

Objections are Invited from the General Public for notifying amendments proposed to be inserted after rule 13 of the Municipal Corporation, Phagwara Outdoor Advertisement Bye-Laws 2015 till 21st of August, 2015. Objection in writing may be sent to Commissioner, Municipal Corporation, Phagawra. The draft amendments are as under:-

The following amendments are proposed to be inserted after rule 13 of the Municipal Corporation, Phagwara Outdoor Advertisement Bye-Laws 2015:-

13.1 - Procedure to grant permission all advertisements permitted over the Municipal land/building shall be through tenders : The tenders can be of single or more hoardings. The tender shall be invited by a committee to be headed by Commissioner or by his representative or in the exceptional circumstances by private experts. The committee shall fix the following minimum things before the tender;

- (a) reserve price
- (b) location of the site/sites
- (c) size of advertisement
- (d) past revenue collection
- (e) number of sites
- (f) period of tender.

The advertisement rights shall be given for a period of 2 years or as may be decided. It shall be terminable at 2 months notice without assigning any reason. In the event of default of any terms, the same shall be terminable forthwith without any notice. The tender bid will include the advertisement tax and rent for use of Municipal Corporation Land/Property with specific locations. However, payment of service tax or any other State/Central tax will be borne by the tendering agency/individual.

13.2 - For grant of permission in respect of advertisement on private property: The application for permission from the Commissioner shall be accompanied with the following documents:-

1. Written No Objection Certificate (NOC) from the landowner of the person legally authorized to accord such NOC.
2. Three copies of plan showing the location, norms and size of the advertisement / hoarding etc. and a copy of the advertisement to be displayed.
3. The design and the structure shall be certified by a experienced and practicing Structural Engineer who shall certify the safety aspect from the point of view of its foundations which can bear extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant India structural design standards policy and guidelines framed from time to time.

13.3.- Limitation for Disposal of Applications : Every application received as per provision of these byelaws shall be acknowledged and the decision on it shall be taken within 7 working days from the date of receipt. If the decision is not taken within the prescribed period, it will be presumed that the required permission is granted subject to payment of due advertisement tax and license fee of the land use charges, wherever applicable and compliance of other clauses of Byelaws.

13.4 - TAX On Advertisements: The advertisement tax shall be payable in advance annually / quarterly / monthly basis, as the case may be, fixed by the Government / Municipal Corporation from time to time provided that if the rate of tax is chargeable on annually, quarterly or monthly basis, the fractions thereof shall be construed accordingly.

13.5. - New advertisement shall not be exhibited unless the advertisement tax in advance as per the condition of sanction is deposited.

13.6. - Full monthly tax shall be chargeable even for a fraction of a month. A month for this purpose shall be the calendar month-provided that where advertisement are to be displayed for part of a year and the fees fixed in the schedule are for one year, the fees payable part of the year shall be calculated on quarterly basis.

13.7 - Revenue from for Category-1, 2, 3, 4 :

The commercial advertising fee for Category-1, shall be decided through a transparent tendering process

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

- i) Informal Advertising Display Board : the device meant for informal advertising is subject to the desecration of Commissioner, Municipal Corporation, Phagwara to allow any advertisement charging fee.
- ii) Banner : the commercial Advertisement fee on banner devices shall be only regulatory charges of Rs. 50/- per sq. feet/per day shall applicable on banner.

The following devices under category-3 : Fleet Advertising:

a) for company owned/hired vehicles. The commercial advertisement charges payable per vehicle/per month shall be :

Light Motor Vehicle	: Rs. 500 per day
Heavy Motor Vehicle	: Rs. 1,000 per day

b) Service & Delivery Vehicles: The commercial Advertising Charges payable for service & delivery vehicle per month shall be Rs. 100 per sq. feet/per month/per vehicle or Rs. 5,000 per month/per vehicle.:

Revenue from Category-4 devices: No signage will be allowed beyond the height of 0.9 Meters. Fees shall be charged by the Municipal Corporation, Phagawra @ of Rs. 100 per square feet/per month for extra area used for a signage.

13.9 - Strategy for Authorized Existing Devices : The Municipal Corporation, Phagwara may have permitted and authorized the display of outdoor advertising at various locations prior to drafting and actual implementation of the bye-laws. There is a possibility that some of them may not be in accordance with the policy currently drawn. However, deviation cannot be allowed in the overall concept and implementation of the guidelines, parameters, permissions as laid down in this regard. It is important for the municipal authorities to apply the bye-laws uniformly so that there is consistent/aesthetical, functional and safe outdoor advertising. All authorized existing advertising devices shall be brought in accordance with bye-laws.

13.10 - Compliance, Enforcement and removal of unauthorized Advertising Devices : Any unauthorized and non-confirming device installed at any location, property, vehicle, bridge, building etc. shall be removed. No leniency shall be shown towards any violator or unauthorized device for which NO LEGAL NOTICE is required to be given. There will be strict adherence to the Bye Laws-2015.

13.11 Legal Action: Legal proceedings or the issue of an infringement letter may be undertaken for an unauthorized Advertising Device (in addition to removing the device). The unauthorised advertisement shall be removed immediately, at the cost of the advertiser, for which NO LEGAL NOTICE is required to be given. All legal action can be taken which falls in the jurisdiction of Phagwara/Kapurthala courts only. Action can be taken, apart from others provision, under the Punjab Prevention of Defacement of Property Act-1998.