of these by-laws

2. (a) The Corporation may refuse any application in approve it, subject to any amendment or condition it considers appropriate.
 (b) Any approval in terms of paragraph (a) may be for a period not exceeding 5 years
 The period of approval contemplated in paragraph (b) must be specified in the approval
3. The Corporation must within 21 days from date of a decision in terms of subsection (2) in writing notify every interested party which has furnished his or her postal address to the Corporation of its decision and must provide written reasons for its decision on receipt of a written request as contemplated ins section 5 of the promotion of administrative Justice Act 2000 (Act 3 of 2000).
 (a) The Corporation must for its records retain every application, plans, drawings and other documentation for a period it considers appropriate.
4. No approval granted in terms of this section has the effect that –
 - (a) any person is exempted from any provision of any other law applicable to outdoor advertising or
 - (b) the owner of an advertising sign is exempted from the duty to ensure that such sign is designed, erected, complied, displayed and
 - (c) maintained in accordance with the provisions of these by-laws and
 - (d) any other applicable law.
5. If an applicable in has been refused in terms of no further application may be lodged in respect of the same property for a period f two years from the date of such refusal, uniesh motivation acceptable to the Corporation is submitted indicating a change of circumstances prior to a further application being lodged in terms of that section.
6. If any advertising sign approved is not erected within six month from the date of notification of such approval or within a time specified in such approval or any further period which the Corporation on good cause shown allows in writing, the approval lapses, where after a new application must be submitted.

7. Withdrawal and amendment of approval

1. The Authority may, after having considered any representations withdraw an approval granted or amend any condition or impose a further condition in respect of such approval if, in the opinion of the Authority, the advertising sign concerned.
 - a. if or has as a result of a change to the nature of the environment of the amenity of the neighborhood, streetscape or urban design existing at the time of such approval become detrimental to the area in which it is located by reason of its size, intensity of illumination, quality of design, workmanship, material or its existence.
 - b. constitutes, or has become a danger to any person or property
 - c. is obscuring any other advertising sign, natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance or

- d. is or has become prohibited in terms of these by-laws or any other law,
2. Prior to taking any decision in terms of subsection (1) the Corporation must in writing notify the owner of the advertising sign concerned of its proposed decision and that he or she may within 21 days of the receipt of the notice make written representations concerning the proposed decision.
3. The owner of the advertising sign concerned and if applicable the property concerned must forthwith be given notice in writing of any decision in terms of subsection (1)
4. The Authority must provide written reasons for its decision on receipt of a written request as contemplated.

8. Revenue

Revenue shall accrue to the Corporation in two ways as follows:

- In the form of a License fee levied on the some categories in “Deemed consent category” and all under “Express consent category.
- As bid variable in case of advertisements rights granted thought the tendering process

The license fee shall be payable in accordance with the rates notified by the MD SIIDCUL. These rates shall be subject to revision from time to time as decided by the Authority. License fee & other taxes on each advertisement shall be payable in advance for the concerned financial year. All dues shall be payable by demand draft in favour.

The Outdoor Advertisement Policy 2016 will apply to all advertisements irrespective of the ownership of land. The revenue to be earned from each advertisement device shall be dependent on the nature, type and location of the device. The rates shall be decided by the Authority on yearly basis or even earlier as the case may be. The Corporation will also ensure that the awarded contracts are not allowed to continue beyond the contractual period.

The commercial advertising fee is proposed as Rs. 150/- sq.mtrs.