

EPCA report no 18 (November 2005)  
In the matter of W.P.(C) No.13029 of 1985; M.C. Mehta v/s UOI & others

## **Supplementary submission on Parking Policy and Related Issues**

1. This report is in addition to EPCA report on parking: the imperative of restricting vehicle numbers in Delhi (July 2004).
2. It takes into account the parking policy filed by the government of Delhi (affidavit on behalf of GNCT of Delhi).
3. In addition, it reviews policies and measures for parking to assess the action plan and work to be done.

**Environment Pollution (Prevention & Control) Authority for  
the National Capital Region**

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## **1. Background and Hon'ble court's orders on aspects of parking**

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EPCA submitted its report, *the imperative of restricting vehicle numbers in Delhi: Designing a parking policy to manage travel demand in the city*, in July 2004. The report critically analysed the current parking crisis in the Delhi and demanded a composite parking policy.

The Hon'ble court in its order dated November 19, 2004 stated, "despite our order dated October 8, 2004, the Delhi government has not responded.....we direct that till further orders, the Delhi government shall not clear any project as the aspect of the parking policy would be a relevant consideration for clearance of the projects."

In its hearing of February 4, 2005, the court directed the Delhi government to convene a meeting with the senior officers of the key civic agencies and was asked to file a action plan in regard to the parking policy. The court was not satisfied over the progress made by the Delhi government and accordingly the Hon'ble court again in its hearing on April 8, 2005, directed the Chief Secretary of Delhi government to discuss the matter with all concerned and frame a proper policy which should be placed before the court by July 15<sup>th</sup> 2005, failing which the court may issue directions solely on the basis of the report of the EPCA.

Given these directions, the Delhi government formed a sub-committee, which could draw a comprehensive parking policy keeping in view the recommendations of the EPCA report as well as the ground realities of the city. In July 2005, the Delhi government submitted its parking policy to the Hon'ble court.

### **Documents considered**

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1. EPCA report April 2003: second generation reforms for air pollution control in Delhi (IA 79).
2. Amicus Curiae Jan 2004: (IA 226) on growth of vehicles and need for parking plan.
3. Affidavit on behalf of Delhi government: March 2004.
4. EPCA report July 2004: the imperative of restricting vehicle numbers in Delhi: designing a parking policy to manage travel demand in the city.
5. Affidavit on behalf of Delhi government: July 2005 with parking policy.

## **Key issues**

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1. Across the world, parking management is seen as an important strategy for combating air pollution.
2. But they have realised that parking is best managed by ensuring that space for parking is restricted and strictly regulated. Therefore, parking is not about creating more space for cars, but **limiting it**, so that it induces people to shift to other forms of transportation or pick-ride systems.
3. The strategies used by cities are to:
  - a. Limit the total available parking,
  - b. provide preferential parking for desired travel modes (car pools etc)
  - c. Setting minimum or maximum parking space ratio in zoning ordinance
  - d. Implement time limits on existing vehicle parking spaces.
4. Different cities are experimenting on this issue. For instance, Portland (US) has specified that 0.7-1 parking space is required per 1000 sq feet built up area (as against 4 parking spaces per 1000 sq feet in other US cities). This has resulted in fewer spaces, lesser travel by vehicle. The city estimates that this policy lead to drop in fuel consumption as lesser vehicles were put on the road because of fewer spaces for parking.
5. In India, we are doing the reverse: firstly, we are not regulating parking so that it is open and free access to all. Secondly, where we are planning for parking, we are planning for creating additional parking, which will defeat the purpose. No city has been able to provide “adequate” parking for its vehicles.
6. The problem is accentuated by the growing fleet of private vehicles. In Delhi 94 per cent of the total registered vehicles as of March 31, 2004 were privately owned vehicles. Cars, which needed more space than 2-wheelers, are growing in number in this category.
7. It is estimated that 95 per cent of the time, private vehicles are immobile. Public transportation vehicles spend far more time moving. It is also known that free parking or creation of parking spaces in cities leads to the decline of public transportation systems.

## **Status of case**

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1. The Delhi government has submitted to the Hon’ble Court a draft parking policy for the city. The government has identified the following problems in parking:
  - Unprecedented growth in registered motor vehicles
  - The non-availability of efficient and reliable public transport system
  - Misuse of residential buildings for commercial uses

- Misuse of organised parking spaces, especially basements for commercial purposes resulting in
    - Reduction in planned parking capacity
    - Additional parking demand due to addition of commercial space in basements
  - Encroachments in parking areas and lack of enforcement by authorities
  - Increase in trip length due to increase in urban areas
  - Loss of kerb parking due to widening of roads
  - Absence of comprehensive approach/policy for parking regulations, restrictions and parking charges
  - Higher occupancy, which is workers/square metres than envisaged in Master plan in commercial areas due to increase in cost/square metres floor space
  - Not allowing to park the vehicles in the parking area earmarked in the approved building plans/lay-outs specially in the case of Group Housing pockets and Institutional plots
  - Misuse of mixed land use policy
2. The draft policy includes an action plan to deal with these problems. It proposes:
- a. Removal of unauthorised encroachments from parking spaces;
  - b. Stringent punishment for violation of land use;
  - c. Increase in parking fees
  - d. Development of parking sites
  - e. Generating funds for financing parking infrastructure
  - f. Parking plan for Chandni Chowk and adjoining areas
  - g. Special study for improving parking in important congested areas
  - h. Development of a world-class public transport system
  - i. Optimum space utilisation in cooperation with resident welfare association
  - j. Modifications in building by-laws
  - k. Unified metropolitan transport authority.

### **Assessment by EPCA**

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On the whole the policy submitted by the Delhi government is comprehensive and welcome step. It is however weak on the following counts:

- a. The action plan does not address the problem, identified by the policy, of unprecedented growth of private vehicles;
- b. The action plan still is based on the assumption that providing spaces for parking will be the solution for the parking problem in the city.
- c. The action plan does not provide clear benchmarks for work that will be done to implement the policy.

The action plan should be include the following:

## **1. Restrictions on private vehicle growth in the city**

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The government must work on strategies to compute the carrying capacity of the city and the road space/parking space available to devise strategies (including fiscal strategies) for controlling growth of vehicle numbers in the future.

## **2. Parking fees and regulations**

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### **2.1. Parking charges and spaces:**

Currently, the MCD is working to identify all parking sites in the city; to auction these sites so that regulation is enabled; and ensure that the fixed price is charged for vehicle entry. In the past some months the agency has auctioned 120 sites and has identified another 380-odd sites for parking regulations. The agency is also issuing simp-computers to all its contractors so that full record of the number of vehicles is maintained.

#### **Suggested action:**

- a. Careful and close monitoring must happen between the MCD and the Delhi police to ensure that parking is regulated.**
- b. MCD must report on the progress made on the auction of sites; number of vehicles; regulation of sites and their performance, regularly to EPCA. This will facilitate the discussion on the need for increased charges for parking.**

### **2.2 Providing multi-level parking in key sites:**

Over the past some years, 9 different sites have been identified for building sites on bot basis. The arrangement would allow the agency/contractor to use a certain proportion of the space for commercial purposes, which would pay for the construction of the facility. However, progress has been slow as the scheme has not yet been cleared by the standing committee of MCD.

#### **The sites chosen include:**

- a. Karol bagh**
- b. South Ex**
- c. Greater Kailash**
- d. Lajpat Nagar**
- e. Mehrauli**
- f. Kamla Nagar Market**
- g. Ramlila grounds**
- h. Parade grounds**

- i. Near Hindustan Times building

**Suggested action:** To finalise the priority list for implementation and to set deadlines for monitoring.

### **2.3 Parking in residential areas**

It is clear that with densification of residential areas – increasing density of flats and number of vehicle owners occupying these – the problem of parking will grow. Already, there are regular skirmishes between house owners over parking. It is important to take remedial steps to regulate parking in these areas. The draft policy of the government includes this component but does not give details and deadlines of how this will be achieved.

**Suggested action:** Delhi government to work on modalities for regulating parking in residential areas in consultation with resident welfare organisations and to set deadlines for implementation and monitoring of the plan.

### **2.4 Parking of commercial vehicles**

Currently, the government charges Rs 4000 per year from each bus and other big commercial vehicle as parking charges, which is given to MCD for use of public space – road etc. This has meant that even as the number of buses and other commercial vehicles will increase, there is no plan for providing parking space to these vehicles.

**Suggested action:** To amend policy so that it insists on parking space for commercial vehicles – in DTC depots or other spaces – for private commercial vehicles.

### **2.5 Parking plan for important congested areas**

The government in its action plan has identified Chandni Chowk and its adjoining areas for improving parking management. In addition, EPCA, after consultation with public agencies has identified the following areas that need specific plans:

- a. Schools and colleges, with increasingly growing numbers of private vehicles;
- b. Public institutions, especially courts: Patiala House, Tees Hazari and High Court;
- c. Temples
- d. IIC and its adjoining institutional areas
- e. Container depot in Tuglakabad.

**Suggested action:** it is important that parking plans are made and implemented in these areas. The government should make a priority list of these areas and complete the plan and its implementation.

### 3. Regulating land use to regulate parking

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The Delhi government's draft parking policy must be appreciated for its recognition of the related problem of violations in land use, which leads to problems in parking. The draft policy provides for regulations on land use and parking for commercial buildings. It also calls for stringent punishment for violation of land use. This is important and must be implemented as detailed in the draft plan.

#### **Directions sought from court**

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1. The Delhi government must be asked to finalise and to issue the parking policy to all agencies for its implementation.
2. The Delhi government and other agencies – MCD, NDMC, PWD, DDA, must, in addition, finalise the priority actions emanating from the policy, along the suggested directions given above by EPCA and submit these to the Hon'ble Court and EPCA for implementation.
3. The priority actions must be carefully monitored as that progress is made in this regard. EPCA will submit regular reports to the Hon'ble Court on the actions taken and directions sought.