

LEGAL AWARENESS IN JAYANTIDAS.COM AUGUST 2019

NON-AVAILABILITY OF GUIDELINES FOR PARKING OF VEHICLES 24X7 ON PUBLIC ROAD UNDER COMMISSIONERATE POLICE

Received a reply under RTI FROM ACP Traffic Cuttack UPD vide letter no 465 dated 07/06/2019 that there are no specific guidelines pertaining to parking of cars 24x7 on public road available with Commissionerate Police.

Filed a representation dated 12/06/2019 to the ACP Traffic Madhupatna Cuttack to regularize the parking vide EO427707028IN

- 1) The reply of ACP admitted that vehicles are to be parked in parking places only.
- 2) Vehicles parked 24x7 like taxi stand in residential area along with motorcycles and autos cover 50% of the public road.
- 3) People take advantage of non-availability of guidelines for parking and start parking on the public road at their discretion which leads to inconvenience of legal owners of car for exit and entry as the entrance is blocked by parking of others' vehicle.
- 4) Accountability is not fixed such illegal parking on the public road because they have already taken confidence the local Sahi Committee who collect unofficial parking fees and provide protection
- 5) It is quite interesting that by paying protection money in the form of cash/kind to the local Sahi Committee to construct temples the illegal parking on public road is a flourishing business in Cuttack city and local police does not act because of NON-AVAILABILITY OF GUIDELINES FOR PARKING.
- 6) Such type of inaction from the side local police in the matter of illegal parking of vehicles 24x7 on public road and use of discretion and jurisprudence by local PS ie to allow/not to allow leads to shifting of power centre gradually to the anti-socials and generation of bad money which create havoc in public life in near future.
- 7) Negative side of parking 24x7 on public road
 - a) Nobody is accountable
 - b) Chances of terrorist act
 - c) Creation of black money
 - d) Making local anti-socials more powerful
 - e) Chances of committing crime
 - f) Chances of road rage
 - g) Chances of attempt to take revenge
 - h) Mushrooming of auto-repair shops on public road and parking of autos on public road by covering $\frac{3}{4}$ of the road; for example near Durga Bhavan, Jagannath Temple, Mahamadia Bazar Cuttack
 - i) Chances of accident rate is high as half of the public road is covered by parking
- 8) Negative sides are more dangerous and destructive to the society except being beneficial for vehicle owners who park on the public road and their criminal godfather.

- 9) It is interesting to see that some landlords who have space they park their vehicle on the public road and rent out the space for garages to others and use their “would-be garage space” as shops for selling second hand motorcycles/scooters etc.
- 10) It need some curative measures to be implemented at the earliest
- 11) A WPC PIL 14674 of 2014 was filed in the Hon’ble Orissa High Court to bring reforms in the process of detention and fine collection.
- 12) Police and society should act as per law and according to guidelines
- 13) Suggestions
 - a) Persons who park their vehicles 24x7 on public road have to register their vehicles along with their aadhar and mobile number with local PS
 - b) A team has to formed in every PS to verify such parkings in their respective jurisdiction
 - c) Constant parking on the public road to be fined with receipt with videography
 - d) Auto / motorcycle repair on public road to be stopped immediately after collecting with receipt
 - e) The fine money received to be used for the welfare fund of martyr of Police department
 - f) Genuine persons who do not have space to park vehicles should provided nearby parking area by municipality by paying monthly rent.
 - g) There should be guideline for the purchasers of vehicle that they should made prior arrangement for parking
 - h) Either ways the imposition of fine/service charge by commissionerate police will solve the illegal parking problem because if space is available the owner will purchase the vehicle or hire garage/parking space of others or pay parking fees to the commissionerate police with receipt or the person will go for OLA/UBER or sharing the vehicle or else the person will not purchase the vehicle or sell off the existing vehicle
 - i) The public road should not turn to be turned into a garage or dump yard of vehicle owners free of cost
- 14) Law should be specific ie YES or NO /DOs and DONTs and law violators should not take advantage and flourish at the cost of law abiding citizens

The representation was also given to DGP Odisha, Commissioner CMC and Collector Cuttack by letter dated 26/06/2019 vide EO440711645IN, EO440711662IN and EO440711676.