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municipal corporation <guwahaticom@gmail.com>

Preparation of Draft Cabinet Memorandum for "Guwahati Outdoor Advertisement Policy Guideline, 2017".

Sat, Jan 20, 2018 at 12:08 PM

Guwahati Development Department <gddassam.sectt@gmail.com>
To: guwahaticom <guwahaticom@gmail.com>

Madam,

Please find the attachment for favour of your kind information and necessary action.

Regards,

On behalf of
Secretary, GDD

Preparation of Draft Cabinet Memorandum for Guwahati Outdoor Advertisement Policy Guideline, 2017..pdf
3845K

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Pl. put up urgently
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G-57
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GOVERNMENT OF ASSAM
GUWAHATI DEVELOPMENT DEPARTMENT
JANATA BHAWAN, 'D' BLOCK, 2ND FLOOR
E-mail:- gddassam.sectt@gmail.com
DISPUR, GUWAHATI-6.

NO.GDD.210/2017/45

Dated Dispur, the 20th Jan., 2018.

From : Smti Salma Ahmed Hussain, ACS
Secretary to the Govt. of Assam,
Guwahati Development Department.

To : The Commissioner,
Guwahati Municipal Corporation,
Panbazar, Guwahati-781001.



Sub : Preparation of Draft Cabinet Memorandum for "Guwahati Outdoor Advertisement Policy Guideline, 2017".


Madam,

In inviting a reference to the subject cited above, I am directed to request you to prepare the Draft Cabinet Memorandum for "Guwahati Outdoor Advertisement Policy Guideline, 2017" arising out of Order passed in PIL No. 04/2016 (Dadul Bharali Vs The State of Assam & Ors) and submit the same to this department by 22nd Jan., 2018.

Copy of the Draft "Guwahati Outdoor Advertisement Policy Guideline, 2017" is enclosed herewith for your ready reference.

Yours faithfully,

Encl:- As stated above.


Secretary to the Govt. of Assam,
Guwahati Development Department.

Draft

Guwahati Outdoor Advertisement Policy Guideline

2017

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OVERVIEW:-

In view of the extension of Guwahati City and for its increasing activities, there is a rapid increase of traffic in last few years. At the same time increasing number of commercial establishment, private agencies, school, hospitals, add to a voluminous increase in advertisements display such Hoardings, Kiosk, Banners and Signage etc. in the roadside. It poses a serious threat to life and property, by distracting the attention of the passersby and the drivers. Hence, it appears immense necessary to work out some policies/guidelines to be obeyed by citizens.

Chapter-1

The Guiding principles -

The guiding principles of the Outdoor Advertising Policy are as follows:

- a) The policy for outdoor advertising is driven by public imperatives. Therefore, in its implementation, it will be clear that outdoor hoardings are permitted only if they are not hazard to safety of the public or if they support the town's/city's service development and enhance its aesthetics.
- b) The policy will exclusively 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 town/city, like its commercial hubs.
- c) The policy is designed to ensure that outdoor advertising is not hazardous to the traffic. It will assume that there is a significant correlation between the road safety and visual distraction to drivers. This will be done by allowing large size billboards only after significant distance from the traffic junctions and intersections by providing significant space between the two billboards or roads by completely banning billboards on pedestrian walkways and in placing billboards at significant distance from the right of way of any road.
- d) 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.
- e) 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, public toilets and public garbage facilities, to name a few. 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, suitable punitive action must be taken against the defaulters.
- f) The policy must be judicious in ensuring that there is a difference between the use of Govt. advertising and private advertising where signage is used to identify the location of the owner of the building or the space within the building.
- g) Any Advertising Agency other than Government willing to display Advertisements in Guwahati City must be registered with Guwahati Municipal Corporation. An unique code will be given to each of the agencies for each of their advertisement panels, which shall have to be displayed on the Advertisement Panels/Hoardings etc.
- h) Advertisements of any forms outside shops, Commercial Establishment will not be allowed without permission from Guwahati Municipal Corporation.

Role of Guwahati Municipal Corporation

In the areas controlled by Municipal Corporations/Councils/Committees, outdoor advertisement devices visible to the public, are governed by provisions of section 173 to 177 of the Guwahati Municipal Corporation Act 1971. As per the provisions of the GMC Act, prior permission of the Commissioner is needed to display any advertisement to public view.

*"Prohibition of advertisement without written permission of the Commissioner — No advertisement shall be erected, exhibited, fixed or retained upon or over any land, building, wall, hoarding, frame, post or structure or upon or in any vehicle or shall be displayed in any manner whatsoever in any place in the city without the prior written permission of the Commissioner granted in accordance with the bye-laws made under this act." * Guwahati Municipal Corporation Act 1971*

Guwahati Municipal Corporation is also responsible to collect taxes by section 173 of the GMC Act, from every person who displays any advertisement to public view in any what so manner visible from a public street or public place, with some exceptions as laid down in the Act.

As per Section 176 of GMC Act: *"If any advertisement be erected, exhibited, fixed or retained in contravention of the provisions of Section 174 of the GMC Act, the Commissioner may require the owner or the occupier of the land, building, wall, hoarding, frame, post or structure or vehicle upon or over or in which the same is erected, exhibited, fixed or retained, to pull down or remove such advertisement or may enter any land, building, property or vehicle and have the advertisement dismantled, pulled down or removed or spoiled, defaced or screened."*

No person except licensed or registered advertisers or agencies is allowed to undertake the display of advertisement on behalf of others. Persons or agencies who undertake the display of advertisement, enroll themselves as licensed or registered advertisers with the Corporation and furnish in this regard the required information, documents, surety, as may be determined by the Commissioner.

The approval on placement or location of any advertisement visible from public place, their sizes etc are all provided by Guwahati Municipal Corporation. Guwahati Municipal Corporation can alter, re-position or remove any hoarding as per the powers vested in them. The Commissioner's directions are final and binding on all outdoor-advertisers.

The GMC may declare any stretch of road as "Hoarding- Free Zone" at any time for greater interest of the city.

Chapter - 2

General permission criteria for advertising devices

2. Outdoor advertising and road safety criteria

Roadside Advertising Devices are one of the many stimuli confronting road users. Cognitive assessment of roadside objects becomes difficult as the drivers' attention is distracted and decision making is hampered. The permission criteria for the display of advertising devices are intended to ensure that a high level of safety for road users is maintained and traffic efficiency is ensured.

2.1. 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 visibility of a traffic control device (e.g. traffic light, stop or give way sign).
- c. Distracts a driver at a critical time (e.g. making a decision at an intersection).
- d. Obscures a driver's view of a road hazard (e.g. at corners or bends in the road).
- e. Gives instructions to traffic to "stop", "halt" or other (e.g. give way or merge).
- f. Limits 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 at major intersections or merging and diverging lanes.

2.2. The traffic hazard potential of an advertising device varies depending on its size, location, luminance and background. Government of Assam Policy 2017 categorized these devices in to five types -

Category 1: Large-format advertisements, mainly fixed on billboards/Unipoles and bridge and flyover panels.

Category 2: Advertisements mounted on public amenities like public toilets, garbage collection points etc.

Category 3: Fleets and transport related infrastructure.

Category 4: Advertisement devices for self-advertising in commercial areas.

Category 5: All such devices/medium of outdoor advertisement which finds mention in the Notification dated 7th Feb 2014 however exclude the list of devices mentioned in the

category 1 to 4 as mentioned above.

2.3 The following will be the Controlling measures on physical characteristics of advertising devices shall be as follows:

1. Advertising Devices shall not use shapes that could potentially result in an Advertising Device being mistaken for an official traffic sign.
2. The Advertising devices will follow the Code of Practice for Road Signs IRC: 67-2001 prescribe by Indian Roads Congress on the basic design parameters of official traffic signs and includes standard legend/background colour combinations.
3. 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).
4. All lighting associated with the Advertising Device shall be directed solely on the Advertising Device and its immediate surrounds.
5. External illumination sources shall be shielded to ensure that external 'spot' light sources are not directed at approaching motorists.
6. Illumination of advertising device is to be concealed or be an integral part of it.
7. Upward pointing light of the device shall not be allowed, any external lighting downward pointing and focused directly on the sign to prevent or minimize the escape of light beyond sign.
8. Any light source shall be shielded so that glare does not extend beyond the Advertising Device.
9. 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.
10. Non-static illuminated Advertising Devices (flashing lights) will not be permitted within the boundaries of municipal roads.
11. Moving, rotating or variable message Advertising Devices are not permitted within the boundaries of GMC controlled roads as these cause a statistically significant distractive influence on motorist's response to external stimuli.
12. This permission criteria is not intended to apply to variable message displays used by road authorities for traffic management or for displaying other corporate information. Variable message displays located at bus stops or similar places where messages are directed at, and intended for, pedestrians (not motorists) are excluded.

2.4. 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.

1. Following is a list of negative Advertisement -

List of negative advertisements
Nudity
Racial advertisements or advertisements propagating caste, community or ethnic differences
Advertisement promoting drugs, alcohol, cigarette or tobacco items
Advertisements propagating exploitation of women or child
Advertisement having sexual overtone
Advertisement depicting cruelty to animals
Advertisement depicting any nation or institution in poor light
Advertisement casting aspersion of any brand or person
Advertisement banned by the Advertisement Council of India or by any given law
Advertisement encouraging violence
Depicting destructive devices and explosives items
Lottery tickets, sweepstakes entries and slot machines related advertisements
Advertisement of any psychedelic, laser or moving displays
Advertisement of Weapons and related items (such as firearms, firearm parts and magazines, ammunition etc.)

Advertisements which may be defamatory, trade libelous, unlawfully threatening or unlawfully harassing

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

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

Any other items considered inappropriate by the municipal bodies.

2. For all categories of devices (except Category 3 and some Category 4 devices which are directed at pedestrians), text elements on an Advertising Device face should be easily discernible to traveling motorists. This will minimize driver distraction. Additionally, a sign shall be quickly and easily interpreted so as to convey the required advertising message to the viewer and reduce the period of distraction.
3. The content or graphic layout exhibited on advertising device panel shall avoid hard-to-read and overlay intricate typefaces and have letters styles that are appropriate. Under no circumstances should device contain information in text sizes, which would necessitate the driver or passenger in a moving vehicle to stop, read and/or note down, which is detrimental to the smooth flow of traffic and distracting for the driver.
4. All signs shall be so designed as to maintain a proportion where, as a general rule, letters should not appear to occupy more than 20% of the sign area, unless otherwise permitted by the municipal bodies.

2.5. Outdoor advertising and structure criteria

- 2.5.1 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.
- 2.5.2 The designs shall be certified by a Registered Structural Engineer/ RTP and shall be submitted to the Municipal body before start of work at the site and structural safety certificate to be submitted to the Municipal body after the completion of work.
- 2.5.3 The supporting structure shall have a non-reflective finish to prevent glare.
- 2.5.4 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.
- 2.5.5 Official road furniture such as official signs and delineator guide-posts shall not be used as the supporting structure of an advertising device.
- 2.5.6 The name of the Advertising Device license holder should be placed in a conspicuous position on the device.

2.6. 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 there is no safety or traffic risk. A copy of the registered electrical contractor's test certificate countersigned by a Competent Officer of APDCL shall be provided to the Corporation.

2.6.1 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.

2.7. Outdoor Advertising and Conservation Criteria -

- 2.7.1 To promote conservation of electricity:
 1. 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, agencies shall be given a rebate on

- monthly licensee fee.
- II. The illumination at all the outdoor advertising devices shall use LED lights or other energy saving devices.

2.7.2 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, Reserved forests and water bodies on it.
- b) Periphery areas of all Natural Drainage Channels, Storm Water Drains etc.
- c) Historical monuments, cremation grounds, graveyards and ruins.
- d) World Heritage areas.
- e) Areas classified as remnant endangered regional ecosystems.
- f) All religious places, like Temple, Mosque, Church and Gurudwara etc.
- g) Assam Secretariat (Except for Government Advertisement)
- h) Govt. Hospitals.

2.7.3 Exceptions to the above restrictions may apply in special circumstances. For example for tourist Service / accommodation businesses, advertising devices may be permitted as part of a regional tourist plan. In rare and exceptional circumstances, applications would be considered on a case-by-case basis by GMC in consultation with the relevant authorities and other responsible agencies.

Chapter - 3

3.1 Summary of permissibility of different category of advertising devices

Summary for Category-1 Devices			
Sl No	Description of device	Status	
		Permitted (Subject to General and Specific Permission Criteria)	Not Permitted
1.1	Billboards/ Unipoles/ Bipoles		
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 residential area, institutional, heritage, monument etc including mixed land use.		Not permitted
vii	Outside city limit	Permitted	
viii	On rooftops of residences		Not permitted
ix	On mobile vans for purposes of advertising		Not permitted
1.2	Trivision		Not permitted
1.3	Railway Bridge panels	Permitted	
1.4	Flyover panels	Permitted	
1.5	Building wraps	Permitted	
i	Commercial area	Permitted	
ii	Recreational areas	Permitted	

iii Other areas like residential area, industrial, institutional, heritage, monument etc including mixed land use areas.

Not Permitted

Summary for Category-2 Devices

Sl No	Description of device	Status	
		Permitted (Subject to General and Specific Permission Criteria)	Not Permitted
2			
2.1	Public amenity mounted devices: garbage and toilet facilities	Permitted	
2.2	Devices Mounted on Service oriented facility	Permitted	
2.3	Devices mounted on Roadside kiosks	Permitted	
2.4	Devices along with Information for public	Permitted	
2.5	Devices mounted on Public assistance facility	Permitted	
2.6	Pier or pylon mounted device		
i	Flyover columns	Permitted	
ii	Metro columns		Not Permitted
iii	Others		
2.7	Pole Kiosk	Permitted	
2.8	Protection screen/ Drain/Culvert advertising devices	Permitted	
2.9	Informal advertising display board		
i	Residential area	Permitted	
ii	Commercial area	Permitted	
iii	Recreational areas	Permitted	
iv	Public parks, gardens etc	Permitted	
v	Premises of Public buildings	Permitted	
vi	Other areas along side road		Not Permitted
2.10	Vehicular Mounted Devices: Bus advertising - private and public		
2.11	Vehicular Mounted Devices: Metro trains, City Rails	Permitted	
2.12	Vehicular Mounted Devices: Delivery and service vehicle advertising	Permitted	
2.13	Taxi and intermediate public transport advertising	Permitted	
2.14	Mobile vehicle		Not permitted
2.15	Air Borne devices		Not permitted (only social messages permitted)
2.16	Roof mounted devices in residences		Not permitted

Summary for Category-3		Status	
Sl No	Description of device	Permitted (Subject to General and Specific Permission Criteria)	Not Permitted
3			
3.1	Bus shelter and bus deport	Permitted	
3.2	Parking	Permitted	
i	Parking Display Boards	Permitted	
ii	Two sides of Parking	Permitted	
iii	Parking tickets	Permitted	
iv	Parking uniforms	Permitted	
3.3	Landscape Advertising devices	Permitted	
i	Fence Advertising devices	Permitted	
ii	Devices mounted on Tree Guards	Permitted	
3.4	Traffic Barricading	Permitted	

Summary for Category-4		Status	
Sl No	Description of device	Permitted (Subject to General and Specific Permission Criteria)	Not Permitted
4			
4.1	Fascia Sign for self advertising	Permitted	
4.2	Awning Sign for self advertising	Permitted	
4.3	Projected sign for self advertising	Permitted	
i	Installed on Building ht not exceeding 18m	Permitted	
ii	Installed on Building ht not exceeding 36m	Permitted	
iii	Installed on Building ht exceeding 36m	Permitted	
4.4	Footway and Roadside vendor sign for self advertising	Permitted	
4.5	Real estate sign	Permitted	
4.6	Welcome Sign	Permitted	
4.7	Construction sign for self advertising	Permitted	

Summary for Category-5		Status	
Sl No	Description of device	Permitted (Subject to General and Specific Permission Criteria)	Not Permitted
5	All such devices/medium of outdoor advertisement which finds mention in the Notification dated 7 th Feb 2014 and excluding the list of devices mentioned in the category 1 to 4 as mentioned above.		

Chapter - 4

Specific Conditions for different Category of Advertising Devices

Specific conditions: Category 1							
S. No	Type	General description	Description of device	Specific parameters			
				Length	Width	Max Height	Min Ground Clearance
	Category-one	Large format outdoor advertising device	Billboards/Unipole 6m		3m	8m 14m for Railways* (*Not permitted in GMC areas)	2.5m
			Trivision	NA	NA	NA	NA
			Railway Bridge panels	18 m	3 m	-	-
			Flyover Panels	18 m	3 m	-	-

4.1 Specific Permission Criteria: Category 1

Lateral placement	<ul style="list-style-type: none"> Not permitted in medians. Not permitted on traffic islands and where carriageways diverge. Not permitted on footpaths. Where the footpath does not exist the outdoor advertising device shall not be permitted within 3 metres of existing road as measured from the end of the road (right of way) and not its middle. Where footpath exists, the outdoor advertising device shall be permitted 3 metres after the footpath as measured from the outer edge of the footpath. Not permitted within 75 m of any road junction, traffic intersection or another crossing. The distance will be measured from the edge of the road and not the centre of the road junction, traffic inter-section or the crossing. Not permitted within 75 m of any traffic signboard erected for the regulation of traffic. Not permitted if any such form as will obstruct the path of pedestrians and hinder their visibility at crossings. Not permitted if in any manner and at such places as to obstruct or interfere with the visibility of approaching, merging or intersecting traffic. Not permitted within a round-about of diameter less than 100m as measured from the outer width of the round-about.
Longitudinal Placement	
Other placements	<ul style="list-style-type: none"> In GMC areas, unipoles will not be allowed along railway bridges In GMC areas, no large size (category 1) billboards will be allowed, other than those billboards which substantially support social and charitable activities in the discretion of the GMC. In major arterial roads of the city, with high traffic volumes and designed to promote speed of movement (without intersections), large size hoardings (category 1) will not be permitted. The decision on adding roads will be taken jointly with the Traffic Police and the GMC. The locations where large format outdoor devices are placed along the sides of the railway bridge, flyover than maximum height of the device from the road level shall be measured clearly from the top of flyover and centre of the flyover. Building wrap or large format advertisement (6mx3m) will be permitted strictly in commercial areas. Not permitted in residential areas. Not permitted within 75 m of another Category 1 device. Not permitted within 75 m of Category 1 and Category 2 devices.

4.2 Specific conditions and provisions: Category 2

S. No.	Type	General description	Specific parameters				Special conditions
			Length	Width	Area	Min Ground	

					clearance	
2.1	Public amenity mounted devices: garbage and toilet facilities	-	-	Up to 18 sq m	-	<ul style="list-style-type: none"> Permitted only over approved surfaces of specified properties designed for providing certain civic/amenity /facility /service for public benefit. The Amenity shall not interfere with the general function of the road or premises or cause impediment to sight distances for motorists.
2.2	Devices mounted on service oriented facility: kiosk outside colony to facilitate payment of bills/etc (G2C kiosk)	3 m	3 m	The unit will be allowed to display up to 3 panels, each not more than 3mx3m		<ul style="list-style-type: none"> The activities of the amenity shall not spillover beyond the designated area in to the surroundings, unless otherwise permitted. The facility will not be allowed to be used for any other purpose other than what has been agreed to in the contract. No device placed within the designated area of facility shall project beyond the assigned surface proposed in facility The amenity and the device mounted on the surface of facility shall be such that it creates no hindrance to the flow of vehicular or pedestrian traffic. The advertiser shall be responsible for providing services like water, sewage, garbage collection etc. as required for smooth functioning of the facility and as per the terms of the agreement. Daily and regular upkeep shall be the responsibility of the advertiser, is also responsible for maintenance of hygienic conditions in and around the facility. General illumination required for the functioning of the facility shall be provided and maintained by the advertiser. Allotment will be made through tender system or through other transparent system as laid down by the Guwahati Municipal Corporation. The space required for group/queue formation wherever applicable in front of the facility shall be included in the setback from the adjoining curb line or any adjoining structure or site features. Malls should only be allowed to display advertisement devices pertaining to the product they are selling or trading in. Such roadside kiosks should not become the center of publicity for others. No advertising shall be permitted till the facility is completely operational. An "Out Of Service" sign shall be placed on the facility in case of the facility becoming non-operative on account of a fault, repair or routine maintenance.

							<ul style="list-style-type: none"> • All defunct or non-operational facilities shall not be allowed to display any advertisement. • An allotment system shall be developed for the location of kiosks, shops & booths etc.
2.3	Devices mounted on road side kiosks, Tea/Cold Drink Kiosk/Fruit juice, Snack bar, Florist, Paan, cigarette, kiosk, puncture repair, Kiosk for barber, cobbler, milk booth etc				<2.25sq m		<ul style="list-style-type: none"> • A strict control shall be maintained on the timing of operation of the facility or service and the same shall be displayed appropriately on the facility interface.
2.4	Devices along with information for public: city maps, colony maps etc				<2.25sq m		
2.5	Devices mounted on public assistance facility: police assistance, traffic police assistance, tourist assistance				<2.25sq m		
2.6	Pier or pylon mounted device: Road flyover pylons, metro pillar etc	0.76 m	1 m	Not exceeding 0.91 sqm		1.2 m	<ul style="list-style-type: none"> • Surface mounted device shall be permitted only in the landscaped area under the Viaduct or Flyover and shall not spillover to the roads, footpaths or to the top. • No Pier surface mounted device shall be permitted on the pier abutting a traffic intersection. • The Pier surface mounted device shall be fitted on every alternate pier after the traffic intersection wherever it cuts under the viaduct or the flyover. • Surface mounted device shall be mounted on two sides of the Metro / Flyover pier in the direction of the traffic flow and not parallel to it. • In case of their being more than one Pier per bay as in the case of Flyovers, maximum of two Surfaces mounted device shall be permitted per bay preferably on the outer road-side piers. • The Pier surface mounted device shall be fixed to the Pier with extreme care without causing any damage to the structure. Minimizing the contact points with the Pier, the fixing member/s shall be invisible and concealed behind the sign. • The Rights for advertising under the Metro Viaducts and Roadway Flyovers shall be granted in lieu of provision and maintenance of

						landscaping of the areas located directly under the Viaducts and Flyovers.
2.7	Pole Kiosk: others	0.76 m	1 m	Not exceed ing 0.91 sqm	1.2 m	<ul style="list-style-type: none"> • Shall not exceed 0.91 Sq.m. in sign area and shall only be displayed in portrait format. • Under no circumstances shall a sign project beyond 0.1m from the face of the pole on which it is mounted. • Sign shall not be placed so as to obstruct pedestrian movement or view of the traffic (in case where sign is placed on the median of the road) or pedestrians (where sign is placed over a pedestrian walkway). • The commercial advertising sign attached to Pole Kiosk shall be non reflective in nature. • The top of a sign shall be at least 2 m below any light fixture and the bottom of such poster not less than 3.0 m above the ground level. • Sign shall not cover any Mandatory/ Cautionary signs or the cover plates on street lamp pole • Sign shall not be displayed on the first three street lamp poles from any intersection or traffic light. • Only one sign structure (single frame containing one or two back to back posters) is permitted per street lamp pole. • The sides, top/bottom and the rear sides (in case of single sided sign) shall be framed with an appropriate material to hide the inside and their fixing system. • The material of the poster can be paper (large size printed paper) or stretched vinyl sheet. • No projection, cutout on the pole kiosk is permitted.
2.8	Protection screen/nallah culvert advertising devices	1.2 m	1.8m		0.75m	<ul style="list-style-type: none"> • Permitted only on road-facing side. • Shall be centered along with the structural grid of the existing protection screen by placing them centrally in between the structural support alternately e.g. one filled and two empty. • The advertising sign shall in no case project above the top of the edge of the protection screen. • The device panel corners shall not have sharp edges with a view to avoid any chance of injury or damage to any person or object.
2.9	Informal advertising display board	2.5 m	1.2 m	<3 sqm	1.2 m	<ul style="list-style-type: none"> • As per the policy of GMC informal advertising devices should be restricted to a

							<p>demarcated basis in Government/Private Colonies, inside market areas, near public parks, and the premises of public buildings. Informal advertising shall not be permitted along the roads. The billboard/poster will be allowed for a maximum period of 48 hours.</p> <ul style="list-style-type: none"> • As per the policy of GMC, informal advertising devices should be restricted to the specific site / wall as may be provided by the GMC in each of its wards, near Government/Private colonies, inside market areas, near Public Park and the premises of the public buildings. No political /religious/social poster free of cost will be allowed beyond the stipulated area. • In GMC area the billboard/poster will be allowed for a maximum period of 1 week.
2.10	Vehicular Mounted Devices: Bus advertising- Private and public						<ul style="list-style-type: none"> • Area for advertisement/ name/logo shall not exceed 75% of the surface area on each side of the vehicle except the front of the vehicle. • Permitted only on vehicles whose primary purpose is to serve a useful function in the transportation or • conveyance of persons or commodities from one place to another, unless otherwise specified, no transportation vehicle shall be used for the sole purposes of advertising. • Advertising devices (including LCD mounted screens) will be allowed inside the public utility vehicle. • Bus Advertising devices shall not interfere in any way with the mandatory vehicle signs such as purpose of the bus service, number plate, etc.
2.11	Vehicular Mounted Devices: Metro-trains city rails						<ul style="list-style-type: none"> • Metro Rails or The City Rails running within the city limits can use the entire exterior body of the rail wagon for the purpose of advertisement.
2.12	Vehicular Mounted Devices: Delivery and service vehicle advertising	NA	NA	NA	NA		<ul style="list-style-type: none"> • Area for Advertisement/ name/logo shall not exceed 50% of the surface area on each side of the vehicle. • Separate application for separate delivery vehicle, with detail of registration number etc • Taking clearance from Traffic police and RTO etc shall be the responsibility of advertiser. • The delivery vehicles shall only be permitted to advertise the own product / service offered/carried by the company/owner.

2.13	Taxi and intermediate public transport like auto rickshaw and radio taxis						<ul style="list-style-type: none"> Area for Advertisement/ name/logo shall not exceed 75% of the surface area on each side of the vehicle. Separate application for separate taxi, with detail of registration number etc No animation or movement in any form shall be permitted on taxi advertising Taking clearance from Delhi Traffic police and RTQ etc shall be the responsibility of advertiser, and the conditions set by them shall be followed.
2.14	Mobile vehicle for purposes for advertising: Not permitted	NA	NA	NA	NA		
2.15	Air Borne devices (only permitted for social messages)	-	-	-	19.5 m.		<ul style="list-style-type: none"> Air borne devices will be exclusively for social messages. The Air Borne Device shall, be erected, fixed and secured in accordance with the specified guidelines as per GMC offer letter/ contract/ agreement. The gas used in inflating the balloon shall not be hazardous or flammable. No other smaller balloons shall be attached to the balloon or its supporting or secure lines. Air Borne Device not be permitted in the air funnel area.

Specific Permission Criteria: Category 2

A	Lateral placement	<ul style="list-style-type: none"> Not permitted in road medians excluding Pole Kiosks. Not be permitted on traffic islands and where carriageways diverge so much that oncoming traffic is not visible Not permitted within the pedestrian footpath and if any part of device is projected in the right of way A minimum gap of 2m must be maintained between amenity and site features like pavement curbs, trees, electrical poles, boundary walls etc.
B	Longitudinal Placement	<ul style="list-style-type: none"> The distance shall be maintained as per the specific contract clauses as mentioned by GMC while inviting tenders and proposals Any deviation from the clause shall be approved by the Commissioner, GMC For devices mentioned under 2.1 for amenities, the location shall be such that it does not result in inappropriate stopping or parking of vehicles on roads. A minimum gap of 2m must be maintained between amenity and site features like pavement curbs, trees, electrical poles, boundary walls etc Unless specified, the principle of lateral and longitudinal placement will be applicable to category 1 device only.

4.3 Specific conditions: Category 3

Sl. No	Type	Description of device	Specific parameters					Special conditions
			Length	Width	Area	Max Height	Min ground clearance	

3.1	Bus Shelter and Bus Depot	As per GMC and ASTC Approval	<ul style="list-style-type: none"> • The approach end of passenger transport shelter shall be either open or transparent to provide waiting passengers with maximum visibility of the approaching passenger transport vehicle. • The advertisement can either be backlit or non lit, front lighting with additional projected brackets etc. shall not be permitted. • The advertisement devices shall not project outside the roof top boundary. • Non-static illumination, neons, changing LEDs, changing of illumination colour, flashing lights etc. are not permitted. • A minimum specified gap of 1500mm must be maintained between the bus shelter and the site features like trees/shrubs, pavement curbs, boundary/building walls, electrical poles, etc. • Since a BQS would only be erected at a site where it is not a traffic hazard, the advertisement on the BQS should be excluded from the various conditions of minimum distances from road junction, etc. • The content of advertisement will be governed as per the general advertisement policy.
<p>Specific permission criteria for Bus shelter</p> <ul style="list-style-type: none"> • Any Advertising Device attached to a passenger transport shelter or a seat requires ASTC and GMC approval. • Sponsorship arrangements for the supply of infrastructure may be managed by ASTC & GMC subject to keeping in considerations the interest of both. • Where new infrastructure is to be installed on a municipal road, the GMC shall be consulted by ASTC and the advertiser (BOT or Swiss Challenge system) early in the planning phase. • The proponent shall provide evidence of a public liability policy of insurance and must provide indemnity for all such installations. • The bus shelters shall be provided with a city map of the neighbourhood area close to bus stop, the map shall be provided on the side panels for the commuter to read easily. 			

32	Parking					<ul style="list-style-type: none"> • No part of the parking advertising device shall project into the public right of way. • Parking signs should be electronic controlled to give clear information about occupancy status. Free Standing parking advertising devices shall be placed on the edge of the Authorised Parking Lots in a manner as to not interfere with vehicular or pedestrian movements. • Advertising Sign face/ of the Free Standing advertising devices in parking area shall be oriented inwards facing the parking bays. • The number of free standing devices shall be determined by the peripheral length of the Parking facility. However, overall spread of the parking advertising Signs shall not exceed 50% of the Sum total of the peripheral length and the same shall be spread across to a maximum of three sides of the peripheral edge. • Minimum distance to be maintained shall not be less than 1.5m. • No Free Standing advertising device on any parking location shall be permitted abutting the periphery of the following <ul style="list-style-type: none"> o Access road passing in front of the Parking Lot / filling station o Shopping Arcade/ Precincts. o Access roads/ lane leading to another facility beyond o Any other built or open landmark. • The power supply shall be as per mentioned in general permission criteria • System of state parking may be introduced which may be supported by the finances being accrued from the advertisement displayed on the stacks.
	Parking (Two display boards)		Upto 18 sq m			<ul style="list-style-type: none"> • Two display boards of the size 40ft x 8ft each shall be permissible in each parking site. • The boards will contain advertisement at first half portion (20ft x 8ft) & parking rates prescribed by the GMC at the other half portion.
	Two sides of Parking		Upto 18 sq m			<ul style="list-style-type: none"> • Each parking has a provision for erection of a Parking for keeping helmets, sitting of parking attendants etc. on which advertisement will be permitted on any two sides with

								the maximum limit of each display not exceeding 20ft x 8 ft. It will be duty of the advertiser to ensure that Parking are well lit and aesthetically built.
	Parking tickets and uniforms		As per GMC Approval					<ul style="list-style-type: none"> The parking tickets shall contain GMC hologram on the front side with rates of parking fee & advertisement on the reverse side. There will be uniformity in the parking tickets in all GMC authorised parking areas
	<p>Specific permission criteria for parking</p> <p>The parking advertising rights shall be clubbed with developing a proper parking information system that should provide real time information on the proper location & availability of parking spaces to facilitate the vehicle owners as well as the GMC.</p> <p>Authorities for better management of the existing parking scenario. Provision at the entry and exit point regarding the parking fee, timeline, name of the parking site owner with telephone number, complaint box, along with advertising devices shall be provided. The parking attendant shall be in uniform with logo in front of uniform and advertisement at rear is permitted. Also the advertisement on parking tickets and small kiosk erected inside.</p>							
3.3	Landscape Advertising device							<ul style="list-style-type: none"> All Landscape advertising devices shall be located only at designated locations as approved by GMC. All Landscape advertising devices shall be adequately maintained to assure continued readability of the message. Advertiser shall be responsible for suitable upkeep and maintenance and pruning of vegetation surrounding the Landscape advertising devices such as shrubs etc. to enable visibility of the advertisement. No Landscape advertising devices shall project beyond the assigned surface on which it is fixed. Advertiser shall be responsible for all landscaping related work including planting, daily maintenance and watering etc. Permission should be given to the empaneled landscaper. The requirement of the landscape advertising for the specific zone must be laid down.
	Fence Advertising devices	1.5m	<0.3 m including base	2.25 sq m	1.5m	As per GMC approval		<ul style="list-style-type: none"> The Fence Advertising Signs shall be Advertising Plates measuring 0.2sqm in area The fence over which Sign is fixed shall consist of fence modules of specified design. In case of locations where the fence modules are not already in place the same shall be designed and approved by the Concerned Authority. The signs shall be fixed on the outer face of the fence parallel to the direction of the traffic flow. The sign shall be permitted on every alternate fence module

							<p>maintaining a minimum interval of 3m centre to centre between any two signs.</p> <ul style="list-style-type: none"> • The sign shall be centered and aligned to the centre of the fence module horizontally • The total number of fence advertising signs appearing on a particular fence shall depend on the design and length of the fence. • The fence shall be covered with green cover such as creepers etc. to the maximum extent possible planted from within. • No illumination in any form shall be permitted on the fence advertising sign. • All fence advertising sign shall be non-reflective in nature. No retro-reflective, reflective film or paint shall be used on fence."
		Devices mounted on tree guards	0.3m	0.3m	0.09 sq m	The device shall be integral part of tree guard	As per GMC approval
3.4		Traffic barricading	0.6 m	0.3 m			<p>Mounted on traffic barricading</p> <ul style="list-style-type: none"> • Signs shall be square advertising plates measuring 0.3m x 0.3m. • The tree guards shall be provided with 1.5m x 1.5m or 1.2m x 1.2m cast iron modular grating for protection of roots and for water to seep in the roots, as per approved design by GMC. • The Tree Guards advertising sign attached to Tree Guard shall be non reflective in nature. • Advertiser shall make sure to plant, maintain, prune and water the plant without causing any damage to the tree guard or the Tree Guards advertising sign. • No illumination in any form shall- be permitted on the Tree Guards advertising sign. • Following ratio of 70:20:10 proportionate numbers of Tree Guard Advertising Signs shall be distributed at regular intervals for Commercial Advertising, social message and logos of participating agencies respectively. Permutations and combinations shall be worked out according to the -frequency of the Sign. • Permission should be granted in a transparent manner • Signs shall be advertising plates

									measuring 0.6mx0.3m
									<ul style="list-style-type: none"> • Advertising sign shall be an integral part of the design. • The advertising sign attached to the barricading can be reflective in nature.

4.3 Specific conditions: Category 4									
S. No.	Type	Description of device	Specific parameters					General conditions	
			Length	Width	Area	Max Height	Min ground clearance		
4.1		On premises signs and miscellaneous sign. "Fascia Sign: For self advertising only							<ul style="list-style-type: none"> • All Fascia signs shall conform (should not exceed) to a maximum height of 0.9m. • No part of any such sign shall extend above the top level of the wall upon or in front of which it is situated • The width of the signage is allowed to extent of the width of the shop- External Fascia signs shall be mounted at a datum line not lower than 0.9m from top finished level. • Within the enclosed corridors or verandah like in location, the fascia sign must follow the datum line coinciding with the top of the shop/ business opening. • In case of double height openings in frontage the datum line of the sign shall be at 0.9m from the soffit of the ceiling. • The signage should not obstruct the open railings, grill, grill or any architectural features. In case the signage is placed below a railing or grill, its datum line shall coincide with the slab level or up to 0.9m from the bottom of the drop whichever is less to expose the architectural design of the railing. • Each business shall restrict itself to only one fascia sign. The signs by no means shall exceed the frontage of the premises of the business (in terms of the Width). • One additional sign is permitted for each business establishment having a rear, or side building face with a public entrance. • One additional fascia sign is

							<p>permitted on each wall face fronting on a dedicated pedestrian or vehicular street or parking lot.</p> <ul style="list-style-type: none"> • Internal illumination of a translucent sign face, or individual letters, characters or figures shall be permitted, such that the sign face, letter or character glows. • Flashing and Mechanical Movement graphics are not permitted. Excessive or Special illumination schemes, both on & within buildings (including windows & doorways) and sites shall not be permitted. Illuminated & animated signs are not to detract from the architecture of the supporting building during the daytime. • The advertiser shall be only be permitted to advertise the product/service/ organization name/logo that is being offered from the facility. No surrogate advertising shall be permitted on fascia sign.
4.2	On premises signs. Awning Sign:	<2m	<1 m	<2sq m	As approved by GMC	2.7m	<ul style="list-style-type: none"> • A sign shall be fixed at right angles to the street line. • Where enterprise facades exceed 20m in length, more than one sign may be allowed, spaced at a minimum of 6m intervals. • Self-illuminated Awning Signs are not permitted. • Permitted only on premises used for commercial, office, industrial or entertainment purposes. No Under-awning sign shall project at any point more than 100 mm from the surface to which it is affixed. • No Under-awning sign shall exceed a vertical dimension of 600mm and a horizontal dimension of 900 mm • No Under-awning sign shall extend above, below or beyond any extremity of a parapet wall, balustrade, railing, beam or fascia. • Not more than one Under-awning sign per facade per enterprise shall be allowed, unless the facade exceeds 20m in length, where more

						than one sign shall be allowed if they are spaced at a minimum of 6m intervals.
4.3	Projected sign: for self advertising only					<ul style="list-style-type: none"> Maximum height of letters: not exceeding 250mm when horizontally aligned; not Exceeding 400mm when vertically aligned to the sign. Maximum height of logo shall not exceed 750mm within the sign surface. In no case shall any projecting sign be attached to a lamppost, traffic sign or any vertical structure other than the shop front where the business or service is practiced. In no case, shall any projecting sign be attached to a heritage building, educational facilities, and buildings that house government offices. For GMC areas - GMC is not in favor of permitting separate signage for each business on the outside wall of a multi-storied building.
	Installed on Building ht not exceeding 18m			>2.5m but <9m		<ul style="list-style-type: none"> Projecting signs overhanging public land must have a minimum clearance of 2.5meters above ground level (or a footpath). No projection of the signage or any part of its supports or frame-work shall project more than 1 m beyond the building. The sign shall not project more than 0.6m beyond the building, or plot line facing the street. A projecting sign shall not be fixed other than at right angles to the street line. No projected sign shall be attached to the transom of a doorway or display window. No projecting signs shall extend above the parapet or top most edge of a roof or above the part of the building face to which it is attached.
	Installed on building ht not exceeding 36m			12m		<ul style="list-style-type: none"> Only one projecting sign shall be allowed per enterprise façade provided the width of the façade is at least 4.5m. Only one projecting sign per façade shall be permitted vertically as well as horizontally Material of the framework or supporting structure of the sign should be made of non-combustible material. The lateral movement of

								the sign should be restricted and restrained securely using appropriate bracing/ bracketing to prevent from swinging.
		Installed on building ht exceeding 36m						<ul style="list-style-type: none"> The projecting sign shall be designed so that it is capable of supporting reasonable horizontal as well vertical load at all points/ loading points.
4.4		Footway road side vendor sign	0.6 m	0.6 m	0.6 sq m	1 m	NA	<ul style="list-style-type: none"> Footway signs are permitted within the Clear Zone provided that the structure, which performs the sole purpose of supporting the Advertising Device, is frangible. No portion of a footway signs shall project over the carriageway or any surface used by motor vehicles. The placement of a footway sign not cause a safety hazard to other traffic (eg. Pedestrians and cyclists) Generally be limited to one sign per premises in busy business precincts. Generally be limited to two signs per premises where there is more than one business on the premises Be located directly outside the premises they refer to. Not be located so as to restrict sight distance on approaches to intersections or the restrict the visibility of other authorized signs. Be permitted only during trading hours. Footway signs shall have a maximum height of 1.0 meter, a maximum width of 0.6 meters and a maximum depth of 0.6m. Footway signs shall relate only to the business or product that may be obtained on the premises.
4.5		Real estate sign; for self advertising only	NA	NA	<2sq m	1 m	NA	<ul style="list-style-type: none"> A Real estate Sign shall be erected to advertise the sale/rent or lease of property upon which the sign is placed. All Real estate Sign shall be temporary in nature.

							<ul style="list-style-type: none"> • All Real estate Sign shall be non-illuminated. • All Real estate Sign shall be displayed only during the times the premise is open for inspection or to be let out. No Real estate sign shall be placed at a distance less than 4m from the street line or the road right-of-way. • A Real estate Sign shall be placed so as to not impede pedestrian or traffic now. • Real estate sign shall be limited to one sign per street face • The maximum size of Real estate Sign permitted shall not exceed 2 sqm (but not more than 1 sqm per side). • A Real estate sign shall not have letters, figures, symbols or similar features that exceed 0.5m in height.
4.6	Welcome sign	NA	<3.85sqm	1.6m	NA		The content of welcome sign must be approved by GMC Commissioner
4.7	Construction sign: For self advertising only	NA	NA	<4.4sqm	3m	NA	<ul style="list-style-type: none"> • Under no circumstance shall a Construction Site sign be permitted prior to the issuance of first building permit. • A sign shall not be permitted unless there is direct access to that road from the property being advertised. • Signs shall be located as close as practicable next to, and parallel to, the property alignment. • A sign shall not interfere with any underground services. • No portion of a sign shall project over the carriageway or any surface used by motor vehicles. • The placement of the sign shall not cause a safety hazard to traffic (e.g. vehicles, pedestrians and cyclists) • Signs must not present a danger to traffic when exposed to natural wind forces or wind created by passing vehicles.

												•One or more signs as per the guide, with a maximum area of 1 sqm, may be displayed per property.
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Chapter - 5

5. Permission Criteria:

- 5.1 All on premises advertising devices/ business/trade signs should be restricted to commercial areas and authorized business/trade establishments within institutional areas
- 5.1.1 The content of Advertising display shall be in Assamese Language also along with Hindi & English.
- 5.1.2 Under no circumstances shall illuminated on premise signs be permitted to be in shops/commercial establishments facing residential areas on streets with width less than 10 meters.
- 5.1.3 No sign shall be attached in any way to trees or shrubs.
- 5.1.4 No Trade and Business sign, messages, posters or printed material of any nature shall be pasted onto any supporting column, pillar or post.
- 5.1.5 On Premise Advertising Device in any form shall not obstruct any pedestrian movement (vertically and laterally), fire escape, door or window openings
- 5.1.6 On Premise Advertising Device shall be in any form or manner interferes with openings required for light and ventilation.
- 5.1.7 Under no circumstances shall On Premise Advertising Device be located to obstruct or alter the frontal silhouette of any transparent/translucent surfaces/ openings.
- 5.1.8 Non-illuminated transparent / translucent signs shall be permitted on Transparent / Translucent external surfaces at any level.
- 5.1.9 No trade and business sign shall be in any form or manner interfere with fire safety transit/exit space requirements and prescribed norms.
- 5.1.10 All On Premise Advertising Device should under no circumstances reflect activity/activities other those undertaken within the premises.
- 5.1.11 No sign shall contain additional advertising -promoting products or services other than approve use of the premises or site Irrespective of whether that product or service is provided, sold or available on the site.
- 5.1.12 All On Premise Advertising Device must have the compulsory required information as under:
- 5.1.13 Name of the trade and business
- 5.1.14 Shop/Premise number
- 5.1.15 Trade License Number
- 5.1.16 All On Premise Advertising Device must conform to the prevailing laws with regard to decency, decorum, social harmony etc.
- 5.1.17 All the signs shall be visually interesting and exhibit a high level of design quality.
- 5.1.18 All On Premise Advertising Device must conform to structural/ architectural discipline of the surface / edifice / building / open areas.
- 5.1.19 The scale and location of a sign should be compatible not only with the building to which it is affixed but also take into consideration nearby buildings, streets and existing signs.
- 5.1.20 Materials used and all On Premise Advertising Device should be non-polluting, fire resistant and injury proof.
- *5.1.21 Any new sign shall consider existing signs on a building, site or adjoining streetscape to ensure that the sign does not give rise to visual blockage.
- 5.1.22 The cabling and conduit should be concealed from view of the sign and any supporting structure from all angles, including visibility from the street level and nearby higher buildings and against the skyline.
- 5.1.23 No sign under any circumstances shall be supported from, hung or placed on other signs. Each sign should be self-supporting or fixed securely with the architectural structure.
- 5.1.24 Signs painted on or applied on the roof of a building are not permitted. Signs built and/or suspended from the roof at the roof level are also not permitted.

- 5.1.25 The sign information should be kept to a minimum in the interest of both aesthetics and traffic safety.
- 5.1.26 Where subordinate information is allowed, the name or use of the business shall be the dominant message on the sign- No supplementary (as in bylines, product specifications, selling propositions) and subordinate information (addresses, telephone numbers, and other such details) which seeks the attention of drivers along vehicular stretches will be allowed as they present a traffic hazard.
- 5.1.27 Sign should be non reflective such that they do not flash or glare at drivers on the streets. Signs should not use reflective surfaces as mirror foils etc as the use of such material are visually disruptive to traffic and can be hazardous to oncoming drivers.
- 5.1.28 All permitted signs would attract levies payable as outlined by Guwahati Municipal Corporation.

Chapter - 6

6. Implementation of the policy

6.1 Strategy for Authorized Existing Devices

Guwahati Municipal Corporation had 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 this guideline. It is important for Guwahati Municipal Corporation to apply the policy uniformly all across Guwahati so that there is a consistent, aesthetical, functional and safe outdoor advertising. However the caution has to be taken with regards to authorized and registered advertisements and advertisers. The sudden or abrupt termination would lead to unnecessary legal hassles. The same shall at best be avoided and an understanding with the advertisers must be reached for relocation/removal of the advertising devices that are not in conformity with the policy 2017. It is suggested that whenever there is reallocation of an existing advertising device, the current advertiser should be given the option to accept or reject the reallocated site without any alteration in fee structure. In case he refuses to accept the offer, it may be put to tender or other method of selecting 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 Commissioner, Guwahati Municipal Corporation however, on the same shall be final. Guwahati Municipal Corporation shall remove all unauthorized hoardings from the city, which are being displayed without Guwahati Municipal Corporation permission.

6.2 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 shall be shown towards any violator or unauthorized device. There will be strict adherence to policy 2017.

6.3 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, for which no legal notice is required to be given. All legal action can be taken which falls in the jurisdiction of Gauhati High court. Action can be taken, apart from others provision under the Gauhati Municipal Act. 1971.

6.4 Indemnity

A licensee/signage owner/applicant (licensee) shall be required to indemnify the Guwahati Municipal Corporation for the designated Advertising Device and activities located within the boundaries of Guwahati Municipal Corporation. The licensee shall indemnify the Guwahati Municipal Corporation against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon the Guwahati Municipal Corporation which arise as a result of the installation of an Advertising Device. The licensee shall keep the Guwahati Municipal Corporation indemnified against all actions, proceedings, claims, demands, costs losses damages and expenses which may be brought against, or made upon, the Guwahati Municipal Corporation 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 GMC in respect of any such claim or claims

6.5 Insurance

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

- Category 1 Advertising Devices
- Category 2 Advertising Devices
- 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 the GMC) 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.
- The public liability policy of insurance shall be for an amount as specified by GMC for any single event (or such higher amount as may be notified in writing by the GMC from time to time) and shall be effected with and insurer approved in writing by the GMC and on the terms approved in writing by the GMC.
- 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.
- The licensee shall produce evidence to the satisfaction of the GMC 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 GMC.

6.6 Appeals

Among other things, a person whose interests are affected by a decision relating to an Advertising Device may lodge such an appeal, as prescribed by the Guwahati Municipal Corporation Act, 1971 before lodging an appeal, the affected person shall seek a review of the decision.

The Guwahati Municipal Corporation shall provide a statement of reasons for the decisions.

Chapter - 7

7. Procedure for grant of permission

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

1. Every person desiring to erect, exhibit, fix, retain or display an advertisement shall send or cause to be send to the Commissioner an application for permission. The said application form duly completed in all respects shall be submitted or cause to be submitted by the applicant. The Commissioner may after making such inspection as may be necessary and within a maximum period of thirty days (30) after the receipt of the application, grant, refuse, renew or cancel the permission, as the case may be, in accordance with the provisions of the Act, and the Bye-laws made there under.
2. No application shall be considered by the Commissioner, if it is not submitted in the prescribed Performa along with all the documents as are required by the Commissioner from time to time. Any application submitted in any other shall be deemed to be rejected without any notice and no person shall exhibit, erect, fix or retain upon or over any land, building, wall etc. any advertisement and display any advertisement to public view on the basis of the same.
3. If any tax on advertisement and penalty is not paid within stipulated time after the demand notice, the same shall be recoverable as an arrear of tax and the permission shall be deemed to be terminated. The Commissioner shall be at liberty to remove the hoarding, etc.
4. If any advertisement erected, exhibited, fixed or retained on any land and building unauthorized and in contravention of provision of the Act and the bye-laws framed there under, such advertisements or hoardings shall be removed by the Commissioner without any notice whatsoever and expenses regarding removal of such unauthorized advertisement or hoardings shall be recovered from the concerned as per Guwahati Municipal Corporation Commissioner instructions.

Chapter - 8

8. Revenues

8.1. Revenue sharing

The Outdoor Advertisement Policy 2017 will apply to all advertisements irrespective of the jurisdiction of land. However, the revenue sharing model will differ in different cases.

The different agencies desirous of seeking advertisements for their land/devices/vehicles will do so with strict adherence to the provisions of this policy. As per the procedures laid down for the grant of permission, the agencies will apply and seek prior permission to display advertisements. The revenue sharing model will be agreed upon between Guwahati Municipal Corporation and the concerned agency.

For determining any case of remission or formulation/change of policy governing outdoor advertisement including award of contract, Commissioner Guwahati Municipal Corporation or his nominee will be a member of the committee/panel taking such decision, as it involves sharing of revenue between the two organizations. It should also be ensured that the awarded contracts are not allowed to continue beyond the contractual period.

8.2 Tax to be paid in advance

The tax on each advertisement shall be payable in advance for the concerned financial year. All dues shall be payable in cash or by pay order or by demand draft.

8.3 Commercial advertising fee for Category-1, 2, 3

The Commercial Advertising Fee will be applicable as per the notification of Guwahati Municipal Corporation from time to time.

The Concession fee/commercial advertising fee for Category-1, 2, 3 devices shall be decided through a transparent tendering process.

In case of 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 is functional in all respects.

For the following devices under category-2 the commercial advertising charges shall be applicable as specifically mentioned below-

- I. Informal Advertising Display Board: The device meant for informal advertising is subject to charges, however it is to the discretion of Commissioner to allow pasting of any advertisement.
- II. Banner: The device meant for informal advertising is subject to charges, however it is to the discretion of Commissioner to allow pasting of any advertisement.
- III. Fleet Advertising
 - a. As per notification from time to time

Cabinet Memorandum

(To be Circulated under Rule 17 of the Assam Rules of
Executive Business)

Subject:- Revised Staffing Pattern of Guwahati Municipal Corporation.

1. Introduction:

The present proposal seeks approval of the Hon'ble State Cabinet for reconsideration of the Staffing Pattern of Guwahati Municipal Corporation as notified vide No.GDD.316/2010/Pt./10, Dated 17.06.2014 (**Annexure-I**). This reconsideration proposal is required in the context of the opinion offered by Sr. Addl. Advocate General, Assam.

The opinion of the Sr. Addl. Advocate General, Assam is as follows:-

"Upon perusal of the said notification dated 17.06.2014, it have drawn my attention to the aspect of 'provincialisation' of 2706 post of Guwahati Municipal Corporation employees including 1440 post of sweepers, 40 post of Data Entry Operators and 2 fixed pay employees. Subsequently, I have obtained the Supplementary Report of 4th Assam State Finance Commission on Staffing Pattern of PRIs, ULBs and GMC of April 2012 and perused the same.

On the aspect of provincialisation of employees of PRIs, ULBs and GMC, which are autonomous institutions under the mandate of Article 243 of the Constitution of India, I have serious doubt whether converting the services of such employees of autonomous bodies to Government employees i.e. provincialisation is permissible in law or not. This issue regarding provincialisation of services of employees of local bodies have found elaborate discussion and consideration in Chapter -V of the aforesaid Supplementary Report of 4th Assam State Finance Commission. The Commission, after elaborate discussion, came to the conclusion in Clause 5.8, which is quoted herein below.

"Having regard to the aspect note above, the Commission feel that the concept of provincialisation of services of the employees of Local Bodies may run contra to the Spirit of the 73rd and 74th Amendment of the Constitution of India",

I fully endorse and agree with the view of the Commission regarding impermissibility of provincialisation of services employees of Guwahati Municipal Corporation and other local bodies under Article 243 of the Constitution of India.

In that view of the matter, I request the Government to reconsider the aforesaid Notification dated 17.06.2014 in light of the Article 243 of the Constitution of India at the earliest."

2. Background:

As per the Institutional Reforms listed under JNNURM, the 3rd Assam State Finance Commission had recommended to form a Study Group for carrying the Institutional Development Study for optimizing Staffing Pattern and for introduction of Municipal Cadre Management System.

Commissioner, GMC had proposed the Staffing Pattern accordingly.

Finance (E.A) Department had conveyed the approval of State Cabinet (**Annexure-II**) towards the staff strength of 2706 posts for GMC including 1440 post of Sweepers, 40 posts of Data Entry Operators, 2 fixed pay employees as per demand of GMC. As intimated by the Director, Finance (E.A.) Department the post of Registrar, Superintendent and two fixed pay employees will be retained till retirement of the incumbents. The Cabinet approved granting the status of District Level Office to GMC.

The State Cabinet approved the Cabinet Memorandum on the recommendations of Group of Ministers on the final report and Supplementary report of the 4th Assam State Finance Commission on Staffing Pattern of local bodies (PRIs & ULBs) including GMC.

On approval of the Staffing Pattern by State Cabinet in its meeting held on 04.09.2013, Guwahati Development Department had published it vide Govt. Notification No. GDD.316/2010/Pt./10, dated 17.06.2014.

As the Guwahati Municipal Corporation is an autonomous institution under the mandate of Article-243 of the Constitution of India, the concept of provincialisation of services of the Guwahati Municipal Corporation may run contra to the spirit of the 73rd & 74th amendment of the Constitution of India.

PROPOSAL :-

The "Staffing Pattern" of GMC was notified as per the Institutional Reforms listed under JNNURM for optimizing staffing patterns and for introduction of Municipal Cadre Management System. Accordingly State Cabinet in its meeting held on 4th Sept., 2013 approved the staff strength and, in principle Provincialisation of 2706 posts for GMC including 1440 posts of Sweepers, 40 posts of Data Entry Operators and fixed pay employees by granting the status of District Level Office to GMC.

After a careful examination, Govt. in Guwahati Development Department proposes to reconsider the matter of Provincialisation of the employees of GMC under the mandate of Article 243 of the Constitution of India. As per Article 243P(e) "Municipality" means an institution of self-government constituted under Article 243Q of the constitution of India/Part IXA. Therefore, the Government feels that the concept of Provincialisation of services of the employees of GMC may run contra to the spirit of the 74th Amendment of the constitution of India. As per the 74th Amendment, the municipalities are empowered with such powers and responsibilities as may be necessary to enable them to function as effective institution of self-government.

In view of the above, GDD proposes to modify the Notification No.GDD.316/2010/Pt/10, dated.17/06/2014 by omitting the words "in principle, Provincialisation of". The other terms and conditions of the Notification of Staffing Pattern shall retain in the context of institutional reforms as recommended by the 4th Assam State Finance Commission in view of optimizing the staffing pattern of employees of Guwahati Municipal Corporation. Accordingly, Draft Office Memorandum has been prepared and placed at **Annexure-III**.

For this purpose, the Guwahati Development Department drafted the Cabinet Memorandum along with the proposal and accordingly views of following Departments were sought for. The views of the concerned Departments are as follows:-

1. Urban Development Department:-

Urban Development Department has no objection for the proposed modification of the notification No.GDD.316/2010/Pt./10, dated 17/06/2014 by omitting the words 'principle provincialisation'.

Sd/-

Deputy Secretary to the Govt. of Assam
Urban Development Department
Dated 25.05.2017

2. Finance (E.A) Department:-

Finance Department has no objection on the Cabinet Memorandum proposed by GDD. However, salary burden of the approved posts of GMC will have to be borne by the GMC from its own resources and Finance Department shall not entertain any such proposal moved in this regard in future.

This has the approval of the Hon'ble Finance Minister, Assam.

Sd/-

Director,
Finance (Economic Affairs) Department
Dated 26.05.2017

3. Judicial Department:-

The draft Cabinet Memorandum in the revised staffing pattern at Flag 'A' and copy of draft O.M. at Flag 'B' are found to be in order.

This has the approval of L.R., Assam.

*Sd/-
Deputy Secretary,
Judicial Department.
Dated 19.05.2017*

Cabinet approval being sought:-

In view of the above, the approval of the Cabinet is sought for modification of the Notification No.GDD.316/2010/Pt./10, dated 17.06.2014 with regards to the matter of provincialisation of the employees of Guwahati Municipal Corporation under the mandate of Article 243 of the Constitution of India by deleting the words "in principle, Provincialisation of" from the Notification.

Enclo:- Annexure-I
Annexure-II

Additional Chief Secretary to the Govt. of Assam,
Guwahati Development Department.