

Signage, Hoarding and Outdoor
Advertisement Policy for the State of
West Bengal
2023



Government of West Bengal
Department of Urban Development and
Municipal Affairs
Nagarayan, DF-8, Sector-I, Salt Lake City, Kolkata-700064

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Signage, Hoarding and Outdoor Advertisement Policy for the State of West Bengal

1. Preamble:

The Signage and Outdoor Advertisement Policy of the State of West Bengal aims to strike a delicate balance between road safety and enhancing the aesthetic appeal of cities. Recognizing the importance of well-designed and regulated signage and outdoor advertisements, the policy seeks to create a harmonious visual environment while ensuring the safety and convenience of road users.

With the rapid growth of urban areas, the visual clutter caused by excessive signage and outdoor advertisements has become a concern for both residents and visitors. It is crucial to maintain clear visibility and readability of traffic signs, signals, and road markings, which are essential for ensuring road safety. Additionally, an overwhelming proliferation of advertisements can detract from the architectural beauty and cultural heritage of cities, diminishing their overall visual appeal.

By emphasizing the principles of city aesthetics and road safety, the policy ensures that the placement, size, and design of signage and outdoor advertisements are carefully considered. It encourages the use of standardized formats, fonts, and colors to maintain consistency and readability. The policy also advocates for the use of eco-friendly materials and energy-efficient lighting systems to reduce environmental impact.

In response to these challenges, the Signage and Outdoor Advertisement Policy of West Bengal introduces guidelines and regulations that promote the rational and judicious use of signage and outdoor advertisements. The policy encourages the adoption of visually appealing and innovative designs that blend seamlessly with the cityscape, enhancing the aesthetic experience for all.

The implementation of the Signage and Outdoor Advertising policy will allow outdoor advertisements as long as they do not pose a risk to road safety and contribute positively to the city's public service initiatives and visual appeal. The driving force behind the policy on outdoor advertising will prioritize city development goals rather than revenue considerations. The policy will explicitly aim to discourage visual overcrowding and guarantee that outdoor advertising does not compromise traffic safety.

2. Guiding Principles:

- 2.1. **Health conditions:** Safeguarding Health Conditions is essential to well being of the city. No sign must block opportunities for natural light or ventilation in buildings or across open spaces.
- 2.2. **Safety:** A sense of security and comfort are basic elements that facilitate smooth operations within a city. No sign must be located to obstruct movement. Neither should it be placed in a manner or technique that chances compromise, risk or vulnerability to life or operations.
- 2.3. **Social Benefit:** The underlying principle of "Public Good" forms the basis for fostering a collective and shared community spirit. Safeguarding this principle is essential to uphold the socio-cultural fabric, national identity, and civic values. However, all development endeavors come with associated costs. The government acknowledges this reality, and outdoor advertising presents an opportunity to generate resources for the creation, maintenance, and enhancement of various amenities like parks, schools, roads, orphanages, and more. Through such initiatives, the municipality or municipal corporation can contribute to establishing a town or city that is equitable in terms of infrastructure and opportunities, thereby enhancing the overall quality of life and addressing the needs of the underprivileged and economically disadvantaged sections of society. Outdoor advertising can play a role in facilitating the provision of new amenities and services.
- 2.4. **Ability to mitigate negative impacts:** In addition to fulfilling its intended purpose of advertising and conveying information, outdoor advertising within the city can be strategically reorganized to establish a structured framework. This framework can assist the Municipality/Municipal Corporation in creating well-organized outdoor advertising that aligns with the urban local body's cityscape, incorporating its form, color, and overall structure. By doing so, it becomes possible to create a distinct visual identity that reflects the intrinsic essence and character of the city.

3. Policy Objectives and Scope

- 3.1. Prohibit the erection, location, exhibition, fixation, retention, size, shape or display of all or any class of advertisements in any street, public road, or public or private place, public or private building, wall, hoarding, structure, tree, lamp posts, poles in or adjoining or visible from or abutting any public place or road, or public park or part thereof or in any place of public resort; and
- 3.2. Regulate the erection, location, exhibition, fixation, size, shape, retention or display of advertisement in any manner in non-prohibited areas.

- 3.3. Promote safety of the public, proper erection of hoardings and signages;
- 3.4. Improve the visual aesthetics of the city;
- 3.5. Encourage the innovative use of design to achieve aesthetic and commercial balance;
- 3.6. Ensure equitable treatment under the law through accurate records and consistent enforcement.

4. Extent:

This policy will extend to all the Municipalities and the Municipal Corporations in the State of West Bengal.

5. Legal Framework:

As per extant sections of the West Bengal Municipal Act, 1993, the West Bengal Municipal Corporation Act, 2006, the Kolkata Municipal Corporation Act, 1980 and the Howrah Municipal Corporation Act, 1980 (Herewith referred to as the Acts)

6. Application for Permit:

- 6.1. Every person desiring to erect, exhibit, fix, retain or display or cause to be retained or displayed any outdoor advertisement on private or public buildings and properties walls, roof, parapet, or premises, private hoardings, private structures or poles or lamp posts within the premises of private buildings shall apply to the Municipality or Municipal Corporation for permission; and shall have the permission on payment of the prescribed fee.
- 6.2. ***No person shall erect, exhibit, fix retain or display or cause to be erected, exhibited, fixed, retained or displayed upon or over any land, building, wall, hoarding, frame, post, kiosk or structure any advertisement, or display any advertisement to public view in any manner whatsoever, visible from a public street or public place (including any advertisement exhibited by means of cinematograph), in any place within a municipal area without the explicit written permission of the Chairman/Commissioner.***
- 6.3. ***In case of Municipal corporation every person who erects any kind of advertisement shall be liable to pay for every such advertisement, which is so erected, exhibited, fixed, retained or displayed to public view, not below the rate mentioned, as the Corporation may determine***
 - 6.3.1. ***Provided that the permission under this sub-section shall be accorded subject to the submission of written consent, in original, of the owner or the authority***

of land, building, wall, hoarding, frame, post, kiosk or structure upon or over which the advertisement has been proposed to be erected, exhibited, fixed or retained, by the person intending to erect, exhibit, fix or retain any advertisement, or display any advertisement to public view

6.3.2. *Provided further that the application for permission shall accompany a declaration by the advertiser stipulating a time-frame within which the advertisement shall be erased, removed or taken down.*

6.4. *In case of municipality the Chairman shall not grant such permission if-*

6.4.1. *a licence for the use of the particular site for the purpose of advertisement has not been taken out, or*

6.4.2. *the advertisement contravenes any provisions of this Policy or the regulations made thereunder, or*

6.4.3. *the licence fee, if any, due in respect of the advertisement has not been paid.*

6.5. Advertisements shall be so displayed that they do not obstruct the normal view of other existing commercial hoardings displayed earlier to the erection of a permitted hoarding or be a public nuisance and can hinder road safety.

7. Tendering of Advertisement, Signage, Hoarding:

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

7.1. Rotary and central verge when permitted, these shall be small format advertisements, max 0.25 sq. mtrs in area displayed on the grill of the rotary and central verge. No advertisement is permitted in the centre of the rotary.

7.2. Billboards on unipoles and bipoles

7.3. The vision-sanctioned as per the advertisement Master Plan prepared and approved by the Planning Department from time to time

7.4. View cutter – on foot over bridge : In this case the advertisement size shall coincide with size of the view cutter in both length and width. More than one sign can also be displayed provided the overall area of the advertisement does not exceed total area of the view cutter.

7.5. Culverts and bridges

7.6. Bus shelters/public services area for the purpose of maintenance

7.7. Garbage collection centre

7.8. Building wraps

7.9. Traffic Light: For the purpose of installation and maintenance of lights. However, no advertisement shall be permitted on the light pole or the control box. The installation and maintenance contract will identify locations for advertisement in accordance with the advertisement Master Plan.

7.10. Street Light

7.11. Other suitable areas as may decided by the Municipality or Municipal Corporation in conformity with the IRC 46:2022.

8. Procedure for Grant of Permission:

Permission shall be accorded subject to the submission of written consent, in original, of the owner or the authority of land, building, wall, hoarding, frame, post, kiosk or structure upon or over which the advertisement has been proposed to be erected, exhibited, fixed or retained, by the person intending to erect, exhibit, fix or retain any advertisement, or display any advertisement to public view.

8.1. For the purpose of advertisement, every person –

8.1.1. intending to erect, exhibit, fit, retain, alter or display an advertising sign for which a permit is required

8.1.2. using any site prior to the commencement of this Policy, within ninety days from the date of commencement of this Policy, or

8.1.3. intending to use any site, or

8.1.4. whose licence for the use of any site is about to expire,

8.2. shall apply for a licence or renewal of a licence, as the case may be, to the [Executive Officer]/Commissioner in such form as may be specified by the Board of Councilors/Corporation. The application shall be signed by the applicant of the site upon which such signage is or is to be situated. It shall include the following information:

8.2.1. Full specifications showing the length, height and weight of the sign, the location where it is to be erected, the manufacturer's name and address and

where applicable, the number of lights and other details of electrical provisioning within the same.

8.2.2. No Objection Certificate of the Road owning/maintaining Authority.

8.2.3. In case of Arterial and Sub-Arterial Road, NOC of the Traffic Police will be additionally required.

8.2.4. In case of High-Rise buildings, No Objection Certificate from the Fire Department. Here High-Rise Buildings mean buildings which have a building height of 15.5 meters or more.

8.2.5. All structural drawings need to be submitted. A structural safety certificate from a enlisted/empaneled Structural Engineer and Geo Tech Engineer. A periodic safety Audit needs to be done specially before the renewal of a structure.

8.2.6. Such application shall be accompanied by a location plan indicating the position of the sign and full detail drawing and an elevation showing the sign in relation to the facade.

8.2.7. In the case of roof signs, projecting signs or ground signs, in addition to the foregoing, the size of all members of supporting frameworks and anchorages, and, if required by the Municipality or Municipal Corporation, the necessary design calculations shall be furnished with the application.

8.2.8. Any other particulars as may be desired by the Municipality or Municipal Corporation as covered in Part 10 'Landscape Development, Signs and Outdoor Display Structures', Section 2 'Signs and Outdoor Display Structures' of NBC 2016 or IRC/MoRT&H Codal Provisions and Guidelines like IRC: 46:2022.

8.2.9. In the case of sky signs, necessary information as desired by the Municipality or Municipal Corporation may be supplied.

8.2.10. The Licence once granted for a specific location to any advertiser cannot be either shifted to another location or transferred to another Agency. No sub letting of hoardings to another agency for whatever purpose shall be permitted. An Agency may, however, engage services of a creative agency to put up advertisement vinyl's, flex, etc.

8.2.11. The Executive Officer/ Commissioner shall, on the receipt of an application for permit, after making such inspection as may be necessary and within thirty days of the receipt of the application either grant, refuse, renew or cancel a licence or sanction with modifications as the case may be, and shall communicate decision to the applicant within a prescribed time, on payment of

such fee as may be determined by the Board of Councilors/Corporation by regulations

8.2.12. If the Executive Officer/ Commissioner having regard to public safety, traffic hazard or aesthetics, is of opinion that the proposed site for any advertisement is unsuitable, he may refuse a licence or refuse to renew any existing licence.

8.2.13. Any applicant aggrieved by an order of the Municipality or Municipal Corporation shall, in writing within fifteen days of receiving such an order, file a Review Application in the prescribed manner. The Chairperson/Commissioner shall reply in writing to this review application within 10 working days from the date of submission of the review application by the Municipality or Municipal Corporation.

8.2.14. The Municipality or Municipal Corporation shall issue demand notices of the Licence Fee payable to agencies at the time of issuing permission for a new hoarding or renewal of an existing hoarding clearly indicating the location of the hoarding, its size and any other criterion the Municipality or Municipal Corporation may deem fit. The Demand Notice for the Licence fee will be generated and needs to be submitted by the applicant within 60 days.

8.2.15. Every licence may be for a period of three years except in the case of sites used for temporary fairs, exhibitions, sports events or cultural or social programmers.

8.2.16. The permission of new hoardings or their renewal of permission shall be withheld by the Municipality or Municipal Corporation, if the applicant/licencee has not cleared in full any arrears of advertisement licence fee up to date, till such time as the arrears are cleared.

8.2.17. If the Licence fee and or any penalty is not paid within the stipulated period of 60 (sixty) days after the demand Notice is served, the permission shall be deemed to be terminated. The ULB shall be at liberty to remove the Hoarding/Signage etc.

8.2.18. Application for permission shall accompany a declaration by the advertiser stipulating a time-frame within which the advertisement shall be erased, removed or taken down.

8.2.19. The application for permission shall also accompany a security deposit of such amount, as may be determined by the Board of Councilors/Corporation, by order, which shall, if the advertisement is not erased, removed or taken down by the advertiser within seven days after the expiry of time-frame for erasure, removal or taken down of such advertisement as mentioned in the

declaration, be deemed to have been forfeited and the money, so forfeited, shall be used by the Municipality/Municipal Corporation for erasure, removal or taken down of the advertisement. However, if the advertisement is erased, removed or taken down within seven days after the expiry of the time-frame in the declaration, the security deposit shall forthwith be refunded.

8.2.20. *Except under and in conformity with the terms and conditions of a licence, no person, being the owner, lessee, sub-lessee, occupier or an advertising agent, shall use or allow to be used any site in any land, building, wall or erect or allow to be erected on any site any hoarding, frame, post, kiosk, structure, neon-sign or sky-sign for the purpose of display of any advertisement.*

8.2.21. *The [Executive Officer]/ Commissioner shall cause to be maintained a register wherein the licences issued under this section shall be recorded in such manner as may be determined by regulations.*

9. Appeals

Among other things, a person whose interests are affected by a decision relating to an Advertising Device may lodge such an appeal if still not satisfied by the Review Application. The Chairman/Commissioner of the Municipality or Municipal Corporation shall redress these appeals and shall provide a statement of reasons for the decision.

10. Indemnity

An applicant (licencee) shall be required to indemnify the Municipality/Municipal Corporation for the designated Advertising Device and activities located within the boundaries of Municipality/Municipal Corporation. The licensee shall indemnify the Municipality/Municipal Corporation against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon the Municipality/Municipal Corporation which arise as a result of the installation of an Advertising Device. The licensee shall keep the Municipality/Municipal Corporation indemnified against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon, the Municipality/Municipal Corporation which might arise from the existence of such Advertising Device.

The applicant/licencee 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 Municipality/Municipal Corporation in respect of any such claim or claims.

11. Security Deposit:

- 11.1.** In case of Municipal Corporation/Municipality the application for permission shall also accompany a security deposit of such amount, as may be determined by the Board of Councillors, by order, which shall, if the advertisement is not erased, removed/revoked or taken down by the advertiser within seven days after the expiry of the time-period for erasure, removal or taken down of such advertisement, as mentioned in the declaration, be allowed to have been forfeited the money, and that money so forfeited shall be used by the Corporation for erasure, removal or taken down of the advertisement:
- 11.2.** Provided also that when the advertisement is erased, removed or taken down within seven days after the expiry of the time-frame in the declaration, the security deposit shall be refunded forthwith.

12. Insurance

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

- 12.1.** During the term and its sole cost and expense, the licensee shall obtain and keep (in full force and effect in the joint names of the licensee and Municipality/Municipal Corporation a public liability insurance policy for their respective rights, interest and liabilities to third parties in respect of accidental deaths of, or accidentally bodily injury to, persons, or accident damage to property.
- 12.2.** The public liability policy of insurance shall be for an amount as specified by Municipality/Municipal Corporation for any single event (for such higher amount may be notified in writing by the Municipality/Municipal Corporation from time to time) and shall be affected with and insurer approved in writing. The public liability policy of insurance shall include a clause in which the insurer agrees to waive the rights of subrogation or action that it may have or acquire against all or any of the persons comprising the insured.
- 12.3.** The licence shall produce evidence to the satisfaction of the Municipality/Municipal Corporation of the insurance affected and maintained by the licensee for the purpose of the second paragraph above, within seven days of receiving a written request to do so from the Municipality/Municipal Corporation.

13. Existing Advertising Signs

Advertising signs in existence and covered by a valid licence or permit issued by the Municipality or Municipal Corporation shall not require to be approved until such licence or permit has expired, provided it is maintained in good and safe condition.

For existing advertising signs, application shall be submitted through a structural engineer along with necessary drawings and structural calculations. The wind load taken in the design calculations shall be in accordance with Part 6 'Structural Design', Section 1 'Loads, Forces and Effects' of NBC 2016 or any other considerations as the Municipality or Municipal Corporation sees fit.

When a sign must be altered, information only on such plans and statements, as may be necessary, shall be included in the application. However, the changing of movable parts of an approved sign that is designed for such changes, shall not be deemed an alteration provided the conditions of the original approval and the requirements of this part are not violated.

14. Exemptions

No permit shall be required for signs and outdoor display structures of the following types:

- 14.1. If the signs are exhibited within the window of any building, provided it does not affect light and ventilation of the building.
- 14.2. If it relates to the trade or business carried on within the land or building upon which such advertisement is exhibited or to any sale, entertainment or meeting or lettering of such land or building or any effects therein; or to the trade or business carried on by the owner of any tramcar, omnibus or other vehicle upon which such advertisements is exhibited, provided it is not more than 1.2 m².
- 14.3. In addition, no permit shall be required for wall signs, temporary signs and ground signs as specified in Part 10 'Landscape Development, Signs and Outdoor Display Structures', Section 2 'Signs and Outdoor Display Structures' of NBC 2016 and IRC 46: 2022. Such exemptions, however, shall not be construed to relieve the owner of the hoarding/signage from the responsibility of erection and maintenance in compliance with these regulations.

The conditions for setting up and removal of temporary Advertisement or Hoardings should be as per the IRC 46: 2022 Guidelines. However, such temporary Advertisement or Hoardings shall not obstruct any permanent Advertisement or Hoardings.

Notwithstanding anything contained in this section or elsewhere in this Policy or in any other law for the time being in force, non-commercial advertisement or advertisement related to public interest may, with the consent, in writing, of the owner or the authority, be erected, exhibited, fixed or retained upon or over any land, building, wall, hoarding, frame, post, kiosk or structure, or displayed to public view in any manner whatsoever:

Provided that no permission of the Chairman/Commissioner shall be required for erecting, exhibiting, fixing or retaining upon or over any land, building, wall, hoarding, frame, post, kiosk or structure, or displaying any advertisement, under this sub-section:

Provided further that no non-commercial advertisement, other than the advertisement related to public interest, shall be erected, exhibited, fixed or retained on -

14.3.1. the surface of any solid wall, or on any other permanent structure, including the terrace, in such manner which shall cover, even partially, any door, window, ventilation shaft, chimney, air conditioner, balcony or any other portion of the building covered with iron grill;

14.3.2. the building or fence or any educational institution or hospital.

14.3.3. the building used for religious purposes;

14.3.4. the gate or exit requirement of any building;

14.3.5. the electrical installation, like transformer, lamp post, switchgear box, meter room;

14.3.6. the water supply installation, like pump house, pump, water main, boosting station or machinery, water tank or water reservoir;

14.3.7. The portion of any public transport; the buildings or structures owned by the Central Government, State Government or any local authority, or on any heritage building;

14.3.8. the public street which may block the flow of pedestrians or traffic.

14.4. Explanation. - In this Section-

14.4.1. The words "non-commercial advertisement" mean the advertisement which is related to the campaign of any political party, or an independent candidate, to an election, or any campaign of any mass organization;

14.4.2. The words 'advertisement related to public interest' mean the advertisement which is related to promoting public health, preservation and conservation of environment, literacy campaign, fire protection, awareness of traffic rules, communal harmony, displayed by the Government, or any registered non-

Government organization, or any political party. or any mass organization, but shall not include the displaying of advertisement, in any manner whatsoever, for the purposes of-

14.4.2.1. selling or buying goods, real estates, services, concepts in lieu of financial or any other consideration; or

14.4.2.2. entertainment or recreational program, or

14.4.2.3. setting up any marketing chain or network; or

14.4.2.4. admission in any tutorial, academy, training center, commercial school, commercial college, or in any other organization which imparts, or shall impart, any education, including technical education, in lieu of financial or any other consideration; or

14.4.2.5. recruitment of personnel through any private agency;

14.4.3. the words 'mass organization' includes any registered trade union, organized workers' organization, teachers' organization, youth organization, women organization, peasants' organization, students' organization, pensioners' organization, traders' organization, unorganized workers' organization;

14.4.4. the words 'political party' shall mean a political party as defined in clause (f) of section 2 of the Representation of the People Act, 1951 (43 of 1951).

15. Expiry/Lapse & Renewal of Permit

Applicant shall erect, alter or maintain a sign after obtaining a permit for the same from the Municipality or Municipal Corporation which shall be subject to the following conditions:

15.1. Written permit shall not be granted or renewed at any one time, for a period not exceeding **three years** from the date of grant of such permit or renewal.

15.2. Written permit or the renewal granted by the Municipality or Municipal Corporation shall become void,

15.2.1. if any sign or the part thereof collapses due to an accident or any other causes;

15.2.2. if any addition is made except for the purpose of making it secure under the direction of the Municipality or Municipal Corporation;

15.2.3. if any change is made in the sign or part thereof;

15.2.4. if any addition or alteration is made to the building or structure upon or over which the sign is erected and if such addition or alteration involves disturbance of the sign or any part thereof; or

15.2.5. if the building or structure upon or over which the sign is erected fixed or restrained becomes demolished or destroyed.

15.3. If any advertising sign approved is not erected within six month from the date of notification of such approval or within a time specified in such approval or any further period which the Municipality/Municipal Corporation on good cause shown allows in writing, the approval lapses, where after a new application must be submitted.

16. Withdrawal and amendment of approval

16.1. The Municipality or Municipal Corporation may, after having considered any representations, withdraw an approval granted or amend any condition or impose a further condition in respect of such approval if, in the opinion of the Municipality or Municipal Corporation, the advertising sign concerned has any of the following criteria:

16.1.1. change to the nature of the environment of the amenity of the neighborhood, streetscape or urban design existing at the time of such approval become detrimental to the area in which it is located by reason of its size, intensity of illumination, quality of design, workmanship, material or its existence.

16.1.2. constitutes, or has become a danger to any person or property

16.1.3. is obscuring any other advertising sign, natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance or

16.1.4. is or has become prohibited in terms of any of the conditions mentioned in this policy or any other law,

16.2. Prior to taking any decision in terms of the above clause the Municipality or Municipal Corporation must in writing notify the owner of the advertising sign concerned of its proposed decision and that he or she may within 21 days of the receipt of the notice make written representations concerning the proposed decision.

16.3. The owner of the advertising sign concerned and if applicable the property concerned must forthwith be given notice in writing of any decision

16.4. The Municipality or Municipal Corporation must provide written reasons for its decision on receipt of a written request as contemplated.

17. Categories of Advertisement/Signage/Hoarding:

- 17.1. **Category 1:** Large-format advertisements, mainly fixed on billboards/unipoles and bridge/ flyover panels etc. on Government Land;
- 17.2. **Category 2:** Advertisements mounted on public amenities, like Bus stops, public toilets, garbage collection bins, electric/BSNL poles/posts etc.;
- 17.3. **Category 3:** Fleets and transport related infrastructure;
- 17.4. **Category 4:** Advertisements located in or above private houses by the advertisement agencies, private boundary walls etc.;
- 17.5. **Category 5:** Advertisement devices for self-advertising in commercial areas or shops, hotels, institutions.
- 17.6. Any other Category as the Municipality/Corporation thinks fit.

18. Types of Advertisement/Signage/Hoarding

- 18.1. **Abandoned advertisement hoarding** - means one which does not have a valid renewal permission or one which has not changed the advertisement panel, whether vinyl, translite, etc for a period of thirty days excluding administrative delay, if any, after the lapse of the permission. It will also include hoardings of agencies whose licence to advertise has lapsed and is rejected by the Commissioner.
- 18.2. **Awning Advertisement** - means signage material stretched on a frame used as a shading device.
- 18.3. **Back-Lit Advertisement Hoarding** - means an advertisement hoarding of printed vinyl sheet mounted in front of electrical lamps in a manner that the advertisement is illuminated from behind.
- 18.4. **Banner advertisement** - means a piece of cloth or any other flexible material, which contains some advertisement or announcement or written matter for display in public place to attract public attention.
- 18.5. **Building Wrap advertisement** - means an advertisement displayed on any building frontage using a vinyl or flex printed material usually stretched across the building frontage or on the scaffolding of a building under construction or repair or by sticking or fixing it to a glass frontage or window.
- 18.6. **Bus Shelter advertisement** - means an advertisement displayed on the structure of a bus shelter including translites, vinyl's or such other displays.

- 18.7. **Canopy Advertisement** – means signage material on a shaded projection with supports over a building entrance as permitted by the Municipality/Corporation
- 18.8. **Cable Advertisement** - means Advertisements shown via various Television Cable Networks within the Municipal limits.
- 18.9. **Commercial Hoardings** - means Hoardings erected by advertising agencies to display advertisement on a commercial basis.
- 18.10. **Composite advertisement hoarding** - are hoardings that combine features of different kinds of hoardings such as a non-illuminated or an illuminated hoarding with partially integrated neon features. Such hoardings may be permitted by the Commissioner after he is satisfied that the construction and safety standards are adequately complied with to meet norms for public safety in public places.
- 18.11. **Direction Boards** - means Boards put up by private/commercial establishments to indicate direction to their offices or commercial outlets, etc. for general public
- 18.12. **Electronic Display** - means electronically operated advertisement display fixed on a structure. The display is obtained by the operation of an electronic or electrical device such as neon lights, LED or LCD Display, etc.
- 18.13. **Foot Over Bridge Advertisement** - means Advertisement displayed on pedestrian foot-over bridges and on either side.
- 18.14. **Glow Sign Box advertisement** - means an advertisement displayed on a transparent or translucent sheet of any plastic material mounted on a metal sheet box, illuminated from behind using electrical lamps. Glow sign advertisements may be further classified as:
- 18.14.1. **Fixed Glow Sign advertisement:** An advertisement on a transparent or translucent plastic material that is fixed onto a metal box and illuminated from the back.
- 18.14.2. **Mechanically Operated Glow Sign advertisement:** A fixed glow sign displaying an advertisement on two or more surfaces but which is capable of rotating in a horizontal plane.
- 18.15. **Gantry advertisement** - means advertisement affixed on a gantry erected across a road and usually fabricated of metal section pillars fixed on either side of a road with a beam shaped section connecting the top of the pillars across the road with the advertisement on the face opposite to the direction of traffic

- 18.16. **Hoarding advertisement** - means any surface of a structure erected on ground or any portion of a roof, wall of a building or on or above the parapet, with character, letters or illustrations applied thereto and displayed in any manner whatsoever, out of doors, for purpose of advertising or to give information with a view to attract the public to any place, persons, public performance, articles of merchandise, etc.
- 18.17. **Illuminated Advertisement Hoarding** - means an advertisement hoarding with electrical lamps, which can be switched on at night to enable the advertisement to be illuminated making it visible even after sunset.
- 18.18. **Inflatable Advertisement Displays** - means a helium gas filled balloon or blimp lighter than air either as a three-dimensional display usually in the shape of a product, trademark, logo, etc a balloon with a printed advertisement floated in the air anchored with a rope or cable.
- 18.19. **Kiosks Advertisement**- means displaying ads on interactive stands in public places utilizing public digital billboards, they show messages and services to people in a convenient way.
- 18.20. **Marquee Advertisement**- means moving signboard it displays messages, ads, or announcements in a scrolling manner, often seen in theaters, malls, or important events which can be non-illuminated or illuminated.
- 18.21. **Mobile / Portable Advertisement Display** -means a double or single sided hoarding or panel mounted on or behind a vehicle in a manner that it can be driven around or parked at strategic locations for a better display of the advertisement.
- 18.22. **Neon Advertisement Hoarding** - means an advertisement hoarding with neon lamps/bulbs/lights which can be switched on at night time only. These may flash or appear in a synchronized manner in one or more different colors.
- 18.23. **Non-Illuminated Advertisement Hoarding** - means an advertisement hoarding which is not lit up through an external source of light directed towards it.
- 18.24. **Outdoor Advertising** - means advertisement displayed in the outdoor environment sometimes referred to as Out of Home Advertisements.
- 18.25. **Pole Ads (Uni-Pole/Monopole Advertisement Hoarding)** - Means a traditional advertisement hoarding where the support structure is usually a single steel pipe on which the hoarding is then erected instead of the traditional multi-pole support.
- 18.26. **Poster**- Means sheet of paper or any other material used to advertise something for display in a public place, usually by sticking the same on a flat surface such as a wall, compound, parapet, hoarding, etc.

- 18.27. **Police Kiosks Advertisement-** means advertisement affixed on the roof of a Traffic Police Kiosk at or near a traffic signal including illuminated glow signs comprising several faces (hexagonal, octagonal etc.)
- 18.28. **Public Convenience Advertisement** - means advertisement displayed on any Public Convenience building or structure such as a public toilet, Bus Shelter, Etc.,
- 18.29. **Road Medians Advertisement** -means advertisements affixed on the medians of public roads.
- 18.30. **Roof Advertisement Sign-** means promotional display mounted on the top surface of a building's roof. It's visible from a distance, promoting businesses, products, or services.
- 18.31. **Scroller Display Advertisement-** means a box type display with rollers for scrolling a display of looped printed sheet displaying an advertisement. This may be either non-illuminated or illuminated.
- 18.32. **Self-Advertisement** means a name board whether illuminated or non-illuminated displaying only the name and address of any commercial business or social activity that is being carried out in the same premises.
- 18.33. **Slides and Short Films** - means advertisement slides and advertisement films shown in movie theatres, Cricket indoor stadium Railway Station and Bus Stands.
- 18.34. **Shop Front Advertisements** means an advertisement either illuminated or non-illuminated displayed in front of any premises referring to any commercial or business activity carried on within the same premises such as brand names of goods sold, type of services rendered, etc.
- 18.35. **Shop Front Bulk Commercial Advertising** -means advertisement put up by various commercial establishments in front of retail outlets mentioning brand names or displaying a product or product name or such other retail advertisement along with the name and address of that retail outlet.
- 18.36. **Street Furniture Advertisement** - means advertisement displayed on public utility structures such as benches, dustbins, railings, etc.
- 18.37. **Tri-Vision Advertisement" (or 'Tri-Ad')** - means an advertisement hoarding that uses rotating triangular panels in a synchronized manner such that the three faces of the triangular section are seen one after the other displaying three different advertising messages. These could be illuminated or non-illuminated.
- 18.38. **Temporary Arch Advertisement** - means advertisement on temporary structure erected across the road on specific occasions like welcoming visiting

dignitaries or for display of advertisement by shops and establishments for sales promotion on or near their premises, the display not exceeding three days.

- 18.39. **Temporary Hoardings Advertisements** - means temporary hoarding for advertisements erected to greet a personality or advertise an event such as a political meeting, festival gathering, educational meet, sports meet or other public related non-profit functions, for a period not extending beyond three days and, in exceptional uses, to one month. These shall not be permitted to be erected in any manner that includes making of holes on roads or foot paths.
- 18.40. **Temporary Pole Advertisement** – Flags means temporary advertisements on poles erected on the foot-path attached to the foot-path railing with a flag like display of advertisement on top not measuring more than 1 meter by 1.5 meter.
- 18.41. **Traffic Signage Advertisement** - means advertisement displayed along with a 'Traffic Signs' in the city either below the traffic sign or behind but erected on the same signpost.
- 18.42. **Transmission Towers Advertisement** - means advertisement displayed on the transmission towers of various mobile phone companies erected within the city limits.
- 18.43. **Uni-Pole/Monopole Advertisement Hoarding** - Means a traditional advertisement hoarding where the support structure is usually a single steel pipe on which the hoarding is then erected instead of the traditional multi-pole support.
- 18.44. **Vehicle Advertisement**- involves placing promotional messages, logos, or graphics on vehicles like cars, buses, or trucks. It turns vehicles into moving billboards, promoting brands, products, or services to the public.
- 18.45. **Vinyl or Flex Advertisement**- means a vinyl sheet stretched across the surface of a hoarding displaying an advertisement which may be computer or hand printed.
- 18.46. **Wall Painting Advertisement** - means an advertisement displayed by painting it directly on the wall or structure of a building or any civil structure.
- 18.47. **Window Advertisement**- means an advertisement for a product or service offered by the commercial establishment displaying such an advertisement in the window of his premises in a manner that make it visible from outside. These may be illuminated (including translites) and may be either static or moving mechanically.

19. Categorization of the Zone of Advertisement:

For the purpose of regulating the location and display of advertisement hoardings in the Municipality or Municipal Corporation, the said area shall be classified into Zones with

clean demarcation for each Zone, which shall respectively be Zones A, B, C, D etc. For each of these Zones, the conditions for allowing permission for Advertisement may be prescribed along with the number of Hoardings permissible on each Road in a particular Zone.

20. No Hoarding Zones

There shall be few No Hoarding Zones in the Urban Area where all kind of Private as Well as Government Advertisement is strictly prohibited. The Municipality/ Municipal Corporation reserves all rights to declare any street/area/locality as No Hoarding Zone.

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:

- 20.1. National Parks, district forests and water bodies in it.
- 20.2. Historical monuments, cremation grounds, graveyards and ruins.
- 20.3. World Heritage Sites/Buildings/Precincts
- 20.4. Areas classified as remnant endangered regional ecosystems.
- 20.5. All religious places, like Temples, Mosque, Church and Gurudwara etc.

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

21. Levy and Assessment of Fee

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

- 21.1. In the form of a Licence fee levied from individual applicants
- 21.2. As bid variable in case of advertisements rights granted through the tendering process on Municipal/Govt. Land.

Every person, who exhibits, fixes or retains upon or over any land, building, wall, hoarding, frame, post, kiosk or structure any advertisement, or displays any advertisement to public view in any manner whatsoever, visible from a public street or public place (including any advertisement exhibited by means of cinematograph), shall pay for every advertisement, which is so erected, exhibited, fixed or retained or displayed to public view, a Licence fee calculated at such rate as the Board of Councilors/ Corporation may determine by rules and regulations

[Provided that the minimum such rate shall be, -]

<i>(a) in the case of posters.</i>	<i>rupee one per square meter per month;</i>
<i>(b) in the case of non-illuminated advertisements,</i>	<i>rupees one hundred per square meter per year;</i>
<i>(c) in the case of illuminated advertisements,</i>	<i>rupees two hundred per square meter per year;</i>
<i>d) in the case of others, the rate which the State Government may determine from time to time;</i>	

For assessment of Advertisement Licence Fee to optimum level, the Municipality/Municipal Corporation shall with previous sanction of the State Government declare the rates of Licence Fee depending on the type of Advertisement for each of these Zones within the limits of the Municipality/Municipal Corporation. For the calculation of licence fee the advertisement zones are to be earmarked and delineated based on area or road with the type of advertisement as defined in section 17 of the policy and the rate is to be affixed accordingly as per appropriate provision of the Acts. (An illustration of the table of the same is provided in Annexure 1).

Provided further that a surcharge, not exceeding fifty per cent of the rate applicable to any case, may be imposed on any advertisement on display in temporary fairs, exhibitions, sports events or cultural or social programs.

Notwithstanding anything contained herein above no Licence fee shall be levied under this section on any advertisement which -

21.2.1. relates to 'non-commercial advertisement' or 'advertisement related to public interest' as defined in the Exemption Section

21.2.2. is exhibited within the window of any building, if the advertisement relates to any trade, profession or business carried on in that building; or

21.2.3. relates to any trade, profession or business carried on within the land or the building upon or over which such advertisement is exhibited or to any sale or letting of such land or building or any effects therein or to any sale, entertainment or meeting to be held on or upon or in the Same: or

21.2.4. relates to the name of the land or the building upon or over which the advertisement is exhibited or to the name of the owner or the occupier of such land or building, or

21.2.5. relates to the business of a railway administration and is exhibited within any railway station or upon any wall or other property of a railway administration; or

21.2.6. relates to any activity of in aid of the Government or a Municipality/ Municipal Corporation.

The Licence fee on any advertisement leviable under this section shall be payable in advance in such number of installments and in such manner as the Board of Councilors/Municipal Corporation may by regulations determine:

Provided that the Board of Councilors/Municipal Corporation may, under the terms and conditions of a licence, require the licence to collect and pay to the Municipality/Municipal Corporation, subject to a deduction, not exceeding ten per cent, to be kept by him as collection charges, the amount of Licence fee in respect of such advertisements as are displayed on any site for which he is the licensee.

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

- 22.1. Advertising Devices shall not use shapes that could potentially result in an Advertising device being mistaken for an official traffic sign. Any Sign that constitutes a traffic hazard is prohibited.
- 22.2. The Code of Practice for Road Signs **IRC: 67-2012**, by Indian Roads Congress prescribes basic design parameters of official traffic signs and includes standard legend/background colour combinations. **The IRC Guidelines for Roadside Advertisement and Hoardings, IRC 46:2022 should also be referred.**
- 22.3. 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,
- 22.4. All lighting associated with the Advertising Device shall be directed solely on the Advertising Device and its immediate surrounds.
- 22.5. External illumination sources shall be shielded to ensure that external 'spot' light sources are not directed at approaching motorists.
- 22.6. Illumination of advertising device is to be concealed or be integral part of it.
- 22.7. 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.
- 22.8. Any light source shall be shielded so that glare does not extend beyond the Advertising Device.
- 22.9. Average maintained luminance shall be reduced to 0.5 candela or all together shut, after 2300 hours (11pm) and sunrise by automatic timing device.

- 22.10. Non-static illuminated Advertising Devices (flashing lights) are not permitted within the boundaries of municipal roads.
- 22.11. Moving, rotating or variable message Advertising Devices are not permitted within the boundaries of ULB controlled roads as these cause a statistically significant distractive influence on motorist's response times to external stimuli which may lead to vehicular accident. But this permission criterion does not 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.
- 22.12. Advertisements erected in the set back of property shall not obstruct the free movement of people in the setback area. Further, the Advertisements in setback area should not project on to the foot path or neighboring properties.
- 22.13. In order to promote the use of non-conventional energy sources, such as solar energy, illuminated hoardings using solar energy will be given preference for sanction.

23. 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 Prohibited Advertisements) or that otherwise causes a traffic hazard.

24. Unsafe and Unlawful Signs

When any sign becomes insecure, or in danger of falling, or otherwise unsafe, or if any sign is unlawfully installed, erected or maintained in violation of any of the provisions as laid down by the Municipality or Municipal Corporation, the owner thereof, or the person or firm maintaining the same, shall upon written notice of the Municipality or Municipal Corporation, forthwith in the case of immediate danger and in any case within not more than three days, make such sign conform to the provisions as will be instructed by the Municipality or Municipal Corporation or remove it. If within three days the order is not complied with, the Municipality or Municipal Corporation may remove such sign at the expense of the owner.

Notwithstanding the above, it shall be the responsibility of the Licencee/Owner/Occupier to ensure the safety of the advertising signs, even without a reference from the

Municipality or Municipal Corporation. The owner shall also ensure to remove the remnant structures of the abandoned sign.

List of Prohibited/ Unlawful Advertisement

- 24.1. Racial advertisements or advertisements propagating caste, community or ethnic differences
- 24.2. Advertisement promoting drugs, alcohol, cigarette or tobacco items
- 24.3. Advertisements propagating exploitation of women or child
- 24.4. Advertisement having sexual overtone or nudity
- 24.5. Advertisement depicting cruelty to animals
- 24.6. Advertisement depicting any nation or institution in poor light
- 24.7. Advertisement banned by the Advertisement Council of India or by law
- 24.8. Advertisement glorifying violence
- 24.9. Destructive devices and explosives depicting items
- 24.10. Lottery tickets, sweepstakes entries and slot machines related advertisements
- 24.11. Any psychedelic, laser or moving displays
- 24.12. Advertisement of Weapons and related items (such as firearms, firearm parts and magazines Ammunition etc.)
- 24.13. Advertisements which may be defamatory, trade libelous, unlawfully threatening or unlawfully harassing
- 24.14. Advertisements which may be obscene or depicts nudity (male/female) or contain pornography or contain an "indecent representation of women" within the meaning of the Indecent Representation of Women (Prohibition) Act, 1986.
- 24.15. 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;
- 24.16. Any other items/advertisement considered inappropriate by the ULB Corporation or the Government of West Bengal.

Any sign which in the opinion of the Municipality or Municipal Corporation is an obscene, repulsive, revolting, or objectionable character; or prejudicial to the Municipality or Municipal Corporation; or savoring undesirable political propaganda; or of a nature calculated to produce pernicious or injurious effect on public or any particular class of persons; or is displayed in such a place, in such a manner or by any such means as, in the opinion of the Municipality or Municipal Corporation, could be likely to affect injuriously the amenities of, or to disfigure any neighborhood, shall not be permitted under any circumstances.

25. Conditions for fixation of advertisement/Signage/Hoarding etc:

25.1. Location

- 25.1.1. Any Advertisement which will cause obstruction or interference with the visibility of approaching, merging or intersecting traffic.
- 25.1.2. A signage shall not be placed/ installed in any form, shape or manner that it obstructs a means of egress, nor be placed in such manner as to interfere with any opening required for lighting and ventilation. Light and ventilation of buildings, if any, situated near the signs and hoardings, shall also not be obstructed in any way.
- 25.1.3. No Advertisements shall be permitted on or around buildings of archaeological, historical or heritage importance or which may obstruct the view of the building.
- 25.1.4. No Advertisement shall be permitted on a building where action under the West Bengal Municipal Act, 1993 or the West Bengal Municipal Corporation Act, 2006 or the West Bengal Town and Country (Planning and Development) Act, 1979 is pending either in the Municipality/Corporation or in any Court of Law or the Owner of the Building has been issued with a Stop Work Notice.
- 25.1.5. No Advertisement shall be permitted on a building which has been declared dangerous (partly or fully).
- 25.1.6. No signage shall be provided in/over residential buildings.
- 25.1.7. No advertisement shall be permitted on a building which has no occupation certificate.
- 25.1.8. Advertising signage or outdoor display structures shall not be permitted on buildings of architectural, aesthetical, historical or heritage importance as may be decided by the Municipality or Municipal Corporation, or on government

buildings. In case of government buildings, only such advertising signages or outdoor display structures may be permitted that relate to the activities of the said buildings and related programs. Signage shall be erected in a manner that it does not confuse or obstruct the view of or interfere with exit/entry signs or with official traffic signs, signals or devices.

25.1.9. Hoarding sign on the highways/roads/flyovers shall not be put without the permission of the Municipality or Municipal Corporation maintaining/in-charge of highways/roads/flyovers.

25.1.10. No Advertisement shall be permitted if the same is likely to affect any local amenity or facility.

25.1.11. No advertisement shall be permitted which will obstruct the path of pedestrians or obstruct their visibility.

25.1.12. Signs shall not be nailed or tied to trees or any other woody vegetation.

25.1.13. No advertisement hoarding shall:-

25.1.13.1. project beyond the general line of the building or property into the street, for which a building or property line has been prescribed; or

25.1.13.2. Be within 10 meters measured on the roads where any public park or pleasure promenade are located.

25.1.13.3. Obstruct the opening and closing of any window / door of residential building / commercial establishment.

25.1.13.4. Be within 3.5 meters from an uncovered electrical transformer or an un insulated electrical wire.

25.1.13.5. Be in an ecologically sensitive region or within a distance of 500 meters of High Tide Line.

25.1.14. No advertisement hoardings, shall as a general rule, be allowed to be put up within or abutting on public parks and gardens, flyover unless it is a signage that is specifically permitted for a purpose and/or period by the Municipality/Municipal Corporation.

25.2. Structural Safety

25.2.1. Every signage along with its supports shall be designed to safely withstand wind, dead, seismic and other loads as specified in Part 6 'Structural Design', Section 1 'Loads, Forces and Effects' of NBC 2016. For advertising signs,

application shall be submitted through a structural engineer along with necessary drawings and structural calculations.

25.3. Fonts, Size, Placement, Illumination, Tactility and Material of Signage

25.3.1. Well illuminated, clear and readable signages shall be placed at an appropriate and consistent height. They shall be designed, located and illuminated in accordance with Part 10 'Landscape Development, Signs and Outdoor Display Structures', Section 2 'Signs and Outdoor Display Structures' of NBC 2016 and IRC 46: 2022.

25.3.2. In case of public buildings and group housing, signage for the persons with disabilities at all level/grade changes, entry points to buildings and public conveniences and facilities; including braille and tactile signage used for the benefit of the visually impaired; shall be designed, located and illuminated as per provisions given in Part 3 'Development Control Rules and General Building Requirements' of NBC 2016. In addition, information with text may be supplemented with graphical symbols to facilitate comprehension for everyone.

25.3.3. The signages shall be made of robust materials and be easy to change, clean and repair. Signs and sign support structures, together with their supports, braces, and anchors, shall be maintained at all times. Display surface of the same shall always be kept neatly painted or posted. They shall be maintained and inspected in accordance with Part 10 'Landscape Development, Signs and Outdoor Display Structures', Section 2 'Signs and Outdoor Display Structures' of NBC 2016.

25.3.4. The sign boards should be non-reflective such that they do not flash or glare at drivers on the streets. They should not use reflective surfaces as mirror foils as the use of such material is visually disruptive to traffic and can be hazardous to drivers.

25.3.5. The Plastic Management Rules and Policy of the State is to be followed.

26. In the public interest, the Municipality or Municipal Corporation shall have the right to suspend the permit even before the expiry period, upon which the applicant shall remove the signs. The Municipality/Corporation can make detailed regulations in this respect based on Code of Practice for Road Signs IRC: 67-2012, Part 10 'Landscape Development, Signs and Outdoor Display Structures', Section 2 'Signs and Outdoor Display Structures' of NBC 2016, Part 6 'Structural Design', Section 1 'Loads, Forces and Effects' of NBC 2016 and MoRT&H Codal Provisions and Guidelines like IRC 46: 2022.

27. Role of BOC in Safety of Advertisement:

The BOC shall look into the aspect of the safety of the advertisement board, unipole, angle of the advertisement, height, size, illumination etc before installation of new billboard, unipole etc.

In considering an application, the BCC must, in addition to any other legislation, policy and by-laws of the Municipality/ Municipal Corporation, have due regard to the following:

- 27.1. The compatibility of the proposed advertising sign with the environment and with the amenity of the immediate neighborhood, urban design and streetscape.
- 27.2. Whether the proposed advertising sign will-
 - 27.2.1. have a negative visual impact on any property zoned or used for residential purposes under any applicable town-planning scheme; or
 - 27.2.2. constitute a danger to any person or property or to motorists or pedestrians or obstruct vehicular or pedestrian traffic
 - 27.2.3. in any way impair the visibility of any road traffic sign
 - 27.2.4. obscure any existing and legally erected advertising sign;
 - 27.2.5. obscure any feature which in the opinion of the Municipality/Municipal Corporation is a natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance or
 - 27.2.6. in the opinion of the Municipality/Municipal Corporation be unsightly or objectionable or detrimentally impact on the architectural design of any building on the property concerned or any adjacent property
- 27.3. any restrictive or other condition and any existing building line and servitude specified in a title deed, town planning scheme, conditions of establishment or any other law
- 27.4. any written representations, objections and comments received from any interested party and
- 27.5. any conflict with provisions of these by-laws

There shall be advertisement boards of same size, same height, same dimension and same color (specified by the Municipality/ Municipal Corporation) at one location/ area so as to ensure uniformity, similarity and aesthetic beauty to the area. The BCC shall reserve all the rights to alter the dimensions, height, illumination, structure of any billboard, unipole at any time as per the necessity.

After the recommendation of this BCC of the Municipality/ Municipal Corporation shall give permission/ licence for the said installation.

27.6. **Display of Digital Screen** at various locations shall also be promoted. One-time fees as determined by the Municipality/ Municipal Corporation shall be imposed only at the time of permission of installation. However, the Agency/Company shall have to take prior approval of the location where such digital display screen shall be installed by that Agency/company/installation

27.7. **Prohibition of advertisements painted on the exteriors of Government/Private Boundary Walls/Compound walls:** - All the paintings of advertisements on the exteriors of boundary walls of private buildings are prohibited and the Municipality/ Municipal Corporation shall paint any such painted advertisement in plain white paint to remove such advertisements. However, the Municipality/ Municipal Corporation shall promote decorative, aesthetic designs, messages and sculptures on the exteriors of all the boundary walls of the Government buildings.

27.8. **Advertisements of a Political/Cultural/religious nature:** put by a political party/socio-cultural religious organization etc. on some occasions such as the arrival of VIPs, some ceremony etc. such advertisement shall be allowed three days before and after the said event. After that the authorities of the Municipality/ Municipal Corporation shall forcibly remove such unattended political hoardings advertisements. No charges/tax will be levied by the Municipality/ Municipal Corporation for this purpose. However, such advertisements/hoardings shall not be allowed in the No Hoarding Zones. No Political/religious Hoarding/ Advertisement shall be allowed in the premises of any Government Institution.

28. Penal Provisions

Whoever contravenes the provisions of this Policy shall be guilty of an offence and shall, on conviction, be punished with imprisonment for a term which may extend to six months and with fine not exceeding fifty thousand rupees:

Provided that if such contravention is made for the benefit of any political party, or a mass organization, or an independent candidate then such other persons and every president, chairman, director, partner, manager, secretary, agent or any other person, who was in charge of, and was responsible to, such political party or mass organization or independent candidate shall also be deemed to be guilty of the offence and shall be liable to be proceeded and punished accordingly:

Provided further that nothing contained in this sub-section shall render such other person, president, chairman, director, partner, manager, secretary, agent or any other person who was in charge of, and was responsible to, such political party or mass organization or independent candidate, liable to any punishment under this sub-section, if he proves that the offence was committed without his knowledge or that he had exercised due diligence to prevent the commission of such offence.

If any person erects, exhibits, fixes or retains any advertisement referred to in this Chapter without paying the tax due, he shall be punished with fine to be imposed by the Chair-in-council/Commissioner which-

28.1.1. may extend to an amount equal to three times the amount payable as such tax, and

28.1.2. shall not ordinarily be less than an amount equal to one and a half times such tax:

Provided that such fine shall be recovered from such person or persons as the Chairman/Commissioner may adjudge responsible for not paying the licence fee.

If any advertisement is erected, exhibited, fixed or retained in contravention of the provisions of this Policy or the regulations made thereunder, the Chairman/Commissioner may require the owner or the occupier of the land, building, wall, hoarding, frame, post, kiosk or structure upon or over which the same is erected, exhibited, fixed or retained, to take down or remove such advertisement or may enter any land, building or property and cause the advertisement to be dismantled, taken down, removed, spoiled, defaced or screened.

Provided that the Executive Officer/Commissioner may cancel or revoke the certificate of enlistment for profession, trade and calling issued under the provision of this Policy if the licensee acts in contravention of any of the provisions contained in this chapter or licence:

Provided further that no order shall be made under the provision of this section without affording a reasonable opportunity of being heard.

Explanation I-The word "structure" in this Chapter includes any movable board on wheels used as an advertisement or advertisement medium.

Explanation II-The word "advertisement", in relation to a tax on advertisement under this Act, shall mean any word, letter, model, sign, sky-sign, placard, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or in part for the purposes of, advertisement, announcement or direction.

29. Removal of Difficulty:

The Municipality or Municipal Corporation reserves all the rights to modify any of the provisions of the said policy at any point of time in the public interest.

The respective ULBs can frame regulations w.r.t. the Policy.

30. Interpretation of the Policy:

The Urban Development & Municipal Affairs Department, Government of West Bengal will issue further Guidelines and instructions for smooth implementation of this policy. Doubt relating to interpretation of any terms and/or any dispute relating to implementation of the policy shall be referred to the Urban Development & Municipal Affairs Department for clarification and the decision of the Government in this regard shall be final and binding on all concerned.

31. Jurisdiction:

All disputes shall be subject to the jurisdiction of the High Court of West Bengal only.

32. ANNEXURE 1

Sl. No.	Advertisement Zones	Earmarking and Delineation of Area/Road	Type of Advertisement	Rate (Per Sq. Feet per year) in Rs.	
				<100 Sq. ft.	>100 sq ft.
1	Zone A	Entire East	1.		
			2.		
			3.		
2	Zone B	Entire West	1.		
			2.		
			3.		
3	Zone C	Entire North	1.		
			2.		
			3.		
4	Zone D	Entire South	1.		
			2.		
			3.		