GAHC010071642026

2026:GAU-AS:16810-DB

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL/31/2026

GAURAV DEY
S/O SHRI KAMAKHYA DEY, R/O GUWAHATI, ASSAM A PUBLIC-SPIRITED CITIZEN, PRESENTLY PUSUING LL.B HONORS, AND ACTIVELY ENGAGED IN PROMOTING ROAD SAFETY AND HUMAN RIGHTS.

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE CHIEF SECY. GOVT. OF ASSAM, ASSAM
SACHIVALAYA DISPUR, GUWAHATI, PIN 781006

2:THE COMMISSIONER VAND SECRETARY
TRANSPORT DEPARTMENT
GOVT. OF ASSAM
DISPUR
GUWAHATI-781006

3:THE DIRECTOR GENERAL OF POLICE
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-7

4:THE COMMISSIONER OF POLICE
GUWAHATI POLICE COMMISSIONERATE
PANBAZAR
GUWAHATI-01

5:THE REGIONAL TRANSPORT OFFICER (RTO)
KAMRUP METRO
DIST. KAMRUP (M) BETKUCHI
GUWAHATI-35.

6:THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
GOVT. OF INDIA
TRANSPORT BHAWAN
NEW DELHI-110001

7:TATA MOTORS LTD.
3RD FLOOR
GODREJ BUILDING
ULUBARI
G.S. ROAD
GUWAHATI-07
DIST. KAMRUP (M)
ASSAM.

8:ASHOK LEYLAND LTD.
KAMAKHYA TOWER
501
G.S ROAD
CHRISTIAN BASTI
GUWAHATI-781005

Advocate for the Petitioner : MR G BAISHYA, MS. D KEOT,MS. D BORA

Advocate for the Respondent : GA, ASSAM, SC. TRANPORT DEPTT.,DY.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MR. JUSTICE NCHUMBEMO MOZHUI

ORDER

Date : 16-11-2026
(M. Zothankhuma, J)

1. Heard Mr. G. Baishya, learned Senior Counsel, assisted by Ms. S. Basumatary, learned counsel for the petitioner. Also heard Ms. M.D. Bora, learned Standing Counsel, Transport Department and Ms. M. Bhattacharjee, learned counsel for respondent Nos. 1, 3, and 4.

2. This Public Interest Litigation has been filed by a young law student, who has alleged that most of the accidents occurring in Assam are due to the

unregulated plying of dumper trucks, which are also called tippers. The petitioner's case is that these dumper trucks are overloaded and are often speeding beyond the speed limits, thereby being involved in hit-and-run accidents that kill or injure innocent people.

3. The contention of the petitioner is that these vehicles have huge blind spots because of their size and shape and also the position at which the seats of the drivers of such vehicles are located, make it impossible for them to see other vehicles. The grievance of the petitioner is that there are no strict rules regarding as to when and where such dumper trucks should be permitted to ply on public roads.

4. The petitioner has also questioned the permission to use such vehicles which have no modern safety gadgets, such as 360-degree cameras, blind spot sensors, modern braking systems, speed limits, etc. Further, there is no enforcement by the police or transport authorities for regulating the plying of such vehicles on public roads.

5. This Court, vide order dated 08.04.2026, had questioned the petitioner, regarding the number of deaths that have occurred due to the accidents involving dumper trucks. In this respect, an additional affidavit has been filed on 12.11.2026, wherein in paragraphs 8 and 9, it has been stated that a fatal road accident had occurred on 27.07.2026 involving a dumper vehicle, wherein a motorcyclist had reportedly fallen on the road and was run over by an approaching dumper truck. Further, on 30.08.2026, another road accident had occurred in Sonapur involving a dumper vehicle, which collided

with a passenger minibus.

6. On considering the fact that the State Government has a mandatory obligation under the Motor Vehicles Act, 1988 and the Central Motor Vehicles Rules, 1989 to protect public safety, we are of the view that the issue raised in this petition should be looked into by the authorities. The issue of public safety and traffic is to be looked after by the State, who have the expertise and manpower to decide the said issues. This Court does not have the expertise or resources to look into the grievance raised by the petitioner. Further, whether the issues raised by the petitioner are practical would have to also depend, on a large part, on the resources of the State.

7. Accordingly, this Court is of the view that the petitioner may submit a fresh representation to the Director General of Police, Assam, who shall look into the grievance of the petitioner and decide the remedial measures to be made, if any, within a reasonable time period.

8. The PIL is accordingly closed.

JUDGE **JUDGE**

Comparing Assistant