



Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 1 of 2022 with
MC(PIL) No. 1 of 2022

Date of order: 23.08.2023

Tennydard M. Marak	vs	State of Meghalaya & ors
State of Meghalaya & ors	vs	Tennydard M. Marak

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice
Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner : Mr J.C. Gaur, Adv.
Mr U.C. Das, Adv.

For the Respondents : Mr S. Sahay, GA (VC) with
Ms R. Colney, GA

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|-----|--|--------|
| i) | Whether approved for reporting in Law journals etc.: | Yes/No |
| ii) | Whether approved for publication in press: | Yes/No |
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JUDGMENT: (per the Hon'ble, the Chief Justice) (Oral)

The latest report of August 22, 2023 filed on behalf of the State by the Secretary to the Transport Department indicates that there are at present 28 weighbridges at checkpoints notified by the State government and such weighbridges are operational.

2. The report further reveals out of the 28 weighbridges, 24 are under the control of the Transport Department and four weighbridges have been set up by the Mining and Geology Department. There



appears to be some action taken by the State to control the overloading of goods vehicles plying on the National and State highways in Meghalaya, including vehicles carrying minerals.

3. In addition, the Transport Department has placed orders for six weigh-pads out of which two have been received. One of the weighing pads has been installed at Dalu and the other is being installed at Umtyrnga in Ri-Bhoi.

4. It is hoped that the remaining four weigh-pads are installed within the next six weeks. At any rate, the mere fact that there may be 28 weighbridges and six weigh-pads may not count for anything unless regular and honest checking is undertaken. The several points where the weighbridges and weigh-pads are installed should be monitored by CCTV so that the weights indicated cannot be tampered with or overweight goods vehicles allowed to pass on extraneous considerations.

5. In particular, not only should the checkpoints check for the weights in vehicles carrying minerals, but the origin and source of the minerals should also be looked into.

6. It is heartening to note that the State intends to engage the Indian Institute of Management, Shillong for a blueprint to ensure that



checkpoints may be put up at strategic places to completely arrest the plying of overladen goods vehicles.

7. In view of the report and in the hope that adequate steps will now be taken to check the menace that the petitioner complain of, the present petition is closed with liberty to the petitioner to apply afresh in the event the State is found lacking in such regard.

8. PIL No. 1 of 2022 and MC(PIL) No. 1 of 2022 are disposed of.

9. There will be no order as to costs.

(B. Bhattacharjee)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
23.08.2023
"Sylvana PS"

