



No.69831/CS (Hg)/2026
GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (HOUSING)

15.6.26
PR - Mr. Dulak to all technical staff

Puducherry, dated 12/06/2026

OFFICE MEMORANDUM

Sub: Chief Secretariat (Hg.) – Change of Land Use - Compliance with the directions of the Hon'ble Supreme Court of India in Suo Moto Writ petition (Civil) No.9 of 2025, dated. 13.4.2026 in the matter of Re: Phalodi Accident Vs National Highways Authority of India and others – Instructions – Issued.

Ref: 1. Order of the Hon'ble Supreme Court of India dated 13.04.2026 in the Suo Moto Writ Petition (Civil) No. 9 of 2025 in the matter of Re: Phalodi Accident Vs National Highways Authority of India.

2. Order No. 2504/DM/RO/D2/SOP-PARK/2026, dated 29.04.2026 of the District Collector – cum- District Magistrate, Puducherry.

The Hon'ble Supreme Court of India vide Order, dated 13.04.2026 in the Suo Moto Writ Petition (Civil) No. 9 of 2025 in the matter of Re: Phalodi Accident Vs National Highways Authority of India and others has issued directions mandating the strict enforcement of prohibition on unauthorised parking of heavy and commercial vehicles on the National Highways and directed the District Magistrates to set up a Standard Operating Procedure (SOP) for periodical inspections and patrolling. In compliance with the directions of the Hon'ble Supreme Court of India, the District Collector – cum- District Magistrate, Puducherry has issued Standard Operating Procedure (SOP) vide Order No. 2504/DM/RO/D2/SOP-PARK/2026, dated 29.04.2026 and the SOP is appended herewith for reference.

2. In compliance with the directions of the Hon'ble Supreme Court of India and the Standard Operating Procedure as stated above, no change of land use shall be permissible within 40 metres (for residential purposes) and 75 metres (for commercial purposes) from the midpoint of any National Highway, in accordance with the applicable Indian Road Congress (IRC) norms.

//BY ORDER//

Digitally signed by
S MURUGESAN
Date: 12-06-2026
11:35:22
(S.MURUGESAN)

UNDER SECRETARY TO GOVT. (HOUSING)

Encl: Standard Operating Procedure
To
The Chief Town Planner,
Town and Country Planning Department,
Puducherry.

Copy to:

1. The District Collector-cum-District Magistrate, Puducherry
2. The Member Secretary,
~~Puducherry~~ / Karaikal/ Mahe/ Yanam Planning Authority,
Puducherry / Karaikal/ Mahe/ Yanam.

**GOVERNMENT OF PUDUCHERRY
OFFICE OF THE DISTRICT COLLECTOR – CUM – DISTRICT MAGISTRATE
PUDUCHERRY**

No.2504/DM/RO/D2/SOP-PARK/2026

Date: 29.04.2026

ORDER

Sub: DRDM – Implementation of Standard Operating Procedure (SOP) for prevention of unauthorized parking on National Highways – Directions issued – Regarding

Ref: Order of the Hon'ble Supreme Court of India in *Phalodi Accident*, Suo Moto Writ Petition (Civil) No. 9 of 2025 dated 13.04.2026

Whereas, the Hon'ble Supreme Court of India, in the above cited order, has issued directions mandating strict enforcement of prohibition on unauthorized parking of heavy and commercial vehicles on National Highways and has directed the District Magistrates to setup a Standard Operating Procedure (SOP) for periodical inspections and patrolling

2. And whereas, ensuring road safety and prevention of avoidable accidents is a constitutional obligation under Article 21 of the Constitution of India

3. Now, therefore, in compliance with the aforesaid directions, the following Standard Operating Procedure (SOP) is hereby issued for strict implementation across all National Highway stretches within the jurisdiction of Puducherry District:

i. Constitution of District Highway Safety Task Force

A District Highway Safety Task Force is hereby constituted with the following composition:

Sl. No.	Designation	Role
1	District Collector, Puducherry	Chairperson
2	Senior Superintendent of Police (Law and Order)	Co-Chairperson
3	Senior Superintendent of Police (Traffic)	Member
4	Transport Commissioner	Member
5	Executive Engineer (NH Division - PWD)	Member
6	Director, Local Administration Department	Member
7	Sub Divisional Magistrate/Regional Administrator concerned	Member
8	Member Secretary, Puducherry Planning Authority	Member
9	Tahsildar/Deputy Tahsildar concerned	Member
10	Project Director, NHAI / NHAI Representative	Member Secretary

The Task Force shall meet once every fortnight and maintain proper records of proceedings.

ii. Prohibition of Unauthorized Parking

No heavy or commercial vehicle shall be permitted to park or halt on National Highway carriageways or paved shoulders, except at designated parking bays, lay-byes, or notified wayside amenities. All concerned departments shall identify accident-prone locations, maintain an updated database of such stretches, and undertake focused enforcement drives in these areas.

iii. Patrolling Mechanism

Joint patrolling shall be carried out by the Police and Transport Department supplementing the NHAI routine patrolling on a 24x7 basis, ensuring coverage at intervals not exceeding 50 km, with special focus on accident-prone and vulnerable stretches.

All enforcement agencies shall utilize Advanced Traffic Management Systems (ATMS), GPS-enabled patrol vehicles, and camera-based monitoring systems. All violations shall be recorded with geo-tagged, time-stamped photographic evidence and processed through e-Challan systems.

iv. Enforcement Action

Immediate removal of illegally parked vehicles on National Highways shall be ensured by the enforcement agencies. Penalties shall be imposed in accordance with the applicable laws and rules in force. In cases of repeat violations, stringent action shall be initiated, including seizure of vehicles and initiation of appropriate action against permits, in order to deter recurrence and ensure strict compliance.

v. Regulation of Licenses and Permissions

No license or No Objection Certificate (NOC) shall be granted for any activity within the National Highway Right of Way (ROW) without obtaining prior clearance from the competent authority. All existing licenses and permissions issued within the NH ROW shall be systematically reviewed to ensure compliance with applicable rules and safety norms.

vi. Land Use Regulation and Planning Control

The Puducherry Planning Authority shall take necessary steps to issue appropriate notifications prohibiting change of land use within 40 metres (for residential purposes) and 75 metres (for commercial purposes) from the midpoint of any National Highway, in accordance with applicable Indian Roads Congress (IRC) norms and directions of the Hon'ble Supreme Court.

vii. Public Grievance Redressal

Complaints received through the toll-free number (1033) and other designated

platforms shall be attended to on priority. All complaints shall be verified within 24 hours and appropriate action shall be taken within 48 hours.

viii. Reporting and Monitoring

Daily reports shall be submitted by patrolling teams to the Senior Superintendent of Police (Traffic), Puducherry. Fortnightly review meetings shall be held by the District Magistrate under the Task Force framework to monitor progress and ensure effective implementation. The District Magistrate and Senior Superintendent of Police (Traffic) shall bear joint responsibility for effective implementation of this SOP.

This SOP shall come into force with immediate effect and shall be fully implemented within 60 days from the date of issue, in compliance with the directions of the Hon'ble Supreme Court.

All concerned departments and officers are hereby directed to ensure strict compliance with the above instructions without any deviation. Any lapse shall be viewed seriously and responsibility shall be fixed accordingly.

Digitally signed by
Kulothungan Asokan
Date: 29-04-2026

15:06:49
(KULOTHUNGAN. A. IAS)
DISTRICT COLLECTOR -CUM-
DISTRICT MAGISTRATE

To:

1. The Senior Superintendent of Police (L &O)/ Traffic
 2. The Transport Commissioner, Puducherry.
 3. The Sub Divisional Magistrates (North/South/Mahe/Yanam)
 4. The Director, Local Administration Department, Puducherry.
 5. The Tahsildars (Puducherry/Oulgaret/Villianur/Bahour)
 6. The Executive Engineer (NH Division, PWD)
 7. All Local Body Commissioners.
 8. The Member Secretary, Puducherry Planning Authority, Puducherry.
 9. The Project Director, NHAI, Puducherry.
 10. The Deputy Tahsildar, Sub-Taluk, Mahe/Yanam.
- Copy to:

1. The Chief Secretary to Government, Puducherry.
2. The Director General of Police, Puducherry.
3. The DC-cum-Secretary (Revenue), Puducherry
4. The Secretary (Transport), Puducherry.
5. The Chief Engineer, Public Works Department, Puducherry.
6. Spare / Stock File

**GOVERNMENT OF PUDUCHERRY
OFFICE OF THE DISTRICT COLLECTOR – CUM – DISTRICT MAGISTRATE
PUDUCHERRY**

No.2504/DM/RO/D2/SOP-ENCR/2026

Date: 29 APR 2026

ORDER

Sub: DRDM – Removal of Unauthorized Encroachments – Implementation of Standard Operating Procedure (SOP) – Compliance with directions of the Hon'ble Supreme Court – Instructions Issued – Reg.

Ref: (1). Order dated 13.04.2026 of the Hon'ble Supreme Court in SUo Motto Writ Petition (Civil) No.9 of 2025.

(2). The Standard Operating Procedure issued by the Ministry of Road Transport and Highways, Government of India, vide communication dated 07.08.2025

The Hon'ble Supreme Court of India, in Suo Motu W.P. (C) No. 9/2025 (Phalodi Accident Case) and W.P.(C) No. 1272/2019 (Gyan Prakash vs Union of India), has issued mandatory directions for time-bound removal of encroachments on National Highways and for establishment of effective enforcement mechanisms at the district level.

2. In accordance with the provisions of the Control of National Highways (Land and Traffic) Act, 2002 and the Standard Operating Procedure issued by the Ministry of Road Transport and Highways dated 07.08.2025, the following District Standard Operating Procedure (SOP) is hereby issued for strict compliance by all concerned departments.

1. Objectives:

To ensure:

- Complete and systematic removal of all unauthorized encroachments within the National Highway Right of Way (ROW)
- Prevention of fresh encroachments through continuous monitoring and enforcement
- Improvement of road safety, visibility, and smooth traffic flow for all road users
- Time-bound, transparent, and legally compliant enforcement in accordance with statutory provisions and judicial directions

2. Scope:

This SOP shall apply to:

- All National Highways passing through Puducherry District, including stretches under the jurisdiction of NHAI as well as those maintained by PWD
- All departments and agencies involved in enforcement and regulation, including Revenue, Police, Transport, Local Bodies, and Highway Authorities (NHAI/PWD), along with any other stakeholders responsible for maintaining road safety and preventing encroachments within the National Highway Right of Way (ROW)

3. Definitions:

- **Encroachment:** Any unauthorized occupation, construction, structure, vending activity, parking, storage of materials, or any form of obstruction within the National Highway Right of Way (ROW), whether temporary or permanent, that interferes with the free flow of traffic or compromises road safety.
- **ROW (Right of Way):** The land belonging to National Highways as demarcated and recorded by the competent authority, including carriageway, shoulders, service roads, drains, and any adjoining land reserved for future expansion or maintenance purposes.

4. Institutional Mechanism:

4.1 District Highway Safety Task Force

The District Highway Safety Task Force shall function as the primary coordinating and supervisory body for all activities related to the removal of encroachments and enforcement of safety measures on National Highways within the district. It shall be responsible for ensuring effective inter-departmental coordination among Revenue, Police, Transport, Local Bodies, and Highway Authorities. The Task Force shall monitor the implementation of the SOP, review progress on a fortnightly basis, identify bottlenecks, and issue necessary directions to ensure timely and efficient execution of enforcement actions.

4.2 Surveillance Teams

Surveillance Teams shall be constituted to carry out continuous monitoring of National Highways within their assigned jurisdictions. These teams shall undertake daily patrolling to identify unauthorized encroachments, illegal parking, vending activities, and other violations affecting traffic flow and safety. Upon detection of any violation, the teams shall ensure immediate reporting to the competent authorities and initiate prompt preventive measures to curb further encroachment or obstruction. Their role is critical in maintaining vigilance and preventing recurrence of violations after clearance operations.

5. Procedure for Removal of Encroachments

The procedure prescribed herein is in alignment with the Standard Operating Procedure issued by the Ministry of Road Transport and Highways dated 07.08.2025, and shall be followed in conjunction with the said guidelines wherever applicable.

Stage 1: Identification

Encroachments shall be systematically identified through a combination of regular inspections conducted by field officials, inputs received from Surveillance Teams, and complaints lodged by the public through platforms such as the Rajmarg Yatra Mobile Application and the toll-free helpline number 1033. Upon identification, each encroachment shall be properly documented by geo-tagging its exact location, capturing photographic evidence, and recording all relevant details in the Encroachment Register to ensure accurate tracking and follow-up action.

Stage 2: Preliminary Notice

At this stage, a preliminary notice shall be issued by the Executive Engineer, Project Director, or any other authorized field officer upon identification of an encroachment. The notice shall clearly specify the details of the encroachment, including its nature and exact location with reference to chainage or kilometer marking. It shall also direct the encroacher to remove the unauthorized occupation within a stipulated

period of seven days from the date of issuance. Copies of the notice shall be forwarded to the District Collector and the Superintendent of Police to ensure coordination and facilitate further action, if required.

Stage 3: Reference to District Magistrate

If the encroachment is not removed within the stipulated time, the concerned field officer shall initiate further action by formally referring the matter to the District Magistrate. This reference shall be accompanied by a comprehensive report detailing the nature and location of the encroachment, along with supporting evidence such as photographs and inspection notes. Additionally, a copy of the preliminary notice already issued to the encroacher shall be enclosed to establish due process and facilitate appropriate decision-making at the district level. The matter shall also be placed before the District Highway Safety Task Force for review and coordination, wherever necessary, to ensure timely and effective enforcement.

Stage 4: Statutory Notice (Under Section 26(2))

At this stage, a statutory notice shall be formally issued by the District Magistrate in accordance with the provisions of Section 26(2) of the Control of National Highways (Land and Traffic) Act, 2002. The notice shall clearly specify the details of the encroachment, including its nature and exact location, and shall prescribe a definite time limit within which the encroacher is required to remove the unauthorized occupation. Additionally, the notice shall provide the concerned party with an opportunity to submit a representation or appear for a hearing, thereby ensuring adherence to principles of natural justice before any further enforcement action is undertaken.

Stage 5: Hearing Process

At this stage, any objections or representations submitted by the concerned parties shall be carefully examined by the competent authority. Due consideration shall be given to the merits of each case, ensuring that principles of natural justice are upheld. After thorough evaluation, a reasoned decision shall be recorded in writing, clearly outlining the basis for acceptance or rejection of the objections.

Stage 6: Removal/Eviction

If non-compliance persists even after due notice and opportunity for hearing, the encroachment shall be removed by the competent authority using necessary force, as permitted under law, with adequate police assistance to ensure maintenance of law and order during the operation. In cases where the encroachment poses an immediate threat to traffic safety or public movement, such as obstruction of carriageway or visibility hazards, the authorities may undertake immediate removal without prior notice in order to prevent accidents and ensure uninterrupted flow of traffic.

Stage 7: Recovery and Penalty

The cost incurred for the removal of encroachments, along with any additional administrative or operational charges, shall be recovered from the encroacher. In addition to such recovery, fines shall be imposed in accordance with the applicable statutory provisions. All amounts due shall be treated as arrears of land revenue, and recovery proceedings shall be initiated accordingly to ensure timely realization of dues.

6. Inspection and Monitoring

Regular inspection and monitoring shall be carried out to ensure effective enforcement of encroachment removal measures. Monthly joint inspections shall be conducted by officials from the Revenue Department, Police Department, and Highway

Authorities to assess the status of encroachments and verify compliance with removal actions. Wherever feasible, modern tools such as drone surveys shall be utilized to enhance surveillance and obtain accurate visual records, along with geo-tagging and maintenance of digital documentation for transparency and accountability. All identified encroachments and subsequent actions taken shall be systematically recorded in the Encroachment Register, and detailed Action Taken Reports shall be prepared and maintained for review by the competent authorities.

7. Prevention of Fresh Encroachments

Continuous and vigilant patrolling shall be carried out by the Surveillance Teams to ensure that no new encroachments arise within the National Highway Right of Way. Any temporary or emerging encroachments identified during such patrols shall be removed immediately to prevent their consolidation into permanent structures. Further, strict and deterrent action shall be taken against repeat offenders to discourage recurrence and to maintain the integrity and safety of the highway corridor.

8. Regulation of Licenses and Permissions

No license or No Objection Certificate (NOC) shall be granted for any activity within the National Highway Right of Way (ROW) without obtaining prior clearance from the competent authority. All existing licenses and permissions issued within the NH ROW shall be systematically reviewed to ensure compliance with applicable rules and safety norms. In cases where violations are identified, such licenses or permissions shall be cancelled forthwith, and necessary enforcement action shall be initiated to prevent any adverse impact on highway safety and traffic flow.

9. Land Use Regulation and Planning Control

The Puducherry Planning Authority shall take necessary steps to issue appropriate notifications prohibiting change of land use within 40 metres (for residential purposes) and 75 metres (for commercial purposes) from the midpoint of any National Highway, in accordance with applicable Indian Roads Congress (IRC) norms and directions of the Hon'ble Supreme Court.

9. Public Grievance Redressal Mechanism

Public grievance Complaints shall be received through designated channels such as the Rajmarg Yatra Mobile Application and the toll-free helpline number 1033. All complaints received shall be duly registered in a systematic manner by the concerned Highway Authority (NHAI/PWD), followed by prompt verification by the respective field officials. Necessary action shall be initiated and completed within the stipulated time frame to ensure timely redressal and maintain public confidence in the enforcement process.

10. Responsibilities of Departments

- i. All departments shall act in coordination under the District Highway Safety Task Force.
- ii. The Revenue Department shall coordinate eviction proceedings, ensure due process, and maintain records. The Police Department shall provide law and order support and assist in enforcement and patrolling. The Transport Department shall enforce rules on illegal parking and vehicle-related violations within the NH ROW.
- iii. NHAI/PWD shall demarcate the ROW, provide technical support, and assist in removal operations. Local Bodies shall prevent unauthorized vending and

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structures and support enforcement activities.

- iv. All departments and local bodies shall ensure that no approvals, building permissions, or development activities are permitted within the above restricted zones without due clearance from the competent authority.
- v. All departments shall ensure timely action, continuous monitoring, and prevention of recurrence of encroachments.

11. Reporting Mechanism

Surveillance Teams shall submit weekly reports detailing inspections conducted, encroachments identified, and actions taken. In addition, the District Highway Safety Task Force shall prepare a consolidated report on a fortnightly basis, summarizing overall progress, challenges faced, and corrective measures undertaken for review, enabling timely oversight and necessary directions for effective implementation.

12. Implementation Timeline

The implementation of the above measures shall commence immediately upon issuance of this circular. All concerned departments shall ensure that the identification and documentation of encroachments are completed within a period of 15 days. Subsequently, the removal of all identified encroachments shall be carried out in a time-bound manner and completed within 60 days from the date of commencement, under the overall supervision and monitoring of the District Highway Safety Task Force, ensuring strict adherence to the prescribed procedures and timelines.

13. Compliance

All departments and officers concerned are hereby directed to strictly adhere to the provisions of this Standard Operating Procedure (SOP) in letter and spirit. It shall be the responsibility of each authority to ensure timely and effective implementation of the prescribed measures, with due diligence and accountability. The District Highway Safety Task Force shall periodically review progress and ensure inter-departmental coordination. Any deviation, delay, or failure in compliance will be viewed seriously and may result in appropriate disciplinary action as per applicable rules and regulations.

Digitally signed by
Kulothungan Asokan
Date: 29-04-2026
14:58:59

(KULOTHUNGAN. A. IAS)
DISTRICT COLLECTOR -CUM-
DISTRICT MAGISTRATE

To:

1. The Senior Superintendent of Police (L &O)/ Traffic
2. The Transport Commissioner, Puducherry.
3. The Sub Divisional Magistrates(North/South/Mahe/Yanam)
4. The Director, Local Administration Department, Puducherry.
5. The Tahsildars (Puducherry/Oulgaret/Villianur/Bahour)
6. The Executive Engineer (NH Division, PWD)