

Ensure Completion Of Project For Installing Panic Buttons, Tracking System In DTC And Cluster Buses: High Court To Delhi Govt

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IN THE HIGH COURT OF DELHI AT NEW DELHI
SATISH CHANDRA SHARMA; CJ., SUBRAMONIUM PRASAD; J.
W.P.(CRL) 2559/2019; 01.12.2022

ANTI-CORRUPTION COUNCIL OF INDIA THROUGH ITS AUTHORISED SIGNATORY MOHD KAMRAN KHAN
versus
STATE & ORS.

Petitioner through: Mr. S. N. Jha, Advocate.

Respondents through: Mr. Sanjay Lao, Standing Counsel (Criminal) with Ms. Nandita Rao, ASC for GNCTD with Mr. Shreyans Raniwale, Advocate.

ORDER

1. The Petitioner before this Court has filed the instant writ petition under Article 226 of the Constitution of India as a Public Interest Litigation (PIL) showing grave concern in respect of the incidents like snatching and theft in the DTC buses. The Petitioner, by way of the instant petition, has made the following prayers:

“i. issue a writ of mandamus or any other an appropriate writ, order or directions be given to the Respondents for making arrangement for safety and security and protection be given from crime like a snatching ,theft and eve teasing to the citizens of Delhi who travelling in the DTC buses in their daily Life . Further respondents be directed for taking proper steps/action in respect of the crimes being committed in DTC buses.

ii. Direct the respondent to put the CCTV cameras in all DTC buses in working condition and also to lay the tracking device in all DTC buses which helps to detect the location all the bus at any time in order to arrest/catch the unsocial elements/Criminals immediately by the police officials. Further this Hon'ble court please to pass order to direct the concerned authority to run more buses for women only and also make a committee which governs the issues relating to the crimes held in DTC buses.

iii. Pass such further or other orders, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in the interest of justice.”

2. This Court on 28.11.2019 issued notice to the Government of NCT of Delhi and a detailed counter affidavit has been filed by the Transport Department, GNCTD. The relevant portion of the said counter affidavit reads as under:

“2. That as per the agreement the aforesaid project was to be implemented in all the existing 3762 DTC and 1679 Cluster buses (Total 5541 Buses) operating at that time within 7 months from the date of signing of the concession agreement i.e. by 02.08.2020. The installation will also contain panic buttons and "Automatic Vehicle Location Tracking System (AVLTS)" in existing DTC and Cluster buses. However, due to delay on the part of Concessionaire (M/s TIL) and due to the outbreak of COVID-19, the project was slightly delayed and all the old buses of DTC and Cluster were equipped with 3 numbers of CCTV Cameras and 10 numbers of Panic Button in each bus by March, 2021.

3. *It is pertinent to mention here that the new buses being inducted under the cluster scheme (orange and blue) and in the fleet of DTC (pure electric buses) would be equipped with CCTV, Panic Buttons and Vehicle Tracking System, as statutory requirement of the law. Till date, 2650 new buses are added in the fleet of Cluster Scheme having CCTV Cameras, Panic Buttons & GPS devices as statutory equipment at the time of registration of the buses. DTC has added 253 new pure electric buses in its fleet on similar terms. There is an*

integrated Command and Control Centre which tracks all GPS feed and gets live video in case a Panic Button is pressed. Panic alerts have been integrated through an API with 112 platforms of Delhi Police.

4. *That the Transport Department has made mandatory to have Marshals in all the DC and Cluster buses with effect from 29.10.2019 in both shifts. The Volunteers of Civil Defence and Home Guards are being deployed as Bus Marshals in the buses.*

5. *That the Civil Defence Volunteers were deployed by the Directorate of Civil Defence, Revenue Department, Government of NCT of Delhi for a period of 3 months on various dates starting from 28.10.2019 and their services have been extended from time to time. As on date, 12,238 bus Marshals are deployed in DC and Cluster Buses for the safety of the women commuters.*

6. *It is relevant to mention that the effectiveness of Bus Marshals in controlling crimes, specifically crimes against women, is clearly borne out from the recent incidents when a Bus Marshal was instrumental in thwarting the kidnapping of a girl child and in another case when a Pickpocket was arrested due to presence of mind of the Marshall. The mere presence of a uniformed person in a moving Bus acts as a sufficient deterrent to prevent crimes against women.*

7. *Further, it is most respectfully submitted that there is no discrimination in selection of female conductors and Marshals for DTC/Cluster buses. The appointment of conductors and marshals is being made solely as per the applicable recruitment rules irrespective of the gender of the candidate. Presently, there are 1100 female conductors posted in DTC and Cluster buses. Similarly, 1438 numbers of female marshals are also deployed in the DTC/Cluster buses. It is also pertinent to mention that Limited special trips for female passengers are being operated in 30 routes by the DTC.”*

3. The counter affidavit filed by the Transport Department, GNCTD makes it very clear that the GNCTD has issued tenders for installation of CCTV and GPS in existing DTC and cluster buses and has issued Letter of Acceptance (LoA) in favour of L-1 bidder i.e., M/s Telecommunications Consultants India Limited (TCIL) on 12.12.2019. After acceptance of LoA, a Master Service Agreements has also been executed between the Government and M/s Telecommunications Consultants India Limited (TCIL). As per the agreement, the Project is being implemented in all existing 3762 DTC and 1679 cluster buses totalling to 5541 buses. It has also been stated that the installations includes panic buttons and Automatic Vehicle Location Tracking System (AVLTS) in existing DTC and cluster buses. However, at present, all buses have not been equipped with such system as the project got delayed on account of outbreak of COVID-19 pandemic.

4. It is further stated in the counter affidavit that all the new buses, which are being inducted under the cluster scheme and in the fleet of DTC buses (pure electric buses), are equipped with CCTV, panic buttons and vehicle tracking system, as per statutory requirement of the law.

5. It has also been brought to the notice of this Court that Civil Defence Volunteers were deployed by the Directorate of Civil Defence, Revenue Department, GNCTD initially for a period of three months on various dates, and their services are being extended from time to time, and as on date 12,238 bus marshals are deployed in DTC and cluster buses for the safety of women commuters.

6. The Respondents have further stated that there is no discrimination in selection of female conductors and marshals for DTC/cluster buses and the appointment of the

conductors and marshals are being made by issuing proper advertisements as per the applicable recruitment rules irrespective of the gender of the candidate. It is stated that at present there are sufficient number of female conductors and marshals who are being deployed in the DTC/cluster buses.

7. In light of the detailed and exhaustive counter affidavit filed by the Transport Department, GNCTD, no further orders are required to be passed in the instant petition.

8. However, the GNCTD is directed to ensure the completion of project for installation of panic buttons and Automatic Vehicle Location Tracking System (AVLTS) in all the buses within the time frame as per the terms and conditions of the agreement executed between the Government and the contractor.

9. With these observations, the instant petition is disposed of, along with pending application(s), if any.

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