

IN THE HIGH COURT OF BOMBAY AT GOA**SUO MOTU WRIT PETITION NO.1 OF 2016**

.... Petitioner

V/s

1. The State of Goa through Chief Secretary,
Porvorim, Goa.
2. The Superintendent of Police (Traffic),
Panaji, Goa.
3. The Chief Engineer,
Public Works Department Altinho, Panaji Goa.
4. The District Magistrate,
North Goa, Panaji.
5. Goa State Infrastructure Development
Corporation through its Managing Director,
EDC house, 7th Floor,
Dr. Atmaram Borkar Road,
Panaji Goa 403001.

.... Respondents

Shri Shivan Desai, Amicus Curiae.

Shri S.D. Lotlikar, Advocate General with Shri Pravin N. Faldessai,
Additional Government Advocate for the Respondents.**Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.****Date:- 21st FEBRUARY, 2017****ORAL JUDGMENT : (Per F.M. REIS, J.)**

Rule. Heard forthwith with the consent of the learned Counsel appearing for the parties. Learned Counsel for the respondents waives service.

Heard Shri Shivan Desai, learned Amicus Curiae and Shri S.D. Lotlikar, learned Advocate General appearing for the respondents.

2. The above Suo Motu Writ Petition was registered in view of cumulative traffic congestion at the approach road to the two Mandovi bridges over the river Mandovi joining Panaji with the Northern part of the State of Goa. On the earlier dates of hearing, interim orders were passed to ensure smooth flow of traffic. The learned Advocate General thereafter called for a meeting of all the concerned parties and after minutely identifying the reasons for such congestion has drawn remedial measures to be implemented as mentioned in the report submitted alongwith the additional affidavit filed by the respondent no.2. The remedial measures suggested are as follows:

REMEDIAL MEASURES TO EASE TRAFFIC CONGESTION:

To ensure smooth flow of vehicular traffic on both the Mandovi Bridges and the Zuari Bridge following remedial measures be undertaken from Santrant Junction, Cortalim to O'Coqueiro Circle, Porvorim.

1. Stationing of staff : Traffic Police from Vasco, Panaji and Calangute along with IRBn staff be deployed along with Wireless Sets at below mentioned strategic junctions/intersections. The Call Sign is also mentioned against each location.

Sr. No.	Location	Call Sign
1	Santrant Junction	TETRA-1
2	Cortalim Cross	TETRA-2

3	Cortalim Junction	TETRA-3
4	At the Start of Zuari Bridge	TETRA-4
5	At the End of Zuari Bridge	TETRA-5
6	At the Start of Goa Velha Bypass	TETRA-6
7	At the End of Goa Velha Bypass	TETRA-7
8	Siridao Bus Stop	TETRA-8
9	GMC Bambolim Junction	TETRA-9
10	Merces-Santa Cruz Junction	TETRA-11
11	Merces Circle	TETRA-12
12	KTC Circle, Panaji	TETRA-13
13	Divja Circle, Panaji	TETRA-14
14	At the Start of New Mandovi Bridge	TETRA-15
15	At the Middle of New Mandovi Bridge	TETRA-16
16	At the End of New Mandovi Bridge	TETRA-17
17	Malim Circle	TETRA-18
18	Near Alisha Bar & Restaurant, Porvorim	TETRA-19
19	Way to Secretariat, Porvorim	TETRA-21
20	Hero Honda Circle, Porvorim	TETRA-22
21	Near Sanjay School, Porvorim	TETRA-23
22	U-Turn opposite WRD Office, Porvorim	TETRA-24
23	Near Azad Bhavan, Porvorim	TETRA-25
24	Near Bhramakumari Meditation Centre, Porvorim	TETRA-26
25	Ramdev Baba Bus Stop, Porvorim	TETRA-27
26	Teachers Training College Junction, Porvorim	TETRA-28
27	Infront of Mall de Goa, Porvorim	TETRA-29
28	O'Coqueiro Circle, Porvorim	TETRA-31
29	Holy Cross Chapel Junction, Porvorim	TETRA-32

2. Patrolling : Motorcycle patrolling to be carried out by Traffic Police on the following sectors. As also Highway Patrol Vehicles form PCR to be deployed to maintain continuous patrolling.

Sr. No.	Sector	Call Sign
MOTORCYCLE PATROLLING		
1	Birla-Titan Junction to Zuari Bridge (Agacaim side)	TETRA-30
2	Zuari Bridge (Agacaim side) to KTC Panaji	TETRA-20
3	KTC, Panaji to O'Coqueiro Circle	TETRA-10
HIGHWAY PATROL VEHICLE		
4	Monte Guirim to Malim Circle	HP-03
5	Madovi Bridge to Zuari Bridge	HP-04
6	Zuari Bridge to Agnel Ashram	HP-07

3. Stationing of Cranes : To ensure immediate removal of break down vehicles and the vehicles involved in accidents Cranes are stationed at following locations.

Sr. No.	Location	Call Sign
1	Near Maruti Temple, Cortalim (Heavy Crane of TC Vasco)	SOUTH CRANE-9
2	Near new Mandovi Bridge, Panaji side (Heavy Crane of TC Panaji)	NORTH CRANE-2
3	Near Malim Circle (Hydraulic Crane of Porvorim PS)	CRAME-11

4. Diversion of traffic in event of congestion : To ease the movement of vehicular traffic in event of a breakdown of a vehicle or an accident the vehicular traffic will be diverted at following locations till the breakdown/accident vehicle is removed.

- a) Via Agacaim – Pilar – Goa Velha.
- b) Via Malim-Betim-Gurudwara-Porvorim.

5. Diversion of Heavy/Medium Goods Vehicles: As the existing carriage way being insufficient to cater to the high volume of vehicular traffic, the Heavy/Medium Goods Vehicles desiring to cross Mandovi Bridge will be diverted at Banastrai, Mercas and Karaswada Junctions between 0700 Hrs to 2100 Hrs to proceed via alternate route. However, Light Goods Vehicles will be permitted on Mandovi Bridge throughout. District Magistrate (North) vide letter dated 17/11/2016 has been requested to issue Notification in this regard. Traffic Signboards in this regard in this regard will be prominently displayed.

6. Additional Ferry Services: Captain of Ports has already been

requested to deploy additional extra Ferry Services on Betim Panaji route and to reopen the Malim Ferry route which was in operation when the old Mandovi Bridge had collapsed.

7. CCTV Cameras: Both the Mandovi Bridges and the Zuari Bridge on NH 17 form a major link between both the Districts and as such there is heavy movement of vehicular traffic throughout the day and night. Both these bridges have a single carriageway, in event of a breakdown of a vehicle or a minor accident on these bridges the entire vehicular traffic is thrown out of gear. Apart from vehicle breakdown and an occurrence of an accident, one of the causes of congestion on both the Bridges is dangerous overtaking & lane cutting by the motorist. Presently there is no mechanism to detect such violators. As such PWD vide letter dated 17/06/2016 has already been requested to install CCTV Cameras at both the ends of the Mandovi Bridges and the Zuari Bridge to detect traffic violators responsible for congestion.

8. Role of Traffic Police :

- a) Presence of Traffic staff at identified locations from 0700 Hrs to 2100 Hrs.
- b) To ensure smooth flow of vehicular traffic.
- c) Immediate removal of vehicles involved in accident or breakdown.
- d) Immediate diversion of vehicles through available alternate routes.
- e) Immediate communication with counterpart.
- f) To undertake all possible traffic calming measures.

9. Role of District Police:

- a) In event of an congestion PIs Verna PS, Agacaim PS, Panaji PS & Porvorim PS to personally rush to the spot with maximum staff.
- b) PIs Verna PS, Agacaim PS, Panaji PS & Porvorim PS to deploy sufficient staff at Zuari Bridge and Mandovi Bridges to undertake necessary action against vehicles involved in accidents.
- c) To ensure smooth flow of vehicular traffic.
- d) Immediate removal of vehicles involved in accident or breakdown.
- e) Immediate diversion of vehicles through available alternate routes.
- f) Immediate communication with counterpart.
- g) To undertake all possible traffic calming measures.

10. Role of SPCR, Panaji

- a) On receipt of information regarding congestion immediate communication with concerned Incharge of Traffic Cell/Police Station/Highway Patrol Van.
- b) Considering the gravity superior officers viz. DYSP/SP (Traffic), District SP/SDPO, DIG, DGP be also informed.
- c) Traffic Helpdesk be set up at SPCR.
- d) Live Monitoring of traffic flow through Google Map.

e) Seek traffic status on hourly basis from 0700 Hrs to 2100 Hrs.

11. Traffic Helpline : A proposal to sanction two Toll Free Traffic Helpline (1095) is being moved to the Government. Till the same is approved by the Government the existing Toll Free Number 100 will also be used as Traffic Helpline. SPCR shall maintain a separate record of traffic related issues reported on 100 number.

The deployment of staff is shown at Annexure – A.

ANNEXURE – A

Deployment of Police personnel from Santrant Junction, Cortalim to O'Coqueiro Junction, Porvorim

Sr. No.	Location	1 st Shift (0700 Hrs to 1400 Hrs)		2 nd Shift (1400 Hrs to 2100 Hrs)		Total
		PSI/ASI	PSI/ASI	PSI/ASI	HC/PC	
1	Santrant Junction	–	01	–	01	02
2	Cortalim Cross	–	01	–	01	02
3	Cortalim Junction	01	02	01	02	06
4	At the Start of Zuari Bridge	–	01	–	01	02
5	At the End of Zuari Bridge	–	01	–	01	02
6	At the Start of Goa Velha Bypass	–	01	–	01	02
7	At the End of Goa Velha Bypass	–	01	–	01	02
8	Siridao Bus Stop	–	01	–	01	02
9	GMC Bambolim Junction	–	01	–	01	02
10	Merces-Santa Cruz Junction	–	02	–	02	04
11	Merces Circle (Diversion of Heavy/Medium Goods Vehicles)	–	01	–	01	02
12	KTC Circle	01	03	01	03	08
13	Divja Circle	–	02	–	02	04

14	At the Start of New Mandovi Bridge	—	01	—	01	02
15	At the Middle of New Mandovi Bridge	—	01	—	01	02
16	At the End of New Mandovi Bridge	—	01	—	01	02
17	Malim Circle	—	05	—	05	10
18	Near Alisha Bar & Restaurant	—	02	—	02	04
19	Way to Secretariat	—	02	—	02	04
20	Hero Honda Circle	—	02	—	02	04
21	Near Sanjay School	—	01	—	01	02
22	U-Turn Opposite WRD Office	—	01	—	01	02
23	Near Azad Bhavan	—	01	—	—	01
24	Near Bhramakumari Meditation Centre	—	01	—	01	02
25	Ramdev Baba Bus Stop	—	02	—	02	04
26	Teachers Training College Junction	—	01	—	01	02
27	Infront of Mall de Goa	—	02	01	01	04
28	O'Coqueiro Circle	—	02	—	02	04
29	Holy Cross Chapel Junction	—	02	—	02	04
30	Karaswada Junction (Diversion of Heavy/Medium Goods Vehicles)	—	02	—	02	04

31	Banastarim Junction (Diversion of Heavy/Medium Goods Vehicles)	—	02	—	02	04
32	Motorcycle Patrolling from Birla-Titan Junction to Zuari Bridge (Cortalim side)	01 PSI/ASI & 01 HC/PC				02
33	Motorcycle Patrolling from Zuari Bridge (Agacaim side) to KTC Panaji	01 PSI/ASI & 01 HC/PC				02
34	Motorcycle Patrolling from Malim Circle to Porvorim Bazar	01 PSI/ASI & 01 HC/PC				02
	Total	05	52	03	47	107

NOTE : In addition to above deployment PIs Verna PS, Agacaim PS, Panaji PS & Porvorim PS should deploy 01 HC each at Cortalim Junction, Zuari Bridge (Agacaim side), KTC Circle Panaji and Malim Circle respectively for undertaking immediate action against vehicle involved in accident.

TOTAL SOURCE				
		PSI/ASI	HC/PC	Total
1	TC Vasco	03	13	16
2	TC Panaji	03	17	20
3	TC Calangute	02	21	23
4	TC Mapusa	—	04	04
5	TC Ponda	—	04	04
6	2 nd IRBn	—	40	40
	Total	08	99	107

3. Looking into the exhaustive manners in which such measures have been suggested, after considering the reasons for such traffic congestion,

we find that the above petition can be disposed off at this stage by considering the remedial measures in the said report referred to herein above as directions of this Court. The petition stands accordingly disposed off based on the said remedial measures referred herein above Rule in the above terms. Liberty to the parties to apply.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

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