

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) (WRIT PETITION (PIL)) NO. 50 of 2024**

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SUO MOTU

Versus

STATE OF GUJARAT, HOME DEPARTMENT, THROUGH
SECRETARY & ORS.
=====**Appearance:**

LAW OFFICER BRANCH(420) for the Applicant(s) No. 1

MS.KIRAN R. UDASI FOR MR PR ABICHANDANI(102) AS LD.

AMICUS CURIAE

MR.KAMAL TRIVEDI, LD. ADVOCATE GENERAL WITH MR.VINAY
BAIRAGRA, ASST.GOVERNMENT PLEADER/PP for the
Opponent(s) No. 1G H VIRK(7392) WITH MS.HETAL PATEL, AGP for the Opponent(s)
No. 5,6

MR SIMRANJITSINGH H VIRK(11607) for the Opponent(s) No. 5,6

MR.MAULIK G. NANAVATI FOR NANAVATI & CO.(7105) for the
Opponent(s) No. 11=====
CORAM:HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL

and

HONOURABLE MR.JUSTICE D.N.RAY

Date : 07/11/2025**ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE
MRS. JUSTICE SUNITA AGARWAL)**

1. Pursuant to the order dated 22.08.2025, the affidavit of the Principal Secretary, Home Department, Government of Gujarat dated 06.11.2025 has been filed, wherein it is submitted that to make an assessment pertaining to the requirement for need of additional posts for augmenting and strengthening the existing traffic police force in accordance

with the parameters like traffic volume, city's directional growth, expanse and development of road infrastructure, accident data and black spot detection and population density, etc. process has been commenced to engage an expert agency.

2. As per the details shared by the Superintendent of Police (SP), State Traffic Branch, Gandhinagar vide letter dated 03.11.2025, by the office order dated 30.10.2025, the Inspector General of Police, State Traffic Branch, Gandhinagar has constituted a committee to determine the tender conditions, eligibility, etc. and final selection of a qualified bidder, inasmuch as, as per the applicable Government regulations, it is necessary to make selection of an appropriate agency through the process of e-tendering.

3. On the proposal of the committee, upon approval, a tender has been published on the Government e-Marketplace (GeM) Portal on 03.11.2025 by the Office of Additional Director General of Police (Planning and Modernization Division), Gandhinagar. It is stated that on completion of the tender process, with the selection of the suitable and qualified agency by the competent authority, the State would be able to evaluate future need of traffic personnel.

4. With regard to the existing vacancies in the police force, which include traffic police personnel, the progress of recruitment process by way of promotion as well as direct recruitment has been brought on record.

5. Considering the above, we may record that vide order dated 09.05.2025, noticing that there is a requirement for increase in the sanctioned strength of the State Traffic Police with the passage of time, to meet the current needs of the State, we required the response of the Principal Secretary, Home Department, to look into the matter and place his opinion.

6. Considering the affidavit of the Principal Secretary, Home Department that an expert body is to be engaged to assess the future needs considering various parameters, suffice it to note that such a study will take time and as per the statement in the affidavit, the report of the said agency would be utilized by the State to evaluate future needs of the post of traffic personnel. However, for the current imminent need, there is no evaluation at the ends of the State authority, who are duty bound to make such an assessment from time to time so as to strengthen police force as well as traffic police force, catering to the ever increasing demand of such grandforce.

7. There is nothing on record which would indicate as to when last such assessment was made by the concerned State department and the sanctioned posts of traffic police force were augmented or any decision has been taken in the recent past for augmenting the traffic police force looking to the pressing need. According to us, the expert agency being engaged through the process of tender may be helpful for the future needs, but the fact remains that the said process would take years to complete.

8. The Court may take judicial notice of the fact that the traffic volume in the State has grown exponentially with the increase in the population. With the globalization, there is substantial increase in the earning capacity of an individual and with the changes in the society, now almost each individual possess four wheeler or two wheelers, which has added substantial burden on the existing roads, not planned to such overwhelming changes.

9. There is absolutely no disclosure in the affidavit of the Principal Secretary, Home Department, Government of Gujarat that any exercise in the recent past or present has been undertaken to deliberate on the issue of strengthening traffic police force by creating more posts. The process of recruitment to fill up even the existing vacancies of the sanctioned posts has been started only upon the intervention of this Court in the public interest litigation being Writ Petition (PIL) No. 105 of 2019.

10. We, therefore, do not find satisfaction in the answer given by the Principal Secretary, Home, Government of Gujarat in the affidavit placed before us. There is an imminent requirement to assess the current imminent need as well as the need for the immediate future as we cannot wait for three to five years, which is the expected time to be taken in the study to be conducted by the expert agency, once selected, and augmenting the existing traffic Police force.

11. The Principal Secretary, Home Department, Government of Gujarat is, therefore, required to convene a high-level meeting of the officials of the Home Department as well as Police Department of the State to take a decision to strengthen the existing traffic police force by creating either permanent posts or by engagement of manpower on contract to be deployed as traffic police personnel, as an interim arrangement, after providing them necessary training, strictly in accordance with law. This 'stop gap arrangement' can be made till the assessment for the need of additional posts for augmenting and strengthening the existing traffic police force, is made on consideration of various parameters by the expert agency, and final decision is taken by the competent authority on the said report.

12. We, therefore, require the Principal Secretary, Home Department, Government of Gujarat to submit his response to the above by filing his personal affidavit on the next date fixed.

List this matter on **12.12.2025** at **12:30 PM**.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

SAHIL S. RANGER