



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

RNI No. 27009/1973

Postal Regn. No. NE-313(MZ) 2006-2008

Re. 1/- per page

VOL - XLIII Aizawl, Friday 24.1.2014 Magha 4, S.E. 1935, Issue No. 16

NOTIFICATION

No.C.31012/9/2013-DCA (L), the 21st January, 2014. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Regulations passed by the Lai Autonomous District Council and approved by His Excellency the Governor of Mizoram on 9.1.2014 is hereby published for general information, namely :-

**“THE LAI AUTONOMOUS DISTRICT COUNCIL
(CONTROL OF VEHICLE PARKING) REGULATIONS, 2012”**

P. Singthanga,
Secretary to the Govt. of Mizoram,
District Council Affairs Department.

**“THE LAI AUTONOMOUS DISTRICT COUNCIL
(CONTROL OF VEHICLE PARKING) REGULATIONS, 2012”**

A

REGULATION

to provide for the levy and collection of vehicles parking fee within the Lai Autonomous District.

Whereas under sub-paragraph (3) of paragraph 8 of the Sixth Schedule to the Constitution of India, the District Council for an Autonomous District is empowered to make regulation for the levy and collection of taxes on vehicles within the District.

Now, therefore, in exercise of the said power and all other powers enabling it in that behalf, the Lai Autonomous District Council is pleased to make this Regulation in the *Sixty Third Year of the Republic of India* as follows :-

Short title, extent and commencement :

- (1) These regulations may be called the Lai Autonomous District (Control of Vehicles Parking) Regulations, 2012.
- (2) It shall extend to the Lai Autonomous District areas of such town or places as the Executive Committee may by notification declare.
- (3) It shall come into force on such date of publication in the Mizoram Gazette.

Definitions : In this regulation, unless the context otherwise requires :-

- (a) “Collector” means any person authorised by the Executive Committee to collect the parking fees ;
- (b) “Department” means Transport Department of the Lai Autonomous District Council;
- (c) “District” means the Lai Autonomous District ;
- (d) “Executive Committee” means the Executive Committee of the Lai Autonomous District Council;
- (e) “Motor Vehicle” means all types of vehicle as defined in the Motor Vehicle Act, 1988;
- (f) “Owner” means a person in whose name a motor vehicle is registered;
- (g) “Parking Areas” of “Parking Places” means places declared from time to time by the Executive Committee or any officer authorised in this behalf by the Executive Committee ;
- (h) “Parking Fee” means fees in this regulation;
- (i) “Parking Hour” means a period from 8:00am to 10:00am in the morning and from 3:00pm to 5:00pm in the evening or any other period notified by the Executive Committee or any officer authorised in this behalf by the Executive Committee from time to time.

Declaration of Parking Areas :

- 1) The Executive Committee or any officer authorised in this behalf by the Executive Committee may declare and specify parking areas from time to time in different parts of the town areas within the district as parking places for vehicles of different kinds. Such parking areas shall be notified and published in local news papers for information of general public.

Provided that the Executive Committee may by notification constitute an Advisory Committee to select site for parking areas or places.

- 2) On the recommendation of the Advisory Committee the Executive Committee may also select and declare from time to time suitable areas within the District as parking areas, places or dropping zone taking into consideration of the need of Shopping Centers, Public Offices, Bus Stands, Public Conveniences etc.
- 3) No motor vehicle shall be parked on any Public Street, Road Sides, thoroughfare or any open space within the limit of proper town areas except in particular places demarcated specifically by the Executive Committee as parking areas or places.

4. Collection of Parking Fee :

- 1) The Executive Committee or any officer authorised in this behalf may charge a parking fee on vehicles during the parking hours for parking on such places declared as parking areas as per the rate prescribed in Table 'A' of the Schedule to these Regulations. The Executive Committee may reduce or enhance the rate of parking fees from time to time.
- 2) Notwithstanding anything contained in sub-rule (1), no parking fees shall be charged to any vehicle belonging to the District Council, Central or State Government.
- 3) As soon as parking fee is collected on any vehicle the collector shall issue receipt in the form duly approved by Executive Committee, or any person authorised by the Executive Committee. The receipt should specify the kind of vehicle, its registration number, time of entering into parking areas and also the agency who is making collection.
- 4) The parking fees shall be realized through department employees, duly authorised for the purpose or by any authorised agency appointed by auction or through license on such terms and conditions as the Executive Committee may determine.

5. Parking of vehicles at Parking Areas at the risk of the owner or Driver :

A vehicle shall be parked in the parking area at the Owner's or Driver's risk and responsibility. The Executive Committee or the Department shall not be held responsible for any loss or damage of the vehicle parked at the parking areas.

6. Prohibition of Parking of Vehicle on the middle of the road:

No Owner or Driver of a motor vehicle shall park his vehicle on the middle of the road or in any inconvenient place other than the places notified as parking areas, stop or any bound corner for embarking and disembarking of passengers and their luggages.

Provided that parking on the road, thoroughfare or any other places other than the parking areas shall not be allowed for more than the time prescribed. Loading and unloading during the peak hours is prohibited unless special permit is granted by the authority.

7. Prohibition of drawing out vehicles from the parking areas without payment of parking fee :

No Owner or Driver of any vehicle shall be allowed to move his vehicle from the parking area without payment of parking fee.

8. Prohibition of Parking more than 10 hours without permission :

No vehicle, whether serviceable or unserviceable belonging to District Council, Government or Private, shall be allowed to park at any parking place or any road within the proper town area more than 10 hours continuously whether it is during the working hour or night-time without prior approval of the Executive Committee or any officer authorised in this behalf. However, the Executive Committee may grant permission at the risk of the owner of the vehicle for parking of vehicle at various parking places or public roadside on payment of parking fees prescribed in Table 'B' of the schedule to these regulations.

9. Seizure of Vehicle in case of refusal of payment :

- 1) If the Owner or Driver of any vehicle refuses to pay fine for illegal parking, the vehicle may be seized by the Traffic Police on duty, after observing formalities of such seizures as provided in the Code of Criminal Procedure 1973. If a situation demands, such seized vehicles shall be removed to the Police Station or to a place specified by the Executive Committee at the cost of the owner of the vehicle. A vehicle so seized may be released on payment of additional fine of two hundred and fifty rupees, which may be extended to five hundred rupees, depending on the nature of the offence, public inconvenience or obstruction caused by the offender.
- 2) Defaulter on payment of fine if any shall entail seizure of registration certificate or driving license or with both by the authorised collector.
- 3) The State Police shall extend all necessary assistance to the collectors of parking fees in regulating and mortgaging the places of parking.

10. Authority to impose fines :

Notwithstanding anything contained in any order issued by the Executive Committee or any officer authorised by the Executive Committee, any Executive Magistrate or any Police Officer, not below the rank of Sub-Inspector or any Officer of the Department not below the rank of Motor Vehicle Inspector may compound an offence committed under these Regulations and impose fines as specified in these Regulations on the spot or otherwise. The fined money shall be deposited forthwith to the officer authorised to receive payment thereof in this behalf.

11. Power to make rules :

The Executive Committee may by notification make rules for carrying out all or any of the purpose of these Regulations.

SCHEDULE**1. Table 'A'****(Parking fees see rule 4 (1))**

Sl.No.	Type of Vehicle	(Parking Hours) for the first hour or part thereof	From 8:00am to 6:00pm for every subsequent hour or part thereof
(1)	(2)	(3)	(4)
1	Heavy/Medium vehicles	15.00	10.00
2	LMV/Three Wheeler	10.00	5.00
3	Two Wheeler	5.00	5.00

Notes :-

- 1) Town Buses in the demarcated stand/stop within town area 5:00am to 6:00pm are exempted from payment of parking fees. However exemption shall not be given if parked at other places other than their respective stand/stop and fees will be as per rate fixed at Sl.No.1 of the table above.
- 2) Maxi Cab/Tourist Taxi, Local Taxi while parking at their respective stand shall pay ` 15/- per day. However, if parked at other places other than their respective stand the fees will be as per rate fixed at Sl.No.2 above.
- 3) Light vehicle belonging to Government/District Council shall pay ` 10/- per day, parked at parking areas other than their respective office compound/office garage.
- 4) Motor Cycle/Scooters belonging to Government/District Council servants shall pay ` 5/- per day, if parked at parking areas other than their respective office compound/office garage the fees will be as per rate fixed Sl.No.2 above.
- 5) Parking fee for Auto-Rickshaw shall be ` 10/- per day of parks in their respective stand. However, if parked in other places other than their respective stand, the fee will be as per rate fixed at Sl.No.2 above.
- 6) Tourist Buses/Night Buses/Bazaar Buses while parking in their respective stand shall pay ` 10/- per day or ` 300/- for a calendar month.

However, if parked in other places than their respective stand, the fees will be as per rate fixed at Sl.No.1 of Table 'A'

TABLE 'B'**Road Side Parking Fees
(See Rule 8)**

Sl.No.	Types of Vehicle	For permitted vehicle to park for more than 10hours at a time on the demarcated parking areas or any of the public roadsides space other than private compound.
(1)	(2)	(3)
1	Heavy/Medium Vehicle	` 20/- per day & night or ` 500/- for a calendar month
2	LMV/Three Wheeler	` 10/- per day & night or ` 250/- for a calendar month
3	Two Wheelers	` 5/- per day & night or ` 100/- for a calendar month

Notes :

Vehicle using public road-sides as garage regularly/irregularly shall be given formal permission to park their vehicles on payment of the above fees.