

ITEM NO.3

COURT NO.5

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s).13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(Outdoor Advertisement policy/Hoarding issue along with Report No. 74 filed by EPCA)

Date : 03-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s)

Mr. Harish N. Salve, Sr. Adv. [A.C.] (NP)

Ms. Aparajita Singh, Advocate [A.C.]

Mr. A.D.N. Rao, Advocate [A.C.]

Mr. Siddhartha Chowdhury, Advocate [A.C.] (NP)

Petitioner-In-Person

For Respondent(s)

Mr. Ranjit Kumar, SG

Mr. S. Wasim A. Qadri, Adv.

Mr. Zaid Ali, Adv.

Mr. Saeed Qadri, Adv.

Mr. Gurmeet Singh Makker, Adv.

Mr. S.N. Terdal, Adv.

Mr. B.K. Prasad, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Mohan Parasaran, Sr. Adv.

Mr. Praveen Swarup, Adv.

Mr. Anand Mishra, Adv.

Mr. Hemant Kumar, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

EPCA has filed Report No.74 dated 26<sup>th</sup> July, 2017.

There is no objection to the Report as well as the Outdoor Advertising Policy, 2017 annexed to the Report.

The only objection to the Policy is on behalf of the Indian Railways with regard to revenue sharing. Since there is no objection to the stand taken by the Indian Railways, we accept the stand taken by the Indian Railways with regard to revenue sharing.

Learned *amicus curiae* has pointed out that with regard to the hoardings that may be put on railway bridges, flyovers and foot-over-bridges, the stability of the billboards should be handled with utmost care and all efforts must be made to avoid visual clutter and ensure safety of persons as well as aesthetics.

The Policy specifically mentions that the exemption granted to the Northern Railways and Delhi Metro Railway Corporation in this regard is conditional, being subject to clearance of the site/bill board plan by the Commissioners of the Municipal Corporations of Delhi. We have no reason to believe that the Commissioners will not take a reasoned decision taking into consideration all the relevant facts and circumstances before according permission for putting up the bill boards/hoardings over railway bridges, flyovers and foot-over-bridges.

Learned counsel appearing on behalf of the Delhi Outdoor Advertisers Association says that there are some objections that the Association may have to the Policy. A representation may be made to the concerned authorities.

The Policy as framed by EPCA and as contained in Report No.74 is accepted and should be implemented forthwith.

Report No.74 is disposed of.

(SANJAY KUMAR-I)  
AR-CUM-PS

(SHARDA KAPOOR)  
ASSISTANT REGISTRAR