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

Date of Decision: 27th September, 2019

+ W.P.(C) 5458/2018

SHADAB HUSAIN KHAN

..... Petitioner

Through: None.

versus

GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Jyoti Taneja with Mr. Vidur Kamra, Advs. for GNCTD.

Mr. Akhilendra Nath, Panel Counsel, EDMC for R-2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

D.N. PATEL, CHIEF JUSTICE (Oral)

1. When the matter is called out, nobody appears for the petitioner.
2. We have heard learned counsel for East Delhi Municipal Corporation at length.
3. This Public Interest Litigation has been preferred with the following prayers:

“(a) direct the respondent no.1 & respondent no.2 to build separate female toilets on road sides all over EDMC area (East District & North East District Delhi) of good quality PVC or through any other speedy way which takes very less time to build, and each toilet must have (i) with all basic/natural requirements of females (ii) with two female guards (with duty rotation after every four hours, one attendant and 24 hours

services including Sunday and all holidays), (iii) services should be free of cost, (iv) with one exhaust fan or A.C. , and (v) toilets must be cleaned before 7 am, at 1:00 pm and at 7 pm daily and/or;

(b) direct the respondent no.1 & respondent no.2 to build two female toilets on every half kilometre on the road sides all over the EDMC area (East District & North East District Delhi) and/or;

(c) constitute a monitoring committee of young Advocates to keep watch, check about the daily development of the construction of female toilets and to report and ensure the compliance of order of this Hon'ble Court and/or;

(d) Pass any further order in the ends of justice whichever this Hon'ble Court deem fit and necessary.”

4. Having heard learned counsel for respondent No.2 and looking to the status report filed by respondent No.2 dated 04.09.2018, especially, para No.4 onwards thereof, it appears that 60 public toilets and urinals have been constructed during the last two financial years as stated in the said status report. Moreover, total number of 455 public toilets have also been made available in Shahdara, North Zone and Shahdara, South Zone for men and women. Further, it appears that 303 public toilets have been constructed exclusively for women. In all, 1146 public toilets have been constructed by the respondents at several places as stated in paras 4, 5 and 6 of the status report dated 04.09.2018.

5. For ready reference, paras 4, 5 and 6 of the status report dated 04.09.2018 filed by respondent No.2 read as under:

“4. That necessary infrastructure of functional Public Toilets, in public areas i.e. with open excess to public especially those

with high footfall daily or periodically, has been provided within a span of 1 km in accordance with guidelines of Swachh Bharat Mission (sic) under the jurisdiction of East Delhi Municipal Corporation.

*5. That it is submitted that 60 Public Toilets and Urinals have been constructed during the last two financial years at all prominent places attracting floating population in East Delhi Municipal Corporation. It is pertinent to mention here that these sixty public toilets consist of sixty three seats exclusively for women. As of now, a total number of 455 Public Toilets are available in Shahdara North Zone and Shahdara South Zone for men & women at free of cost in East Delhi Municipal Corporation. Three Hundred and Three toilet seats (303) have been constructed exclusively for women out of total eleven hundred forty six seats (1146). In addition to the existing or already constructed toilets, 46 Public Toilets having provisions for women are proposed to be constructed adjoining to Market Places, Road side and suitable places. The list of Public Toilets is annexed herewith as **Annexure 'A'**.*

6. That Community Toilet Complexes (CTC) are constructed in Urban Areas who do not have access to household toilet, and for whom the individual household toilet is not feasible. A total number of 86 Community Toilet Complexes exist under the area of East Delhi Municipal Corporation out of which five CTCs have been constructed in recent past and nine CTCs are under construction or proposed to be constructed. Care has been taken to ensure that these facilities have adequate provision for separate toilets for bathing facilities for men, women and facilities for disabled. 3091 number of water closet (toilet seat) has been provided in East Delhi Municipal Corporation out of which 1484 are exclusively for women. The list of Community Toilet Complexes is annexed herewith as Annexure 'B'."

6. In view of the aforesaid work done by the respondents and also looking to the annexures of the status report, we see no reason to further

monitor this case for the construction of public toilets for women.
Hence, this writ petition is hereby disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

SEPTEMBER 27, 2019

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