

Misc.DJ No.51/2022 Aradhana & Ors. (LRs of Kamlesh Dubey) V/s Untrace
And
Misc.DJ No.333/2021 Pushpa & Ors. (LRs of Omkar) V/s Untrace

IN THE COURT OF VINOD YADAV: PRESIDING OFFICER:
MOTOR ACCIDENT CLAIMS TRIBUNAL:
NORTH DISTRICT: ROHINI COURTS: DELHI

Misc.DJ No.51/2022

Aradhana & Ors. (LRs of Kamlesh Dubey) V/s Untrace
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Misc.DJ No.333/2021

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30.05.2022

Present: Shri Tilak Chand Bisht, ACP, Jahangirpuri in person.
Shri Ashok Kumar, ACP, Swaroop Nagar in person.
Inspector Harinder Singh, SHO, PS Bhalswa Dairy in person.
Inspector Arun Kumar, SHO, PS Jahangirpuri in person.

COMMON ORDER

This common order is being passed in Misc.DJ No.51/2022, titled as, “**Aradhana & Ors. (LRs of Kamlesh Dubey) V/s Untrace**” (hereinafter referred to as “**first case**”) and Misc.DJ No.333/2021, titled as, “**Pushpa & Ors. (LRs of Omkar) V/s Untrace**” (hereinafter referred to as “**second case**”).

2. The facts of the first case are that on 08.10.2021, at about 9.00 PM, near Libaspur Bus stand, deceased Smt.Kamlesh Dubey had suffered fatal injuries due to rashness and negligence on the part of driver of offending vehicle. The Investigating Officer in Final Report/Detailed Accident Report (DAR) specifically stated that there was no CCTV camera

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And
Misc.DJ No.333/2021 Pushpa & Ors. (LRs of Omkar) V/s Untrace

lying installed near the spot of accident and no eye witness was found available. Had there been a CCTV camera installed in the vicinity of the spot of accident, the clue regarding the offending vehicle would have definitely been found. The absence of CCTV cameras in the said area has led the investigating officer to file untrace report in the matter.

3. In the “**second case**”, Omkar, S/o Shri Jamuna Prasad lost his life when on 17.02.2021, his scooty was hit by an unknown vehicle near Mukandpur flyover, towards ISBT, outer Ring Road. Here, in this case also, neither any eye witness was found nor any CCTV camera was found lying installed near the spot.

4. If we see the map of National Highway No.1 (GT Road) from Singhu border till Karnal By-Pass (Mukarba Chowk), thereafter road from Mukarba Chowk to Mukandpur, then we will find that in this stretch of road, there is iron grill provided at substantial places on the dividers and the road passes through the jurisdiction(s) of Police Station(s) Narela, Narela Industrial Area, Alipur, Samaipur Badli, Swaroop Nagar and Bhalswa Dairy. On the entire stretch from Singhu border till Mukandpur, only two speed checking cameras are lying installed, one at Bakoli and the other near Mukandpur. There is hardly any CCTV camera provided for on this stretch. There are certain apparent points where accidents take place, one is on the road which goes towards Palla Bakhtawarpur (near Lavanya

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And
Misc.DJ No.333/2021 Pushpa & Ors. (LRs of Omkar) V/s Untrace

Banquet Hall); second Jindpur-Mukhmailpur road; third at Karnal Bypass and fourth near Mukandpur village. A lot of buses, trucks and heavy transport vehicles ply on this road alongwith medium vehicles and two-wheelers. This Tribunal has noticed that in most of the cases which go untrace, the accident takes place between 01.00 AM to 05.00 AM. It is also common experience that there are a few foot-over bridges, as a consequence whereof the people tend to cross the road (highway) through iron grills, after damaging or removing the same and in some cases jumping over the same.

5. This Tribunal had called for data of the cases which went untrace during the year 2021. The data so received is as under:

S.No.	Name of Police Station	Total cases of accident	Not worked out (Untrace)
1.	Narela	33	15
2.	Narela Industrial Area	56	14
3.	Alipur	85	31
4.	Samaipur Badli	45	24
5.	Bhalswa Dairy	28	12
	Total	247	96

6. This particular stretch of road is referred to as “**killer stretch**” by media and social circles. Therefore, there is urgent need of taking the following measures:

Misc.DJ No.51/2022 Aradhana & Ors. (LRs of Kamlesh Dubey) V/s Untrace
And
Misc.DJ No.333/2021 Pushpa & Ors. (LRs of Omkar) V/s Untrace

- (a) A study needs to be conducted to analyse and identify the points where maximum accident(s) take place and then take remedial measures;
- (b) The “**strategic points**” need to be earmarked on the aforesaid stretch for installation of CCTV camera(s) and speed monitoring camera(s);
- (c) There has to be dedicated police staff earmarked for patrolling and keeping a watch over the traffic during wee hours;
- (d) A plan may be made to have more foot-over bridges after identifying the points;
- (e) There should be frequent inspection of the iron-grills placed/installed on the divider road and in case of damage, same should be repaired promptly;

7. For taking the aforesaid measures, the various agencies like National Highway Authority of India (NHAI), Government of India; Public Works Department (PWD), Govt.of NCT of Delhi; Traffic Police Department, Delhi Police and DCP (Provisional & Logistics) should have a joint meeting and look into the matter with utmost seriousness, so that valuable lives could be saved and the offending vehicles should be apprehended and brought to book with fair amount of certainty.

Misc.DJ No.51/2022 Aradhana & Ors. (LRs of Kamlesh Dubey) V/s Untrace
And
Misc.DJ No.333/2021 Pushpa & Ors. (LRs of Omkar) V/s Untrace

8. Today, the reports have been filed in the matter by DCP, Outer-North District and DCP, North-West District, *inter alia* apprising this Tribunal that work of installation of CCTV cameras in the aforesaid two Districts is going on, however, there does not appear to be specific reference to the “**killer stretch**” mentioned hereinabove.

9. In my considered opinion, the aforesaid stretch needs immediate attention.

10. With the aforesaid observations, no further orders are required to be passed in the aforesaid two petitions. Same stands disposed off. Both the aforesaid Misc.DJ petitions be consigned to Record Room. A copy of this order be placed in both the aforesaid files/petitions.

11. A copy of this order be sent to Principal Secretary, Public Works Department (PWD), Govt. of NCT of Delhi; National Highway Authority of India (NHAI); and Commissioner of Police, Delhi Police for their kind perusal and passing of appropriate directions/orders in the matter.

(Vinod Yadav)
Judge MACT-2 (North)
Rohini Courts, Delhi/30.05.2022