

BRIHANMUMBAI MUNICIPAL CORPORATION
LICENCE DEPARTMENT

Circular

Sub: Modifications in prevailing policy of 2008 - Policy Guidelines on the grant of permission for display of sky-signs and outdoor advertisement under Section 328 & 328A of MMC Act 1888 as per the new policy guidelines published by the State Government on 29.04.2022.

Ref: 1. Policy Guidelines 2008 on the grant of permission for display of sky-signs and outdoor advertisement under Section 328 & 328A of MMC Act 1888.
2. The Greater Mumbai Municipal Corporation (Regulation and Control of the Display at Sky-Signs and Advertisement) guidelines-2022.

As per the High Court Order in PIL 155 of 2011, the Brihanmumbai Municipal Corporation intends to frame its own advertising policy in-line with the guidelines issued by the State Government. While the formulation of the policy is in progress, the Licence Department intends to implement the following modifications in the prevailing policy as per the "The Greater Mumbai Municipal Corporation (Regulation and Control of the Display at Sky-Signs and Advertisement) guidelines-2022" published by the State government until an exhaustive policy follows.

The clauses as elaborated below, are the Modifications in prevailing policy of 2008 - Policy Guidelines on the grant of permission for display of sky-signs and outdoor advertisement under Section 328 & 328A of MMC Act 1888 as per the new policy guidelines published by the State Government on 29.04.2022

Serial Number	Parameter	2008 Policy	Modifications to clauses.
1	Size	<i>Hoardings / Sky-signs on ground</i> <i>Part II (A) (1) (a)</i> <i>I) Hoardings on Ground</i> <i>(As modified in circular</i> <i>ref. no. SL/15 of 2008-09):</i> Zone H1 (A, B, C, D, E) : 10'x20, 20'x20' Zone H2 (F/S, F/N, G/S, G/N, H/E, H/W) : 10'x20, 20'x20', 30'x20' Zone H3 (K/W, K/E, P/S,	<i>Hoardings / Sky-signs on ground</i> Hoardings or sky-signs on ground across the city shall be allowed in the following sizes as well: 10'x10', 10'x15', 10'x20', 20'x10', 20'x20', 20'x30', 20'x40', 30'x10', 30'x20', 30'x30', 30'x40', 40'x20', 40'x30' and 40'x40' in vertical x horizontal manner.

		<p>P/N, R/S, R/N, R/C, L, M/E, M/W, N, S, T) : 10'x20, 20'x20', 30'x20', 40'x20'</p> <p><i>Hoardings on Terraces / Rooftops</i></p> <p>On Terrace, 60'x20' can be permitted, On expressways and highways irrespective of zone and on all roads more than 90 ft. , hoarding of 40'x40' may also be permitted.</p> <p>(Modified as per circular ref no. SL/2501/LAD dt. 09.05.2014) Thereby, no new hoarding are allowed on terrace / rooftop of the building).</p> <p><i>Compound Walls</i></p> <p>There was no provision for compound wall</p> <p><i>Hoardings on Embankment walls:</i></p> <p>The provisions for advertisement on embankment walls was inserted in Part – II(A)(8)(b).</p>	<p><i>Hoardings on Terraces / Rooftops</i></p> <p>1. The hoardings or sky-signs on terraces / roofs shall be subject to the outcome of Writ Petition No 2869/2014).</p> <p><i>Compound Walls of residential premises:</i></p> <p>1. Compound Wall: Maximum of 10'x40' in vertical x horizontal manner.</p> <p><i>Hoardings on Embankment walls / sides / pillars of flyovers / bridges / skywalks / foot-over bridges</i></p> <p>1. Size shall be restricted to the size of the walls / sides / pillars of the flyovers / bridges. 2. Skywalks & Foot-Over-Bridge: Maximum size of 10'x50' in vertical x</p>
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		<p>Advertisement on Embankment Walls/ Sides / Pillars of flyovers / bridges / sky-walks / foot-over-bridges. However, as per M.C's approval (MGC/F/1888 dt. 01.04.2020) this provision is discontinued.</p> <p>Kiosks</p> <p>Size of Kiosks as per guideline clause Part II (A) (1) (i)</p> <p>In order to bring standardization in sizes of advertisements, it will be incumbent upon all advertisers displaying on electric poles, etc., to maintain a standard size of 2'.5" x 3'.25" all over the city.</p> <p>Kiosk have been discontinued as per Hon'ble M.C's approval (MGC/F/9768 dt. 07.04.2016).</p>	<p>horizontal manner.</p> <p>Kiosks</p> <p>Advertisement by means of Kiosks can be allowed on electrical pole at the height of 14 ft from ground below it. Maximum size of 3' x 6' in horizontal x vertical manner.</p>
2	Height	<p>Maximum Height: Part II (A) (5) & Part II (A) (6)</p> <p>Hoardings on ground:</p> <p>When erected on the ground maximum height i.e. Top of the hoarding board shall not be more than 75ft from the surface of the ground below it including the bottom clearance.</p> <p>However, in case of flyovers</p>	<p>Maximum Height:</p> <p>No hoarding shall be permitted above 120 ft . height from the surface of the ground. The height of hoarding will be measured from surface of ground below the hoarding.</p>

		<p>having height more than 75ft tolerance upto 10ft may be given in exceptional cases.</p> <p>Bottom clearance:</p> <p>Hoarding on ground: 10 feet from ground below it.</p>	<p>Bottom Clearance:</p> <p>The lower bottom of the edge of all OOH shall not be less than at a height 12 feet from ground level except bottom clearance of Kiosk shall not be less than 14 feet.</p> <p>Skywalk & Foot-over-bridge: 3 feet from walking platform</p> <p>Compound Wall: 10 feet from ground below it.</p>
3	Minimum distance	<p>Minimum Distance: Part II (A) (7)</p> <p>New hoarding permissions will be granted on ground level provided the minimum distance between two hoardings on poles on the same side of the road/alignment shall be less than 100 meters, instead of 20 meters.</p>	<p>Minimum Distance</p> <p>1. The minimum distance between two large format of advertisement media i.e. any OOH of size larger than 10'x10' (greater than 100 sq. ft.), shall be 70 meters.</p> <p>Not Applicable on land/road/footpath/other properties of BMC for display of civic messages.</p> <p>Stationery Vehicles: 30 metres from any other OOH.</p> <p>Skywalks & Foot-over-bridge: 10 feet.</p>

<p style="text-align: center;">4</p>	<p style="text-align: center;">Advertisements other than business premises.</p>	<p>The following type of advertisements were permitted:</p> <ol style="list-style-type: none"> 1. Advertisement on Embankment Walls/ Sides / Pillars of flyovers / bridges / sky-walks / foot-over-bridges. However, as per M.C's approval (MGC/F/1888 dt. 01.04.2020) this provision is discontinued. 2. Hoarding on Terraces / Rooftops have been discontinued as per circular (SL/01/LAD dt. 09.05.2014) 3. Kiosk have been discontinued as per Hon'ble M.C's approval (MGC/F/9768 dt. 07.04.2016) 4. Cantilever is permitted as per recommendation of Committee formed by Hon'ble M.C (No. AMC/ES/5235 dt. 11.11.2019) <p>The following type of advertisements were not permitted:</p> <ol style="list-style-type: none"> 1. Advertisement of Bicycle/Tricycle. 	<p>The following type of advertisements shall also be permitted:</p> <ol style="list-style-type: none"> 1. Advertisement on Embankment Walls/ Sides / Pillars of flyovers / bridges / sky-walks / foot-over-bridges. 2. Hoarding on Terraces / Roofs shall be subject to outcome of Writ Petition 2869 of 2014. 3. Kiosks 4. Advertisement on Compound Walls of Residential Premises. 5. Drone / floating vessels on water allowed. <p>The following type of advertisements shall not be permitted henceforth:</p> <ol style="list-style-type: none"> 1. Cantilevers 2. Gantry 3. Advertisement on Bicycles/Tricycles.
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5	Advertisement on BMC Properties	<p>Hoardings On Corporation Properties:</p> <p>Commercial Advertisements: Part II (A) (17)(a)</p> <p>No hoardings shall be allowed on Corporation properties except by inviting tenders.</p>	<p>Hoardings On Corporation Properties:</p> <p>Commercial Advertisements:</p> <p>OOH advertisement media on Corporation properties shall be permitted by inviting e-tender/e-auction.</p> <p>Operation & Maintenance of Public Utilities in lieu of Advertisements: OOH Advertisement media shall be allowed in BMC owned public utilities in lieu of Operation and Maintenance for which no licence fees shall be chargeable. However, the contract shall be awarded by inviting e-tender or e-auction.</p>
6		<p>Part II (A) (15) Hoardings on the premises of other Public Authorities</p> <p>Advertisements on the premises of other Public Authorities were permitted after obtaining NOC from the concerned Public Authority.</p> <p>Revenue Sharing:</p> <p>1) MMRDA – 50:50(BMC) 2) MSRDC – 70:30(BMC)</p>	<p>1. No government or semi-government agency shall float any tender or allow / approve / permit display of outdoor advertisement without a prior written consent/NOC of the Corporation.</p> <p>2. Advertising agencies desirous of erecting any OOH advertisement media on the land or premises of other public authorities must obtain a valid permit from BMC.</p> <p>Revenue Sharing:</p> <p>1. Revenue Sharing between MMRDA/MSRDC and BMC shall be 50:50 in addition of the corresponding Licence</p>

		<i>(As per circular MGC/G/1870 dt. 28.08.2016)</i>	Fees payable as per the schedule of fees. 2. All other government / semi-government agencies shall be subject to Revenue Sharing as decided in concurrence with the BMC. 3. <i>As per GR MRD 3322/No.1386/New-7 dt. 30.09.2022, the roads transferred to BMC shall have 100% of the revenue.</i>
7	Display of Flags/Banners/Boards during Election Code of Conduct		During the Election Code of Conduct the permission for temporary banners / boards / flags will be granted as per the norms specified in the model code of conduct of Election Department / Election Commission.
8	Commercial Advertisements on Business Premises	There was no provision	1. Commercial Advertisements on Business Premises not related to Trade / Profession / Services rendered in the same premises shall be permitted. Maximum width & Height 10ft x 10ft Horizontal x Vertical

For compliance of the above-mentioned modifications to the prevailing policy of 2008, the following guidelines shall be adhered to:

1. Minimum Distance

1. The distance criteria shall be fulfilled in such a manner that the proposed OOH advertisement media does not obstruct the view of any other existing OOH advertisement media up to a distance of 70 meters.
2. This criterion shall not be applicable for any OOH advertisement media erected by BMC on land/road/footpath/other properties of BMC for display of civic messages.

3. This distance will be measured from outer edge of the hoarding.
4. If two hoardings where the distance is less than 70 metres and are facing two different directions on the same alignment of the road, then distance norm shall not be applicable.

2. Advertisements on other than Business Premises

Advertisement on Compound Walls of Residential Premises.

- New permission for Advertisements on compound wall of residential premises shall be allowed up to a maximum height of 10 ft and width of 40 ft.
- Advertisements / Hoarding structure above in line with the compound wall shall be permitted provided that the support structure is erected on the ground and affixed to the compound wall.
- Permission for only 1 advertisement structure in a residential premises shall be granted.
- The minimum height of the advertisement media from the ground below it shall be 10 feet.
- The minimum distance criteria of 70 m shall be applicable as per the modifications in the policy.
- Grant of permission shall be subject to submission of NOC from the land-owning authority / residential society / federation etc. and Structural Stability of the compound wall, as well as of the advertisement structure shall be submitted.
- The corresponding licence fee shall be as per the schedule of fees.

Advertisement on Embankment walls / sides / pillars of flyovers / bridges / skywalks / foot-over bridges

- New OOH advertisement media shall be permitted on the embankment of the wall / pillar / below the Flyover Bridge/ Foot over Bridge / Sky walk. Permission shall be granted subject to, Structural Stability Certificate of Flyover Bridge / Foot over bridge / Sky walk and hoarding board from land owning authority i.e., BMC / MMRDA / MSRDC / PWD, etc.
- Permission granted on the embankment of wall / pillar / below the Flyover Bridge / Foot over Bridge / Sky walks, if found violating the Policy Guidelines, the permission shall be revoked.
- Upon expiry of tender period the landowning authority shall not renew / extend or float new tender without prior approval from the corporation.

Kiosks

- Advertisement by means of Kiosk shall be allowed on electrical pole at the height of 14 feet from the ground below it. Maximum size of 3'x6' in Horizontal x Vertical manner shall be permitted.

Cantilevers

- No new permission for erection of Cantilevers shall be permitted.
- The existing permissions shall be continued subject to fulfilment of terms and conditions of this policy such as structural stability, other NOC etc.
- The existing permission shall be revoked if any such cantilever is found violating the rules laid down in this policy.
- The existing permission granted for Cantilever shall be continued till the expiry of the tender period.

3. Advertisement on BMC Properties

A framework and enhanced provisions introduced through market driven approach.

Commercial Advertisements

- OOH advertisement media on Corporation properties shall be permitted by inviting tender/auction. The NOC from concerned BMC department / Government authority, shall be obtained by Licence Department of BMC before floating tender.
- Civic messages can be displayed on OOH advertisement media on Corporation properties if the same remains blank in no response of tender.
- The Corporation may permit the display of advertisement to any agency for a maximum period of 10 years on payment of occupancy charges and total fees which shall be paid on yearly basis as fixed by the Commissioner and on such terms and conditions as deemed fit, provided such advertisement fulfils the policy guidelines.
- The cost of construction, installation, property tax etc. of the hoarding or any other OOH advertisement media shall be borne by the advertiser / permit holder.
- Every successful bidder shall enter into Agreement with BMC.
- The successful bidder / advertising agency shall submit the Bank Guarantee equivalent to one-year total fee to ensure the recovery of next year's yearly advertisement fee.
- Upon expiry of the tender period, the agency shall handover the structure to BMC. Thereafter display of advertisement on the said site shall be allowed to new successful bidder coming through regular E-tender / auction procedure.

Operation and Maintenance of public utilities in lieu of Licence Fees.

- Assistant Commissioners shall consider the proposal from registered Companies, Scheduled Banks, Financial Institutions, Real Estate Developments, or any other major commercial establishments in consultation with the Licence Department.

- The advertiser shall be allowed to display advertisements in exchange of operation and maintenance of public utilities, the advertising rights shall be granted through a tender/auction process.
- All such permissions for advertisements / hoardings boards will be granted by the competent authority on case-to-case basis.

4. Advertisement on other Central / State Agency Properties

1. No government or semi-government agency shall float any tender for display of advertisement without a prior written consent/NOC of the Corporation.
2. Advertising agencies desirous of erecting any OOH advertisement media on the land or premises of other public authorities, whether government, semi government, viz. airport, defence ministry, public sector undertaking must obtain a valid permit from BMC.
3. The permit shall be granted only after obtaining NOC from the concerned public authority before erecting any OOH advertisement media after completing the due procedures as mentioned in this policy.
4. No planning / land owning authority agencies shall approve, permit or allow display of outdoor advertisement on their properties without the written consent/ NOC from the Municipal Corporation.

Revenue Sharing:

- In case land belongs to other government or semi-government organisations and such organisations are willing to allow/permit display of advertisement, it must be ensured that all necessary written permissions are taken from the Corporation before floating of any tender.
- Roads developed by MMRDA/MSRDC Ltd. or any other government semi authority and if it is not handed over Brihanmumbai Municipal Corporation then revenue sharing on by MMRDA/MSRDC Ltd. and other government authorities by floating tender for awarding display rights then 50:50 proportion of revenue on by MMRDA/MSRDC and other government authority shall be share with Brihanmumbai Municipal Corporation and when road is handed over to Brihanmumbai Municipal Corporation then 100% revenue sharing to Brihanmumbai Municipal Corporation (advertiser/agency shall pay revenue sharing in addition to the advertisement fees) except restrictions as applicable.
- The respective concerned organization through the advertiser will have to share revenue with the Brihanmumbai Municipal Corporation as prescribed in the fee schedule agreed between the authorities.

- It should also be ensured that the awarded contracts are not allowed to continue beyond the contractual period. Any contract which is in contravention to this policy should be allowed till the end date of the present contract.
- Above mentioned revenue sharing is exclusive of the corresponding licence fee as per the schedule of fees amended from time-to-time and applicable taxes payable to Municipal Corporation.

5. Commercial Advertisements on Business Premises

If the advertisement media is erected in the open-air space of the business premises, guidelines and procedures shall be same as that of hoardings.


6. These modifications shall come into effect from the date of issue.

Sd/- dt.11.10.2022 (Prakash Jadhav) Jt. Supdt. of Licence	Sd/- dt.12.10.2022 (Sharad Bande) Supdt. of Licence	Sd/- dt.12.10.2022 (Sanjog Kabre) Dy. M. C (Special)	Sd/- dt.07.11.2022 (Asheesh Sharma) Addl. M. C (City)	Sd/- dt.18.11.2022 (Dr. I.S Chahal) Municipal Commissioner
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No.SL/CIRCULAR/ 06 /ADVT,
DT.02.12.2022

Sr. Inspector (Licence) Ward / Asstt. Commissioner Ward

For Information and necessary action please.


02.12.2022
(Prakash Jadhav)
Supdt of Licences (I/C)

Copy to:

Asstt. Supdt of Licence / Dy. Supdt of Licence / Jt. Supdt of Licence

A.O. to DMC (Special)

A.O. to AMC (City)

A.O to M.C.