
(2008) 07 JH CK 0024
In the Jharkhand High Court

Janak Kumar Mishra

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 16-07-2008

Acts Referred:

Citation : (2008) 3 JCR 549

Hon'ble Judges : Gyan Sudha Mishra, C.J;M.Y. Eqbal, J

Bench : Division Bench

Judgement

1. This writ petition has been filed by the petitioner in public interest stating that there is no public transport system operating in the city of Ranchi which is a great inconvenience to the citizens of Ranchi. It has therefore, been prayed that a public transport system should be evolved in the city of Ranchi to facilitate public commutation.

2. We find substance in this plea and hence, we have heard learned Advocate General in this matter, as notices were issued to the State as also to the Municipal Corporation which has the statutory duty to operate the public transport system.

3. In response to the show cause notice, it was submitted by the Advocate General that the operation of the public transport system is a duty of the State as also the statutory duty of the Municipal Corporation which has been accepted by the counsel for the Municipal Corporation who has relied upon provisions of Section 63(OO) of the Municipal Act for this purpose.

4. We are happy to know that in addition to the State, the Municipal Corporation also has the responsibility to operate the public transport system. At the same time, we are distressed to notice that in spite of two bodies which are responsible to operate the public transport system, they have not yet started the public transport system, although the State of Jharkhand came into existence on 15th November, 2000.

5. We, therefore, appreciate that the counsel for the petitioner has raised this

issue taking into consideration the plight of the common citizens for not having any public transport system.

6. The Advocate General, however, submitted that the State of Jharkhand has already issued 29 permits to the various private operators to start the public transport system, out of which 21 buses have already started running in the city of Ranchi. We are also happy to know that the Municipal Corporation at Ranchi has formed Ranchi City Bus Corporation Limited which is under process and the final approval is due to be granted shortly.

In view of the provision under the Municipality Act, the Ranchi Municipal Corporation has got the authority to run the public transport system and for this, they have taken the initiative to start the Corporation. But until the Corporation is formed, the citizens of Ranchi cannot be left in lurch and therefore, we direct the Advocate General to make the operation of 29 buses functional in practical sense, for which permits have been granted to the private operators. To make it fully functional in true sense, we direct the respondent-State to first of all assign numbers to the 21 buses which have already started, indicating the route on which the buses are plying, which exercise must be done within a period of three weeks from the date of receipt of a copy of this order. Therefore, wide publicity shall be given in local newspapers giving out the details of the bus numbers and their route numbers on which they are operating and, preferably the fare also which is being charged or will be charged for these routes. Thereafter, the respondent-State is directed to start the construction of bus-stops at various routes in the city of Ranchi by locating the points where it is most essential, so that the general public may be made aware from where they have to catch the bus and to the point where they want to reach.

7. Let this matter be listed on 6th August. 2008, on which date the respondents shall inform this Court as to what steps have been taken in regard to the directions issued herein before.

Let a copy of this order be handed over to the Advocate General for compliance.