

News

How the Supreme Court seeks to restore order to Indian roadways through a pathway audit, the prohibition of high beams, and the use of the wrong lane



The Court stated that it will continue to keep an eye on whether these instructions were being followed.

On Tuesday, the Supreme Court of India issued extensive guidelines to prevent wrong-lane driving, protect pedestrians, and control the use of high-beam headlights by drivers throughout the country [**S Rajasekaran vs. Union of India and Others**].

Footpaths and pedestrian infrastructure are frequently encroached upon and overused, forcing people onto roadways and putting them in danger, according to a bench of Justices **JB Pardiwala** and **KV Viswanathan**.

"This Court has acknowledged the importance of safe, encroachment-free walkways for pedestrian traffic. As a result, the Court underlined that it is the responsibility of NHAI, State Governments, and Municipal Authorities to guarantee that sidewalks are constructed appropriately and that pedestrians have safe routes to cross the streets.

The Court mandated that authorities conduct a systematic evaluation of sidewalk and pedestrian zone encroachments, pinpointing persistent hotspots. According to the Court, they might think about implementing automated, camera-based monitoring systems gradually, using physical barriers like guardrails and bollards, and conducting frequent clearance drives to guarantee ongoing protection of pedestrian areas.

Dr. S Rajasekaran, an orthopedic surgeon and road safety advocate, filed a public interest lawsuit (PIL) in 2012, asking the court to enforce traffic laws strictly and punish negligent drivers severely.

In light of official data showing that over 35,000 pedestrians died in traffic accidents in 2023 and over 54,000 two-wheeler riders and passengers died as a result of not wearing helmets, the Court addressed five major issues.

"These directions relate to (i) safety of pedestrians while walking on footpaths, (ii) making pedestrian crossings safe (iii) wearing of helmets (iv) Wrong lane driving and unsafe overtaking, and (v) Use of dazzling LED white lights, unauthorized sale and misuse of red/blue strobe lights and hooters," the order read.

The bench further stated that the Court will continue to oversee adherence to the following directives:

Walkways

The Court ordered the National Highways Authority of India (NHAI) and road-owning organizations in 50 major Indian cities (included in Annexure 46 of the Report on Road

Accidents, 2023) to begin auditing the country's current pathways. According to the Court, they will start with the busiest areas, such as marketplaces, train stations, bus stops, places of worship, and educational institutions.

"At least 15 to 20 locations where pedestrian injuries or fatalities have occurred in the recent two to three years, according to Format-9, will be given priority by the authorities during the audit. The aforementioned audit should, among other things, determine the shortcomings in the current walkways, such as their width, height, and surface; determine the corrective actions, such as facility repair and road engineering enhancements; and establish a schedule for resolving the shortcomings," the statement stated.

Pedestrian intersections

The Court further ordered a thorough examination of the current pedestrian crossings to make sure they adhere as closely as feasible to the Indian Roads Congress (IRC) Guidelines. According to the statement, the audit may start with congested intersections before moving on to other pedestrian crossings.

"There are a number of places where the existing pedestrian crossings by way of foot over bridge or under passes are not being used for the reason that they are not being well maintained or they are unsafe," the Court stated.

The Court ordered the authorities to establish an online grievance redressal system for pedestrian crossings and walkways.

Donning Helmets

The Court ordered the NHAI, all State governments, and Union Territories to aggressively enforce the law's requirements that two-wheeler drivers and passengers wear helmets. It recommended installing cameras to ensure that the laws are strictly enforced.

"This Court will be made aware of the various means for enforcing the aforementioned breach. This Court will also be notified of the number of individuals convicted, the sums recovered by challans, and the licenses revoked," it continued.

Lane Control

By addressing illegal or wrong-lane driving with automated cameras, graduated fines, colored and textured lane markings (such as for bus and cycle lanes), dynamic lighting, rumble strips, and tire killers at key conflict points, the Court ordered the State transport departments, traffic police authorities, and urban local bodies to implement lane discipline measures.

It further stated that in order to increase public awareness, boost compliance, and promote road safety generally, the creation and dissemination of real-time dashboards on lane breaches may also be investigated.

Unauthorized Hooters, Red-Blue Strobe Lights, and White LED Dazzling Lights

The Court ordered the State transport departments, traffic police, and the Ministry of Road Transport & Highways (MoRTH) to establish the maximum allowable beam angles and luminance for vehicle headlights. It further stated that in order to penalize non-compliant or modified headlights, targeted drives must be conducted in conjunction with PUC testing and vehicle fitness certification to ensure compliance.

Seizures, market crackdowns, and fines will be used to enforce a total prohibition on unlawful hooters and red-blue strobe flashing lights. To improve overall road safety, the Court mandated that MoRTH, state transport departments, and traffic police launch nationwide public awareness campaigns at the same time to educate drivers and pedestrians about the dangers of dazzling headlights, illegal hooters, and unauthorized strobe lights.