



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

PUBLIC INTEREST LITIGATION (PIL) No. - 329 of 2026

Suraj Singh Visen

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Urban Development Lko.
And 25 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Prashant Sharma
Counsel for Respondent(s)	:	C.S.C., Anagh Shukla, Shailendra Singh Chauhan, Sidharth Shankar Dubey

Court No. - 5

**HON'BLE ALOK MATHUR, J.
HON'BLE AMITABH KUMAR RAI, J.**

Heard Sri Asit Kumar Chaturvedi, learned Senior Advocate assisted by Sri Saksham Agarwal and Sri Chandan Mishra, learned counsel for the petitioner, Sri Sudeep Kumar, learned Additional Advocate General assisted by Sri Shailendra Singh Chauhan, learned Chief Standing Counsel, Sri Vivek Shukla, learned Additional Chief Standing Counsel for the Staterespondent and Sri Namit Sharma, learned counsel for Nagar Nigam, Lucknow.

The first aspect considered by this Court was with regard to the constitution of a separate cadre of Traffic Police.

It has been informed by Additional Director General of Police, Traffic, Lucknow that there are no rules in this regard for the creation of a separate cadre.

Considering the aforesaid submissions, this Court is of the considered view that a policy decision in this regard can be considered at the level of the State Government inasmuch as the task of the Traffic Police is clearly distinct from the role assigned to regular police officers whether posted at a police station or discharging any other police duties. Accordingly for better management of traffic and increasing number of traffic personnel required it would be in public interest to consider formation of separate cadre for traffic police.

We further find that the local police are already inadequately staffed to spare numerous personnel for the management of traffic stresses the law and order machinery system even further. Considering the fact that the

duties of the two are clearly separate and distinct, the time has come when the State Government ought to take a decision in this regard.

Sri Sudeep Kumar, learned Additional Advocate General has fairly submitted that he shall bring this aspect to the notice of the Additional Chief Secretary, Home, U.P., who is expected to duly consider this aspect and inform this Court of the views of the Government by the next date.

With regard to the plying of E-Rickshaws, which as noticed in the previous order, numbered about 80,000, it has been informed that as per instructions received, there are no provisions under Motor Vehicles Act to control the sale and registration of E-Rickshaws. Undoubtedly, Motor Vehicles Act is a Central legislation, however, it has been promulgated in exercise of the power under Schedule VII, List III of the Constitution, where the State Government also has concurrent legislative power.

It has been submitted by learned counsel for the petitioner that the increasing number of E-Rickshaws plying on the roads is itself creating a huge traffic problem, particularly as no clear space has been allocated for their parking, which has led to their accumulation near intersections in the city. Apart from the above every road has a maximum carrying capacity of vehicles and in Lucknow the same stands exceeded considering the sheer number of e rickshaws plying. The State cannot sit in a state of slumber on this issue and have to wake up and tackle the issue effectively by framing suitable policy. Accordingly, it is a serious issue which needs to be dealt with expeditiously.

In this regard, learned Additional Advocate General is directed to seek specific instructions from Additional Chief Secretary, Transport, Lucknow as to how the Government proposes to regulate the ever-increasing sale and plying of E-Rickshaws and also how their movement within the city is proposed to be controlled. This aspect shall also be informed to this Court by the next date.

With regard to the infirmities pointed out by Deputy Commissioner of Police, Traffic, Lucknow, on the previous date, relating to 153 points requiring rectification for the smooth flow of traffic between Polytechnic and Kamta Crossing, we have been informed that Nagar Nigam has taken some steps and submitted a report, a copy of which has been given to learned Additional Advocate General. He, in turn, submits that the same shall be given to Deputy Commissioner of Police, Traffic, Lucknow and compliance shall be verified and informed to this Court by the next date.

On the next date, the detailed compliance of the aforesaid report

submitted by Deputy Commissioner of Police, Traffic, Lucknow shall be informed to this Court and the proposals formulated by the Committee constituted by this Court shall also be placed before this Court.

Accordingly, list this case on 10.09.2026.

August 21, 2026
Mahesh

(Amitabh Kumar Rai,J.) (Alok Mathur,J.)