

# Chandigarh Advertisement Control Order, 1954

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### Rule CHANDIGARH-ADVERTISEMENT-CONTROL-ORDER-1954 of 1954

- Published on 19 July 1954
- Commenced on 19 July 1954
- [This is the version of this document from 19 July 1954.]
- [Note: The original publication document is not available and this content could not be verified.]

Chandigarh Advertisement Control Order, 1954Published vide Notification No. C. 5967-54 (4) - 4378 issued on 19th July, 1954No. C-5967-54(IV)-4378. - Whereas it appears necessary and expedient to restrict and regulate the display of advertisements in Chandigarh :-Now, therefore, in exercise of the powers conferred by section 12 of the Capital of Punjab (Development and Regulation) Act, 1952, the Chief Administrator is pleased to make the following Order :-

#### 1. Title and extent.

- (i) This order may be called the Chandigarh Advertisement Control Order, 1954 (hereinafter referred to as the Order).(ii)It shall come into force at once.

#### 2. Definitions.

- In the Order, unless there is anything repugnant in the subject or context:-(i)"Area of special control" means an area so defined in the Advertisement Zoning Plan.(ii)"Advertisement Zoning Plan" means the numbered plan signed by the Chief Administrator and kept in his office defining the areas of special control and restrictions regarding the advertisements and sky-signs applicable to such areas.(iii)"Commercial Building" shall mean a building used or constructed or adapted to be used wholly or principally for shops, offices, banks or other similar purposes or for industries other than factories, and shall include motor garage where general repairs are done or carried out to motor vehicles or motor cycles.(iv)"Enclosed land" shall mean the land which is wholly or for the most part enclosed within hedge, fence, wall or similar screen or structure and shall not include any railway station together with the yards and fore-court thereof, whether enclosed or not, any public park, public garden or other land held for the use or enjoyment of the public.(v)"Name plate" shall mean an advertisement announcing the name of owner and/or name of occupier of a building and/or name of a building, upon which such advertisement is fixed, exhibited, painted, pasted, retained or displayed, provided that the size of the letters constituting such advertisement does not

exceed 2" in height and the total space occupied by such an advertisement does not exceed 4 square feet.(vi)"Sky-sign" shall mean any work, letter, model, sign, device or representation in the nature of an advertisement, announcement or direction, supported on or attached to any post, pole, standard framework or other support wholly or in part upon or over any land, building or structure which or any part of which sky-sign shall be visible against the sky from some point in any street and includes all and every part of any such post, pole, standard frame-work or other support. It shall also include any balloon, parachute or other similar device employed wholly or in part for the purpose of any advertisement, announcement or direction upon or over any land, building or structure or upon or over street, but shall not include -(a)any flag staff, pole, vane or weather cock, unless adapted or used wholly or in part for the purpose of any advertisement, announcement or direction;(b)any word, letter, model, sign, device or representation as aforesaid relating exclusively to the business of railway company, and placed wholly upon or over any railway, railway station yard, platform and station approach belonging to a railway company; and(c)any notice of land or building to be sold or let, placed upon such land or building;(vii)"Structure" shall include a tramcar, omnibus and any other vehicle and any movable, board used primarily as an advertisement or an advertisement medium and also a post, pole, tree, bridge, embankment and road surface.(viii)"Illuminated advertisement" shall mean any advertisement which is self-luminous or is illuminated by an outside source of light, but shall not include an illuminated display of goods if such display -(a)is of goods merely bearing labels showing the names of articles or of its manufacturer or of both; and(b)is made by lighting which is not, in the opinion of the Chief Administrator, more than is necessary to make the goods and labels visible at night.

### **3. Regulation as to sky-signs.**

(1)No person shall without the written permission of the Chief Administrator, erect, fix or retain any sky-sign, whether now existing or not, and no such written permission shall be granted or renewed for any period exceeding [Five years] [Substituted for the word and figure '3 years' vide Punjab Government Notification No. C-2363-58/V/5106 dated the 22nd March, 1958.] from the date of such permission or renewal :Provided that on the happening of any one or more of the following contingencies a written permission or renewal by the Chief Administrator under this clause shall become void, namely:(a)if any addition to the sky-sign is made except for the purpose of making it secure under the direction of the Chief Administrator;(b)if any change is made in the sky-sign or any part thereof;(c)if the sky-sign or any part thereof fall either through accident, decay or any other cause;(d)if any addition or alteration is made to or in the building or structure upon or over which the sky-sign is erected, fixed or retained, if such addition or alteration involves the disturbance of the sky-sign or any part thereof;(e)if the building or structure upon or over which the sky-sign is erected, fixed or retained becomes un-occupied or is demolished or destroyed; and(f)if the premises for which permission has been given are altered in any manner, whatever.(2)If any sky-sign be erected, fixed or retained contrary to the provision of this Order or after permission for the erection, fixation or retention thereof for any period shall have expired or become void, the Chief Administrator may by written notice, require the owner or occupier of the land, building or structure upon or over which the sky-sign is erected, fixed or retained to take down and remove or modify, as the case may be, such sky- sign, within the time not exceeding 30 days as may be fixed by him.(3)Where any sky-sign shall be erected, fixed or retained after the coming into force of this

clause upon or over any land, building or structure, save and except as permitted as herein for provided, the owner or person in occupation of such land, building or structure shall be deemed to be the person who has erected, fixed or retained such sky-sign in contravention of the provisions of this clause, unless he proves that such contravention was committed by a person not in his employment or under his control, or was committed without his connivance.

#### **4. Regulation and control of advertisement.**

(1) No person shall without the written permission of the Chief Administrator erect, exhibit, fix or retain any advertisement whether now existing or not, upon any land, building, wall hoarding or structure : Provided always that such permission shall not be necessary in respect of any advertisement which is not an illuminated advertisement nor a sky-sign and which -(a) is exhibited within the show-case of any commercial building; (b) relates to the trade or business carried on within the building upon which such advertisement is exhibited, provided it is exhibited on that part of the building which is specifically provided for the purpose in the building plan sanctioned by the Chief Administrator; (c) relates to any sale or letting of any land or building upon which such advertisement is exhibited; or to any entertainment or meeting to be held upon or in the same; or to the trade or business carried on by the owner of any tramcar, omnibus or other vehicles upon which such advertisement is exhibited; (d) is exhibited on an enclosed land or a building not visible from outside the land or building ; (e) is a name plate; (f) relates to the business of any railway company; (g) is exhibited within any railway station or upon any wall or other property of a railway company except any portion of the surface of such wall or property fronting any street; and (h) is exhibited by the Departments of Electricity, Buildings, Roads, Road Transport, Sewage and Water Supply of the Punjab State Government if such advertisement relates to the respective functions of such departments. (2) If any advertisement be erected, exhibited, fixed or retained contrary to the provision of this Order, or after the written permission for the erection, exhibition, fixation, or retention thereof for any period shall have expired or become void, the Chief Administrator may, by notice in writing, require the owner or occupier of the land, building, wall, hoarding or structure upon which the same is constructed, exhibited, fixed or retained to take down and remove or modify, as the case may be, such advertisement, within the time not exceeding 30 days as may be fixed by him. (3) Where any advertisement shall be erected, fixed or retained after the coming into force of this clause upon any land, building, wall, hoarding or structure, save and except as permitted or exempted from permission as hereinbefore provided, the owner or person in occupation of such land, building, wall, hoarding or structure shall be deemed to be the person who has erected, exhibited, fixed or retained such advertisement in contravention of the provision of this clause, unless he proves that such contravention was committed by a person not in his employment or under his control or committed without his connivance.

#### **5. Enforcement Notice.**

- (i) Any notice mentioned in sub-clause (2) of clauses 3 and 4 above hereinafter called "an enforcement notice" shall specify the advertisements which are alleged to have been begun or continued contrary to the provisions of this Order and may require such steps as may be specified in the notice for restoring the land, building or structure to its condition before the advertisement was

begun or continued, or for securing compliance with the provisions of this order as stated therein.(ii)The enforcement notice shall be deemed to have been served on the owner or occupier if the service is effected in any manner specified for the summons in section 69, 70 and 71 of the Criminal Procedure Code and to have effect on and from the date on which the service takes place.

## **6. Prohibited areas and areas of special control.**

- The Chief Administrator may -(a)by notification prohibit the erection, exhibition, fixation, retention or display of all or any class of advertisement and sky-sign in any street, road or public park or part thereof or in any place of public resort; and(b)regulate the erection, exhibition, fixation, retention or display of advertisements and sky-signs in any manner in the Areas of Special Control, in accordance with the regulations indicated in the Advertisement Zoning Plans of the said areas.

## **7. Restrictions in Prohibited Areas and Areas of Special Control.**

- No person shall erect, exhibit, fix retain or display or cause to be erected, exhibited, fixed, retained or displayed any advertisement and sky-sign :-(a)in any street, road, a public park or part thereof in any place of public resort notified under clause 6 (a) of this Order; and(b)in areas of Special Control except in accordance with regulations indicated in the Advertisement Zoning Plans of the said Areas.Explanation :- The restrictions indicated in the Advertisement Zoning Plans shall be in addition to those mentioned in the other clauses of this Order.

## **8. Restrictions regarding public buildings and parks.**

- No person shall erect, exhibit, fix, paste, paint, retain or display or cause to be erected, exhibited, fixed, pasted, painted, retained or displayed any advertisement or sky-sign so as to injuriously affect the amenities of any public building or monument or of any public park or pleasure promenade or place of worship.

## **9. Restrictions regarding Municipal and State Property.**

- Except as provided in this Order, no person shall erect, exhibit, fix, paste, paint, retain or display or cause to be erected, fixed, pasted, painted, retained or displayed an advertisement or sky-signs on any property vesting in the Chief Administrator or the [Central Government] [Substituted for the words 'State Government' by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.], including bridges, water tank, urinal, lavatories, lamp posts, trees, electric, telephone, or telegraph posts, road surface, retaining walls, embankments, fly poster, wall poster and wall paintings.

## **10. Fly-poster, wall poster and wall paintings.**

- No person shall fix, paste, paint or inscribe any fly-poster, wall poster or wall painting, as the case may be, at any place in the city except on the advertisement boards put or sanctioned by the Chief

Administrator for this purpose.

## 11. Defacement.

- No person shall deface or cause to be defaced any sign or mark or letter or words that may have been put up by the Chief Administrator on the advertisements erected, exhibited, fixed, retained or displayed in token of their having been permitted or approved by him and of the fees having been collected thereon.

## 12. Good taste, decency and public morals.

- No advertisement or sky-sign shall be put up as is considered by the Chief Administrator to offend against good taste, decency and public morals. Standard Conditions of Advertisements

## 13.

No Advertisement or sky-sign shall be retained, placed, put up, fixed or hung or caused or permitted to be retained, placed, put up, fixed, or hung -(i) so as to project, in, on, over or across a public street which is less than 20 feet wide or which has no footpath or drain or aquaduct under the projection : Provided that advertisements and sky-signs may be allowed flush against in a position inclined to the face of a building abutting on such street if they do not project more than 9 inches into the street and are at least 8 feet above the street level, or (ii) on, to or against a projecting or supported verandah a public street so as to project, in, over or across such street beyond the cornice or blocking course of such verandah.

## 14.

(a) No advertisement or sky-sign projecting over any public street or place or land vested in the Chief Administrator shall be retained, placed, put up or fixed at a height less than and to an extent greater than those specified in the table below :- Over a public street

Width of the street	Extent of projection on the street from the edge of the feet	Height of the lowest part of the project from the street level or the ground level as the case may be
Exceeding 20 feet, but not exceeding 40 feet	(i) Not exceeding one foot exceeding two feet (ii) Exceeding one foot but not	(i) 10 feet (ii) 12 feet
Exceeding 40 feet	(i) Not exceeding one foot (ii) Exceeding one foot but not exceeding three feet	10 feet

Over a public place or land vested in the Chief Administrator

Extent of projection from the land or place	Height of the lowest part of edge of the projection above ground level
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Not exceeding 2 feet	12 feet
Exceeding 2 feet but not exceeding 3 feet	15 feet

(b) No advertisement or sky-sign shall be more than 1½ feet in thickness at right angles to its surface. (c) No advertisement or sky-sign projecting over a public street at an angle to the street shall extend more than 3 feet measured from the building line along the street alignment. (d) No single surface area of an advertisement or sky-sign shall exceed 50 square feet. Provided that the Chief Administrator may for special reasons to be recorded in writing relax the above limits in a particular case.

## **15.**

(a) An application for a permit for a neon-sign shall accompany a sketch drawn to measurements from the manufacturers. (b) Any illuminated sky-sign or advertisement similar to a neon-sign or illuminated with neon-light which requires voltage above 230 shall be provided with a separate Fireman's Switch which shall be, in all respects, to the satisfaction of the Chief Administrator.

## **16.**

All advertisements displayed, and any land used for the display of advertisement shall be maintained in a clean and tidy condition to the satisfaction of the Chief Administrator.

## **17.**

No advertisement shall be sited or displayed so as to obstruct the vision of drivers of vehicular traffic or to hinder the ready interpretation of any road traffic sign, railway or air signal.

## **18.**

Any hoarding, sky-sign, placard, board or any other device erected for the display of advertisements shall be maintained in a safe condition to the satisfaction of the Chief Administrator.

## **19.**

Where any advertisement is required under this Order to be removed, the removal thereof shall be carried out to the satisfaction of the Chief Administrator.

## **20.**

The Chief Administrator shall not be liable to any damage caused to any property through the fall of any advertisement board or any appurtenances or fixtures thereof. Advertisement Hoarding

**21.**

Advertisement hoardings shall be put up only on such sites as may be approved by the Chief Administrator.

**22.**

Before an advertisement hoarding is allowed to be erected at an approved site, the advertiser will submit to the Chief Administrator a copy of the design, showing the size, dimensions, etc., of the hoarding and its supports, and the design and colour scheme of the matter to be advertised.

**23.**

(a) The permissible sizes of hoarding for any one advertisement shall be as under :-

Larger size (a) 19'-6" x 9'-9" To be erected in horizontal positions only

(b) 15'-6" x 9'-9"

Smaller size (a) 12' x 7'-6" Either horizontal or vertical

(b) 7'-6" x 6'

(c) 6' x 4'-6"

As a general rule, no indiscriminate mixture or hoardings of different sizes shall be allowed at any one place. (b) The lower base of the bottom of a hoarding at an approved site shall be at a height of not less than 8 feet from the surface of the ground below it and shall be in correct alignment with the other approved hoardings, if any, previously put up at the site. (c) The supports of all such hoardings shall be of steel or other metal or of concrete or of sound quantity timber of 4" x 4" thickness, firmly embedded in the ground and suitably painted.

**24.**

(a) In the case of hoardings put up by the side of road-bridges the heights of the supports will be so adjusted as to make one uniform line not higher than the embankment wall (or railing) of the road-bridge. (b) Any advertisement hoarding, allowed to be put up against a Railway Station fencing or the railing round public buildings, shall be at level with the top of such fencing or railing and not project beyond the same.

**25.**

Once a regulated hoarding has been allowed at any of the approved sites, all subsequent advertisers shall conform thereto in the matter of size, position, alignment, etc. of their hoardings.

**26.**

The owner of a hoarding shall affix his name plate at the top of the hoarding erected by him.

**27.**

Advertisement, hoarding and their supports shall be maintained at all times in a neat and tidy condition.

**28. Moving Vehicles.**

(a)Advertisement boards carried on vehicle shall not exceed 10 feet in height from the ground level and 7½ feet in width or the width of the vehicle, which ever is less, and shall bear the number and date of the sanction granted by the Chief Administrator in respect thereof.(b)No vehicle used for the purpose of advertisement shall display any advertisement in a manner, form or method different from that approved by the Chief Administrator.(c)No vehicle driven or ridden on any street shall have affixed to it any illuminated advertisement or illuminated sign of any nature whatsoever, except such as may be approved by the Chief Administrator.(d)No vehicle used solely or chiefly for the purpose of advertisement shall be driven or ridden or wheeled within the hours of 9-30 a.m. and 11.30 a.m. and 4-30 p.m. to 6-30 p.m. on such thoroughfares as the Chief Administrator may notify.(e)No hand-bills shall be distributed from the vehicles employed for advertising.

**29. Advertisements relating to travelling fairs and circuses, etc.**

- On application in that behalf made to the Chief Administrator, he may grant permission on payment of fees for the temporary display, on specified sites, of placards, posters or bills relating to the visit of a travelling circus, fair or similar travelling entertainment. The permission granted under this clause shall be subject to the following conditions in addition to the other conditions laid down in this Order :-(a)No such advertisement shall exceed six square feet in area or be displayed above 12 feet above the ground level.(b)No such advertisement shall be displayed earlier than fourteen days before the first performance or opening of the circus, fair or other entertainment and every such advertisement shall be removed within seven days after the last performance.Fees of Advertisements

**30.**

The fees as given in the Schedule of the Orders, shall be payable for the various kinds of advertisements and sky-signs given therein.

**31.**

Fees shall be paid in advance on or before the 10th of the month in which they are due.



**32.**

Fees in respect of advertisements and sky-signs newly exhibited shall be paid within 10 days from the date of their display.

**33.**

Full monthly fee shall be chargeable even for a fraction of a month. A month for this purpose shall be the calendar month.[Provided that where advertisements are to be displayed for part of a year and the fees fixed in the Schedule are for one year the fees payable for part of the year shall be calculated as follow.] [Proviso added vide Punjab Government Notification No. M-389- A/3673, dated the 2nd February, 1966.]

- |  |  |
|--|--|
| (a) For a quarter of a year or less                                    | Twenty-five per cent of the yearly fee.  |
| (b) For more than a quarter but less than two quarters of a year       | Fifty per cent of the yearly fee.        |
| (c) For more than two quarters but less than three quarters of a year. | Seventy-five per cent of the yearly fee. |
| (d) For more than three quarters of a year                             | Full yearly fee.                         |

**34.**

If the advertisement fees are not paid within the period mentioned in clauses 31 and 32 above, a sum equal to 25 per cent of the fee due shall be payable as penalty, in addition to any other action that may be taken against the defaulter under the provisions of the Capital of Punjab (Development and Regulation) Act, 1952.

**35.**

Fee payable monthly shall be compounded at 80 per cent if paid in advance for a full year. Compounded fees shall not be refundable; but in the case of neon-signs, if they get out of order or are discontinued for any valid reasons, partial refund shall be allowed on request, subject to the fee being calculated on monthly basis and a minimum charge being levied for 3 months, provided previous notice of discontinuance of the advertisement is given by the advertiser.

**36.**

In a case where a hoarding or structure belonging to the Chief Administrator or a space in or upon any land, building or other property vested in the Chief Administrator is let out for purposes of advertisements, the licence fee payable for such advertisement shall be paid over and above the rent or fee for which the same is let out.

**37.**

Annual permit holders shall get their permits renewed after paying the annual fees, immediately on the expiry of the permit period without waiting for an intimation to do so.

**38.**

(i) Every person desiring to erect, fix, retain, or display advertisements shall send or cause to be sent to the Chief administrator, not less than ten clear days, before advertisement is to be made and in time before printing copies of advertisements or painting advertisements or exhibiting them in any manner, a notice in duplicate in writing in such form as may be specified or directed by the Chief Administrator with all the particulars required therein together with a copy of the matter to be advertised, provided, however, the Chief Administrator may, for valid reasons and for emergencies reduce the time-limits, in special cases. (ii) The Chief Administrator shall within seven days from the date of receipt of the notice intimate to the applicant the fee due on the intended advertisement if he approves of the advertisement. (iii) The original of the notice shall be returned to the applicant immediately on payment of fee, with instruction either to incorporate the licence number in the advertisement copies to be printed for displaying within Chandigarh in the paintings to be done, or to produce copies of advertisements for stamping with the Chief Administrator's stamp in token to the fee having been paid, and the advertiser shall carry out the instructions. (iv) Where the giving of previous notice under sub-clause (i) is impracticable, copies of the advertisement proposed to be erected, exhibited, fixed, retained, or displayed shall be produced along with the application for approval under the sub-clause. On the payment of the fee due in respect of such advertisement the Chief Administrator's stamp shall be affixed on all copies of such advertisement in token of the fee having been collected. (v) The production of the copies of advertisement for the purpose of affixing the Chief Administrator's stamp or the incorporation of the licence number and date shall not be insisted upon in any case where the nature of the advertisement does not admit of such production or incorporation.

**39.**

Any person dissatisfied with an order of assessment under Schedule attached to this Order may appeal to the Chief Administrator and the decision of the Chief Administrator shall be final. Provided that no appeal shall be valid unless the amount of fee payable, as assessed, has been deposited.

**40. Register of applications.**

- The Chief Administrator shall keep a register containing the following information in respect of advertisements and sky-signs within Chandigarh, namely, - (a) particulars of any application made for the permission to display the advertisements and sky-signs including the name and address of the applicant, the date of application, brief description of the type of advertisements and sky-signs. (b) particulars of any direction given under this Order in respect of the application; (c) the decision, if any, of the Chief Administrator in respect of the application and the date of such

S. No	Description	Scale of fees payable monthly	Scale of fees payable yearly				
1	(a) Advertisement on hoarding of wall or post or in the form of non-illuminated sky-signs :-	Rs.	A	p	Rs.	A.	P.
	For a space upto 10 sq. ft.		.....		9	0	9
	For a space over 10 sq. ft. and upto 25 sq. ft.		.....		15	0	0
	For every additional 25 sq. ft. or less		.....		15	0	0
	(b) Advertisements suspended across streets;						
	For a space upto 10 sq. ft.		.....		9	0	9
	For a space over 10 sq. ft. and upto 25 sq. ft.		.....		15	0	0
	For every additional 25 sq. ft. or less		.....		15	0	0
	N.B. - The fees in respect of (b) will be in addition to the space rent which will be chargeable according to the scale to be determined by the Chief Administrator	Rs. 12 to Rs. 24 per year per running foot of the width of street according to its importance. As a rule, a street having a width of 40 feet or more will be treated as an important street.					
2	Advertisement hoardings standing blank but bearing the name of the Advertiser or with the announcement "to be let" displayed thereon:-						
	For a space up to 10 sq. ft.		.....		4	8	0
	For a space over 10 sq. ft. and upto 25 sq. ft.		.....		7	8	0
	For every additional 25 sq. ft. or less		.....		7	8	0

3	Advertisement boards carried on vehicle :-				.....
	For a space upto 50 sq. ft.	5	0	0	.....
	For every additional 50 sq. ft.	5	0	0	.....
4	Illuminated advertisement boards carried on vehicles :-				
	For a space upto 50 sq. ft.	10	0	0	.....
	For every additional 50 sq. ft. or less	10	0	0	.....
5	Advertisement boards, etc. carried by sandwich boardmen -				
	For each board not exceeding 10 sq. ft.		.....	12 0 0	
	For each board exceeding 10 sq. ft. and upto 25 sq. ft.		.....	24 0 0	
	For each additional 10 sq. ft. in area or less		.....	12 0 0	
6	Illuminated advertisement boards, etc., carried by sandwich boardmen :-				
	For each board not exceeding 10 sq. ft. area		.....	24 0 0	
	For each board exceeding 10 sq. ft. and upto 25 sq. ft.		.....	48 0 0	
	For each additional 10 sq. ft. in area or less		.....	24 0 0	
7	For fixed illuminated sky-signs and advertisements				
	For a space upto 2 sq. ft.		.....	12 0 0	
	Over 2 sq. ft. and upto 5 sq. ft.		.....	24 0 0	
	For a space over 5 sq. ft. and upto 25 sq. ft.		.....	30 0 0	
	For every additional 25 sq. ft. or less		.....	30 0 0	
8	For illuminated sky-signs and advertisements exhibited on screens by means of lantern slides or similar devices:-				
	For a space up to 5 sq. ft.	4	0	0	.....

	For a space over 5 sq. ft. and upto 25 sq. ft.	5	0	0	.....
	For every additional 25 sq. ft. or less	5	0	0	.....
9	Permission to auctioneers to put up not more than two boards of reasonable size advertising each auction sale, other than those on the premises where the auction is held, one on a prominent site in the locality and one on Municipal lamp post.		100	0 0	
	Per annum including the rent for exhibiting the board on a Municipal lamp post				