



AHMEDABAD MUNICIPAL CORPORATION

Draft General Parking Control (Management) By-laws, 2023.

(To regulate public parking places under The GPMC Act, 1949)

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Preface

The Gujarat Provincial Municipal Corporation Act of 1949 (“**GPMC Act**”) establishes Section 458 that providing and maintaining parking facilities is the local government’s responsibility.

At present, parking enforcement is managed by the Traffic Police. They fine and/or tow away illegally parked vehicles. Often, they cannot enforce due to lack of adequate traffic policemen or lack of equipment to tow away vehicles. In most cases, traffic police are stationed at major intersections and not along the roads/streets. This leads to situations where parking violations occur frequently, leading to traffic congestion and safety issues for all users, and a general sense of chaos and disorder on streets. The AMC, therefore, desires to manage parking enforcement in its jurisdiction with a view to inter alia ease the burden on traffic police and ensure organized on and off street parking. This shall be done in conjunction with the powers of the Traffic Police to enforce and collect fines under the Bombay Police Act and the Central Motor Vehicles Act.

Ahmedabad has been experiencing an exponential growth in vehicles which leads to traffic congestion and increase in vehicle density on the road. With the increasing number of vehicles, there is a high demand for parking spaces and the supply of parking zones is limited. Ahmedabad now needs to relook at its parking strategies in order to cope up with the ever increasing demand for parking spaces. Planned parking provision plays a pivotal role in transportation, building design, quality of life and environmental issues. Parking spaces should not be provided at subsidized rates as Parking occupies a significant amount of prime public ‘real estate’ or serviced urban land.

Ahmedabad needs parking By-laws for governing and regulating parking within its jurisdiction.

The relevant provision of the GPMC Act in this regard is as follows:

(b) **Section 458 of the GPMC Act provides:**

“458. By-laws for what purpose to be made

“The Corporation may from time to time make By-laws, not inconsistent with this Act and the rules, with respect to the following matters, namely:...

(36) Securing the protection of public parks, gardens, public parking places and open spaces vested in or under the control of the Corporation from injury or misuse, regulating their management and the manner in which they may be used by the public and providing for the proper behavior of persons in them (and the levy of fees therein)”.

These By-laws shall be framed under sub-section 36 of section 458.

1 Title and Commencement

- 1) These By-laws may be called the Ahmedabad Municipal Corporation, "General Parking Control (Management) By-laws, 2023".
- 2) These by-laws shall come into force with effect from the date of publication in the official gazette of the State of Gujarat.
- 3) These by-laws shall apply to the area under the jurisdiction of the Ahmedabad Municipal Corporation.

2 Definitions

In these Parking By-laws, unless there is anything inconsistent with the context or meaning:

“**Act**” means the Gujarat Provincial Municipal Corporation Act, 1949;

“**Additional Charge**” shall have the meaning specified in Clause 8(4) of these By-laws.

“**BRTS Lane**” means a lane meant to carry Bus Rapid Transit System (BRTS) buses only and clearly marked through lane markings and signage;

“**Bus Stop/Station**” means a facility provided for passengers using public transport to board and alight from the public transport vehicle;

“**City**” means the city of Ahmedabad;

“**Corporation**” or “**AMC**” means the Ahmedabad Municipal Corporation;

“**Cycle Track**” means a segregated lane earmarked exclusively for use of bicycles;

“**Dead Vehicle**” means vehicles which have not been used for driving for over a period of 90 days or in non-usable condition;

“**Emergency Vehicle**” means a vehicle used for emergency purposes including but not limited to transporting patients to hospitals, fire engines on duty, police vehicles on duty and other vehicles on relief and rescue work;

“**Footpath**” means a type of thoroughfare that is intended for use only by pedestrians and not for other forms of traffic such as motorized or non-motorized vehicles;

“**IRC**” means the Indian Road Congress Codes;

“**Impound Lot**” is a specific area identified by the AMC to park vehicles that are towed away for parking / traffic rule violations;

“**Metro Stop/Station**” means facilities provided for passengers using 'Metro Rail Transit System' to board and alight from the Metro Rail;

“**Motor Vehicle**” includes an automobile, bus, truck, motorcycle, motor assisted bicycle, motor scooter and any other vehicle propelled or driven other than by muscular power;

“**MRTS Lane**” means a lane meant to carry Metro Rail Transit System (MRTS);

“Multi-level Parking” is an off-street parking facility on one or more levels;

“No Parking” means all spaces/places which are not designated for parking or declared as no parking by Municipal Commissioner.

“Non-Use Vehicle” means vehicles which have not been used for driving for over a period of 96 hours;

“Off-Street Parking” means the lot of parking in a place that is not on street and may be in a private/public domain or in a multi-level/surface parking facility;

“On-Street Parking” means the act of parking on the street or road in an area specifically designated for parking;

“Park” or **“Parking”** means the act of leaving or stationed a motor vehicle in a designated space as declared by the Corporation for some limited duration of time;

“Private Property Area” means an area where most of the properties are of private ownership and not under government ownership;

“Parking Area” means an area, enclosed or unenclosed, covered or open, which is sufficient in size to park vehicles and includes any driveway connecting them with a street or alley and permitting ingress or egress of vehicles;

“Parking Charges” are charges collected by the Corporation from users for parking in a designated area;

“Parking Permit” means a permit given by the AMC to users to park vehicles in designated areas for specific period after pre-payment of fees set by the AMC;

“Pedestrian” means any person traveling on foot whether walking or running;

“Restricted Parking Area” shall mean a street or part of a street or place / area designated by this by-laws for the purposes of restricted parking like time/day/lane etc.

“Right of Way” or **“RoW”** means the entire area between property edge to property edge that is in the public domain and including features of carriage way, footpath, street furniture, median, traffic signals, cycle tracks, designated parking, etc.;

“Shared Parking” is the same parking space shared by more than one user on mutually agreeable terms;

“TP Act” Means the Gujarat Town Planning and Urban Development Act, 1976 (President Act No. 27 of 1976).

“Traffic Enforcement Officer” or **“TEO”** means the authorised person by AMC or employs of AMC to carry out parking enforcement activities under these by-laws.

All other words and expressions used in these Parking By-laws which are defined in the Act shall have the same meaning as respectively assigned to them in the Act.

3 Jurisdiction

The provision of the By-laws shall apply to the area under the Ahmedabad Municipal Corporation (AMC). It shall include:

- (1) All highways and parts of highways
- (2) All lanes or alleys in public RoW
- (3) All public rights-of-way and public streets or roads
- (4) All On-Street and Off-Street parking places and areas
- (5) Private property area if specifically noted in the rules for temporary period as and when declared by the Municipal Commissioner.

4 Standards

The Corporation shall ensure that all areas for On-Street and Off-Street Parking, including parking areas under bridges and flyovers, parking lots in municipal plots are clearly marked so that they can be easily identified. Specifically, the following standards shall be followed:

- (1) On-street parking spaces shall be designed as per IRC:SP:12-2015;
- (2) Boundaries of all spaces for On-Street Parking will be marked as per IRC:35-1997 and IRC:35-2015;
- (3) Signage clearly marking “parking” and “no-parking” areas shall be marked as per IRC:67-2001 and IRC:67-2012;

5 Traffic and Parking Implementation Cell (TPIC) - Duties and Responsibilities

- (1) The Municipal Commissioner shall form a “Traffic and Parking Implementation Cell” within the AMC. It shall be headed by Director (Traffic), a technical officer of the rank of Class-1 or above.
- (2) A team of TEOs of the rank of Deputy Engineer/ Assistant Engineer / Junior Engineer / Supervisor or any other rank shall be appointed and shall report to the Director (Traffic) or concerned higher official.
- (3) Towing vehicles and/ or clamps shall be procured by the AMC;
- (4) All cases of parking violations in AMC area shall be monitored by Traffic and Parking Implementation Cell through frequent surveys;
- (5) The authority to tow away and/ or clamp vehicles which violate parking norms shall rest with the Traffic and Parking Implementation Cell/TEO;
- (6) In case of clamping, the vehicle shall be unclamped after the correct Additional Charge has been paid to the AMC;
- (7) In case of towing, the vehicle shall be shifted to the nearest impound lot and released after the correct Additional Charge has been paid to the AMC;
- (8) All records and database shall be maintained by the Traffic and Parking Implementation Cell in order to identify all violations and take appropriate actions as decided by the Municipal Commissioner or Competent Authority.

- (9) Private agencies can be appointed through transparent and competitive bidding process for collection of fees, penalties, towing and no parking charges in the City under the supervision of authorised officer appointed by Director (Traffic) / municipal commissioner.

6 Procedures and Requirements

The Municipal Commissioner may authorise Director (Traffic) of Traffic and Parking Implementation Cell to carry out the duties and responsibilities for the purpose of these by-laws on his behalf. The procedures and requirements for the Corporation to enforce parking by-laws in the City shall include the following:

- (1) The Municipal Commissioner or an officer authorised by the Commissioner may determine places where motor vehicles may stand either all time or for a specified period of time, and may determine the places at which public service vehicles may stop for a longer time than necessary for the taking up and setting down of passengers.
- (2) The places for parking of different kinds of vehicles and the fee shall be published in local newspapers.
- (3) The Municipal Commissioner or an officer authorised by the Commissioner may designate area/places for on-street/off-street parking purpose within the city limit.
- (4) The Municipal Commissioner or an officer authorised by the Commissioner may declare “no-parking” areas/places for smooth flow of people and vehicles.
- (5) The Municipal Commissioner or designated officers by municipal commissioner may prescribe parking permits primarily in residential areas, neighbourhoods or whichever other area he/she may think fit for issuing such parking permits. The fees of the parking permits shall be decided by the Municipal Commissioner from time to time based on the general traffic condition of the city. He/ she shall have the power to refuse or revoke such parking permits.
- (6) Any vehicle users can park their vehicle at residential place, work place or any other place which are designated for parking purpose. These places may be owned by different people. The Municipal Commissioner or designated officer by municipal commissioner may authorise shared parking between multiple owners on production of mutually agreeable terms given in writing, provided each of the parties has a right to share that parking space.
- (7) On-street and off-street parking charges shall be decided by the Municipal Commissioner from time to time.
- (8) On-street parking shall be discouraged around or adjoining roads or areas near multi-level parking or designated off-street parking. This area shall be decided by the Municipal Commissioner and can be changed as and when required. (Unless otherwise specified).
- (9) On-street and off-street parking shall be permitted for a maximum period of time as decided by the Municipal Commissioner.
- (10) In the event a motor vehicle is left at rest in any public place in such a way as to cause or likely to cause danger, obstruction or inconvenience to others, such vehicles can be towed away or clamped by the AMC.
- (11) The Municipal Commissioner shall determine the fee and Additional Charge.

- (12) The charges for towing and the Additional Charge shall be borne by the owner of such motor vehicle. If any motor vehicle is stationary, abandoned or left unattended in any place other than a duly designated parking place in such a way as to cause obstruction to traffic or danger to any person or creating a traffic hazard, TEO or duly appointed or authorised staff may:
- i. Forthwith cause the vehicle to be moved under its own power or otherwise to the nearest place where the vehicle will not cause undue obstruction or danger;
 - ii. Unless it is moved to a position where it will not cause obstruction or danger or hazard, cause to be taken all reasonable precautions to indicate the presence of the vehicle;
 - iii. In case of “Non-use Vehicle” the vehicle has been stationary, abandoned or left unattended in parking or no parking area for a continuous period of 96 hours, TEO shall towed away the vehicle to 'impound lot' and then inform the police for further action;
 - iv. In case of “Dead Vehicle” lying stationary, abandoned or left unattended in private or public place for more than 90 days, TEO shall towed away the vehicle to 'impound lot' and then inform the RTO officer or police for further action.
- (13) Officer in-charge of a parking place and TEOs shall be issued identity cards by AMC.
- (14) The Municipal Commissioner may amend these parking by-laws as and when required.
- (15) For vehicles that are required to be towed away, the TEO shall implement the following actions:
- i. Take photographs on a camera to explain the nature of violation and as proof of the violation;
 - ii. Record the licence plate number in prescribed format and the nature of violation;
 - iii. Record the amount of Additional Charges to be collected in the prescribed format;
- (16) AMC shall not be responsible for any damage to the parked or towed vehicle.

7 Implementation Plan

The contents of the by-laws may be implemented through the following plan:

(1) **Parking permits:**

The Municipal Commissioner or designated officer by Municipal commissioner shall declare specific areas in Ahmedabad to be under 'Parking Permits'. Vehicle owners residing or working in such areas shall approach the Concern office of AMC to obtain their parking permits. This may be for on-street or off-street parking. They shall be asked to fill in an application form with the street name or place / Multi-Level Car Parking name and deposit the fees in force at that point of time. Documents related to proof of residence and proof of vehicle ownership will need to be submitted along with the application form. Against payment of permit fees, the residents shall receive a valid permit and a specially designed sticker with a unique ID to be prominently displayed on the vehicle. If vehicles are found parked in such designated areas by the TEO without a permit, they shall be charged for violation of by-laws as decided by the Municipal Commissioner. The TEOs shall have real time access to check the permit validity and authenticity during site visits. The following clauses shall be applicable to all the parking permits:

- i. All parking permits shall remain valid for a given address, and shall cease to be valid when the address is changed. The Corporation may set an upper limit of one parking space per residence.
- ii. Parking permits will not be applicable for premium roads/place during specific time duration which will be decided on case to case basis depending on the activities along the road and need of AMC.
- iii. There will be higher parking permit charge for defaulters.
- iv. AMC is not responsible for any damage to the vehicle.
- v. The decision of the Municipal Commissioner for granting or denying a parking permit shall be final and binding on all.

(2) **Establishment of IT unit within TPI Cell:**

The Director (traffic) may establish IT unit within TPI cell for efficient management and enforcement of parking by use of smart parking technologies.

i. **Parking management by use of Smart Parking Technologies:**

All public parking related information could be integrated in Central Parking Portal hosted by the IT unit. The portal could display real time information on parking status of all parking lots in the city.

IT unit shall introduce smart card based automated parking and taking away human factor will improve the quality of parking management.

IT unit shall develop real time parking guidance systems so that people spend the minimum amount of time searching for a parking space.

IT unit shall enforce machines capable of recording the details of vehicles violating regulations, photographing the vehicle, issuing a ticket and sending the data about the whole operation back to a base station.

IT unit shall use information technology for record keeping, financial management, monitoring of customer service, fine issuing and management, follow up of non-payment and so on.

ii. Smart Parking Technologies:

TPIC may develop smart parking facilities by use of technology. Smart parking facilities will be an efficient and cost-effective system to monitor the availability of parking spaces in real-time and use the latest technology for setting up parking spaces, such as RFID (Radio-frequency identification) tags, automated boom barriers, on-street meters, CCTVs, and computerized parking slips with timers, VMS (variable message sign) parking boards, mobile applications, and new technologies available time to time, and so on, such as,

- (1) **Parking Sensor and its relevant technology:** Technologies such as sensors and CCTV cameras detect available parking spaces and direct drivers to the most convenient spot via digital signage such as LED-displays or VMS parking boards.
- (2) **RFID tag with automated boom barriers:** On selected categories of vehicles, the method of RFID tag with automated boom barriers can also be tried out for issuing parking tickets. When a vehicle wants to check out, authentication is done by analysing check-in details. The drivers will be notified about the availability of parking lots at the entrance itself.
- (3) **Mobile application:** The Mobile Parking Application aims at helping users to find the most suitable area for parking, Make reservations and extend them, if required.
- (4) **On street metering:** A parking meter is a device used to collect money in exchange for the right to park a vehicle in a particular place for a limited amount of time. A computerised parking slip will be generated along with the remaining time. Parking meters can be used by municipalities as a tool for enforcing short-term parking.
- (5) **Lock based System:** A parking reservation lock is installed in front of the parking space. When it goes up, it can block space from being occupied. When the parker arrives at the site, he opens the mobile app, the matching code is verified, and the barrier can go down automatically. After the car leaves, the barrier will go up automatically.

(3) Sharing parking:

- i. AMC shall encourage sharing of parking space amongst different buildings and facilities within the proximity of each other. Shared parking in the nearby areas will allow efficiency in terms of parking management and space allocation. The concept of sharing parking shall succeed with the mutual consent of both parties and subject to a “no objection” from the president/ chairman/ secretary of the premises in context with the parking policy.
- ii. TPIC will make online platform in which the owner, who want to share the parking lot/space; have to register in mutual agreement with terms. A nominal amount should be paid as a fee as decided by municipal commissioner / Ahmedabad Municipal Corporation.

(4) **Disposal of unclaimed vehicles:**

Vehicles towed away for parking violations shall be kept at an impound lot. AMC shall designate spots/areas in the city as 'Impound Lot' where the towed away or unclaimed vehicles shall be parked. In case towed vehicle is not claimed by owner after paying the fixed charge, a demurrage charge as decided by the Municipal Commissioner per month shall be applied for a maximum period of 3 months. In case, vehicle is not claimed by owner/concern person or default in payment charges within 3 months. Then the vehicle shall be disposed of by the Director (Traffic) through following due process.

The Director (Traffic) shall publish a detailed list of unclaimed vehicles in the local newspaper for the purpose of the final call. If there is no claim within 15 days from publication of the notice in newspaper, the Municipal Commissioner shall make a resolution to direct the RTO officer and police officers to provide ownership of such unclaimed vehicles in favour of the Ahmedabad Municipal Corporation.

The Municipal Commissioner shall establish the valuation committee, which consists of valuation experts, a police officer, a RTO officer, an AMC officer, or any 'member decided by the Municipal Commissioner' as members for the purpose of unclaimed vehicle's valuation. The valuation committee shall decide the fair price of the vehicle on the basis of its condition and relevant parameters. Based on that valuation, the Director (Traffic) shall dispose of such unclaimed vehicle(s) through the auctioning process.

8 Fees and Additional Charge

Fees:

- (1) The Municipal Commissioner may define fees for the designated Parking Areas in the City. The parking fees can vary depending on the type of vehicle, location, time of the day, duration, demand and type of parking etc...
- (2) Parking fees shall be displayed at appropriate locations in the City.
- (3) The Municipal Commissioner can modify the fees from time to time as required.

Additional Charge:

- (4) Whoever contravenes any provision of these By-laws shall be liable to pay additional charges for parking in violation of these By-laws which includes following specific situations but not limited to:
 - i. A motor vehicle parked in an area other than the designated area of parking.
 - ii. A motor vehicle is parked on the footpath;
 - iii. A motor vehicle is parked in an area clearly identifiable as a Bus Stop/Station;
 - iv. A motor vehicle is parked in a manner that obstructs entry and exit to public and private properties;
 - v. A motor vehicle is parked on a Cycle Track;
 - vi. A motor vehicle is parked in a manner that obstructs the smooth flow of traffic;
 - vii. A motor vehicle is parked either completely or partially on a zebra crossing;

viii. A motor vehicle is parked in a BRTS lane.

- (5) The Additional Charges that shall be payable for parking in violation of these by-laws shall be as follows:

Vehicle Type	Additional Charges
Two wheelers	To be decided by Municipal Commissioner from time to time through a circular or publication.
Three wheeler	
Four wheeler	
LCV	
HCV	

- (6) The Additional Charge shall be incrementally increased as decided by the Municipal Commissioner if the same vehicle is found violating frequently;
- (7) The Municipal Commissioner can change the Additional Charges if required. The new Additional Charges shall be published in the local newspapers.

9 Mode of Payment

Challans shall be issued to persons who violate parking rules. These challans can be in the form of e-challans also. Offenders shall have the option to pay in cash to the TEO, or in the event the vehicle is towed away, then to pay in cash at the impound lot, where the vehicle is parked. Options for payment on the spot through debit and credit cards or mobile applications shall be made available. Payment can for parking charges and violations also be made through an electronic sensor system.

10 Exemptions

The provisions of these By-laws shall not apply to:

- (1) Authorized Emergency Vehicles where the operator is engaged in the performance of their duties;
- (2) Vehicles which are exempted, permit would be issued by AMC and/or traffic police for various purposes and for specific period of time.

11 Appeals

If a person is not satisfied with the procedure and fine imposed:

- (3) He shall have the right to appeal to the Director (Traffic) within 14 days of the offence.
- (4) The Director (Traffic) shall make a decision within 15 days of receiving such appeal.

The decision of the Director (Traffic) shall be final.