



Delhi High Court

Plea filed in Delhi HC seeking quashing of traffic e-challans issued during lockdown against corona warriors

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New Delhi [India], May 10 (ANI): A plea was filed in the Delhi High Court (/topic/delhi-high-court) seeking quashing of e-challans (/topic/e-challans) issued against corona warriors by the Delhi Traffic Police (/topic/delhi-traffic-police)

during the lockdown period saying that the charging of hefty amount as fine has imposed deep economic burdens on many families of the essential services workers (/topic/essential-services-workers) since most of them come from humble and modest financial backgrounds.

The plea was filed by the four people employed in essential services through advocate Chandan Goswami.

Among the four, two persons have received 18 e-challans (/topic/e-challans) each in a row summing up to a hefty amount of around Rs 36,000 and Rs 40,000 respectively which amounts nearly to their monthly salary.

The petitioners (/topic/petitioners) told the Delhi High Court (/topic/delhi-high-court) that the fight against COVID-19 is a united fight and a constitutional fight which in the true sense- "is for the people, by the people and of the people".

"One billion Indians have supported the government's call for nationwide lockdown, thousands working under essential services are doing their everyday jobs which might have been considered ordinary employment in a pre-corona world but today those normal jobs are a threat to their life and jeopardy for their family," the plea said.

"In this fight, every person working in essential services is doing a national service. These are unprecedented times in the truest sense," it added.

Advocate Chandan Goswami said that the petitioners (/topic/petitioners) are seeking a remedy against the disproportionate and arbitrary action of the Delhi Traffic Police (/topic/delhi-traffic-police) (DTP) which has been issuing challans for traffic violations under the relevant sections of the Motor Vehicles Act, 1988 during the lockdown in an "arbitrary, unreasonable, unjust and mala fide manner".

"The liability to pay fines is also unjust and unfair during the time of a lockdown. In an ordinary situation, a worried citizen would have had approached the concerned department, visited the office or disputed the said e-challans (/topic/e-challans) before the appropriate judicial forum," the plea filed by advocate Goswami said.

He further added that right now those avenues are limited and the possibility of a Lok Adalat in the time of this pandemic is also low.

"The action has created panic and anxiety amongst many citizens who are not only worried about the time limit to pay the hefty fines but also apprehensive about further disproportionate e-challans (/topic/e-challans) and unreasonable actions from the police as they perform their essential services during the lockdown," advocate Goswami said.

"Therefore, the issuance of e-challans (/topic/e-challans), court-proceedings and subsequent liability to pay the fines running into thousands of rupees during the lockdown is highly unfair, unreasonable and arbitrary which directly violates Article 14 and Article 21 of the Constitution of India (/topic/constitution-of-india)," he added.

The petitioners (/topic/petitioners) have sought to quash the e-challans (/topic/e-challans) issued by the Traffic Police of Delhi from March 24 to May 3 to the people employed in essential services.

The petitioners (/topic/petitioners) have also sought a direction to Delhi Traffic Police (/topic/delhi-traffic-police) and AAP Government to set up an alternate redressal mechanism in the lockdown situation so as to effectively resolve the disputes.

The petitioners (/topic/petitioners) have also sought an interim stay on the issuance of further e-challans (/topic/e-challans) till the time an alternate redressal mechanism in the lockdown situation is set up. The plea also sought a direction to Union of India and Delhi Traffic Police (/topic/delhi-traffic-police) to review the present situation and frame appropriate guidelines under Section 6 of the Disaster Management Act 2005 (/topic/disaster-management-act-2005) to address the issues at a policy level so that such disproportionate action is not undertaken in the future. (ANI)

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