

Government of Punjab
Department of Local Government
(Town Planning Wing)

NOTIFICATION

THE 21st MARCH, 2018

THE PUNJAB MUNICIPAL OUTDOOR ADVERTISEMENT POLICY – 2018

No. CTP(LG)-2018/ 953 :-The Governor of Punjab is pleased to notify the Punjab Municipal Outdoor Advertisement Policy 2018, as following:-

- 1.0 **Back ground** - The Local Govt. Department formulated The Punjab Municipal Outdoor Advertisement Policy 2012” and it was aimed to respond to emerging global practices as well as the need to maintain the character of the cities in line with their heritage and cultural background. The Policy is premised on the fact that while Outdoor Advertisements do bring revenue to the city, it must be driven by considerations of safety, aesthetics, decency and social ethics and that advertisements are promoted primarily in parts of the city, which are commercial in nature: business, industrial and shopping districts and discouraged in residential areas and urban freeways. However looking into the changing needs of advertisement and based on the past experience, "The Punjab Municipal Outdoor Advertisement Policy 2018" has been formulated.
- 2.0 **Application** - The policy shall be applicable to all advertisements within the limits of the Municipalities, whether on land, building, wall, hoarding, frame, kiosk, post, tree guards or by any other means whatsoever by which it is open to public viewing, visible from a public street or public place, whether moving or non-moving.
- 3.0 **Definition** - "Advertisement" means any device or representation in any manner such as announcement or direction by word, letter, model, image, or a combination thereof sign by means of posters, hoarding, banners, temporary arches, electronic display, name boards, direction boards, balloons or any other visible etc. displayed to promote a product or service in a commercial sense under categories defined in this policy.
- 4.0 **Premise of the policy: Ensuring city aesthetics and safety**
 - 4.1 The policy is based upon a careful review of global studies in the field of outdoor advertising. The premise of the policy is that hoardings are not hazardous to the general public.
 - 4.2 This requires the policy to consider the location, design, size or type of sign where, there is potential for conflicts with the safety of people.

- 4.3 The policy is premised on the fact that while outdoor advertisements do bring revenue to the city, any city-based policy must be driven by considerations of city aesthetics.
- 4.4 This policy aims at reducing 'visual clutter' due to unorganised placement of advertisement.
- 4.5 The purpose and objective of policy is to ensure safety of the people, to seek enhancement of the physical character and visual appearance of the city and bring revenue to the ULBs without compromising the safety of people.
- 4.6 The policy is premised on the basis that advertisements are promoted primarily in parts of the city, which are commercial in nature: business, industrial and shopping districts and discouraged in residential areas.

5.0 Principles and Objectives: The Punjab Municipal Outdoor Advertising Policy, 2018

- 5.1 The policy for outdoor advertising is driven not only by revenue imperatives, but by city development imperatives. Therefore, in its implementation, it will be clear that outdoor hoardings/Billboards are permitted only if they are not a hazardous to people or if they support the city's public service development and enhance its aesthetics.
- 5.2 The policy will explicitly work to discourage visual clutter. This will be done by increasing the space between the billboards and in restricting large billboards to select areas of the city.
- 5.3 The policy is designed to ensure that outdoor advertising is not hazardous to public. This will be done by allowing large size billboards only after significant distance by providing significant space between the two billboards on roads.
- 5.4 The policy will actively promote the large size billboards in commercial areas of the city. In this case, the agency will work to maximize the revenue gains, which can be used for city development.
- 5.5 The policy will promote the use of advertising in what is commonly known as street furniture. These are devices placed on public service amenities of the city like railway carriages, buses, metro trains, commercial passenger vehicles, bus shelters, metro shelters, public toilets and public garbage facilities, to name a few. This is done to improve the revenue viability of these public provisions. But it will be noted that the use of advertising space is not the primary function of the utility, it is its supporting function. Therefore, the city agency will ensure that the placement of the public utility is done keeping in mind its public purpose, not its advertising viability. In addition, the agency will ensure that the primary function of the "street furniture" is being maintained and if not then suitable punitive action must be taken against the advertising concessionaire.
- 5.6 The policy is judicious in ensuring that there is a differentiation between the use of commercial advertising and private advertising, where signage is used

to identify the location of the owner of the building or the space within the building. The policy will do this by laying down clear lists of what is permitted and what is completely not permitted to guide members of the public.

5.7 The policy will be strictly adhered to and to achieve these objectives, ULBs will impose Penalty/Fine as per Municipal Laws.

6.0 **Categories of Advertisement Devices: The advertisement devices shall be broadly classified as follows:-**

Category 1: Large - format advertisements, mainly fixed on Billboards/ Unipoles / Bipoles / Variable Message advertising device such as LED, LCD Screens etc. and bridge / flyover panels/ Gantry etc;

Category 2: Advertisements mounted on public amenities, like public toilets, garbage collection points/ Flag Signs etc;

Category 3: Fleets and transport related infrastructure;

Category 4: Advertisement devices for self-advertising;

7.0 **General permission criteria for advertising devices**

7.1 **Outdoor advertising and road safety criteria**

The permission criteria for the display of advertising devices within the jurisdiction of ULBs 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

- a) If it interferes with road safety or traffic efficiency
- b) If it interferes with the effectiveness of a traffic control device (eg. traffic light, stop or give way sign).
- c) Distracts a driver at a critical time (eg. making a decision at an intersection).
- d) Obscures a driver's view of a road hazard (eg. at crossing or traffic red lights in the road).
- e) Gives instructions to traffic to "stop", "halt" or other (i.e. Traffic Red Light).
- f) Imitates a traffic control device.
- g) Is a dangerous obstruction to road or other infrastructure, traffic, pedestrians, cyclists or other road- users.
- h) Is in an area where there are several devices and the cumulative effect of those devices may be potentially hazardous.
- i) If situated at locations where the demands on drivers' concentration due to road conditions are high such as major intersections

The traffic hazard potential of an advertising device varies depending on its size, location, luminance and background.

The application of control on physical characteristics is intended to minimize the level of driver distraction.

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

- (i) Advertising Devices shall not use shapes that could potentially result in an Advertising Device being mistaken for an official traffic sign.
- (ii) The Code of Practice for Road Signs IRC: 67-2001 or its further amendments, by Indian Roads Congress prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.
- (iii) Advertising Devices shall not use colour combinations that could potentially result in an Advertising Device being mistaken for an official traffic sign.
- (iv) 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 light/s,
- (v) All lighting associated with the Advertising Device shall be directed solely on the Advertising Device and its immediate surrounds.
- (vi) External illumination sources shall be shielded to ensure that external 'spot' light sources are not directed at approaching motorists.
- (vii) Illumination of advertising device is to be concealed or be integral part of it.
- (viii) Upward pointing light of the device shall not be allowed, any external lighting is to be downward pointing and focused directly on the sign to prevent or minimize the escape of light beyond sign.
- (ix) Any light source shall be shielded so that glare does not extend beyond the Advertising Device.
- (x) The average maintained luminance shall be reduced to 0.5 candela or all together shut, after 2300 hours (11pm) and sunrise by automatic timing devices.
- (xi) Non-static illuminated Advertising Devices (flashing lights) are not permitted within the boundaries of ULBs Jurisdiction roads.

7. 2. Outdoor hoarding and their content criteria

The policy will rely upon self-regulatory controls within the advertising industry to enforce minimum advertising standards. Notwithstanding this approach, the

city agencies may take action to modify or remove any Advertising Device that contravene the Advertising Industry's Code of Ethics, (refer List of Negative Advertisements) or that otherwise causes a traffic hazard.

List of negative advertisements

- (a) Nudity
- (b) Racial advertisements or advertisements propagating caste, community or ethnic differences
- (c) Advertisement promoting drugs, alcohol, cigarette or tobacco items.
- (d) Advertisements propagating exploitation of women or child
- (e) Advertisement having sexual overtone
- (f) Advertisement depicting cruelty to animals
- (g) Advertisement depicting any nation or institution in poor light
- (h) Advertisement casting aspersion of any brand or person
- (i) Advertisement banned by the Advertisement Council of India or by law
- (j) Advertisement glorifying violence
- (k) Destructive devices and explosives depicting items
- (l) Lottery tickets, sweepstakes entries and slot machines related advertisements
- (m) Any psychedelic, laser or moving displays
- (n) Advertisement of Weapons and related items (such as firearms, firearm parts and magazines, ammunition etc.)
- (o) Advertisements which may be defamatory, trade libelous, unlawfully threatening or unlawfully harassing
- (p) Advertisements which may be obscene or contain pornography or contain an "indecent representation of women" within the meaning of the Indecent Representation of Women (Prohibition) Act, 1986
- (q) Advertisement linked directly or indirectly to or include description of items, goods or services that are prohibited under any applicable law for the time being in force, including but not limited to the Drugs and

Cosmetics Act, 1940, the Drugs And Magic Remedies (Objectionable Advertisements) Act, 1954, the Indian Penal Code, 1860; or

- (r) Any other items considered inappropriate by the Advertisement Regulatory Committee.

7. 3. Outdoor advertising and structure criteria

Advertising Device structures including the foundations, for categories 1 and 2 devices, shall be designed and checked for extreme wind conditions, earthquakes, soil bearing capacity etc and shall comply with relevant Indian structural design 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 municipal body before start of work at the site.

- i. The supporting structure shall have a non-reflective finish to prevent glare.
- ii. The device structure shall be well maintained at all times. It shall be painted in colours that are consistent with, and enhance the surrounding area and will be compliant with the criteria for colours laid out earlier in this policy.
- iii. Official road furniture such as official signs and delineator guide-posts shall not be used as the supporting structure of an advertising device.

7. 4. Outdoor advertising devices and electrical connection

The electrical connections and components in all Advertising Devices shall be in accordance with relevant Indian Standards and designed to ensure that there is no safety or traffic risk.

No generator running on diesel/ petrol/kerosene or any bio fuel, causing noise, air or water pollution would be allowed for providing power for illumination of any outdoor advertising device.

7. 5. Outdoor advertising and 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:

- (a) National Parks, district forests and water bodies in it
- (b) Historical monuments, cremation grounds, graveyards and ruins
- (c) World Heritage areas
- (d) Areas classified as remnant endangered regional ecosystems
- (e) Within religious places, like Temple, Mosque, Church and Gurudwara etc.

8.0 Summary of permissibility of different category of advertising devices

8.1 Summary for Category-1 Devices

S. No		Description of device	Status	
			Permitted Subject to General permission Criteria	Not Permitted
8.1.1		Billboards/ Unipoles/ Bipoles/ Gantry		
	(i)	Industrial area	Permitted	
	(ii)	Commercial area	Permitted	
	(iii)	Recreational areas	Permitted	
	(iv)	Institutional area	Permitted	
	(v)	Crematoriums and Burial grounds		Not Permitted
	(vi)	Transportation areas like Airports/Rail Terminals/ Bus Terminals/ Truck Terminals etc.		Not Permitted
	(vii)	Other areas like Residential Area, Heritage, Monument etc.		Not Permitted
	(viii)	On rooftops of any type of buildings		Not Permitted
	(ix)	On mobile vans for purposes of advertising		Not Permitted
8.1.2		Trivision		Not Permitted
8.1.3		Railway Bridge panels		Not Permitted
8.1.4		Flyover panels		Not Permitted
8.1.5		Foot Over Bridge (FOB)	Permitted	
8.1.6		Direction Boards		Not Permitted
8.1.7		Building wraps		Not Permitted
8.1.8		Variable message Advertising devices such as LED, LCD Screens etc.		
	(i)	Industrial area	Permitted	
	(ii)	Commercial Area	Permitted	

	(iii)	Institutional Area	Permitted	
	(iv)	Recreational areas	Permitted	
	(v)	Crematoriums and Burial grounds		Not permitted
	(vi)	Transportation areas like Airports, Rail Terminals/ Bus Terminals/ Truck Terminals etc.		Not permitted
	(vii)	Other areas like Residential Area, Heritage, Monument etc.		Not permitted
	(viii)	On rooftops of any type of building		Not permitted
	(ix)	On mobile vans for purposes of advertising		Not permitted
8.1.9		Ground-Level Hoardings	Permitted for Airport Area only.	

8.2 Summary for Category- 2 devices

S. No	Description of device	Status	
		Permitted Subject to General permission Criteria	Not Permitted
8.2.1	Public amenity mounted devices: (Garbage and toilet facilities)	Permitted	
8.2.2	Devices Mounted on Service oriented facility (Drinking, water, kiosk outside, colony to facilitate payment of bills/etc (G2Ckiosk)		Not Permitted
8.2.3	Devices mounted on Roadside kiosks (Tea/Cold, Drink Kiosk/Fruit juice, Snack bar, Florist, Paan, cigarette, kiosk, puncture repair, Kiosk for barber cobbler, milk booth etc.)		Not Permitted
8.2.4	Devices along with Information for Public (City maps, colony maps etc.)		Not Permitted
8.2.5	Devices mounted on Public assistance facility (Police assistance, traffic police		Not Permitted

	assistance, tourist assistance)		
8.2.6	Devices mounted on street furniture (Benches, dustbins)	Permitted	
8.2.7	Pier or pylon mounted device		
	(i) Flyover columns	Permitted	
	(i) Others		Not Permitted
8.2.8	Pole Kiosk	Permitted. • On each street light pole only two pole kiosks on back to back of 30 inch width and 40 inch height be allowed.	
8.2.9	Vehicular Mounted Devices: On the City buses (of Govt. Undertaking) running Intra/ Inter ULBs the tender for the same would be floated by the ULBs from where the city Bus originates and terminates its journey	Permitted	
8.2.10	Vehicular Mounted Devices: Metro Trains, City Rails	Permitted	
8.2.11	Taxi and intermediate public transport advertising		Not Permitted
8.2.12	Mobile vehicle		Not Permitted
8.2.13	Air Borne devices		Not Permitted (Only Social Messages Permitted)
8.2.14	Roof mounted devices on any type of building.		Not Permitted

8.3 Summary for Category- 3 devices

S.No	Description of device	Status	
		Permitted Subject to General permission Criteria	Not Permitted

8.3.1	Bus Queue Shelter (BQS)	Permitted	
8.3.2	Bus Terminal		Not Permitted
8.3.3	Parking		
	(i) Parking Display Boards	Permitted	Not Permitted
	(ii) Sides of Khokha	Permitted	
	(iii) Parking tickets Parking uniforms	Permitted	
		Permitted	
8.3.4	Traffic Barricading		Not Permitted

8.4 Summary for Category- 4 devices

S. No	Description of device	Status	
		Permitted Subject to General permission Criteria	Not Permitted
8.4.1	Fascia Sign for self-advertising	<p>Permitted</p> <p>a) Owner/Occupier of Shop/SCO/SCF/Bay Shop/Booth will be permitted only one self signage per floor not beyond the width of the floor on its front facade. Such signage must have the Trade/ Business Name and Shop/ Premises etc. number.</p> <p>b) Management of the Malls/ Multiplex/ Food Courts will be allowed to install ground mounted display board within its premises for displaying the information regarding business/ office/ Entertainment-Establishments operating within the building.</p> <p>c) Multiplex/ Cinema will be allowed to display the posters of movie at the earmarked place.</p> <p>d) Hotel, Marriage Palace, Hospitals, Educational Institutes/ Warehouses/ Malls/ Multiplex/</p>	

		Cinema Halls, Group Housing will be allowed to display its Name/ Logo on any part of building.	
8.4.2	Awning Sign for self-advertising		Not Permitted
8.4.3	Self- Signage on Delivery/ Service Vehicle	Permitted	
8.4.4	Landscape Advertising devices	Permitted. • Where ULB will allot any park/ green belt/ triangle / central verge or any other area to any firm/ company for maintenance under their corporate social responsibility. Firm/ Company will be allowed to display its logo or name on a board/ plate.	
	(i) Fence Advertising devices	Permitted.	
	(ii) Devices mounted on Tree Guards	Permitted	
8.4.5	Projected sign for self-advertising		Not permitted
8.4.6	Footway and Roadside vendor sign for self-advertising		Not permitted
8.4.7	Real estate/ Construction sign	Permitted Only 1 self signage per street face	
8.4.8	Welcome Sign	Permitted	
8.4.9	Flag Signs		
	(i) Industrial area	Permitted	
	(ii) Commercial area	Permitted	
	(iii) Recreational areas	Permitted	
	(iv) Crematoriums and Burial grounds		Not permitted
	(v) Transportation areas like Airports/ Rail Terminals/ Bus Terminals/ Truck Terminals etc.	Permitted	
	(vi) Other areas like		Not permitted

		Residential Area, Institutional, Heritage, Monument etc. Including mixed land use.	
	(vii)	On rooftops of any type of building.	Not permitted
	(viii)	On mobile vans for purposes of advertising	Not permitted

***Note:-**

1. Advertising through any type of outdoor media except permitted above will not be permitted by any ULB
2. Any Advertisement or display of any advertisement to public view through wall painting on any wall (Public or Private) or on / through the glass facade / show case of a building is not permitted.

9.0 Role of Urban Local Bodies (ULBs)

Within the jurisdiction of Municipal Corporation, Outdoor Advertisement devices visible to public shall be governed by the provisions under section 399 H(16), 90(1)(d) and 122 to 126 of The Punjab Municipal Corporation Act, 1976 and such other provisions as may be amended from time to time by the State Government.

With the jurisdiction of Municipal Councils and Nagar Panchayats, Outdoor Advertisement devices visible to public shall be governed by the provisions under section 79 A to E of The Punjab Municipal Act 1911 or such other provisions as may be amended from time to time by the State Government.

Under the above mentioned provisions of The Punjab Municipal Corporation Act, 1976 and The Punjab Municipal Act, 1911 the State Government/ Municipalities are empowered to frame Bye-laws made under The Punjab Municipal Outdoor Advertisement Policy 2018. Once the Punjab Municipal Outdoor Advertisement Policy 2018 comes into effect the ULBs will be responsible for ensuring that there is strict compliance with all provisions of the policy.

10.0 Advertisement Regulatory Committee

The Advertisement Regulatory Committee (ARC) would be constituted at ULB level to accord prior approval to the advertisement sites/ devices identified by ULB before floating the tender. The ARC would also ensure that in respective ULB there is strict compliance of all the provisions of policy and the respective advertisement bye-laws made there under. Composition of Advertisement Regulatory Committee (ARC) at ULBs level will be as given below:

- (a) Commissioner/ EO of the concerned ULB

- (b) Deputy Commissioner or his/her representative but not below the rank of Tehsildar
- (c) Executive Engineer, PWD (B&R) or his/her representative but not below the rank of SDO.
- (d) Executive Engineer, PSPCL or his/her representative but not below the rank of SDO
- (e) Executive Engineer, BSNL or his/her representative but not below the rank of SDO
- (f) Representative of the Traffic Police not below the rank of Inspector
- (g) Representative of National Highway Authority of India not below the rank of Asst. Manager, where ever required.
- (h) Representative of the Transport Department.

11.0 Implementation of the policy

11.1 Compliance, enforcement and removal of unauthorized advertising devices

- (a) Commissioners and EOs of ULBs would submit a report to Government that in the area under their jurisdiction there is complete compliance with the all the provisions of the said policy within two months from date of notification of The Punjab Municipal Outdoor Advertising Policy 2018.
- (b) Nodal Officers would be appointed in ULBs for the implementation of the said policy and the bye-laws made there under. They should be particularly alert to ensure that within their jurisdiction:
 - (i) No person shall erect, exhibit, fix or retain any hoarding, frame, post, kiosk/Bill Board over any land, building, structure, upon or in any vehicle, any advertisement or display any advertisement to public view in any manner whatsoever in any place within the jurisdiction of the ULBs without the prior written permission of the Commissioner/ EO concerned.
- (c) A Nodal Officer appointed by the ULB would submit a fortnightly report to the commissioner/ EO of respective ULBs that in the area under their jurisdiction there is strict compliance with all provisions of the policy. Further Commissioner/ EO of respective ULBs would submit the monthly compliance report to DLG.
- (d) The Nodal Officer and other concerned official would be charged for dereliction of duty if he/she would not ensure that there is strict compliance with all the provisions of policy and the bye-laws made there under in the area under his/her jurisdiction. The State would recover the amount of revenue loss suffered by the state from the said Nodal Officer and other concerned officials for dereliction of his/her duty.
- (e) Flying squad at the level of DLG would be constituted that would conduct random checking region wise of ULBs to ensure that there is strict compliance with all provisions of the policy.

- (f) On the lower right hand side of the advertising hoarding/ Pole kiosk or any other advertising device the following information would be clearly displayed:
- (i) Name and contact number of the licensed advertising agency.
 - (ii) Size of hoarding.
 - (iii) Validity of permission granted.
- (g) In ULBs Police incharge would ensure that no advertisement is mounted on Traffic Barricades, Police Assistance Booths and Traffic Assistance Booths He/ She would submit fortnightly report to the SSP of the concerned District stating that there is no advertisement mounted on Traffic Barricades, Police Assistance Booth and Traffic Assistance Booth and further SSP would submit the report to the Director, Department of Local Government, Punjab every month.
- (h) As to bring transparency, the following information would be displayed on the web portal of The Department ULB/ Cluster wise and on the public notice board of the ULB concerned:
- 1) Name & Contact Number of Nodal Officer
 - 2) Area under his/her jurisdiction
 - 3) The total number of different type of advertisement devices permitted their type, size, name and their location:
 - 4) Contact number of the advertising device licence holder
 - 5) Validity of permission granted by the ULB concerned
- (i) On the web portal of department alert citizen can register the complaint regarding non-compliance of provisions of the this policy and the complaint received would be redressed within 3 days by the Commissioner/ EO concerned and the complainant would be informed of the action taken regarding the complaint submitted by him/her.
- (j) Any unauthorized advertisement Device/s installed at any location, property, vehicle, bridge, building etc shall be removed by the ULB at the cost of the advertiser and the property owner and penalty/fine be imposed as per Municipal Laws. In case of non payment of fine/ penalty imposed on the advertiser and on the owner of property by the Commissioner/ EO for contravention of provisions of policy, the fine/ penalty would be recovered as per procedure prescribed in the Municipal Laws.
- (k) Advertising attached to a vehicle, where a registered motor vehicle or trailer is parked within the jurisdiction of ULBs road for the sole purpose of Advertising, the Traffic Police concerned should be requested to remove the vehicle. A current registration label or registration plate would be evidence of registration. The vehicle owner shall be given custody of the vehicle only after paying the penalty/fine prescribed in the imposed as per Municipal Laws. In case of non payment of fine/ penalty it shall be recovered as per procedure prescribed in the Municipal Laws.

11.2 Legal Action

Legal proceedings or the issue of an infringement letter may be undertaken for an unauthorized Advertising Device (in addition to removing the device). The unauthorized advertisement will be removed immediately at the cost of the advertiser and property owner for which no notice is required to be given and penalty/fine be imposed as per Municipal Laws. All legal action can be taken by the concerned ULB as per concerned Municipal Act. Apart from this, action can be taken under the provision of The Punjab Prevention of defacement of Property Act-1997.

11.3 Jurisdiction

All disputes shall be subject to the jurisdiction of Judicial Court concerned only.

11.4 Indemnity

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

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

11.5 Insurance

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

- i. Category 1 Advertising Devices
- ii. Category 2 Advertising Devices
- iii. Category 3 Advertising Devices
- iv. During the term and at its sole cost and expense, the licensee shall obtain and keep (in full force and effect in the joint names of the licensee and ULBs concerned) a public liability insurance policy for their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons; or accident damage to property.

- v. The public liability policy of insurance shall be for an amount as specified by Government for any single event (or such higher amount as may be notified by Government in writing by the Government from time to time) and shall be effected with and insurer approved by Government and on the terms approved in writing by the Government.
- vi. The public liability policy of insurance shall include a clause in which the Insurer agrees to waive all rights of subrogation or action that it may have or acquire against all or any of the persons comprising the insured.
- vii. The licensee shall produce evidence to the satisfaction of the ULBs of the insurance affected and maintained by the licensee for the purposes of the second paragraph above, within seven days of receiving a written request to do so from the ULBs.

11.6 Appeals

Among other things, a person whose interests relating to an advertising device are affected by a decision of Commissioner/ EO concerned, may lodge an appeal before the Director, Department of Local Government, Punjab. However, before lodging an appeal, the affected person shall seek a statement of reasons for the decision from the concerned ULB.

11.7 Penalty

- (a) Whoever contravenes any provisions of this policy or the Bye-Laws framed there under or fails to comply with the orders or directions issued shall be liable to Penalty/Fine as per Municipal Laws.
- (b) The unauthorized advertisement will be removed immediately at the cost of the advertiser and property owner for which no notice is required to be given and Penalty/ Fine be imposed as per Municipal Laws.

12.0 Procedure and terms for grant of permission

The following procedure will apply for grant of permission for erection, exhibition, fixation, retention or display of advertisement:

12.1 The allotment of category 1, 2 & 3 advertising devices:-

Following mode of allotment and procedure is to be adopted for granting permission

- (a) Separate e-tender/e-auction/e-bidding is to be conducted for each defined territorial area.
- (b) After finalising the highest bidder through e-tendering/e-auction/e-bidding the ULB will take the post dated cheques as security for payment of the bid amount/ advertisement fee/ license fee from the successful bidder. The mode of payment will be payment of 3 months advertisement fee/ license fee in advance. For example, if the contract period is for 2 years then the contractor

will have to submit 8 post dated cheques each bearing the date 10th of the 1st month of the concerned quarter and each of an amount equal to the advertisement fee/ license fee of 3 months. Apart from this the contractor/ successful bidder will have to submit / provide Bank guarantee in favour of the concerned Local Body of an amount equal to the 10% of total advertisement fee/ license fee of the entire period of allotment.

- (c) During the period of license, the licensee will be allowed to identify/create upto 25% extra sites for Unipoles etc. allotted to him through e-tendering/e-auction/e-bidding within the territorial area. The licensee will submit his/her proposal to concerned ULBs and on receiving such a proposal the ULB will get the site approved from ARC. If ARC approves the site, the licensee will be allowed to create the site/sites. For such sites, the licensee will have to pay the license fee on pro rata basis i.e. equal to the license fee of the nearest Unipole in the vicinity of newly created site. Allotment of such a site will be at the discretion of Commissioner/ EO of concerned ULB and licensee will not claim it as a right.
- (d) 5% of the total advertising devices in a ULB has to be reserved for Social Messages, for disseminating information related to Government programmes/ Policies/ Welfare Schemes etc. No fee will be charged for such sites/devices

- 12.2 Contracts of outdoor advertisement will be given for a maximum period of 5 years through e-tendering/e-auction/e-bidding. In case of DBOT tender, the period of allotment can be upto 10 years.
- 12.3 Advertisement Companies/ Agencies/ Firm/ Individual etc. which stands Blacklisted / Debarred/ Defaulter, as on the date of submission of tender/ auction/ bid by any Govt./ Semi-Govt./ Dept./ Authority anywhere in India are not allowed to participate in e-tendering/e-auction/e-bidding process for advertisement contract in the ULBs and the Commissioners/ EOs would share the information regarding the said Black listed/ Debarred/ Defaulter agencies among themselves and with the DLG and such information shall be promptly posted on web portal of the Local Government Department and Public Notice Boards of all ULBs in the State.
- 12.4 If the Director/ Partner/ Proprietor etc. of any Company/ Agency/ Firm/ Individual etc. has remained the Director/ Partner/ Proprietor etc. of a Company/ Agency/ Firm/ Individual etc. which stands Blacklisted / Debarred/ Defaulter, as on the date of submission of tenders/ auction/ bid by any Govt./ Semi-Govt. Dept./ Authority/ Agency anywhere in India are not allowed to participate in e-tendering/e-auction/e-bidding process for advertisement contract in the ULBs.
- 12.5 If Authorised Signatory of any Company/ Agency/ Firm/ Individual etc. that stands Blacklisted / Debarred/ Defaulter, as on the date of submission of tenders/ auction/ bid by any Govt./ Semi-Govt. Dept./ Authority/ Agency anywhere in India then authorised signatory of such Company/ Agency/ Firm/

Individual etc. will not be allowed to participate in e-tendering/ e-auction/ e-bidding process on behalf of that company or any other company for advertisement contract in the ULBs

12.6 While participating in e-tendering/ e-auction/ e-bidding process for advertisement contract in the ULBs, the Company/ Agency/ Individual/ Firm/ Bidder etc. will have to submit an affidavit on Non-Judicial stamp paper declaring that their Companies/ Agencies/ Firm/ Individual etc. or any Director/ Partner/ Member/ Authorised signatory does not stands Blacklisted / Debarred/ Defaulter, as on the date of submission of tenders/ auction/ bid by any Govt./ Semi-Govt. Dept./ Authority/ Agency anywhere in India.

12.7 Department of Local Government, Punjab shall make need based changes in any provision of the Policy for the reasons to be recorded in writing after the recommendation of the Committee comprising Director Local Govt., Municipal Commissioner, EO of Municipal Council and EO of Nagar Panchayat.

13 Saving and Repeal

The existing Outdoor advertisement Policy 2012 shall stand repealed from the date of notification of this policy. However, the contracts of advertisement rights as per the Outdoor Advertisement Policy 2012/ Bye-laws shall continue till the expiry of contract period.

Chandigarh
Dated-20/03/2018

A Venu Prasad, IAS
Principal Secretary to Government of Punjab,
Department of Local Government, Punjab

Endst.No. CTP – 2018 / 954

Dated Chandigarh the 21-03-2018

A copy is forwarded to the Controller, Printing & Stationary Department, Punjab; SAS Nagar with a request to get this notification may be published in the Punjab Government Gazette Extra Ordinary and supply twenty five spare copies for record.


o/c Special Secretary Local Government

Endst.No. CTP – 2018 / 955 - 959

Dated Chandigarh the 21-03-2018

A copy of the above is forwarded to the following for information and further necessary action:-

1. Director, Local Government, Punjab, Chandigarh.
2. Commissioners of all Municipal Corporations.
3. All Regional Deputy Directors, of Local Government Department in Punjab (with the request to bring this to the notice of all concerned Municipal Councils / Nagar Panchayats)

4. All Officers in the Local Government Department.
5. All Superintendents in the Local Government Secretariat / Directorate.

1/2
o/c Special Secretary Local Government