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CURRENT LAW AND ORDER SITUATION OF TRAFFIC IN GUJARAT (IN THE CONTEXT OF AHMEDABAD CITY)

Patel Dixitkumar Bhagvatbhai

ABSTRACT

The High Court of Gujarat made the observation that the administration of the city of Ahmedabad did not have the “guts and spine” to implement traffic limits. This declaration was given by the court in connection to a recent automobile tragedy that took place in the city of Ahmedabad and resulted in nine people losing their lives. Mustak Hussain Kadri initiated legal action alleging that the state of Gujarat as well as the city of Ahmedabad committed contempt of court. He asserted that both organisations had disobeyed the directives of the High Court about the public interest lawsuit (PIL) that Mustak Hussain Kadri had filed concerning the management of traffic in the city. This PIL had been filed by Kadri regarding traffic control. On July 20, 2023, an automobile going at an excessive speed crashed with a group of people who were standing on a flyover on the S G Highway. As a result of the accident, nine persons were killed and 13 others were injured. The petition requested that contempt proceedings be initiated against the municipal commissioner and traffic commissioner of Ahmedabad; however, when the government pleader convinced the court that the previous rulings would be carried out, the judges chose not to do so. The petition requested that contempt proceedings be brought against the municipal commissioner and traffic commissioner of Ahmedabad. The court made the comment that “chaos is observed at crossroads, there is non-observance of traffic rules, particularly wrong-side driving, etc.” after reading a report on the traffic situation of the city that was compiled by the Gujarat State Legal Services Authorities (GSLSA). The report on the current state of traffic in the city was read out in court. The resumption of the hearing is scheduled to take place on August 9, 2023. The above story is narrated to define the face of situation of traffic in Gujarat state and the current law and order situation in the state. This study intends to present the current scenario of law & order in Gujarat state for traffic situation.

KEY WORDS: Law, Order, Traffic, Situation, Police.

INTRODUCTION

It is incredibly unsettling and portentous that the Lieutenant Governor of Delhi has given permission for the execution of a preventive detention statute that was initially passed into law in the state of Gujarat. Because this piece of legislation was just passed into law, the authorities now have the ability to detain suspects for extended periods of time prior to the commission of any crime but this law is not applicable for traffic rules. There are different rules and laws as well as rights for people concerned to traffic which are as follows:

LEGAL RIGHTS & RULES

If law enforcement pulls you over and requests to see your identification, you have every right to refuse. Not only that, but you may voice your displeasure to higher-ups if you so want. The only law enforcement official authorised to request identification is a sergeant or above.

- No officer of the traffic police has the authority to detain you or seize your car. Instead, only RTO officials have the authority to request pollution under control documents (PSU), which he lacks. The police officer has no authority to confiscate your car keys if you break any traffic laws.
- Only a Sub-Inspector (one star), Sub-Inspector (two stars), or Police Inspector (three stars) may collect a fine from you after you have broken a traffic rule. Motor Vehicles Act of India, Section 132
- If you're caught by the police while you're running a red light, transporting more than two people in your car, using a load carrier, drinking and driving, texting and driving or going over the speed limit, the police can take your licence away from you.
- A monetary penalty is levied against those who are found guilty of violating traffic regulations. However, only A SI or SI has the legal authority to charge you more than 100 rs. No policeman, including the head constable, may fine you more than 100 rials.
- You have every right to refuse to let an unclothed traffic officer cut your challan. The uniform colour for officers from Constable to SI is white, whereas that of traffic inspectors and higher ranks is khaki.
- You should never leave home without your driver's licence, as well as your vehicle's registration certificate (RC), proof of insurance, and pollution control certificate (PSU). In the midst of all the screening, keep in mind that while an original driver's licence or PSU is required, a Xerox copy of the registration certificate and insurance certificate will suffice.
- It is not required that you wear a helmet if you are a member of the Sikh faith, have had surgery on your ear, or have any other condition that prevents you from doing so.

TYPES OF TRAFFIC CHALLANS

There are three different challans that the police can take from you.

- If you are apprehended in the act of theft, the thief's challan will be cut and the fine collected on the spot. If you are unable to pay the fine right away, the police will hold onto your licence and issue you a challan; once you've paid the fine, you'll get your licence back.
- When someone flees the scene of a traffic violation, the police record the vehicle's number plate number and mail a challan to the registered owner. Which, if you don't pay your challan within that month, the court will become involved.
- Court's Challan: In most cases, this challan is issued for disobeying traffic regulations. This challan also includes a provision for monetary fines in the event of a violation. If you are arrested for drunk driving, for instance, a challan will be issued immediately; nevertheless, you will need to appear in court to pay the fine.

The “Sustainable Urban Transport Project (SUTP)” was initiated by the “Government of India (GoI)” with support from the “Global Environment Facility (GEF)”, the “United Nations Development Programme (UNDP)”, and the “World Bank (WB)”. The primary objectives of the “Sustainable Urban Transport Project (SUTP)” are to put into action the “National Urban Transport Policy (NUTP)”, as well as to introduce into India’s urban transport system a greater number of advantageous and sustainable projects and alternate routes. The “Ministry of Urban Development (MoUD)” is the primary agency tasked with carrying out the project’s implementation. In addition to a number of other goals, one of the primary objectives of the SUTP is to improve the “Ministry of Urban Development’s (MoUD)” capacity to carry out the NUTP by delivering support in the form of technical assistance at the national, state, and local levels.

The “Traffic Management and Information Control Centre (TMICC)” and the “National Urban Transport Helpline (NUTH)” are two instances of specialist “Intelligent Transport Systems (ITS)” that offer assistance with problems and concerns pertaining to traffic. Both of these systems may be contacted at the toll-free number shown above. Intelligent transport systems are used all over the world to manage and monitor the transport assets and infrastructure, ensuring that they are being used to their full potential. ITS integrates “Information and Communication Technology (ICT)” and management solutions in a coordinated approach in order to increase the efficacy and efficiency of transport networks. ITS will be able to work more successfully after the underlying transport infrastructure has been constructed and is being maintained. The “Intelligent Transportation System (ITS)” is a helpful monitoring system that will aid in spotting gaps and challenges in the infrastructure, hence enabling for more data-driven and objective design.

NATURE OF CURRENT TRAFFIC AND ROUTES IN AHMEDABAD

The city’s present transportation demands are being met in part by intra-city buses, auto rickshaws, bike rickshaws, rental autos, other customised travel choices. Despite this, using the bus to get about inside cities is still extremely widespread. The Sabarmati River runs across the middle of Ahmedabad, dividing the city into an eastern and a western section. On the other side of the river from its mouth is where you’ll find the historic city, which is crammed with a variety of structures and houses of worship. In addition, there is a post office, a bustling marketplace, a railroad station, and various historic buildings dating back to the time of the British. The western bank of the River is home to the majority of the city’s more recent construction projects, including a significant number of the city’s schools, communities, commercial areas, and movie theatres. These two areas are connected by a number of bridges that cross the river in between them. A significant number of cars travel across the River in both directions on a daily basis. Because of this, various lanes of traffic travel at different speeds, which exacerbate the problem of inadequate capacity that previously existed. TMICC will contribute to the most effective use of existing highways by helping to disseminate congestion data through a variety of platforms, such as VMS and mobile apps, amongst others.

Sharing information has the goal of providing travellers with access to data on traffic conditions that are current, accurate, and pertinent to their trips so that they may better prepare for their travels. The intention is not to inundate visitors with information, but rather to provide them precisely the information they want to make well-informed decisions on their trip. The sort of information that might be beneficial in this context includes things like the factors that lead to congestion, increase travel times, or require the necessity of the closure or diversion of roads. It is necessary that this data be collected as quickly as possible and distributed via suitable channels in order to ensure that passengers are able to make or alter their plans taking into consideration these features. It is possible to disseminate information

using a variety of mediums, including websites, mobile apps, social media, changeable message signs, hotlines, and NUTH. The Traffic Message and Information Control Centre (TMICC) utilises the components of the Traffic Information Dissemination System in order to disseminate information that is connected to traffic. These components include variable message signs, fixed format displays, blinkers, hotline, NUTH, and so on. At the Ahmedabad TMICC, there will be a strong focus placed on the management of traffic as well as the collecting of data. The NUTH will communicate with transit authorities to collect and manage data relevant to the Ahmedabad BRTS, AMTS buses, and Metro as soon as and as soon as all three modes of transportation are operational. NUTH will also connect with the TMICC in order to gather the traffic data that is currently available through the TMICC in Ahmedabad. Field equipment (such as variable message signs, fixed format displays, blinkers, and so on) reports back to the TMICC on their operational and functional status after receiving traffic messages, instructions, and configuration data from the TMICC.

CONCLUSION & OUTCOMES

Looking at the entire situation and the varied aspects the researcher has gone through in context to the research subject for this presentation, the following are the outcomes:

To begin, the Motor Vehicles Act and its additional rules are applicable in Gujarat, just as they are throughout the rest of India. This is the case for all of India's states and territories. This is in line with what is seen throughout the rest of the country. This covers items like fines for moving offences, driver's licences, car registration, and any other driving limitations and procedures that may be applicable. The "Traffic Police" of Gujarat are tasked with not only enforcing the state's traffic laws but also ensuring that peace and order are preserved across the state. They make frequent patrols of the roads, and they give tickets to drivers who break the law in a variety of different ways (such as speeding, driving recklessly, driving without a licence, and a number of other crimes). The physical infrastructure that allows for the flow of traffic: Several of Gujarat's most important cities, including Ahmedabad, Vadodara, Surat, and Rajkot, have been the focus of efforts by the state of Gujarat to upgrade their respective traffic infrastructures. The development of better roads, flyovers, and traffic control systems are included in these upgrades. The "Fines for Traffic Violations" are subject to change and vary based on the infringement that was done. This is because of the fact that the "Fees for Traffic Violations" are susceptible to change. In Gujarat, like in a number of other Indian states, the fines for a range of traffic offences have been increased in order to encourage safer driving and compliance with current traffic laws. This is part of an attempt to encourage compliance with existing traffic regulations. "Road Education and Awareness," which includes the following components: The government of the Indian state of Gujarat frequently organises public awareness programmes with the dual objectives of enlightening people about the significance of adhering to the rules that govern road safety and making people more aware of the regulations that govern road safety. It's feasible that activities such as seminars, workshops, and community service initiatives will be a part of these sorts of undertakings. The E-Challan System, which includes the issuance of traffic fines through the use of electronic methods, has recently been adopted by a number of the municipalities in Gujarat in preparation for its full-scale implementation. This approach has the ability to both promote openness in the administration of traffic laws and reduce instances of corruption. During the rush hour, traffic congestion is a possibility in a number of cities in Gujarat, notably in Ahmedabad. Congestion can be alleviated to some degree by putting in place improved traffic management and making adjustments to the underlying infrastructure. "Cautionary Measures" - Everyone who is riding in a vehicle in Gujarat is required to wear a seat belt at all times and is expected to comply with the state's strict laws

regarding driving under the influence of alcohol. Helmet use is required at all times for those operating two-wheeled vehicles in the state of Gujarat.

REFERENCES

1. <https://www.livelaw.in/high-court/gujarat-high-court-rampant-traffic-laws-violation-ahmedabad-traffic-police-accidents-echallan>
2. <https://www.devdiscourse.com/article/law-order/2536515-ahmedabad-city-authorities-lack-spine-to-enforce-traffic-rules-gujarat-hc>
3. <https://www.legalserviceindia.com/legal/article-2626-legal-rights-related-to-traffic-police.html>
4. <https://timesofindia.indiatimes.com/city/latest-updates-from-cities>
5. <https://thewire.in/government/delhi-lgs-approval-to-use-gujarat-preventive-detention-law-raises>