

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) NO. 43 of 2024****With****R/WRIT PETITION (PIL) NO. 50 of 2024**=====

DHARINI SHAH & ORS.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

WPPIL 43 OF 2024:

MR MIHIR J. THAKORE, SR. ADVOCATE with MR SALIL M THAKORE(5821) for the Applicant(s) No. 1

MR KAMAL B. TRIVEDI, ADVOCATE GENERAL & SR. ADVOCATE with MR G H VIRK, GOVERNMENT PLEADER and MR HARDIK A DAVE, PUBLIC PROSECUTOR with MR. VINAY BAIRAGRA, AGP with MR SIMRANJIT H. VIRK (7392) for the Opponent(s) No. 1-2
MR HARNISH V DARJI(3705) for the Opponent(s) No. 3**WPPIL 50 OF 2024:**

MR PR ABHICHANDANI, ADVOCATE as AMICUS CURIA for the PETITIONERS

MR KAMAL B. TRIVEDI, ADVOCATE GENERAL & SR. ADVOCATE with MR G H VIRK, GOVERNMENT PLEADER and MR HARDIK A DAVE, PUBLIC PROSECUTOR with MR. VINAY BAIRAGRA, AGP with MR SIMRANJIT H. VIRK (7392) for the Opponent(s) No. 1

MR H.S. MUNSHAW, ADVOCATE for RESPONDENTS NO.5-6

MR MAULIK G. NANAVATI, ADVOCATE for M/s. NANAVATI & CO. for RESPONDENT NO.11

=====CORAM:**HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL**

and

HONOURABLE MR. JUSTICE PRANAV TRIVEDI**Date : 27/09/2024****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)**

1. Various issues pertaining to traffic management in the

city of Ahmedabad and for filling up the vacancies in the traffic police department have been discussed and deliberated at length. There were suggestions of the learned Amicus and it was accepted by one and all that the efforts made by the traffic police department of the State have not been able to bring any fruitful results to address the traffic problems in the city of Ahmedabad.

2. No substantial change could be seen in the approach of the commuters inspite of the directions issued for strict implementation of the traffic rules. It is intimated by the learned Advocate General that "Helmet rule" could not be implemented strictly, inasmuch as, violators pay the fine and go away, but fine is not proved to be deterrent and is not working effectively for the approach of the denizens of the city. There is an admission that some more stringent measures are required to be adopted to ensure strict implementation of traffic rules and further technological solutions are also to be explored.

3. The consensus is that there is a need for integration of Artificial Intelligence and Technology tools with the human resources and the strong will of the executives to ensure strict implementation of the traffic rules. Problems of poor design of intersections of various roads is also one of the reasons for the accidents and there is a need to identify accident blackspots. In our view, road safety Audit of the city roads, especially intersections, is to be conducted by the experts. One suggestion could be the NGO Save LIFE Foundation, which has recently conducted safety audit of the old Mumbai-Pune highway. Improvisation of the existing city roads with the engagement of

the experts is the need of the hour. A Monitoring Committee is required to be constituted to ensure strict implementation of the traffic rules. The bottleneck in the matter of maintenance of Sarkhej-Gandhinagar Highway between the three authorities, is to removed by conducting High level meetings.

4. While making all these efforts, there is an imminent requirement of filling up the vacancies of the traffic police force. The position of sanctioned posts, working strength and the resultant vacancies is required to be brought before the Court.

5. As an interim direction, looking to the imminency of implementation of the traffic rules during the upcoming Navratri festival, we require the concerned authority to ensure strict implementation of 'Helmet Rule' and further to complete the patchwork to fill potholes on various streets of the city. To enable the Municipal Commissioner, Ahmedabad Municipal Corporation, to file compliance affidavit of the interim directions, the matter is posted on 04.10.2024.

(SUNITA AGARWAL, CJ)

(PRANAV TRIVEDI,J)

BIJOY B. PILLAI