

No.B.20020/1/2019-DC(KZL)/1
OFFICE OF THE DEPUTY COMMISSIONER
KHAWZAWL DISTRICT: KHAWZAWL

Khawzawl, the 19th October, 2026

ORDER

In compliance with the Order dated 13.04.2026 of the Hon'ble Supreme Court in Suo-moto Writ Petition (Civil) No. 9 of 2025 (In Re: Phalodi Accident vs. National Highways Authority of India and Ors.), which requires the District Magistrate to set up a standard operating procedure for periodical inspections and patrolling, prohibition of unauthorised parking, and demolition or removal of unauthorised structures in terms of the Control of National Highways (Land and Traffic) Act, 2002 and the SOP dated 07.08.2025;

In reference to the General Administration Department letters No. C-18015/40/2026-GAD dated 09.06.2026 and No. C-18015/40/2026-GAD/1 dated 13.10.2026;

The Deputy Commissioner, Khawzawl, as District Magistrate, is pleased to publish the **Standard Operating Procedure for the District Highway Safety Task Force, Khawzawl District** (Annexure) and to order as follows:

**Standard Operating Procedure: District Highway Safety Task Force,
Khawzawl District**

This SOP sets out how the District Highway Safety Task Force (DHSTF), Khawzawl, receives and disposes of complaints, inspects the National Highway, reviews progress, and acts against unauthorised parking and occupation of highway land. It is issued in compliance with the Supreme Court's Order dated 13.04.2026 in Suo Motu WP(Civil) No. 9 of 2025 and the Control of National Highways (Land and Traffic) Act, 2002 (CNH Act), and is to be read with the MoRTH SOP dated 07.08.2025 and the DHSTF constitution order.

1. Addressing Complaints:

The Member Secretary, DHSTF, is the nodal officer for all complaints about unauthorised parking, encroachment and other highway safety hazards. Every complaint, whatever its source, is entered in one Complaint Register and handled as set out in 1.4.

1.1 Complaints Received from the Public:

- **Channels.** The written or oral complaints at the offices of the Deputy Commissioner, the Superintendent of Police, the Executive Engineer PWD (NH), the District Transport Officer and police stations; and the State/district grievance portal or helpline.
- **Information to record.** Name and contact number of the complainant (anonymous complaints are accepted if they give a precise location and photographs), location and chainage or landmark, nature of the problem, date and time seen, and photographs or video if available.
- **Receiving offices.** Any office that receives a public complaint shall forward it to the Member Secretary at earliest, and urgent safety hazards by phone or in person at once.

1.2 Complaints Received from Private Parties:

- Transport operators and truck associations, owners of roadside businesses, landowners, residents' associations, NGOs and organisations, and complaints reported in the media.
- **Mode** - In writing to the Deputy Commissioner or the Member Secretary, with supporting documents.
- **Disputes over land or boundaries.** Where a complaint involves a claim of title or a boundary dispute, the Executive Engineer PWD or the concerned highway agency shall verify the Right of Way (ROW) from its records before any action. Under Section 23 of the CNH Act, anyone who claims against the Central Government's ownership of highway land must make a written complaint to the Highway Administration and prove the claim.
- **Objections by occupants.** An occupant's objection to a notice or action is not a complaint under this section. It is heard as part of the notice procedure in 4.2.

1.3 Complaints Received from Local Bodies and Authorities:

- Village Councils, Local Councils and other local bodies along the highway, Police stations and outposts, and departments such as Transport and Land Revenue & Settlement Departments, etc.

- **Duty to report.** Section 42 of the CNH Act makes it the duty of village officials who become aware of unauthorised occupation, damage or destruction of highway land to inform the nearest police station or the Highway Administration at once and to assist in prosecuting the offender. Local bodies shall therefore report any new construction, stall, shed or regular parking activity on the highway within **24 hours**, first by phone and then in writing.
- **Licenses.** Any department or local body that receives an application for a license, NOC or trade approval for a site near the highway shall refer it to the Member Secretary for NHAI/PWD clearance before any decision, as the Order requires.

1.4 How to Address Complaints:

Step	Action	Responsible	Time
1	Register the complaint with a serial number; give the complainant an acknowledgement	Member Secretary	Same day or next working day
2	Classify the complaint: (A) unauthorised parking or stopping of vehicles; (B) encroachment or structure within the ROW; (C) both; (D) outside the highway's scope, to be forwarded to the proper authority	Member Secretary	3 working days
3	Verify on the spot with the concerned agency: (A) Police and DTO; (B) PWD / highway agency with Revenue; (C) both. Take photographs and record chainage	Concerned officers	3 – 5 days; within 24 hours where there is an immediate danger to traffic

- Pending complaints older than 15 days are put up to the Chairperson and listed for the next review meeting.
- If a complainant is dissatisfied, they may write to the Deputy Commissioner, who will review the file.

- **Complaint Register columns:** serial number, date and time received, channel, complainant, location and chainage, nature, category, officer assigned, verification date and findings, action taken, date of response, status.

2. Inspection of National Highway:

The National Highway stretches in Khawzawl District [NH - 06], shall be inspected **every fortnight** by a joint team made up of:

- Superintendent of Police, Khawzawl
- Executive Engineer, PWD (NH)
- Member Secretary, DHSTF
- Representative of PMU (Selling) [designation]
- District Transport Officer, Khawzawl

Procedure:

1. The Member Secretary fixes the inspection dates and the stretch to be covered, so that the full length is covered in **every 2nd week of each month**, and informs members at least 2 days ahead.
2. A member who cannot attend nominates a representative in writing. No scheduled inspection shall be put off by more than 3 days without the Chairperson's approval.
3. The team records, for each stretch inspected: heavy and commercial vehicles parked or standing on the carriageway or paved shoulder; new construction or commercial activity within the ROW; existing encroachments and any expansion; re-occupation of cleared sites; status of designated bays, lay-byes; condition of signage, markings and lighting; and accident-prone spots.
4. Evidence consists of dated and geo-tagged photographs or video, chainage, and the names of those present. The Member Secretary prepares the inspection report within 2 working days and enters new items in the official registry.

5. Immediate action: a vehicle found parked in violation is dealt with under 4.1 on the spot, and a new construction is stopped on the spot and referred for action under 4.2.
6. Additional inspections are held within 7 days of any serious accident or any complaint of an immediate hazard.
7. Drone-based aerial surveys under the Order (at least once a year) are to be coordinated by the highway agency with the district administration, and their findings are added to the registers.

3. Review Meeting:

3.1 Monthly Review Meeting:

- **Chair and members:** The Deputy Commissioner chairs the meeting. The Superintendent of Police, Executive Engineer PWD, District Transport Officer, representative of PMU (Selling), Member Secretary and representatives of local bodies attend, with other departments invited as needed.
- **Timing:** Once a month, and additionally after any serious accident.
- **Agenda:** Status of the action points from the last meeting; the inspection reports of the month; complaints received and disposed of, with pending cases; parking violations detected, challans issued and vehicles towed; encroachments identified, notices issued, hearings held, structures removed and cases pending; re-encroachment; review of licences, NOCs and trade approvals in the highway safety zone; patrolling and surveillance, lay-bye and emergency-response gaps; and instructions received from the State Government, MoRTH or the Supreme Court Committee on Road Safety.
- **Records:** Minutes are issued within 2 working days, and an action-taken register records each decision, the officer responsible and the deadline.
- **Reporting:** The Member Secretary sends a compliance report to the General Administration Department as and when it asks for one.
- **Compliance notes:** The Supreme Court Order says the Task Force shall hold fortnightly review meetings and maintain minutes. To satisfy this alongside the monthly meeting, the fortnightly joint inspection in 2.2 should end with a short minute Task Force meeting on its findings, with the monthly meeting

as the fuller review. Alternatively, the Chairperson may hold the review meeting fortnightly.

4. Action:

4.1 Identification of Unauthorised Parking:

Under direction (a) of the Order, no heavy or commercial vehicle may park or stop on the National Highway carriageway or paved shoulder except at a designated bay, lay-bye or wayside amenity.

Relevant Acts and Rules.

Law	What it provides
CNH Act, 2002, Section 37(1) and (2)	No person in charge of a vehicle may allow it to stand on a Highway unless under the prescribed safety control. Where such a vehicle causes obstruction, the Highway Administration shall have it towed away and take it into possession, and it is returned to the owner on payment of the prescribed removal expenses, failing which it may be sold by auction.
CNH Act, 2002, Sections 31, 33 and 35	The Highway Administration may regulate and restrict traffic on the Highway, including where it is congested or unsafe, and prohibit or restrict classes of traffic, with traffic signs placed as prescribed.
CNH Act, 2002, Sections 24, 26 and 37(4)	No person may occupy highway land without written permission. Where parking is a continuing use of highway land, for example a parking yard or truck stop attached to an establishment, it is unauthorised occupation and is dealt with under Section 26 (see 4.2).
Motor Vehicles Act, 1988, Section 122	No person in charge of a motor vehicle shall cause or allow it to be abandoned or to remain at rest on a public place in such a position, condition or circumstances as to cause or be likely to cause danger, obstruction or undue inconvenience to others.
Motor Vehicles Act, 1988, Section 127	A police officer in uniform having jurisdiction may authorise removal by a towing service, or immobilization by wheel clamping, of a vehicle abandoned or left

	unattended for ten hours or more, or parked where parking is legally prohibited. A vehicle creating a traffic hazard may be removed at once. The owner bears the towing costs, besides any other penalty.
Motor Vehicles Act, 1988, Sections 116, 117 and 119	Traffic signs, the designation of parking places and halting stations, and the duty to obey traffic signs. [Verify the section numbers and the penalty provision applicable to each offence before issue.]
Motor Vehicles Act, 1988, Section 136A, and rules made under it	Electronic monitoring and enforcement, which supports e-challan action from camera and device evidence. [Verify the rule applicable.]
Rules of the Road Regulations, 2017	The rules on parking, including bars on parking at bends, crossings and where parking is prohibited. [Verify the regulation number.]
Bharatiya Nyaya Sanhita, 2023, Section 285	Danger or obstruction in a public way. [Verify; for use by Police where an offence is made out.]
Supreme Court Order of 13.04.2026, direction (a)	Enforcement through NHAI's ATMS real-time alerts to State Police, GPS-timestamped photographic evidence and integrated e-challan generation, where these are available.

The parking penalties and fines under the Motor Vehicles Act and its rules are as notified from time to time, and the Police and the DTO shall apply the amounts then in force.

Identification procedure:

1. A violation may be identified during the fortnightly inspection, by a Highway Surveillance Team or traffic patrol, or on a complaint.
2. Confirm that the vehicle is on the National Highway carriageway or paved shoulder (by chainage or landmark) and not at a designated bay, lay-bye or wayside amenity.

3. Record the registration number, type of vehicle, date, time, location and chainage, whether the vehicle is attended or unattended, and the hazard caused, with timestamped geo-tagged photographs or video.
4. Classify the case: (a) genuine breakdown or emergency stop, which is not a violation if the vehicle is cleared promptly with warning signals displayed; (b) obstruction or danger to traffic; (c) habitual, overnight or long-duration parking; (d) parking linked to a roadside business or on land that is part of the ROW, which is also treated as unauthorised occupation and referred for 4.2.
5. Enter the case in the Parking Violations Register and refer it to the officer who acts under 4.2 or under the Motor Vehicles Act as applicable.

4.2 Removal of Unauthorised Parking (CNH Act, 2002, Section 26):

Section 26 deals with removal of unauthorised occupation of highway land. Vehicles that obstruct the highway are removed under Section 37(2) of the CNH Act (towing by the Highway Administration) and Section 127 of the Motor Vehicles Act (towing or wheel clamping authorised by the Police). Section 26 applies where highway land is occupied for parking on a continuing basis, such as a truck parking area, yard or hard-standing in the ROW, or structures that serve it. The table says which route to use.

Situation	Route
Vehicle parked on carriageway or paved shoulder, obstructing traffic	Direct the driver to move on; if not moved, tow or clamp under CNH Act Section 37(2) and MV Act Section 127; challan under the MV Act
Vehicle abandoned, unattended for 10 hours or more, or a hazard	Removal by towing under MV Act Section 127
Highway land used as a parking area or stall; structures or temporary sheds supporting it	Notice and removal under CNH Act Section 26 (and Section 27 for recovery of cost)

New construction in the ROW or unauthorised occupation that is easily removed	Removal without notice under Section 26(7)
Occupation that endangers traffic or highway structures and cannot wait for a notice	Immediate removal under Section 26(8)

Powers under Section 26 are exercised by the Highway Administration or the officer it authorises under Sections 3 and 20 of the CNH Act. The Deputy Commissioner, as District Magistrate, is responsible under the Order for enforcing removal within 60 days, jointly with the Superintendent of Police.

Procedure:

1. **Verification of ROW:** The Executive Engineer PWD or the highway agency confirms from its land records that the land is highway land, with a sketch showing the extent of the occupation, and measures the area in square meters.
2. **Notice under Section 26(2):** The authorised officer serves a notice in the prescribed form on the person responsible, requiring removal of the occupation and restoration of the land to its original condition within the period stated in the notice.
3. **Contents (Section 26(3)):** The notice states the highway land concerned, the period for removal, the place and time at which any representation will be heard, and that failure to comply makes the person liable to penalty and summary eviction.
4. **Service (Section 26(4) and (5)):** Delivery of a copy to the person or his agent, or by registered post; where service cannot be made in that way, the contents are advertised in a local newspaper, and this counts as service. Keep proof of service.
5. **Hearing:** The authorised officer hears the representation at the stated time and records the proceedings. For this purpose, the officer has the powers of a civil court to summon persons, examine them on oath and require documents (Section 26(9)).
6. **Removal and penalty (Section 26(6)):** If the occupation is not removed within the time given and no reasonable cause is shown, the officer causes

it to be removed at the expense of the Central or State Government and imposes a penalty of Rs 500 per square meter of land occupied, which may go up to the cost of the land if that is higher.

7. **Summary removal (Section 26(7) and (8)):** No notice is needed for removal of goods displayed in the open, temporary stalls, kiosks or booths, construction or erection of any kind, or other occupation that can be removed easily without machinery, and removal may be done with police assistance and reasonable force. Where immediate removal is needed for the safety of traffic or of highway structures and a notice cannot be served without undue delay, the officer may remove it in the same manner.
8. **Execution:** Removal is carried out jointly by the highway agency, Police and Revenue staff, in daylight, with videography, an inventory of materials removed and an officer present who is responsible for the record.
9. **Recovery of cost (Section 27):** A bill in the prescribed form is served for the cost of removal with 15 per cent additional charges and any penalty. Materials recovered are kept until the bill is paid and may be auctioned if it is not, with the balance returned to the person entitled. Any shortfall is recoverable as arrears of land revenue.
10. **Penalties for continued or repeat occupation:** Under Section 37(4), a person in unauthorised occupation is summarily evicted in the manner of Section 26 and is liable to a penalty of not less than Rs 2,000 per square meter of the land occupied. Under Section 39, a person who has been evicted and occupies highway land again is liable to a penalty of not less than Rs 5,000 per square meter. These amounts are as in the Act as amended with effect from 15.07.2026 [verify before applying].
11. **After removal:** The site is cleared, barricaded or fenced, and signage is put up. The Encroachment Register is updated, and the site is checked at each fortnightly inspection for re-occupation.

Timelines:

- Removal of unauthorised structures is to be completed within 60 days under the Order. Cases are flagged to the Chairperson at day 30 and day 45.
- New structures are to be stopped immediately, and a notice or summary removal follows the next working day.

Safeguards:

- Appeal: an appeal from any order passed or action taken under Sections 26 and 27, other than issuing or serving notices, lies to the Court (the principal civil court of original jurisdiction in the district) under Section 14, within 60 days under Section 19. Interim orders are subject to Section 17. Officials should be briefed so that the record of every case can stand up to that scrutiny.
- Section 45 protects action taken in good faith under the Act, so every step must be documented and within the powers described above.
- Persons must be allowed to take away movable property, and vehicles taken into possession must be recorded with an inventory.
- Cases where a person claims a valid permission, lease or title are examined by the highway agency before removal, and the reasons for the decision are recorded in the order.

Records. Parking Violations Register; Encroachment Register (location, area in sq. m, occupant, notice and hearing dates, order, removal date, penalty, cost and recovery status); copies of notices with proof of service; and photographs and video of each stage.

The Standard Operating Procedure is prepared for reference and necessary action of all officials concerned.

Sd/- K. VANLALTHIANA

Deputy Commissioner

& Chairman,

DHSTF,

Khawzawl District, Khawzawl.

Memo No. B.20020/1/2019-DC(KZL)/1 :

Khawzawl, the 19th October, 2026

Copy to:

1. The Under Secretary to the Govt. of Mizoram, General Administration Department, Aizawl, for kind information.
2. The Superintendent of Police, Khawzawl, for kind information.
3. The Executive Engineer, PWD, Khawzawl, for kind information.
4. The Representative, PMU (Selling) for kind information.

5. The District Transport Officer, Khawzawl, for kind information.
6. The Member Secretary, DHSTF, Khawzawl, for kind information.
7. The Secretaries, Village Councils along the National Highway, Khawzawl District, for kind information.
8. Website Manager, DC Officer, Khawzawl for kind information and wide publicity.
9. Guard File.

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a horizontal line and a vertical stroke on the right.

Deputy Commissioner
& Chairman,
DHSTF,
Khawzawl District, Khawzawl.