

11.04.2023
Item No.42
gd/ssd

WPA(P)/61/2022
PRATYUSH PATWARI
VS
THE SECRETARY, TRANSPORT
DEPARTMENT AND ORS.

Mr. Pratyush Patwari
..Petitioner (In Person)

Mr. Srijan Nayak,
Ms. Rituparna Maitra
..for the State.

1. By this writ petition styled as a public interest litigation the petitioner seeks for appropriate direction with regard to the private buses and mini buses plying in different routes within the State of West Bengal.

2. The first grievance is with regard to the fares for the different routes which are not displayed in the buses in terms of Section 67 of the Motor Vehicles Act. The second aspect is that the approved fare table should be adhered to and no additional fare should be collected from any passenger. The third aspect is that the complaint book should be maintained in terms of Rule 175 of the West Bengal Motor Vehicles Rules.

3. So far as the first two grievances are concerned, the petitioner is well justified because it being a statutory requirement the private buses and

mini buses plying in different routes within the State of West Bengal are bound to adhere. If they fail to adhere, the concerned Regional Transport Officer shall be entitled to make surprise inspection and initiate appropriate action against those violators. Therefore, there will be a direction to the Secretary, Transport Department to issue a directive to his officers to ensure that all the private buses and mini buses should exhibit the approved fare table inside the buses in the prominent manner and this shall be directed to be implemented within a period of four weeks from date. In case, any complaint is received by the authorities of the Transport Department about overcharging and more above the approved fare, those complaint should be dealt with promptly and if found to be true, action should be initiated by the Transport Authorities. With regard to the third aspect, namely, the maintenance of complaint book, though we are conscious of the fact it is a statutory requirement but nevertheless in the current scenario maintenance of physical complaint book has been proved to be ineffective.

4. Therefore, we direct that a toll free number and a dedicated mobile number assigned by the Transport Department of that area shall be directed to be prominently displayed inside and outside the private buses and mini buses and if any of the

commuters have any grievance, they will be entitled to call those numbers or send messages with the numbers which should be recorded in a register and action should be taken in accordance with law.

5. With the above observation, the writ petition stands disposed of.

(T. S. SIVAGNANAM)
ACTING CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)