MUNICIPAL CORPORATION OF DELHI

(Advertisement Department)

206, Nigam Bhawan Kashmere Gate : Delhi. Tel.No. 23961884

No.OSD(Advtt.)/2010/D-374

Dated: -21.04.2010

The Chairman
Indian Oil Corporation / Hindustan Petroleum / Bharat Petroleum /
Indraprastha Gas Limited / Association of Petroleum Companies / Dealers.

Sub:- Display of outdoor Advertisement at Petrol Pump / CNG outlet premises.

This is to inform you that as per provisions of Section 143 of the Delhi Municipal Corporation Act, 1957 (as amended from time to time), no advertisement, in public view, visible from public streets / public places, can be displayed in any manner whatsoever at any place within Delhi, without the permission of Commissioner, MCD. Further, any advertisement displayed without such permission of MCD, is unauthorized and violative of the provisions of the Delhi Prevention of Defacement of Property Act, 2007. Relevant provisions of the Delhi Prevention of Defacement of Property Act, 2007 provide as under:-

"3. Penalty for defacement of property – (1) Whosoever defaces any property in public view by writing, marking with ink, chalk, paint or any other material except for the purpose of indicating the name and address of the owner or occupier of such property, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to fifty thousand rupees, or with both."

Further, when Offence is committed as above and is for the benefit of some other person or a company or other body corporate or an association of persons (whether incorporated or not), then, such other person and every president, chairman, director, partner, manager, secretary, agent or any other officer or persons concerned with the management thereof, as the case may be shall, unless he proves that the offence was committed without his knowledge or consent, be deemed to be guilty of such offence. Section 7 provides that "the provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other laws for the time being in force; Provided that the provisions of this Act shall not be applicable to advertisements displayed at duly authorized public space for advertising by appropriate authorities."

The Hon'ble Supreme Court has approved an Outdoor Advertisement Policy, 2007 vide order dated 12.10.2007 and the MCD has been directed to implement the same. As per the guidelines contained in the Advertisement Policy, only one self-signage of the size not exceeding 2.5 sqm is permissible, free of any charge, on each of the premises relating to the trade, profession and business operating therein. Such self-signage must compulsorily contain the display relating to the name of the trade and business and shop/premises number and shall not contain additional advertising-promoting products or services other than approved use of the premises or site irrespective of whether that product or service is provided, sold or available on the site / premises. For display of advertisement relating to the products and services, the rates applicable, as approved by the MCD, are as under:-

South Zone of the MCD	Rs.120/- per sq.ft. of display area, per month
Central Zone of the MCD	Rs.115/- per sq.ft. of display area, per month
All other 10 zones of the MCD	Rs.100/- per sq.ft. of display area, per month.

Contd....2/-

However, it has also been noticed that in addition to the commercial displays of your company, outdoor advertisements carrying display of the products and services of various companies / firms / business houses, are being put up within the premises of your Petrol Pumps / CNG outlets located within the jurisdiction of MCD, in contravention of the provisions of DMC Act and Delhi Prevention of Defacement of Property Act, 2007 and the guidelines contained in the Outdoor Advertisement Policy, 2007, as approved by the Hon'ble Supreme Court.. As per the policy approved by the MCD, damage charges are leviable in respect of the unauthorized advertisements @ 2'x' (where 'x' is the approved rate for the relevant mode of display in the concerned zone of the MCD), which are recoverable from (i) the advertising agency displaying such unauthorized advertisements; (ii) the company / firm / business house whose advertisement is displayed through such illegal means; and (iii) the owner / occupier of the building / premises / land at which such unauthorized display has been put up.

In view of the above, you are hereby called upon to either remove all the unauthorised displays / advertisements put up in any manner whatsoever at any of the premises of your petrol pumps / CNG outlets located within Delhi, visible from public roads / public places, without the permission of Commissioner, MCD, as required under Section 143 of the DMC Act, within 07 days of receipt hereof, or submit your application for permission of the Commissioner, along with complete details of the displays and locations, failing which the same shall be removed by the MCD at your risk, cost and expenses and damages shall be claimed, in terms of the policy circulated vide No. OSD(Advtt.)/2010/2134 dated 09.03.2010 (copy attached).

(B.N. Singh)
Officer on Special Duty (Advtt.)

Encl: As above.

Copy to:-

- All Advertising Agencies registered with the MCD;
- All companies / firms / business houses

Copy for information to:-

- Commissioner, MCD;
- 2. Addl.Commissioner (Rev.)