

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (PIL) No. 4534 of 2021

Achyut Swaroop Mishra, aged about 33 years, son of Late Birendra Kumar Mishra, Permanent Resident of Gandhinagar East, P.O. & P.S. : Sadar, District – Hazaribagh, currently residing at Dwarikapuri Road No. 11, Lower Chutia, P.O. & P.S. Chutia. Dist:- Ranchi, Jharkhand.

... .. Petitioner

Versus

1. The State of Jharkhand.
2. The Deputy Commissioner, Hazaribagh, Post office & Police Station : Sadar, District – Hazaribagh.
3. The Superintendent of Police, Hazaribagh, Post office & Police Station : Sadar, District – Hazaribagh.
4. The Municipal Commissioner, Hazaribagh Municipal Corporation, Post office & Police Station : Sadar, District – Hazaribagh.

... .. Respondents

CORAM: HON’BLE THE CHIEF JUSTICE
HON’BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: Party-in-Person
For the State: Mr Vibhor Mayank, A.C. to A.G.
For Resp. No. 4: Mr Ranjit Kumar, Advocate

Reserved on: 10.09.2026 Pronounced on: 29/09/2026

Per M. S. Sonak, C.J.

1. Heard the petitioner, who appears in person, and learned counsel for the respondents.
2. The present writ petition, instituted in public interest, highlights the chaotic traffic situation at Hazaribagh and seeks writs, orders and directions requiring the respondent authorities to formulate and implement effective measures for traffic regulations and civic management within a time-bound schedule.
3. The petitioner has referred to the absence of any traffic-light monitoring system, CCTV, and other surveillance measures; the lack

of reasonable parking facilities; encroachments on public footpaths; and several other issues leading to a chaotic traffic situation. The petitioner has pointed out that the respondents are taking no steps to redress the situation, and that such sustained inaction on their part directly infringes upon the fundamental rights guaranteed under the Constitution.

4. The petitioner has also cited instances of fatal collisions at the Barkagaon More and Kargil Chowk, which are crowded traffic intersections in Hazaribagh. The petitioner has also cited instances of injuries to pedestrians or those involved in vehicular accidents, on account of unmanaged traffic. Against this background, the petitioner has sought several directions, which, according to the petitioner, need to be issued if the traffic situation in Hazaribagh is to improve.
5. This petition was instituted in 2021, and since then a series of orders have been made by Coordinate Benches and even by this Bench, mainly to direct the respondents to adopt reasonable steps to improve the situation.
6. At the outset, the respondents were in denial mode and chose to contest the factual assertions made by the petitioner. By order dated 11.07.2024, the Coordinate Bench of this Court appointed Mr Prashant Pallav, who was then an Advocate practising before this Court (and was later appointed as learned A.S.G.I.), as an Advocate Commissioner to inspect the City and submit a comprehensive

report. Mr Pallav submitted his comprehensive report, which was duly taken on record.

7. Mr Pallav's report, by and large, confirms the chaotic traffic situation at Hazaribagh. The report also noted the conspicuous absence of traffic personnel at several key intersections and junctions, and the lack of automatic traffic signals. The report also noted that although CCTVs were installed in some places, they were largely non-functional. The report also referred to widespread haphazard parking and a lackadaisical attitude towards enforcing traffic rules, such as wearing helmets and seatbelts. The report also referred to a severe deficit of police and traffic personnel for maintaining orderly traffic at Hazaribagh.
8. The Coordinate Benches of this Court directed the respondents to respond to Mr Pallav's report. The respondents accordingly filed affidavits assuring the Court that remedial measures would be taken. However, the remedial measures taken have addressed only some of the aspects highlighted in this petition.
9. The Police authorities and the Municipal authorities, who are impleaded as respondents in this petition, tried, through their affidavits, to pass the blame for this chaotic traffic situation to each other. For example, State Administration officials, such as the Deputy Commissioner and the Superintendent of Police, asserted that parking issues are to be handled by the Hazaribagh Municipal Corporation officials. The Corporation officials complained about a lack of effective assistance from the police. Thus, whilst the chaotic

traffic situation at Hazaribagh could not be denied, there was a blame game between various officials and agencies, rendering the remedies a casualty.

10. The Coordinate Benches of this Court were constrained to issue further orders *inter alia* for coordination between the State Administration and the Municipal authorities at Hazaribagh. Under Court orders, meetings were directed to be held involving all stakeholders so that some reasonable solutions could be found to the chaotic traffic situation, which had become not only unbearable but was resulting in hazards to commuters and pedestrians alike.
11. Pursuant to the meetings of the stakeholders and orders made by this Court from time to time, the Municipal Corporation placed on record an action plan dated 25.08.2025 along with a proposal for a traffic monitoring system for which the Corporation proposed to expend an amount of Rs. 38.64 Crores (approximately). The Corporation submitted that it had submitted the proposal to the Urban Development and Housing Department of the Government of Jharkhand for financial sanction.
12. Again, there was no clarity about sanctions, and because the Coordinate Bench of this Court felt that the amount of Rs. 38.64 Crores was disproportionately high, no steps were taken to remedy the situation at Hazaribagh. Finally, this Court issued several directions to the respondents, *inter alia*, concerning the clearance of encroachments upon footpaths and parking spaces, the establishment of traffic kiosks, and the conduct of traffic awareness programmes.

Directions were also issued to ensure the functioning of CCTV and other surveillance cameras, and to enforce motor-vehicle mandates concerning helmets, seat-belts, tilted glass, illegal horns, etc. This Court, vide order dated 07.10.2025, noted that there was no serious compliance with most of the directions issued by the Court. Similar notings were made in orders dated 09.01.2026 and 16.02.2026, given that the respondents were filing piecemeal affidavits.

13. Upon this Court taking cognisance of non-compliances and directing the respondents to file further affidavits showing the status of compliance, the situation marginally improved. The affidavits submitted by the Police Administration demonstrate a considerable increase in the deployment of police/traffic control personnel and in statutory enforcement. Earlier, the strength of police/traffic personnel was only 35, and it was now increased to 212, as declared in the supplementary counter-affidavit filed on behalf of the Police Administration on 24.06.2025.
14. A supplementary affidavit dated 26.02.2026, filed by the Police authorities, disclosed the deployment of 20 additional personnel across Kallu Chowk, Pagoda Chowk, Indrapuri Chowk, and Jhanda Chowk, together with the operationalisation of a dedicated Traffic Police Station at District Chowk and a post at Panch Mandir Chowk. The affidavit also disclosed that fines amounting to Rs. 42,26,200/- were collected for unauthorised parking of vehicles. The final affidavit of 26.02.2026 referred to a cumulative realisation of Rs. 10,87,22,661/- for violations relating to non-wearing of helmets,

seat-belts, or driving vehicles with tinted glasses or in a rash and negligent manner.

15. The above figures, with records of Inter Departmental Coordination Committees held on 14.03.2024, 04.04.2024, 27.06.2024 and 19.01.2026, demonstrate that the Police and Police Stations' responses evolved from mere paper denial to active enforcement under judicial oversight.
16. Insofar as the Municipal Corporation is concerned, the initial financial proposal for Rs. 38.64 Crores was abandoned. Following a fresh tender process, an agreement was entered into on 19.08.2026 with M/s. Keyhole Design Private Limited for the supply, installation, testing, and trial run of the Automated Traffic Light Management System. The contract was valued at Rs. 2.68 Crores or thereabouts. The Court was informed that the work is in progress. Although no specific date has been indicated for its completion, we direct its completion within a maximum of six months from today. In fact, it is expected that a trial run will be carried out within four months from today.
17. The Corporation reported that an Anti-Encroachment Task Force was constituted vide Memo No. 53 dated 17.01.2026 and this Task Force cleared the Trimurti Chowk, relocated vendors from Kalibari Chowk and initiated a survey near Sadar Hospital for designating vending zones under the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

- 18.** Further, Memos bearing Nos. 2997 and 2998, dated 10.09.2025, were also issued by the Municipal Corporation to clear the 14 designated parking sites and 03 parking sites, in coordination with the District Police and the Regional Transport officials. The affidavit dated 08.09.2026, sworn by the Deputy Commissioner, records a high-level meeting convened on 25.08.2026 regarding the execution of the traffic light contract and the relocation of the Old Bus Stand. The Circle Officer has been directed to identify suitable land along the Bye Pass Road for the construction of a Bus Terminal outside the City limits.
- 19.** While not disputing the issuance of the above orders, the petitioner submitted that there is laxity in implementation and that the position on site has not changed substantially. From the affidavits and other material filed before us, we cannot say that the respondents have failed to take any remedial steps. However, we agree with the petitioner that much more needs to be done to secure implementation and monitoring.
- 20.** Ultimately, the respondents must remain aware that the right to a clean, dignified and reasonably safe urban life is an integral facet of the right to life guaranteed under Article 21 of the Constitution. Further, Article 19(1)(d) and other rights enshrined in Article 19 protect the freedom of movement of every citizen, whether navigating the city as a pedestrian, motorist or commuter. Besides, the respondents also cannot afford to ignore the statutory framework of the Motor Vehicles Act, 1988, and the provisions of the

Municipal Corporation Act, which govern the functioning of the Corporations. This constitutional and statutory framework obliges the respondents to take effective steps to redress such issues of chaotic traffic management, which result in the loss of valuable lives among people from the area.

21. The respondents also cannot ignore the provisions of the Noise Pollution (Regulation and Control) Rules, 2000, and the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. While the former Rules address the menace of noise pollution, the latter addresses a very significant and sensitive aspect of the rights of street vendors. The respondents have to be alive to such legislation and the duties that such legislation has cast upon them to ensure that the chaotic traffic management situation improves.
22. By citing financial stringency, administrative inconvenience and lack of coordination among several governmental authorities, the above-referred duties cannot be avoided or abdicated. In **Municipal Council, Ratlam v. Vardhichand**, AIR 1980 SC 1622, the Hon'ble Supreme Court has rejected the plea of lack of finances in the matter of discharge of public duties related to civil safety and sanitation.
23. In **Ahmedabad Municipal Corporation v. Nawab Khan Gulab Khan**, (1997) 11 SCC 121, the Hon'ble Supreme Court has held that pavements constitute essential infrastructure enabling ordinary citizens to navigate public spaces with reasonable safety, and this facility cannot be negated by private occupation.

24. In **Sudhir Madan v. Municipal Corporation of Delhi**, (2009) 17 SCC 597, the Hon'ble Supreme Court held that public streets and footpaths are intended for the general public and cannot be monopolised by unauthorised squatters.
25. In **M.C. Mehta v. Union of India**, (2019) 10 SCC 614, the Hon'ble Supreme Court held that parking on footpaths is strictly prohibited. Recently, in **Maniyar Iliyaz @ Shaik Riyaz v. P. Ayyappan**, 2026 INSC 647, the Hon'ble Supreme Court reaffirmed that the right to walk on unencroached, demarcated footpaths is integral to the fundamental rights guaranteed under Articles 19(1)(d) and 21 of the Constitution, creating a corresponding constitutional duty upon municipal bodies to construct, protect, and maintain pedestrian infrastructure.
26. The statutory regime, as well as the decisions on the subject, no longer favours the complete ouster of street vendors. The objective should be to allow street vending to harmoniously coexist with motorable carriageways and walkable footpaths. The respondents must accordingly formulate policies and take steps in this regard.
27. The petitioner has highlighted specific situations. Counter-affidavits have been filed addressing the petitioner's concerns regarding those situations. The petitioner's complaint is now about a lack of implementation. The respondents must remember that merely giving paper assurances is not sufficient. Such assurances have to translate into action, and that action must be sustained.

28. Therefore, after perusing the entire material placed before us, we propose to issue certain directions to the respondents. Such directions are in addition to, and not in derogation of, the statutory duties that the respondents-authorities are tasked with under the law. The Deputy Commissioner, the Superintendent of Police and the Municipal Commissioner must work in tandem and shall be held personally responsible for due compliance.

29. Accordingly, based upon the material on record, which includes the affidavits filed on behalf of the respondents and the orders made by this Court from time to time, we dispose of this writ petition by issuing the following directions: -

- (i) The Municipal Commissioner, Hazaribagh Municipal Corporation, shall ensure that all works under the agreement dated 19.08.2026 with M/s. Keyhole Design Private Limited for the supply, installation, testing, and trial run of the Automated Traffic Light Management System are completed, and the system is put to operational trial, within four months from today.
- (ii) The trial shall cover at least the twenty major intersections identified on record: Hazaribagh District Court Chowk (near Jain Petrol Pump), Korrah Chowk, Babugaon Chowk, Matwari Chowk, St. Columba's College More, Barkagaon More (near Kargil Petrol Pump), Bharat Mata Chowk, PTC Chowk, DVC Chowk (near Upkar Hotel), District More Chowk (near Arogyam Hospital), Circuit House Chowk,

Indrapuri Chowk, Jhanda Chowk, Old Bus Stand Chowk, New Bus Stand Chowk, Bansilal Chowk, Sardar Chowk, Carmel School Chowk, Kallu Chowk and Panch Mandir Chowk.

- (iii) For any intersection outside the contracted scope, the Municipal Commissioner shall state in the compliance affidavit whether signalisation is proposed, with cost and timeline, or the engineering reason why it is not required.
- (iv) A joint completion-and-trial certificate, signed by the Municipal Commissioner, the Superintendent of Police and the Executive Engineer of the Corporation, shall be appended to the compliance affidavit under clause (XVI).
- (v) Zebra markings and statutory signage at the signalised junctions shall form part of the certificate.
- (vi) A Three-Member Monitoring and Maintenance Team; an Officer of the Corporation not below Assistant Engineer, a Traffic Police Officer not below the rank of Inspector, and a representative of the contractor, shall be constituted within three weeks. It shall maintain a daily downtime log. Any signal dark or stuck beyond forty-eight hours shall be restored within the next forty-eight hours, failing which the reasons shall be reported in the compliance affidavit.
- (vii) Within two months, the Deputy Commissioner and the Superintendent of Police shall file a joint inventory of all CCTV cameras installed since 2017, unit-wise, stating

functionality, storage location, and AMC status. Non-functional cameras shall be repaired or replaced within four months. Junction and ANPR cameras under the 2026 contract shall be integrated with the Police Control Room.

- (viii) The Superintendent of Police shall file a peak-hour deployment chart (08:00–11:00 and 16:00–20:00 hours on working days) for each of the twenty intersections, naming the officer accountable for each junction.
- (ix) Traffic personnel shall complete a training programme of not less than three days within three months, in coordination with the District Legal Services Authority, Hazaribagh.
- (x) The prohibition on entry of heavy and commercial goods vehicles into the notified municipal limits between 08:00 a.m. and 08:00 p.m., save for essential services, shall be enforced as a single rule. The Corporation shall not levy any entry fee not sanctioned by law. The Superintendent of Police and the Municipal Commissioner shall, within four weeks, file a joint one-page order setting out the rule with a sketch of the notified cordon. Any collection official permitting a breach should be made to face departmental action.
- (xi) The Municipal Commissioner shall, within three months: **(a)** file an authenticated map of designated and free parking spaces with date-stamped photographs; **(b)** keep those spaces free of vending and unauthorised stands; and **(c)** issue notices under the Jharkhand Municipal Act, 2012 and development

control norms to establishments on the PTC Chowk–Korrah Chowk stretch lacking off-street parking, and report the action taken.

- (xii) The Deputy Commissioner and the Municipal Commissioner shall, within four months, complete the survey and notification of vending and non-vending zones under the Street Vendors Act, 2014, including a zone near Sadar Hospital, if feasible.
- (xiii) Encroachments on footpaths, junctions, zebra crossings and carriageways shall be removed in accordance with the law. Re-occupation after clearance shall be proceeded against under Section 606 of the Jharkhand Municipal Act, 2012.
- (xiv) Silence zones of not less than one hundred metres shall, within two months, be notified under the Noise Pollution Rules, 2000 around the Civil Court complex, major hospitals including Sadar and Arogyam, and educational institutions including St. Columba's College and Carmel School. The Superintendent of Police shall enforce and report monthly on pressure horns and unauthorised amplification.
- (xv) The Deputy Commissioner shall, within four months, place on record the status of land for a bus terminal on the bypass and of the old bus stand's relocation, together with a routing plan for autos and e-rickshaws.
- (xvi) The Deputy Commissioner, the Superintendent of Police and the Municipal Commissioner shall each file a personal

compliance affidavit within four months, covering clauses (i) to (xv). The affidavits shall not be sworn by subordinate officers.

(xvii) Copies of the personal affidavits shall be served on the petitioner within one week of filing.

30. Once again, we clarify that the above directions are in addition to the statutory compliances, which the respondents cannot avoid. In fact, the respondents must comply with all the statutory directives and take to task those found breaching the law and the rules relating to traffic safety and management.
31. The petition is disposed of in the above terms, without any order for costs.
32. Pending IAs, if any, will not survive and are disposed of.
33. We appreciate the efforts of the petitioner and the learned counsel for the respondents. None of the parties treated this matter as adversarial. We only hope that compliance continues and the situation is not allowed to deteriorate.
34. Let a copy of this judgment be transmitted to the parties concerned, including the Chairperson, DLSA, Hazaribagh, for necessary compliances.

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

September 29, 2026

A.F.R.

Manoj/Cp.2/Uploaded on 29.09.2026