



\$~100

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

Date of Decision: 14th November, 2024.

+ W.P.(C) 6969/2023

ARPIT BHARGAVA

.....Petitioner

Through: Ms. Beenashaw N. Soni, Mr. Arpit Bhargava, Ms. Hina Bhargava, Ms. Sania Yusuf, Mr. Sarthak Sharma and Mr. Pankaj, Advocates.

versus

GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Kamal Gupta, Mr. Sparsh Aggarwal, Ms. Yosha Dutt and Ms. Rashi Agarwal, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

JUDGMENT

SANJEEV NARULA, J. (Oral):

CM APPL. 66504/2024 (seeking urgent directions)

1. Through this application, the Petitioner seeks immediate and urgent directions to the Respondents to formulate and implement interim measures, in a time bound manner, till adequate SOP/laws/guidelines etc. are prepared to address situations of bomb threats and similar disasters in order to ensure safety and security of children, teachers, staff and other stakeholders of schools in Delhi.
2. Considering the fact that this petition has been pending for quite some time, the Court has instead of dealing with application, considered it



appropriate to call the main petition on the board today itself with the consent of counsel for Parties.

3. Disposed of.

W.P.(C) 6969/2023

4. The Petitioner has approached this Court, raising serious concerns over the alleged inaction and negligent approach of Respondents No. 1 and 2 in addressing the recurring bomb threat emails received by various schools across Delhi. According to the Petitioner, the failure of the authorities to take adequate and timely measures has jeopardized the safety and security of children, teachers, staff, and other stakeholders in these educational institutions. The Petitioner contends that such incidents, beyond posing a direct risk to life and safety, have caused significant trauma, anxiety, and harassment to students and their families, including the Petitioner, whose child is currently enrolled in a school in Delhi. Specifically, the Petitioner highlights a distressing incident on 26th April, 2024, where a bomb threat email targeted their child's school, causing panic and disruption. Personally aggrieved by the incident and concerned about the potential recurrence of such threats, the Petitioner has invoked the jurisdiction of this Court, seeking appropriate directions to Respondents No. 1 and 2 to ensure the implementation of effective measures for the safety and security of Delhi's schools. The Petitioner further emphasizes the necessity of formulating and implementing a detailed action plan by Respondents No. 1 and 2 to prevent the recurrence of such incidents, which not only disrupt families but also have far-reaching consequences for society at large.

5. On the basis of the averments made in the petition, the Court, on 22nd May, 2023 had called upon Respondents No.1 and 2 to file their status



reports as well as a direction to file an action plan after consulting all stakeholders. Considering the nature of Relief sought, the court also directed the impleadment of Respondent No. 3 (Action Committee Unaided Private School) and Respondent No. 4 (Private Land Public School Trust).

6. The Delhi Police has filed a status report, the relevant portion of which reads as follows:

“I. ACTION PLAN AFTER CONSULTING ALL STAKEHOLDERS

*A. In this regard, it is respectfully submitted that Delhi Police has dedicated Bomb Disposal Squads (BDS) and Bomb Disposal Teams which have the responsibility to deal with bomb threats and bomb related incidents in Delhi, for which a detailed Standing Operating Procedure has already been laid down by Delhi Police. Copy of the SOP is placed at **Annexure-A**.*

*B. An Action Plan has been prepared highlighting the steps to be taken by different stake holders on receipt of a bomb call. Draft Action Plan is placed at **Annexure-B**.*

*C. Further, a circular has been drafted highlighting the procedure to be followed by Delhi Police after a bomb call being declared as a Hoax Call. Draft Circular is placed at **Annexure-C**.”*

7. The status report also has been filed by the Action Committee Unaided Recognized Private Schools/ Respondent No. 3, wherein they have made the following suggestions:

“2. Having stated the above, the answering Respondent Action Committee Unaided Recognized Private Schools, being the umbrella organization of more than 500 Private Unaided Schools functioning in Delhi, seeks to make the following suggestions, in terms of the Orders dated 22.5.2023 and 31.7.2023, for the management of such situations, in future:-

(a) Most importantly, the Schools must be declared by the government and other statutory authorities, to be no tolerance zones as also no hawking zones, to ensure safety & security of the students and to prevent creation of chaos outside the Schools;

(b) In this regard, the selling of any items outside the School premises, along its boundary walls, should be completely prohibited, which



prohibition should be monitored by the police authorities as also by the Municipal authorities;

(c) The above would ensure existence of ample space outside the Schools, to prevent traffic snarls/jams as also chaos, in a situation of evacuation of the School staff and students, being required urgently;

(d) Qua the vendors/hawkers etc., who are routinely sitting outside the Schools, have not been allotted those places.

(i) Further, separate teams of male and female police personnel should be deployed at the school under threat, urgently and immediately.

(k) Bomb disposal squad, medical team and ambulance should be kept on standby to deal with such emergency situations.

(l) State Government should install CCTV cameras in the vicinity of the schools to ensure maximum safety and identification of miscreants.

(m) Media houses often flash incomplete information which creates unnecessary panic, commotion and chaos amongst parents, and therefore, Police should maintain strict confidentiality at all times to minimize media interference. Moreover, the state government should issue clear guidelines to media personnel regarding reporting of any such threats, unless the same are confirmed by the authorities to be real.

(n) Concerned authorities should also take necessary steps to restrict publication of false and misleading information on social media both by common public and media personnel.

and are not licensed by any authority to be there, it is the bounden duty of the Municipal authorities, police and others, to be taking routine action against such persons, preventing them from being outside the schools, creating hindrances in the movement of the public at large, at all times. Enclosed herewith are certain photographs of various Schools, wherein the situation is pathetic in terms of the commotion, chaos and encroachment upon public places and footpaths, which completely restrict the movement of the members of the public (ANNEXURE - R- 3/1):

(e) The taxi stands and tempo stands outside the schools should be prohibited and removed immediately;

(f) Parking of private vehicles overnight and also during the day, outside the schools should be prohibited;

(g) Moreover, movement of vehicles and ambulances is hindered due to presence of large number of hawkers/vendors. Police should ensure proper regulation of traffic in areas surrounding the schools' premises.

(h) Police and other local government bodies should organize orientation programs, seminars etc. to create awareness and educate parents, teachers and students to prepare them for potential emergencies.

(i) Police should set up separate hotline numbers to handle bomb threats and other emergency situations.”



8. That apart, Respondent No.1 also filed a status report outlining the measures that are already in place to deal with such a situation. Thereafter this court *vide* order dated 6th May, 2024 noted as under:

“1. The instant writ petition has been filed by the Petitioner for a detailed action plan to be prepared by the Delhi Police and the Department of Education, GNCTD to ensure that proper action is taken when calls are received regarding bomb threats and to ensure that there is a proper response plan which can be implemented across all the schools in Delhi in case of bomb threats.

2. Status reports have been filed by the Delhi Police, Action Committee unaided recognized private schools and the GNCTD. Status report on behalf of Delhi Police indicates that there is a Standard Operating Procedure (SOP) for Bomb Disposal Squad and Bomb Detection Teams. The status report gives a chart regarding base stations and areas of responsibility which reads as under:

S.N.	BDS Zone	Base Station
1.	South Zone (Districts South, South-East, New Delhi & South-West)	The BDS of South Zone will be stationed at PS Mandir Marg. It will cover the jurisdictional area of Southern and New Delhi Ranges
2.	West Zone (Districts West, Dwarka, Outer, North-West, Rohini, Outer-North)	The BDS of West Zone will be stationed at Pitampura Police Lines. It will cover the jurisdictional area of Western and Northern Ranges
3.	Central Zone (Districts Central, North, East, North-East, Shahdara)	The BDS of Central Zone will be stationed at PS Daryaganj. It will cover the jurisdictional area of Central and Eastern Ranges

3. Though the Delhi Police has filed guidelines to deal with the bomb threats at schools, it does not disclose the data regarding the number of schools in each zones, the nodal authority in each zone which would be responsible for taking action in case of receipt of a bomb threat, the team for taking action on receipt of bomb threats, the number of mock drills that have been conducted under the supervision of Delhi Police and other authorities to ensure that children are evacuated from the schools without there being any panic and the action taken to ensure least dependence on the parents of the children, who work at different places, for evacuating the children from schools since it is primarily the duty of the schools and the authorities to evacuate the children.

4. Let the status reports by the Delhi Police and the NCT of Delhi be filed within 10 days stating the aforesaid details with an advance copy to the learned Counsel for the Petitioner.

5. The status report should also include various circulars which have been issued by the GNCTD from time to time. The Delhi Police in its status report should also indicate the action that would be taken for investigating hoax calls received regarding bomb threats in schools.

6. List on 20.05.2024 in the supplementary list.”



9. In compliance with the aforementioned order, Delhi Police has filed the status report outlining the details as sought by this Court. Respondent No.1/GNCTD has also filed a status report outlining the details of the Nodal authorities responsible for taking action in case of receipt of bomb threats and compilation of various circulars issued by them to address such situations. Furthermore, a comprehensive Response Plan in the form of a booklet is stated to under submission for approval from the concerned authority.

10. The Petitioner, expresses dissatisfaction, and strongly argues that the action taken reports merely outline proposals and draft plans, lacking any evidence of substantive measures being implemented. According to the Petitioner, the absence of decisive action exhibits a continued neglect of critical issues, leaving the safety and security of students and schools inadequately addressed, rendering them vulnerable. He has further expressed dissatisfaction with the way Delhi police handled earlier incidents of such nature. He states that Respondent No.2 is supposed to stay ahead and there is complete failure on their part to tackle such threats. Additionally, the Petitioner also points out that the draft action plan dated 27th July, 2023 filed by the Delhi police, along with their status report, was ineffective where on 1st May, 2024, 200 schools received a bomb threat at one go creating large scale panic.

11. The Court has carefully considered the contentions advanced by the Petitioner in the pleadings, response to the status reports and the afore-noted urgent application, and acknowledges his concerns raised regarding the safety and security of children in schools, as well as the implications of



recurring hoax bomb threats.

12. The Petitioner's critique of the Respondent No. 1 and 2's alleged failure to pre-emptively address such threats warrants a measured response. The Petitioner's expectation that such threats can be entirely eradicated reflects an idealism that is out of step with the realities of the modern world. Hoax threats, particularly those perpetrated through sophisticated methods such as the dark web and VPNs, are not unique to Delhi or even India. They are a global problem, one that continues to challenge to the law enforcement agencies worldwide. Moreover, law enforcement agencies are tasked not only with investigating incidents but also with anticipating and staying ahead of emerging threats—a formidable challenge in today's digital age. While there is no doubt that agencies must endeavour to track down and hold perpetrators accountable to the full extent of the law, expecting a foolproof mechanism to entirely prevent such threats is both unrealistic and impractical. That said, Respondents No.1 and 2 must brace themselves to address the evolving challenges posed by such threats, particularly in the digital age, where anonymity emboldens perpetrators. Respondents No.1 and 2 must focus on deterrence by demonstrating that such acts will not go unpunished, thereby sending a clear message to potential offenders that their actions will have serious consequences. It would reinforce public confidence and dissuade others from engaging in such activities. However, the Court must reiterate that such operational strategies are best left to the wisdom of the executive, as directing such modalities falls outside the Court's remit.

13. Primarily, the Petitioner's grievance highlights the absence of a Standard Operating Procedure (SOP) to address such incidents in schools. Framing and implementing SOPs or action plans, especially those requiring



collaboration among multiple stakeholders, is a task that demands careful thought and deliberation, something which is better handled by the executive. It needs no reiteration that matters of policy formulation, particularly in the sensitive realm of public safety, are beyond the Court's purview. The suggestions given by the Petitioner, such as mock drills, designated assembly points, automated alerts, and public awareness campaigns, are undoubtedly constructive and merit consideration, however, it is for Respondent Nos. 1 and 2 to assess their feasibility and incorporate them into a comprehensive action plan tailored to Delhi's unique challenges.

14. Additionally, the Petitioner suggests leveraging technology, for countering sophisticated threats. While these recommendations are appealing, however, such measures must be balanced with practical limitations, resource allocation, and expert consultations. It is not the Court's role to dictate technological solutions, but the Respondents must reflect on these advanced methods to combat these threats.

15. The Court observes that the Respondents have already taken initial steps to address these concerns, as reflected in the draft action plans, standing operating procedures, and status reports placed on record. However, it is imperative that these measures are finalized and implemented promptly, rather than remaining confined to a conceptual or deliberative stage. The Respondents must formulate an effective strategy to address bomb threats and prevent potential disasters, in consultation with all relevant stakeholders and through coordinated efforts between various agencies, including law enforcement, municipal authorities, and representative bodies of school administrations.

16. In view of the foregoing the Petition is disposed of with the following



directions:

- i. Respondent Nos. 1 and 2 shall develop a comprehensive action plan, which shall include a detailed Standard Operating Procedure (SOP) for addressing bomb threats and related emergencies. The SOP must clearly outline the roles and responsibilities of all stakeholders, including law enforcement agencies, school management, and municipal authorities, ensuring seamless coordination and implementation.
 - ii. The action plan, encompassing the SOP, shall be finalized by Respondent Nos. 1 and 2 in consultation with all relevant stakeholders, including representatives from schools, law enforcement agencies, concerned municipal authorities, and other state departments.
 - iii. The Petitioner, who has raised valid and significant concerns in this matter, is permitted to submit a detailed representation identifying specific suggestions or perceived gaps in the measures under consideration. These representations shall be considered by the Respondent No.1 and 2 while finalizing the action plan and SOP.
 - iv. Once finalized, the action plan and SOP shall be disseminated among all concerned parties.
 - v. To facilitate effective implementation, Respondents shall conduct regular training sessions for school staff, students, and other stakeholders.
 - vi. A grievance redressal mechanism shall be established to address concerns raised by affected parties and stakeholders. On the basis of feedback, reviews and updates to the plan should also be undertaken to adapt to evolving challenges.
17. With these observations and directions, the petition stands disposed of. The above directions be completed in a timely manner, preferably within



a period of 8 weeks from today.

18. Disposed of, along with pending applications, if any.

SANJEEV NARULA, J

NOVEMBER 14, 2024

nk