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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2088/2023

JAN SEVA WELFARE SOCIETY (REGD)

..... Petitioner

Through: Mr. Yogesh Goel, Mr. Ankit Garg, Mr. Aryan Singh and Mr. Bankey Bihari, Advocates with Mr. Ajay Aggarwal, President of Society.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr. T. Singh Nanda, Standing Counsel for R-6/ DCB.
Mr. Arjun Pant, Advocate with Mr. G. S. Meena, Dy. Director (Hort. HD-V) for DDA.
Mr. Manish Srivastava, Mr. Moksh Arora and Mr. Santosh Ramdurg, Advocates for R-10.
Ms. Sakshi Popli and Mr. Jitendra Kumar Tripathi, ASC for NDMC.
Mr. Ajay Dignpaul, CGSC with Ms. Ishita Pathak and Mr. Kamal Dignpaul, Advocates for UOI.
Mr. Suryansh Shukla, Advocate for R-8 & 9.
Mrs. Avnish Ahlawat, Standing Counsel with Mr. Nitesh Kumar Singh, Ms. Laavanya Kaushik, Ms. Aliza Alam and Mr. Mohnish Sehrawat, Advocates for R-7/ DPCL.
Ms. Harshita Nathrani, Advocate for GNCTD.
Ms. Divya Prakash, Advocate for MCD.



**CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER
13.10.2023**

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1. Learned counsel for Respondent No. 2 – Delhi Development Authority and Respondent No. 4 – New Delhi Municipal Corporation have filed status report(s). Learned counsel for Respondent No. 5 – Municipal Corporation of Delhi seeks and is granted four weeks' time to file status report. Learned counsel for Respondent No. 6 – Delhi Cantonment Board seeks and is granted four weeks' time to file a detailed status report.

2. Learned counsel for Petitioner argues that the affidavits/ status reports submitted by the Respondents do not reflect the actual situation on the ground. Learned counsel informs the Court that upon conducting a personal survey, he discovered numerous public toilets in a deplorable state. He has presented photographs depicting the current state of the public toilets at Sector 8, Rohini. These images underscore that the condition of public conveniences remains unchanged. Further, the counsel highlights a significant concern - the lack of a proper mechanism for citizens to report issues related to these facilities. It has been pointed out that the contact information of the agency/ contractor responsible for the toilets' maintenance and cleanliness is either not readily available or, when provided, the listed numbers are often unresponsive. Additionally, it has been pointed out that on several instances, public toilets are locked, causing undue inconvenience to



the public.

3. The photographs presented by the Petitioner's counsel, coupled with those attached to the petition, paint a picture that deviates from the Respondents' portrayal in the status reports. The concerns raised by the Petitioner are indeed significant and warrant attention. It is incumbent upon the Respondents to ensure that public toilets and conveniences are maintained with proper sanitation standards. Clearly, more proactive measures are required. Consequently, we issue the following directives:

3.1. Respondents must prominently display at conspicuous location at the facility, the name and contact numbers of the agency or contractor responsible for the operation and maintenance of each toilet facility.

3.2. Respondents must validate that the displayed contact numbers are operational, ensuring that the public can report any concerns or inconveniences directly.

3.3. Upon receiving any complaint, it shall be the duty of the Respondents' or their contractors/agencies, as the case may be to ensure that the concern is not only addressed but also resolved in a timely and efficient manner.

4. To verify the implementation of these directives, we further order that all Respondents submit an affidavit of compliance, accompanied by relevant evidence. This documentation should be presented to the court before the subsequent hearing.

5. We wish to emphasize that while the establishment of toilets is crucial, their operation and maintenance are equally vital components of effective management. Implementing a complaint reporting system and gathering feedback can greatly enhance the condition and usability of public conveniences. We are confident that the Respondents will give due



consideration to these elements and take the necessary steps to address the issues highlighted.

6. Re-notify on 11th December, 2023.

SATISH CHANDRA SHARMA, CJ

SANJEEV NARULA, J

OCTOBER 13, 2023

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