

ITEM NO.60

COURT NO.2

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTO WRIT PETITION(CIVIL) No(s).9/2025

IN RE: PHALODI ACCIDENT

Petitioner(s)

VERSUS

NATIONAL HIGHWAYS AUTHORITY OF INDIA

Respondent(s)

IA No. 316792/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 294494/2025 - INTERVENTION APPLICATION

IA No. 335365/2025 - INTERVENTION/IMPLEADMENT

IA No. 316793/2025 - INTERVENTION/IMPLEADMENT

WITH

W.P.(C) No. 1100/2025 (PIL-W)

IA No. 152354/2026 - APPLICATION FOR TAGGING/DETAGGING

Date : 13-07-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH

HON'BLE MR. JUSTICE SANDEEP MEHTA

By Courts Motion

Mr. A.N.S. Nadkarni, Sr.Adv.(Amicus Curiae)

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Mr. Sughosh Subramanyam, Adv.(Amicus)

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Ms. Himanshi Nagpal, Adv.

Ms. Yashvi Aswani, Adv.

For Petitioner(s) : Mr. Rajat, In-person

For Respondent(s) :Mr. Tushar Mehta, Solicitor General

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Mr. Anupam Kumar, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Satvik Sharma, Adv.
Mr. Abil K. Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. This Court, *vide* a detailed order dated 13th April, 2026, issued following directions to the concerned authorities for due compliance:-

“a) Prohibition on Authorized Parking - No heavy or commercial vehicle shall park/stop on any National Highway carriageway or paved shoulder except at a designated bay, lay-bye, or Wayside Amenity; enforcement shall be effected through the Advanced Traffic Management System - ATMS real-time alerts to State Police, GPS - timestamped photographic evidence, and integrated eChallan generation.

These directions must be complied with by the officials and

personnel of National Highway Authority of India, State Police, State Transport Department. The District Magistrates of the concerned districts shall set-up a standard operating procedure for this purpose as regards periodical inspections and patrolling by all these authorities. These directions must be complied within 60 days from the date of this order.

b) Inspection, Survey and Citizen Grievance - The Highway Administration, NHAI, NHIDCL, and State PWDs shall, within 30 days, file before this Court a consolidated report on-

- (i) Composition and schedule of dedicated inspection teams for each highway stretch;
- (ii) State-wise encroachments identified, notices issued under Section 26 of the Control of National Highways (Land and Traffic) Act, 2002 - CNH Act and structures demolished, and
- (iii) Status of compliance with the directions issued in *Gyan Prakash v. Union of India*. NHAI shall simultaneously confirm full operationalisation of the Rajmargyatra encroachment complaint module (with geo-tagged uploads, grievance tracking, and appeal mechanism), activation of toll-free number 1033 for encroachment complaints, and dissemination of both across highway signage, toll plazas, and media. Drone-based aerial surveys (DRAMS Policy Circular, 05.09.2025) shall be conducted at least twice annually, with six-monthly reports filed before this Court.

c) Encroachment Prohibition and Removal- Construction/operation of any new dhaba, eatery, or commercial structure within the Right of Way (ROW) of any National Highway is prohibited with immediate effect. District Magistrates shall enforce demolition/removal of all new or existing unauthorised structures within 60 days, in terms of the CNH Act procedure and SOP dated 07.08.2025.

d) Grant and Renewal of License, NOC or Trade Approval- No department, authority, or local body shall grant or renew any licence, NOC, or trade approval for any site within Highway safety zones without prior NHAI/PWD clearance; all such existing licences for such sites shall be reviewed within 30 days.

e) District Highway Safety Task Force- In every district wherever the National Highway passes through, the concerned District Magistrate within 15 days of this order constitute a District Highway Safety Task Force in every district across India within 7 days of this order, comprising officers of the District Administration, Police, NHAI (or concerned land-owning agency), PWD, and local bodies. The District Collector and Commissioner of Police/Superintendent of Police shall bear joint responsibility for timely encroachment removal. The Task Force shall hold fortnightly review meetings and maintain minutes. State Governments shall further issue notifications within 60 days prohibiting change of land use within 40 metres (residential) and 75

metres (commercial) from the mid-point of any National Highway, consistent with IRC norms; MoRTH shall facilitate uniform notifications across all States within the same period.

- f) Surveillance, Patrolling and Illegal Parking-** Dedicated Highway Surveillance Teams of State Police and Transport Department personnel shall be constituted within 30 days for regular National Highway patrolling, supplementing NHAI's 24 × 7 route patrolling Vehicles at intervals not exceeding 50 km. All such vehicles shall necessarily be equipped with Vehicle Tracking Devices.
- g) Operationalisation of ATMS-** NHAI shall operationalise its ATMS comprising TMCC cameras, VSIDS speed detectors, VIDS cameras, Variable Message Signboards, and Emergency Call Boxes across all 4/6-lane highways and expressways in terms of the Policy Circular dated 10.10.2023 and shall file an affidavit within 60 days of compliance, further certifying operational status of each component. Any non-operational units shall be made functional within 60 days.
- h) Emergency Response and Wayside Amenities-** NHAI is directed to deploy within a period of 60 days BLS ambulances and recovery cranes which can be deployed immediately at intervals not exceeding 75 km on every National Highway stretch, at toll plazas, Wayside Amenities, or dedicated posts, in affirmance towards the State's positive obligation under Article 21 of the Constitution of India to ensure prompt and timely emergency medical response.
- i) Construction of Truck Lay-By Facilities-** NHAI and MoRTH shall ensure construction of truck lay-by facilities at intervals of every 75 km on all National Highways, with priority to the Amritsar-Jamnagar Highway, and shall operationalise the Wayside Amenities Policy dated 29.12.2025 strictly in accordance with its stipulated timelines; all WSAs shall include, at minimum, rest areas, food services, washrooms, safe parking, first-aid facilities, and retro-reflective signage visible from 500 metres, in full compliance with FSSAI standards.
- j) NHAI/MoRTH may also consider providing for more or extra truck lay-by facilities, wherever possible on the stretch of National Highway, as the drivers of heavy transport vehicles which are continuously being driven could be provided resting facilities.**
- k) Accident Blackspots and Lighting-** MoRTH/NHAI are directed to identify accident blackspots and critical areas and publish a comprehensive list of Accident blackspots on National Highways within 45 days. NHAI shall issue a Policy Framework mandating installation of high intensity LED/high-mast lighting, speed enforcement cameras, retro-reflective warning signs, and transverse bar markings at every blackspot; full installation shall be completed within 4 months of the Policy Framework.
- l) Institutional Co-ordination, Reporting and Road Safety**

Committee- MoRTH shall, within 60 days, place before this Court a report on the constitution of an Inter-State Highway Safety Coordination Committee for standardising enforcement protocols including uniform driving-hour limits, surveillance standards, parking enforcement, and penalty regimes across State boundaries.

m) Compliance Report- It is further directed that all implementing agencies (NHAI, NHIDCI, State PWD, BRO) shall be jointly and severally responsible for compliance within their respective jurisdictions. MoRTH upon securing the consolidated district-wise and agency-wise compliance report shall file the same in a tabular form before this Court within 75 days from the date of uploading of this order.”

2. The Court further directed that a copy of the said order be transmitted to the Chief Secretaries/Administrators and the Director General of Police of all the States and Union Territories, the State Legal Services Authorities, and the National Highways & Infrastructure Development Corporation Limited.

3. Learned Senior Counsel Mr. A.N.S. Nadkarni, Amicus Curiae, submitted that till date, compliance affidavits have been received only from three States/Union Territories, namely, Bihar, Karnataka and Puducherry.

4. In view of the above submission, we hereby provide that the copy of this order as well as the order dated 13th April, 2026 shall once again be forwarded to all concerned authorities referred to in para 6 of the order dated 13th April, 2026 by e-mail immediately.

5. The authorities concerned shall also be intimated that, in the

event the requisite compliance affidavits are not filed within next two weeks, this Court shall be compelled to direct the personal appearance (either physically or through virtual mode), of the Chief Secretaries/Administrators and the Director General of Police of all the defaulting States and Union Territories, before this Court.

6. List on 17th August, 2026.

(NEETU KHAJURIA)
ASSISTANT REGISTRAR-CUM-PS

(RANJANA SHAILEY)
ASSISTANT REGISTRAR