

DISTRICT LEGAL SERVICES AUTHORITY :: WEST GODAVARI:: ELURU

DT:04.07.2024

Communicated W.P.(PIL) No. 116/2024, Dt. 02.06.2024 of Hon'ble High Court of A.P., Amaravathi to all the Judicial Officers, all the Chairmen, Mandal Legal Services Committees in the Unit, Superintendents of Police, RTA authorities, Panel Lawyers, PLVs.

C. Pinnaboina
Chairman-cum-Prl. District Judge
D.L.S.A., W.G., Eluru.

Copy to:-

1. All the Judicial Officers working in Unit
2. All the Chairmen, MLSCs in Unit.
3. The Secretary, DLSA, Eluru
4. Superintendents of Police, Eluru, Bhimavaram and East Godavari.
5. Dy. Transport Commissioner, RTA, Eluru.
6. All the Bar Associations in the Unit of West Godavari.
7. The In-charge System Officer (e-courts project), Prl. District Court, Eluru.. with a direction to place in the website

DFS NO: 1055
4/7/2024

LSW/L3

NO: 1434
4/7/2024
Gbdav



GOVERNMENT OF ANDHRA PRADESH
A.P. STATE LEGAL SERVICES AUTHORITY
1st Floor, Interim Judicial Complex,
High Court of Andhra Pradesh,
Nelapadu, Amaravathi - 522 23, Guntur District
E-Mail: apslsaauthority@yahoo.com
Web site: www.apslsa.ap.nic.in



Smt. M. Babitha,
MEMBER SECRETARY
(District & Sessions Judge)

ROC. No. 66-L3/APSLSA/LSW/2024, Dt: 03.07.2024.

HIGH COURT DIRECTIONS

Sept to
Propose info
to
to

To
All the Chairpersons,
District Legal Services Authorities
in the State of Andhra Pradesh.

Sir,

Sub: APSLSA – Road Accidents – Evil Effects on account of non user of protective headgear – Directions -Reg.

Ref: The Hon'ble High Court issued certain directions in W.P. (PIL) No. 116/2024.

The Hon'ble High Court in W.P. (PIL) No. 116/2024 vide Judgement dated 26.06.2024 issued certain directions in regard to implementation of Motor Vehicles Act and Rules and also specially directed in regard to use of Headgear, awareness etc. Copy of Judgement is enclosed herewith.

As directed, all the Chairpersons of DLSAs are requested to conduct special drive programme and cause awareness among the public more particularly two wheeler users about the evil effect of non-user of protective headgear(helmet), provisions of Motor Vehicles Act and Rules framed thereunder, penal provisions etc.

The Special Drive programmes shall be commenced from 04.07.2024 across the district involving the Advocates, PLVs, Judicial Officers and others as may be identified by the Chairperson, DLSA. The programme shall be continued till the end of July, 2024. Entire district shall be covered including far flung areas in the district.

to
4/7

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The Chairpersons in conjunction with the Superintendents of Police requested to conduct sensitization programmes to the traffic Police, Officials of Road Transport Authorities and other Stakeholders on implementation of the Motor Vehicles Act, Rules and also the necessity of implementation of wearing protective headgears by the Two Wheeler users and Pillion drivers.

The data in the following format shall be maintained and submitted to the State Authority by 4.00 P.M., on every Thursday, so as to place it before the Hon'ble the Chief Justice for further instructions. The data shall contain the following information:

Table No. 1

Date	Number of awareness programmes conducted	Names of places where programmes conducted	Details of Resource Persons	Any other information

Table No. 2

Date	Number of sensitization programmes conducted	Details of participants	Any other information

The Chairpersons are requested to monitor the progress and submission of reports.

The Secretaries of DLSAs shall coordinate with all the stakeholders and cause awareness across the district.

Yours Sincerely,



MEMBER SECRETARY

Encl : Judgement

APHC010254802024



IN THE HIGH COURT OF ANDHRA
PRADESH
AT AMARAVATI

Bench Sr.No:-
2
[3443]

WP(PIL) NO: 116 of 2024

Thandava Yogesh

...Petitioner

Vs.

The State of Andhra Pradesh and others

...Respondents

Sri Thandava Yogesh, party in person appearing for the petitioner.

Learned Government Pleader for Panchayat Raj and Rural Development, learned Government Pleader for Home, learned Government Pleader for Municipal Administration and Urban Development, learned Government Pleader for General Administration and Ms. S. Pranathi, Advocates for the respondents.

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE NINALA JAYASURYA**

DATE : 26th June 2024

P C :

The present petition highlights certain serious shortcomings in regard to implementation of the Motor Vehicles Act and the Rules framed there under and in particular, Rule 167A of the Central Motor Vehicles (Seventeenth Amendment) Rules, 2021 (for short, "the Rules").

What is sought to be highlighted is that in the State of Andhra Pradesh, as per the data which is placed on record, there were approximately 3703 accidental deaths out of which 3042 were attributed to deaths due to non-use of protective headgear by two wheeler drivers. Photographs have been placed on record purportedly taken at a very busy junction in the city of Vijayawada which does show that out of a number of two wheeler drivers and even the pillion riders, none of them seems to be wearing any protective

headgear. The position, it is stated, is commonly seen elsewhere also on other roads in the state of Andhra Pradesh.

What is sought to be highlighted is that the official machinery has failed to implement the rules regarding the enforcement of the requirement to wear protective headgear especially for two wheeler drivers as also their pillion riders.

Rule 167A of the Rules envisages the enforcement of road safety through electronic devices which include speed camera, closed circuit television camera, speed gun, body wearable camera, dashboard camera, automatic number plate recognition (ANPR), weigh in machine (WIM) and any such other technology specified by the State Government. It is stated that while the city of Vijayawada appears to have been covered under the surveillance cameras installed on major roads, no effort appears to have been made with a view to ensure proper enforcement of the requirement to wear helmets.

The issues highlighted in the present petition are indeed of wide public importance and need to be considered seriously. We, therefore, direct the respondents to file a detailed reply giving the details with regard to implementation of the provisions of Rule 167A in the state of Andhra Pradesh and in particular, the cities which find a mention in the table appended to the said Rule which includes, among others, the cities of Vijayawada, Visakhapatnam and others numbering 13 in all.

The department of Police dealing with traffic should also reflect as to the number of people who have been challaned on account of non-user of protective headgear, the number of physical checks conducted by the traffic police authorities and the amount of fine collected based thereupon.

The Legal Services Authority as also the police authorities are directed to start campaigns with regard to highlighting the evil effects on account of non-user of the protective headgear. The drive should be publicized in

vernacular and English papers which have wide circulation in the state of Andhra Pradesh besides publicizing in the electronic media. Date should be fixed informing the citizenry and in particular, those who are using two wheelers, that beyond a particular date, there would be absolutely zero tolerance towards those who are found to be violating the provisions of the Motors Vehicles Act and the Rules framed there under.

The Legal Services Authority is also directed to take steps in conjunction with the state authorities to start campaigns informing the people with regard to the aforementioned issues.

The other issue which is highlighted by the learned counsel for the petitioner is with regard to wearing of body cameras, which are to be worn by the law enforcement officers.

The purpose for the use of body cameras by the law enforcement officers i.e., police and transport officials, who manage the traffic or carry out any enforcement drive, is quite clear and that is to record the proceedings of an event, which can be used in the Court as an evidence against the offending driver or person and also ensure that the law enforcement official has acted as per the provisions of law while penalizing the offending driver or person.

Learned counsel for the respondents, while filing a detailed affidavit, shall also place on record the steps that have been taken by the Government with regard to compliance with the statutory provisions.

List on 21.08.2024.

DHIRAJ SINGH THAKUR, CJ

NINALA JAYASURYA, J

AMD