
(2017) 11 JH CK 0036
In the Jharkhand High Court
Case No : 3257 of 2017

Subhas Kumar

APPELLANT

Vs

State of Jharkhand & Ors.

RESPONDENT

Date of Decision : 29-11-2017

Acts Referred:

Citation : (2017) 11 JH CK 0036

Hon'ble Judges : Aparesh Kumar Singh, B. B. Mangalmurti

Bench : DIVISION BENCH

Advocate : Prashant Pallav, Arun Kumar, Raul Kumar Das, R.R. Mishra, L.C.N Shahdeo, Richa Sanchita

Judgement

1. Today we have on record the affidavits of the Transport Department, Government of Jharkhand, another on behalf of Director General of Police, Jharkhand sworn by the Traffic Dy.S.P, Ranchi and third by the Department of Health, Medical Education and Family Welfare, Government of Jharkhand.

2. The affidavit of the Health Department, in essence capitulates the setting up of Trauma Centres in the City and elsewhere. The affidavit of the Transport Department contains the description of the steps taken towards improvement of traffic sense in the public at large, creation of infrastructure for connecting cities within the State and rural centres with the cities and also initiatives to curb reckless driving. The Traffic Department's affidavit contain correspondence undertaken with the Home Department, School Education and Literacy Department, Regional Transport Authorities / D.T.Os, Municipal Corporations, Urban Development Department, Regional Officer, NHAI, Road Construction Department and also with the Deputy Commissioners cum Chairman of the District Road Safety Committee. These are essentially in the nature of advisory and instructions to various authorities to conform with the statutory mandates as well as direction passed by the Hon'ble Supreme Court of India and the Supreme Court Committee on Road Safety. The affidavit on behalf of Respondent Director General of Police also contains the correspondence made

with the Presiding Officer, Motor Vehicle Accident Tribunal, Ranchi with respect to the two deaths referred to in our order dated 08.11.2017. Annexure-1 dated 23.11.2017 is the compilation of the steps taken by the Superintendent of Police(Traffic), Ranchi addressed to the Senior Superintendent of Police, Ranchi.

3. Learned Amicus Curiae assisted by the P.I.L petitioner, Mr. Rahul Kumar Das have filed an affidavit containing various suggestions, both in relation to the creation of adequate urban infrastructure and for regulating the movement of traffic on short term and long term basis. These suggestions have been taken into account by learned G.P.II, Mr.R.R. Mishra for being treated as inputs in the policy planning of the concerned departments in this regard.

4. However, the stand of the Respondent Urban Development Department and the Road Construction Department has not yet been brought on record. Learned counsel for the Respondent State submits that they have been working on these larger aspects of the matter from before and their comprehensive stand would be brought on record by the next date. Learned counsel for the Ranchi Municipal Corporation, R.R.D.A. and the State Pollution Control Board are also present and have provided their inputs. An affidavit has also been filed by R.M.C.

5. Various co-related issues in the larger context of the matter have also been discussed today. Learned counsel for the Respondents have assured us that they would come back with proper response on such issues as well. We accordingly, adjourn the case to be listed on 9th January, 2018.