



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

### FINAL REGULATIONS ON CONTROL OF OUTDOOR ADVERTISEMENTS IN SOLAPUR MUNICIPAL CORPORATION

#### I. Short Title, Application and Commencement

1. These Regulations shall be called Solapur Advertisement Regulations, 2018.
2. The provisions of these Regulations shall apply to the area under the jurisdiction of the Solapur Municipal Corporation.
3. These Regulations shall come into force with effect from the date of publication in the official Gazette of the State.

#### II. Definitions

In these Regulations, unless there is anything inconsistent with the context or meaning;

1. **“Act”** means the Maharashtra Municipal Corporation Act, (ACT No. LIX OF 1949) modified in June 2014.
2. **“Advertisement”** means any representation of word, or abbreviation thereof, letter, logo, symbol, sign, figure, painting, drawing or other pictorial representation, or light or sound or smell or any other medium displayed in any place including land, building, airspace, water which is visible to general public.
3. **“Agency”** means any Person who is in the business of placing Advertisement through any outdoor media devices.
4. **“Advertising Sign”** means any object, structure or device, supported on or attached to any post, pole, standard framework or other support wholly or in parts upon or over any land, building or structure or any vehicle may it be mechanically propelled or manually pulled, intended to be used for the purpose of outdoor advertising and includes hoarding, billboard, display boards, temporary arches, balloons posters, and wall painting.
5. **“Advertising”** means the act or process of displaying an Advertisement.
6. **“Authorized Official”** means any official of the Corporation who has been authorized by the Commissioner to implement and enforce the provisions of these Regulations.
7. **“Banner”** means cloth or any other material which contains an Advertisement of written matter for display in public place and is attached to one or more ropes, poles or flagstaff projecting from building or structure to which it is attached or is attached to a building or other structure, but excludes a banner carried as part of procession.
8. **“Bus Shelter”** means an Advertisement displayed on the structure of a bus shelter including translators or such other display as may be specified.
9. **“Commissioner”** means Commissioner of Solapur Municipal Corporation.
10. **“Committee”** means the Committee for site selection, maintenance, regularization, levy of penalty etc. which shall be constituted under Regulation V.
11. **“Competent authority”** means Commissioner or any officer at the Solapur Municipal Corporation duly authorized by him.
12. **“Corporation”** means the Solapur Municipal Corporation.



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

13. **"Direction Boards"** means any surface or structure erected on ground or any portion of a roof of a building or on or above the parapet, which indicates a direction to a road, government buildings, and public place of interest.
14. **"Display Board"** means all boards including electronically and electric operated Advertisement board.
15. **"Electronic hoarding"**- means a hoarding, with display made from LED (Light Emitting Diode) or LCD (Liquid Crystal Display) or any other electronic source, to display running text, displays and informational messages from computer programs and software or any other means.
16. **"Gantry"** means a structure 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 an Advertisement on the face opposite to the direction of traffic.
17. **"Hoarding"** means any surface of structure erected on ground or any portion of a roof 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. **"Intersection"** means the same level junction where two or more roads are either meeting or crossing.
19. **"Indian Road Congress or IRC"** means the applicable Indian Road Congress codes, regulations made and directions issued thereunder, from time to time.
20. **"Illuminated Advertisement"** means any advertising sign which is self-luminous or is illuminated by an outside source of light, but shall not include any illuminated window display of goods.
21. **"Kiosk"** means an Advertisement displayed in single or both the sides of the Electric Pole.
22. **"Municipal Sites"** means government land within the Corporations jurisdiction which are designated for outdoor advertising.
23. **"Outdoor Media"** means display of any Advertisement in or in view of any public place.
24. **"Owner"** means a person who receives rent of the premises or who would be entitled to receive the rent thereof if the premises were let and includes-
  - i. An agent or trustee who receives such rent on behalf of the owner;
  - ii. A receiver or manager appointed by any court of competent jurisdiction to have the charge of, or to exercise the rights of the owner of the premises;
  - iii. An agent or trustee who receives the rent of or is entrusted with or concerned for, any premises devoted to religious or charitable or educational purposes;
  - iv. A mortgagee- in- possession.
25. **"OOH"** means Out of Home Advertisement which includes display of Advertisements through outdoor media devices as stipulated from time to time by the Corporation.
26. **"Person"** means an individual, Agency, trust, society, H.U.F, registered charitable organization, firm, partnership, sole proprietorship or a company incorporated under relevant laws.
27. **"Private Sites"** means sites other than municipality / corporation sites and includes residential and commercial buildings.



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

28. **“Poster”** means sheet of paper or any other material used to advertise something for display in a public place.
29. **“Property”** means any unit of private or public land, including a public place, registered as a separate entity of land and includes any unit and land contemplated and/ or any public place depicted on the general plan of a city.
30. **“Public Building”** means and includes a building used or constructed or adopted to be used either ordinarily or occasionally, as a place of public worship, a theatre, hostel, Government office, public hall, public concert room, public lecture room, public exhibition or as a public place of assembly or occasionally for any similar purpose.
31. **“Premises”** means buildings and lands of any tenure whether open or enclosed, whether built on or not and whether private or public including messages.
32. **“Public place”** means any place to which the public have or are permitted to have access and places which shall be notified by the Corporation from time to time.
33. **“Public Street”** means a road, street or thoroughfare or other Right of Way to which the public has a right of access or which is commonly used by the public and includes any portion of a Right of Way of Public Street including a footpath.
34. **“Self-Advertising”** means Advertisement displayed in terms of Regulation XXV.
35. **“Temporary Advertisement”** means an Advertisement/ out of home Advertisement displayed for a maximum period of Thirty days for any event including entertainment events, festivals, mela, trade fair, conferences, road shows, but excluding self-advertising.
36. **“Uni-poles”** are the advertising media similar to the hoardings as far as display is concerned but differ in the structure. The pole on the central or side verge of the display boards is made of RCC & Structural Steel.
37. **“Urban design”** means the actions of conceiving and managing the special and aesthetic characteristics of urban space between and around buildings, roads including physical elements that make up the streetscape and the combined visual effect of building facades and other structures.
38. **“Wall Wraps”** means Advertisement pasted/ affixed on glass/ surface of a building which has been used as architectural feature to cover/ form façade/ used as wall of a building.

### III. Purpose and Scope

The purpose and scope of these Regulations are –

1. To provide for a regulatory framework for outdoor advertising in accordance with provisions of the Maharashtra Municipal Corporation Act, ACT No. LIX OF 1949) modified in June 2014
2. To control and regulate the display of outdoor Advertisements and associated structures within the city;



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

3. To ensure that advertising activities do not become hazardous to road safety or traffic and do not lead to visual pollution;
4. To ensure collection of revenues from outdoor advertising activities and formulate the tax and fee structure to improve the revenue of the ULB.

### **IV. Procedure for registration of Agency**

1. No person shall carry out the business of Advertisement on Public places, Public streets, Premises, Public Building, Property, Private Sites and Municipal Sites unless he is registered as an Agency with the Corporation under these Regulations.
2. An application for registration as an Agency shall be made to the Commissioner in Form-I. The same shall be accompanied by an interest free refundable security deposit amounting to INR 25,000/- or as notified by the Corporation, from time to time and with a onetime registration fee of INR 6,000/- or as notified by the Corporation, from time to time.
3. The Commissioner, in addition to any other condition as required under any law in force, shall ensure that:
  - a. The applicant has furnished a valid Trade License;
  - b. The applicant has furnished a No dues certificate to the Corporation;
  - c. The applicant is not black-listed by the Corporation for past 3 years.
4. The Commissioner may within a period of Thirty days' refuse or approve with modifications as deemed fit any application, received in this regard.
5. The applicant, after being registered as an Agency, shall be given a Registration number. This Registration number is required to be mentioned on all the advertising signs put up by him and in every correspondence with the Corporation in this regard.
6. The applicant shall also provide an undertaking as in Form I (A) that the registering entity is solely responsible for all acts/ deeds towards display of Advertisement.
7. The registered Agency shall be entitled to participate in e- tender/ allotment process for the Municipal Sites of Corporation after conforming to the conditions as laid down in each individual Notice Inviting Tender (NIT) or the allotment scheme.
8. The Commissioner shall maintain a register, wherein details of the Agency who have been registered under these Regulations shall be maintained.
9. The registration granted under these Regulations shall be valid for a period of three years from the date of registration.

### **V. Constitution of a Committee**

1. There shall be constituted a Committee in the Solapur Municipal Corporation, to identify the proper and suitable sites for the Advertisement or hoarding and to inspect, maintain and regularize outdoor Advertisements in the city under the Chairmanship of the Municipal Commissioner or Additional Municipal Commissioner.
2. The Committee shall also have the power to remove illegal hoardings and for collection & recovery of license fee and other fees stipulated herein.



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

3. The Committee will be headed by Municipal Commissioner and shall consist of--
  - a. The City Engineer / Planner, Municipal Corporation;
  - b. Gazetted Officer In-charge of the traffic in the city (Traffic Police Department);
  - c. Revenue Officer in charge of the city;
  - d. Any other persons of the Corporation as deputed by the commissioner.
4. The Advertisements and hoarding shall be permitted only after the identification of the sites and after recommendation of the Committee.
5. The applications shall be invited by the Municipal Commissioner for granting permission on the sites identified by the Committee by advertising in at least two daily newspapers of repute.

### **VI. Renewal of Registration**

1. The application for registration and its renewal shall be made by an Advertiser Agent in Form -I, not before than three months before the expiry of registration. The same shall be accompanied by such renewal fee as notified by the Corporation, from time to time.
2. The Commissioner shall dispose of such renewal application within 30 days from the date of its receipt. The provisions applicable to the grant of registration shall apply to the renewal of the registration, mutatis mutandis.
3. Every renewal granted under these Regulations shall be valid for a period of three years.

### **VII. Cancellation of Registration**

The Commissioner may cancel registration of an Agency, if in the opinion of the Commissioner, the Agency has:

- a. Violated any provision of these Regulations; or
- b. Violated terms & conditions of registration or license.

Provided that the Commissioner shall cause an enquiry and issue a show-cause notice and give an opportunity of being heard to the concerned Agency before cancellation of registration, to ensure natural justice. The decision of the Commissioner shall be final and binding on all.

### **VIII. Suspension of Registration**

Pending proceedings initiated under Regulation VII, in the public interest, the Commissioner shall have the right to suspend the registration of the Agency without giving any notice and order for temporary suspension of its operations on any of the Municipal or Private Sites for advertising.

### **IX. Licensing of Advertisements**

No Agency or owners are allowed to erect any advertising sign or use or continue to use any advertising sign or any structure or device as an advertising sign to public view in any manner whatsoever, in any place within the Corporation area without a license.

### **X. Application of License for Private Sites**

An application for license for Advertisement on private sites shall be made to the Commissioner in Form - II. This shall be accompanied by-

- a. The Application fee, Ground Rent and Advertisement Fee shall be paid along with application form as notified by the Corporation from time to time;
- b. The written consent of the owner of the property or building upon which the Advertising Sign is to be erected;
- c. In case of Apartments, Group housing, Co-operative Housing Society, No Objection Certificate (NOC) issued by the General Body Meeting and duly signed by the President or Secretary of such society;



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

- d. A Joint Indemnity Bond-cum-Undertaking by the premises owner / society and the Agency, in Form - III;
- e. Three Copies of plan showing the location, norms and size of the Advertising Sign to be displayed;
- f. Copy of the Occupancy/ Completion Certificate issued in accordance with the provisions of applicable building bye-laws from the competent authority;
- g. The Structural Stability Certificate for proposed Advertising Signs, which are duly approved by a registered/ empanelled structural engineer;
- h. Any other document, which the Corporation may notify from time to time.

### **XI. Grant of License**

1. The Commissioner shall refuse to grant license for Advertisement on Private Sites if-
  - a. Provision of Regulation X has not been complied with, unless exempted to such extent as determined by the Commissioner; or
  - b. The application is relating to an Advertising Sign, which is prohibited under relevant Regulation No XX, XXII & XXIII.
2. The Commissioner shall grant a license or refuse a license, preferably within Thirty days of the receipt of application, as the case may be, on such terms and conditions as applicable and after having due regard to the following: -
  - a. Whether the proposed Advertising Sign is in compliance with the general requirements provided in Regulations XX, XXII and XXIII;
  - b. Any written representations, objections and comments received from any interested party;
  - c. The Structural Stability Certificate for proposed Advertising Signs, which are duly prepared /approved by a registered/ empanelled structural engineer; and
  - d. Any conflict with provisions of these Regulations.

### **XII. Validity of License**

Every license granted for Advertisement under Regulation XI shall be for a period of one year unless provided otherwise, subject to payment of such charges and fees, as applicable.

### **XIII. Renewal of License**

Every license granted for Advertisement may be renewed on yearly basis. The application for renewal of a license shall be made to the Commissioner by submitting a duly completed application in Form-II along with such renewal fee as notified by the Corporation, from time to time. Every application for renewal shall be made not before than two months before the date of expiry of the license and the provisions applicable to the grant of new license shall apply to the renewal of the license, mutatis mutandis. The Commissioner shall dispose of such applications for renewal of license within thirty days from the date of its receipt.

### **XIV. Cancellation of License**

1. The Commissioner may cancel a license granted under Regulation XI, if in the opinion of the Commissioner, the Advertising Sign concerned contravenes any provision of these Regulations and is or has become prohibited in terms of these Regulations or any other law.
2. Provided that the Commissioner shall issue a show-cause notice to the concerned person and give an opportunity of being heard before ordering the cancellation of license. The decision of the Commissioner in such hearing shall be final and binding on all.

### **XV. Suspension of License**

Pending proceedings initiated under Regulation XIV, in the public interest, the Commissioner shall have the right to suspend the license any time without giving any prior notice, upon which the Agency shall immediately remove the signs, till finalization of proceedings under Regulation XIV



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

### **XVI. Maintenance of Register**

The Commissioner shall maintain a register, wherein details of the Advertisement licenses issued under these Regulations shall be maintained.

### **XVII. Responsibilities of Agency**

1. The Agency shall display clearly and legibly on the outdoor media device his name, registration number, license number of the Advertisement sign/ Hoardings and month and year of expiry of the Agency & Advertisement license.
2. The Agency is also responsible for maintaining the Advertisement sign and the surrounding area in good condition, both structurally and aesthetically, and to ensure that it does not contravene with any provision of these Regulations.
3. The Agency shall also make all payments due to the Corporation within the time frame stipulated by the Corporation.

### **XVIII. Open tender**

Advertisement on Municipal Sites shall be allowed only by inviting e-bids/e-tenders through an open, transparent and competitive bidding process on the Corporation's website. Based on bidding criteria as decided by the Corporation, highest bidder shall be entitled to make the agreement for installation of Advertising Signs in the designated zones on terms and conditions, as given in the bid documents/ tender documents published by the Corporation in this regard.

### **XIX. Reservation for Social Messaging**

The Commissioner has the right to reserve up to ten percent of advertising space in Municipal Sites for social messages, awareness campaigns to be taken up by the Corporation or any other government agencies. This shall be at complete discretion of the Corporation.

### **XX. General Rules and Regulations of OOH Advertisement**

These Regulations are designed to ensure that outdoor advertising is not hazardous to traffic. It will assume that there is a significant correlation between road safety and distraction because of roadside Hoardings, visible to the drivers. This will be done by restricting large size Hoardings, banning the Advertisement on traffic signals and junctions, by providing significant space between the two media on roads, by completely banning Hoardings on pedestrian walkways and in placing Hoardings at significant distance from the right of way of any road.

1. Advertisements pertaining to fast food, chocolates, sweets and toys should not be displayed within the radius of 500 meters from the premises of schools.
2. Advertisements of political nature are prohibited.
3. Advertisements will not be allowed in the national parks, historical monuments, world heritage sites, places of worship, hospitals, educational institutes, police station, post office and also on parks, garden and water Bodies.
4. Advertisements should encourage safe practices e.g. wearing of helmets and fastening of seatbelts, not using mobiles/cell phones when driving, etc.
5. Advertising shall not contain flashing red, blue or amber point light sources which, when viewed from the road, could give the appearance of an emergency service or other special purpose vehicle warning lights.
6. No person shall advertise in any manner or cause to be advertised, any Advertisement stuck, nailed, tied, attached, and fixed in any manner on any tree in the city.
7. Any Advertisement deemed to be obstructing road access, obscuring signs, or any other form of display that could dangerously distract drivers shall be taken down, even if permission was initially granted.





## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

8. Advertisements shall not show or refer to dangerous practices or manifest a disregard for safety or encourage negligence.
9. 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
10. Illumination of advertising device is to be concealed or be integral part of it.
11. 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.
12. The average maintained luminance shall be reduced to 1 candela or all together shut, after 2300 hours (11pm) and between sunrise by automatic timing devices.
13. Non-static illuminated advertising devices (flashing lights) are not permitted within the boundaries of municipal roads.
14. Moving, rotating or variable message Advertising devices are not permitted within the Corporation as these cause significant distractive influence on motorist's response times to external stimuli.
15. This permission criterion is not intended to apply to variable message displays used by road authorities for traffic management or for displaying public information.
16. Variable message displays located at bus stops or similar places where messages are directed at and intended for, pedestrians (not motorists) are excluded.
17. Display of posters shall be restricted and is allowed on specific areas / locations as approved by Commissioner.
18. No person shall use 'Wall Painting' as an outdoor media in the city without valid permission from the Commissioner of Corporation
19. Carrying of Advertisement on animals, animal drawn vehicles/carriages or using live animals to advertise in the city is strictly prohibited.
20. Specific location shall be identified for display of Hoardings with gap of 30 M in case of municipalities and 100 M for Corporations for multiple Hoardings in same stretch.
21. Advertisement is allowed in commercial & industrial area and shall not obstruct traffic, cross electric line or is a concern to public safety
22. All Advertisements shall be displayed made of vinyl sheet and not of tin material.

### XXI. Manner of display of Advertisements

**A. Thematic content-** Advertisements will not be allowed or shall be demolished or removed anytime which contains the following themes/messages:

1. Nudity.
2. Defamatory towards any caste, colour, creed, religion, nation, community, race or institution.
3. Advertisement of drugs, alcohol, cigarette or tobacco items.
4. Advertisements propagating exploitation of women or child.
5. Advertisement depicting cruelty to animals.
6. Advertisement casting aspersion on any brand or person or trade.
7. Advertisement glorifying violence.
8. Advertisement of Weapons and related items (such as firearms, firearm parts and magazines, ammunition etc.)
9. Advertisements which may be defamatory, trade libelous and unlawfully.
10. Advertisements, which may be obscene, contain pornography, or contain an "indecent representation of women" within the meaning of the Indecent Representation of Women (Prohibition) Act, 1986.
11. Advertisement linked directly or indirectly to or includes description of items, goods or services that are prohibited under any applicable law for the time being in force.





## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

### B. Structural Requirements:

1. The Hoarding shall be erected on steel frames.
2. The design/erection of the Hoarding shall be aesthetically done and should be as per the structural plan approved by a Corporation enlisted Structural Engineer (Grade II). For structurally unstable Hoardings which were in existence before implementation of these guidelines, the Agency owning such Hoardings shall be advised to seek the views of an empaneled structural engineer (Grade II), to make corrective measure and to get approval within 3 months from implementation of this regulation.
3. Hoardings shall be allowed to be erected on a building only if it has been examined for structural stability and also the building has been examined on whether it can withstand the pressure of the Hoarding, and a certificate to that effect is produced from the empaneled structural engineer (Grade II).
4. The renewal of the license is subject to submission of structural stability certificate and building structural stability certificate from the structural engineer of (Grade II) every three years.
5. The exposed part of the structure visible from the road from any angle should be aesthetically covered.

### XXII. Site Regulation

1. No OOH within the line of vision of the driver; no OOH at intersections within a distance of 25 metres from the stop-line of each approach road; no OOH in a compulsory open space; and no OOH shall be permitted around traffic islands and signal junctions within a 25-metre radius.
2. Main text should be legible from 200m and disclaimers shall be legible from 100 m.
3. The Hoarding shall be in alignment, as far as possible, with any other approved Hoarding previously erected nearby.
4. OOH shall not obstruct the clear vision of any traffic signal.
5. Block the passage, entrance or cause inconvenience of access to any building (both entry - exit).
6. Block the passage of light or circulation of air/ ventilation to any building.
7. Block any door, window, verandah or any such opening in any building.
8. Block, conceal or cause the inconvenience to the public view of the front of any shop or establishment in a direct or indirect manner so that the business behind is affected.
9. Block any space on any street/lane/by lane/ pavement in any manner that disturbs the movement of the traffic or pedestrians.
10. Materially obstruct/ cover the vision of the river, greenery, landscaping or large size trees in the adjoining areas. The word 'materially' is important and each case will have to be examined on its own merits. The Commissioner's decision would be final in this respect.
11. Damage, cut or otherwise harm any trees.
12. If a new Hoarding is proposed near an existing Hoarding, then minimum distance between the two Hoardings shall be as per clause 20 of Regulation XX. However, minimum distance will have to be increased if aesthetic considerations so require. The decision of the Municipal Commissioner shall be final in this respect.

### XXIII. Size Specifications of OOH

1. Advertisement Size of all the OOH media is regularized and shall be of prescribed size as mentioned below.

S.No	OOH Type	Height in Feet	Length in Feet	Area in Sqft
1.	Class A Hoardings	15	30	450
2.	Class B Hoardings	10	20	200
3.	Public Convenience	-	-	100
4.	Street Lamp Post Kiosk	3	4	12 on both sides



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

2. The inclination of the Hoarding shall not exceed the boundary line of the approved area.
3. When erected on ground, the ground clearance should be at least 11 feet and not greater than 60 feet. The top of the Hoarding shall not be greater than 70 feet from the ground surface.
4. When erected on a building or on a terrace, the ground clearance should be at least 11 feet and special approval from AAI or any other competent authority shall be taken prior to erection of OOH as per prevailing law.

### **XXIV. Advertisements on Banners/ Posters and Temporary Arches**

The Commissioner on application may grant the permission, on payment of the notified fees, for the temporary display, on specified sites of placards, posters, banners, temporary arches or bills relating to the visit of the traveling circus, fair or similar traveling entertainments, road shows, seasonal festivals, trade events or any other event of similar nature. The permission granted under this clause shall be subject to general OOH Guidelines, mutatis mutandis. The entire fee applicable as in case of general OOH is applicable to temporary OOH and shall be charged twice the amount of general OOH. Competitive tender system shall be followed in case of temporary OOH in Corporation sites.

### **XXV. Exempt Advertising Signs and Advertisements:** No permission shall be required for any Advertisement which:

1. Relates to public meeting or to an election to Parliament, or the State Legislature or the Corporation or any other local authority or to candidature in respect of such election; or
2. Is exhibited on the glass or any transparent material within the window of the building if the same is relating to the trade, profession or business carried in that building provided it does not violate the building byelaws. Relates to name of the land or building, trade, profession or business carried on, within the land or building upon 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, upon or in such land or building; or by any associate(s) of the same group. Provided that:
  - a. the dimension of the sign shall not be more than 6 feet of height across the façade of the building or such dimension as permitted by the Corporation or as per respective law,
  - b. the Advertising Sign is not projecting over a public street,
  - c. All such trade and businesses have a valid trade license issued by the Corporation.
3. Relates to the business of a railway administration or any airports or port, and is exhibited within such railway station or airport or port or upon any wall or other property of the railway administration or airport or port; or
4. Relates to any activity of the Central Government or the State Government or any local authority; or
5. In the case of residential buildings where commercial activity like nursing home, chartered accountant, advocate, architect etc. is running and is permitted by law, and Advertisement is allowed up to maximum as permitted under the respective law.

### **XXVI. Violations**

Every person, who;

1. contravenes or fails to comply with any provisions of these Regulations;
2. refuses or fails to comply with any notice served on him in terms of or for the purposes of these Regulations;



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

3. refuses or fails to comply with the terms and conditions of any approval issued in terms of these Regulations;
4. obstructs, hinders or interferes with an authorized official or other official of the Corporation acting under power delegated to him, in the exercise of any power or the performance of any duty under these Regulations;
5. refuses or fails to comply with the order of direction lawfully given in terms of or for the purposes of these Regulations, is guilty of violation of the provisions;
  - a. Shall be liable for prosecution and payment of fine and penalty as provided under Regulation XXXI
  - b. If such violation continues, the agency shall be blacklisted from the tendering process and shall be prohibited from advertising for a period of 3 years from the date of blacklisting in the event of such violation

### XXVII. Payment Structure

1. **Application fee:** The fee for grant of license and for renewal of license shall be INR 1,180 (Rs. One thousand one hundred eighty only) for all assets other than assets owned by Municipality / Corporation. The application fee shall be paid in the form of DD or through any electronic mode along with the application form.
2. **Ground Rent:** The Corporation shall by order fix the minimum rates of Ground Rent and e-tender shall be floated for all the assets / Advertisement space owned by the Municipal Corporation. The bidder quoting the highest fee shall be awarded with the Advertisement rights and this fee is excluding Advertisement Fee and taxes.
3. **Advertisement Fee:** The Corporation shall fix, notify and collect the Advertisement fee annually in advance on all outdoor Advertisements at a fixed rate which shall remain the same across all locations and all forms of Advertisement irrespective of ownership. The Advertisement fee shall be paid along with application form.

### XXVIII. Inspections

The Commissioner or committee or any Competent Authority of the Municipality as appointed by the Commissioner shall have the power of inspection of any Advertising Sign at any time, for the purposes relating to implementation and enforcement of these Regulations. The committee shall also carry inspection of all OOH media on quarterly basis regularly and shall also submit a report to Commissioner including Advertisements which are in violations with the prevailing regulations / law, propose new sites or suggest any regulative measures as required from time to time.

### XXIX. Power to Issue Notice

If in the opinion of the Commissioner or the Committee, any Advertising Sign is in violation of these Regulations, he may serve a notice on the Agency of such sign and or on the owner of the building premises.

Provided further that, if Commissioner is of the opinion that an Advertising Sign constitutes an imminent danger to any person or property, he may without serving a notice, order for removal of the Advertising Sign or take other steps which he may deem fit.

### XXX. Removal of Sign and Recovery of Costs

1. If the Agency or owner of the building; as the case may be fails to comply with the notice issued under these Regulations within 15 days of receipt of notice, the Corporation shall remove the Advertisement sign.
2. The cost incurred by the Corporation for the removal and storage of an Advertising Sign, and any other cost incurred by the Corporation, shall be recovered from the Owner of that Advertising Sign or any other person in whose name such activity is displayed on that Advertising Sign,



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

3. Any Advertising Sign removed under provisions of these Regulations shall be deemed to be Property of the Corporation. The same shall be disposed off by the Corporation, as it may deem fit.
4. The Corporation shall not be responsible of any loss or damage to the property of the owner occurring during removal of such Advertising Sign.

### **XXXI. Power to Regularize and Penalize**

The Commissioner / committee shall have the power to penalize and regularize Advertising Sign, which has been installed without permission or in violation of the guideline or any local prevailing laws, by charging a penalty fee, as specified below.

Penalty Amount = Extent / Area (Sqft) of Deviations \* Duration in month \* Prevailing Maximum Monthly Ground Rent in relevant locality \* 6.

Note: Exact Duration of deviation shall be considered. In absence of relevant data, a period of maximum 3 months of time shall be considered.

### **XXXII. Requirement to Keep License and Other Documents**

The Agency or the owner of a Property upon which a sign or an Advertising Sign is erected, attached or displayed, shall retain certified copies of all documentation relating to the application for approval of such sign in terms of these Regulations, for as long as that sign is erected or displayed, shall on request by an Authorised Official, present such documentation for his inspection.

### **XXXIII. Delegation of Power**

The Commissioner may delegate all or any of his powers under these Regulations to any officer of the Corporation or any other person, as he may deem fit for the purpose.

### **XXXIV. Direction of Government to be Supplementary to Regulations**

The directions given from time to time, by the Government shall be supplementary to but not in derogation of the provisions of these Regulations.

### **XXXV. Removal of Doubts**

If any doubt arises, relating to interpretation, scope or application of these Regulations, decision of the Corporation shall be final.

### **XXXVI. Conflict**

If the event of there being any conflict between the provisions of these Regulations and the provisions of the contract, if any entered into by the Corporation under the purview of these Regulations, the provisions of these Regulations shall prevail.

### **XXXVII. Power to Relax Regulations**

In exceptional cases where Commissioner is satisfied that the operation of these Regulations causes hardship in any particular case or where the Commissioner is of the opinion that it is necessary or expedient in public interest to do so, he may relax the provisions of these Regulations with the approval of State Government.

### **XXXVIII. Appeal**

1. Any person, who is aggrieved by a decision of an Authorized Official under these Regulations, may appeal against such decision to the Commissioner, by filing an appeal petition, specifying the grounds of appeal, within fifteen days of such decision.
2. Any person, who is aggrieved by decision of the Commissioner, may appeal against such decision to the Corporation by filing an appeal petition against such a decision.



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

3. Provided, no appeal against an order of assessment under these Regulations shall be valid unless the amount of fee payable as assessed has been deposited.

### **XXXIX. Jurisdiction of Court**

The concerned Court of Solapur shall have the jurisdiction over all matters of disputes and litigation, if any.

**Commissioner,**  
Solapur Municipal Corporation, Solapur



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

### Annexure FORM -I

#### Application for registration/renewal as Advertising Contractor with Solapur Municipal Corporation

To,  
The Commissioner  
[Address of Commissioner]

Respected Sir,

I intend to get my firm/company registered as Advertiser as required under the provisions of Maharashtra Municipal Corporation Act, (ACT No. LIX OF 1949) modified in June 2014, for the purpose of display of Advertisements.

The relevant particulars are as under:

1	Name of the firm/company/person	
2	Nationality	
3	Address of the applicant firm/company	
	(i) Registered Office (address with contact details)	
	(ii) Head Office (address with contact details)	
	(iii) Branch Office (address with contact details)	
4	Constitution	i. Individual ii. Sole Proprietorship concern iii. Partnership Firm iv. Registered Society / Co- op Society v. Public Limited Company vi. Private Limited Company vii. Trust
5	Name of the person who is applying on behalf of the (company Proprietor/Partner/Director, etc)	
	Please attach copy of authority letter in favour of the signatory (who must be one of the partners) issued by other partners (in case of partnership firm)/Resolution from the board of directors (in case of company) to the effect that the signatory is authorized to submit and sign the application/affidavit/indemnity bond for registration, on behalf of the firm company.	
6	Father's name of authorized signatory	
7	(i) Permanent address of authorized signatory (Space)	
	(ii) Present address of authorized signatory (Space)	
8	Particulars of Proprietor/Partner/Director, etc (Note: To be filled in tabular form with details of all partners. Please attach a separate sheet, if the information exceeds the space)	Name of Proprietor / Partner / Director / Others Address & telephone number PAN Number, GST No. Specimen Signature
9	(a) Details of experience in advertising business	
	(b) Period of experience	
10	(i) Office address for correspondence in _____	
	(ii) Telephone number	
11	Name & Designation/status of person with whom correspondence is to be made on behalf of the company	
12	Annual Turn Over for preceding three years a. Advertising business b. Other business	Period/ Year amount (INR)
13	Proof of the following documents	i. Trade License ii. No dues certificate from





## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

		Corporation
		iii.
14	Name of the bankers with full address and account number of the firm/company.	
15	Details of Company, CIN, PAN etc.	
16	<b>Details of payment &amp; No Due Certificate</b>  Interest free Security Deposit for INR 25,000/-  One time Registration Fee for INR 6,000  Note : The payment has to be made in the form of DD or any Electronic Remittance and details of same to be provided  No dues Certificate	

I/We (including all partners/directors) certify that I/we have read and understood the Instructions for Registration/Renewal of the Advertisers in Solapur Municipal Corporation, as well as the relevant provisions of the Maharashtra Municipal Corporation Act, (ACT No. LIX OF 1949) modified in June 2014 and the Advertisement Regulations/Bye-laws made there under, as amended up to date and/or maybe amended from time to time, and the relevant orders/directions of the courts of law; and shall strictly adhere to the same and pay the notified registration/security amount.

The information given as above is correct to the best of my / our knowledge and belief and nothing has been concealed there from.

If any information is found to be incorrect or otherwise, at any stage / point of time, Solapur Municipal Corporation shall be at liberty to cancel my / our Registration without any prior notice/information and shall also be at the liberty to cancel my/our Registration without any prior notice/information and shall also be at liberty to forfeit security deposits, bank guarantee and cancel all permissions and Advertisement contracts.

Signatures:

Date:

Place:

Name and status of Signatory:



**SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR**

**FORM –I (A)**

**Undertaking letter to be submitted along with the application for registration / renewal as Advertising Contractor with Solapur Municipal Corporation**

To,  
The Commissioner  
[Address of Commissioner]

Respected Sir,

I / We have read, understood and shall abide by all the provisions of the Act / Policy / Guidelines / Regulations / Bye-laws that maybe amended from time to time including the relevant orders/directions of the courts of law and are solely responsible for all our acts / deeds for activities directly or indirectly related to the act of advertising in the Solapur Municipal Corporation.

I / We also undertake the responsibility to compensate / make good the loss suffered by the Solapur Municipal Corporation or General Public or any other party during the process of advertising.

Signatures:

Date:  
Place:

Name and status of Signatory:



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

### Form -II

#### Form for Application for license / renewal of license under regulations for exhibiting Advertisements

1	Name and address of the owner/ firm in full (in Block letters) with Telephone / Mobile Number	
2	Registered in the corporation? If yes, mention number so	
3	Exact location of the site where the Advertisement is to be exhibited	
4	Name of the road from which Advertisement will draw visibility	
5	Width of the road (in feet)	
6	Whether location plan (3 copies) enclosed * Yes/No	
7	No. of other hoardings located in the same Corporation	
8	Nature of Advertisement viz Non-illuminated sky-sign/ illuminated sky-hoarding boards / illuminated Advertisement/ illuminated show cases, motor cars, motor car illuminated, sandwich boards non-illuminated, sandwich boards illuminated/ boat float/ Vessel mounted Advertisement / Others _____.	
9	Dimensions of the Advertisement (in sq ft./sq. mtr.) i. Length : ii. Width : iii. Area : a. Is it located on terrace of a building? (Yes/No) b. Bottom clearance of the Advertisement board. (in feet) c. Top maximum height of the Advertisement board. (in feet)	
11	a. Name of the owner of the premises b. Is it owned by a Housing Society? Or any third party (Yes/No) (if yes give the name & Contact Details)? c. If answer to (b) is Yes, please attach N.O.C? (Yes/No) d. If answer to (b) is Yes, please attach Indemnity Bond (Form III)? (Yes/No)	
12	The date, from which the Advertisement is to be exhibited The period for which the permission is applied for	
13	Details of fees deposited (Application Fees / Ground Rent / Advertisement Fees) <b>Electronic Transfer / DD ( Details will have to be provided)</b>	
14	List of Documents attached: a. b. c. d.	

I have carefully gone through the approved policy guidelines in force in respect of issue of permits for display of Advertisements. The information given above is true to the best of any knowledge and belief, if any of the information given above is found at any time to be incorrect or false. I understand that the permission, if granted, will be liable for cancellation in addition to penal action that I/we may be liable for.

#### Receipt

Received application of Mr.  
register.

and entered at Serial No.

Serial No. \_\_\_\_\_  
of relevant

Signature of Authorized Signatory of Corporation



## SOLAPUR MUNICIPAL CORPORATION (SMC), SOLAPUR

### Form - III:

Indemnity bond-cum-undertaking on Rs. \_\_\_\_/- stamp paper (Stamp duty varies from state to state)

To,  
The Commissioner,  
[Address of Commissioner]

**Sub. : Grant of permission for Advertisement at \_\_\_\_\_.**

I Shri/Smt./M/s. \_\_\_\_\_ Age \_\_\_\_\_, the owner of the property situated at / residing at \_\_\_\_\_ (or in the case of Society) We, Shri/Smt., (1) \_\_\_\_\_ (2) \_\_\_\_\_, (3) \_\_\_\_\_ Chairman/Secretary and Treasurer of M/s. \_\_\_\_\_ Co-operative Housing Society, respectively (hereunder called as „the owner“  
(2) I, Shri/Smt. \_\_\_\_\_ Proprietor/partner/Director of the Firm M/s. \_\_\_\_\_ having its registered office at the residing at \_\_\_\_\_ (hereinafter called the Advertiser“.

WHEREAS the Advertiser has made an application to Solapur Municipal Corporation for permission for display of Advertisement under Maharashtra Municipal Corporation Act (ACT No. LIX OF 1949) modified in June 2014, and under the provisions of the Advertisement Regulations.

AND WHEREAS the owner has permitted the Advertiser to erect a hoarding and display Advertisement in his/her property situated at: \_\_\_\_\_

AND WHEREAS the Advertiser has applied to the Corporation for permission required in terms of the laid down policy and regulations in this behalf to give joint undertaking. The Owner and the Advertiser do hereby agree and undertake as under:

1. The owner and the Advertiser hereby expressly agree and undertake to abide by the rules, regulations and guidelines framed by the Solapur Municipal Corporation for grant of permission or Advertisement.
2. The owner and the Advertiser hereby undertake that the erection of the hoarding and display of Advertisement will not adversely affect or cause any obstruction to the air, light and ventilation of the building belonging to the Owners or to the neighboring building and / or premises.
3. The Owner / society hereby confirm that General Body of the Society have passed a Resolution permitting the Advertiser to erect the hoarding and display Advertisement in the society premises by passing resolution in the General Body meeting held on. Copy of the resolution of the General Body meeting has been certified by the Auditor of the Society.
4. The owner and the advertiser hereby further agree and undertake that they shall and will, at all times, hereafter, save and keep harmless and indemnify the Solapur Municipal Corporation and the Executive Engineer or either of them from the against all action, acts, suits, cost claims, damages, demands of any nature and kind whatsoever which may be instituted, claimed or made against the Municipal Corporation and Executive Engineer or either of them from the against all actions, act suites, cost claims, damages, demand of any nature and kind whatsoever which may be instituted claimed or made against the Municipal Corporation.

Date \_\_\_\_\_

Signature

Signature

Seen & Verified

Commissioner  
Solapur Municipal Corporation