

Regional Advocacy Meeting on Road Safety: Motor Vehicle (Amendment) Bill, 2016

March 30, 2017, Jaipur, Rajasthan



Organised by

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International

Background

The advocacy meeting on Road Safety was organised by CUTS on March 30, 2017 under the project entitled 'Campaign for enhanced Road Safety in India through advocacy for enactment of Motor Vehicle (Amendment) Bill, 2016' at SMS Convention Centre, Jaipur, Rajasthan. The one point agenda of the meeting was to discuss the changes made in the Motor Vehicle (Amendment) Bill or MVA Bill, 2016 and to advocate for the early enactment of the MVA Bill, 2016. About 75 participants representing more than four different states and 24 districts of Rajasthan consisting of consumer activists, representatives from various organisations working on road safety, legal experts, transport engineers, traffic police and other stakeholders attended the meeting.

Proceedings

Session 1: Inaugural Session

Deepak Saxena, Assistant Director, CUTS in his introductory remarks welcomed the guests, speakers and the participants. He said that the road accident deaths are increasing day by day and he advocated that there is need to aware the people, transport police and traffic police in order to reduce the road accidents by 50 percent by 2020.



George Cheriyan, Director, in his opening remarks said that the main objective of the meeting is to advocate for the speedy enactment of the Motor Vehicle (Amendment) Bill 2016 and once the Bill is enacted, the advocacy will be for the adoption of rules by the States. While speaking about the current status of India, he stated that the country is on the higher side in terms of road accidents.



The country has only 2 percent of vehicular population, but it accounts for more than ten percent of road accidents of the world which is really an alarming situation. On an average, 1324 accidents occur in one day resulting into 57 accidents per hour and 17 people die every hour in these accidents, he added. While comparing with the data of 2014, he said that an increase of road accidents has been recorded by 2.5 percent in 2015. In the current year, more than 5 lakh accidents occurred and around 1.46 lakh people lost their lives. While taking the condition of the country, he said, as per media reports, 1682 times more people died on roads in India in 2015, than the people died in terrorist strikes in the country. Rajasthan is on fifth position in the number of road accidents.

While talking about the urgent need of the passing of the Motor Vehicle Bill, 2016, he said that every month 12000 people lose their lives on the Indian roads, and with the delay in bringing the strict laws, continuously more and more lives are lost every day and thus a bringing a great loss not only of human life but also to the country's economy loss. Most of the people who are dying in road accidents are between 15-34 years of age, which means the young generation of India is dying on the Indian Roads.

Madhu Sudan Sharma (MSS), Senior Project Coordinator, CUTS talked about the proposed amendments in the MVA Bill, 2016 and highlighted the aims of the same which are improving the road safety and citizens' ease and facilitation while dealing with the Transport Department, reducing the number of road accidents and fatalities resulting from them and enhancing the last mile connectivity, strengthening public transport, rural transport, automation, computerization and enabling online services. In his presentation, he mentioned that 89 amendments have been proposed in the MVA Bill, 2016.



MSS also talked about the key proposed amendments in bill and mentioned about the following: To improve delivery of services, e-governance is promoted, Enabling online learning licenses, increasing validity period for driving licenses, National Register for Driving Licence and National Register for Vehicle registration through "Vahan" & "Sarathi" platforms which will facilitate uniformity of the process across the country, The driving training process has been strengthened to enabling faster issuance of transport licenses. (Reducing the shortage of commercial drivers), Doing away with the requirements of educational qualifications for transport licenses, Improving the registration process for new vehicles. Registration at the end of the dealer is being enabled and restrictions have been imposed on temporary registration, Regulating 'more effectively' to the process for testing and certification of automobiles. The testing agencies issuing automobile approvals have been brought under the ambit of the Act and Mandate the automated fitness testing for the transport vehicles with effect from October 1, 2018. This would reduce corruption and improving road worthiness of a vehicle.

Taking the attention of audience towards major risk factors, he said the major risk factors are over-speeding, drink and driving, not wearing helmet, car safety belts and child restraint system. He also threw light on increased penalties in all the five risk areas and in general penalties in the proposed MVA Bill, 2016.

Dr Ashwini Bagga, World Health Organisation (WHO) Consultant to Department of



Transport of Government of Rajasthan spoke on the road safety issues. He said that there is a dire need to bring the Act. Strict laws will result in reducing the road accidents. He also said that the people should be aware about giving the first aid, which is to be given to the victim to save his life. He also talked about the ground realities related to road safety in Rajasthan and said that lots of initiatives have been taken at state level especially related to ensuring automated vehicle fitness, registration

processes, controlling risk factors and putting in place the policy and road safety action plan in place

Nalin Sinha, representative, Bloomberg Global Health Incubator and Global Road Safety Partnership (GRSP) while speaking in the session said that the driver, the road and vehicles are the main components of the road accidents. He added that the road length in India is 5.23 million km and 80 percent passenger traffic is occupied by the roads.



While speaking about the facts, Sinha said that the total numbers of registered vehicles in the country are 182 million out of which 133 million are two wheelers and 25 mn are cars and jeeps. In the country every day 407 people die due to road accidents. According to Ministry of Road Transport and Highways (MoRTH), Government of India nearly 43.7 percent deaths occur due to over speeding followed by overloading at 31.4 percent. On an average, 65 percent deaths occur between the age of 18-45. Death of one person affects at least 5 to 6 people of the family. In the past 10 years 17, 02,939 deaths have been recorded and around 46,93,476 people were injured.



Dr B L Soni, Additional Director General of Police, State Disaster Action Force, Rajasthan, said that there should be GPS system in the cars, to detect the speed of car at the highways. Referring to previous amendments in Motor Vehicle Act, 1988, Soni stressed on the need for effective implementation of the Act, though the present framework of the Act itself is quite effective but due to lack of political will and poor implementation, the M V Act in its present form has failed to create any impact and bring any changes.

Soni affirmed that emergency care is serious issue, which need to be addressed as most of the injuries are converting into death. While talking about the seriousness of the

accidents, he said that 80 percent of the two wheeler accident deaths are due to head injuries. He also talked about the Good Samaritan law.

At the end of the first session, the Gram Gadar Award for best write ups and articles in rural journalism for the year 2016 was presented to Shri Giriraj Sharma, Rural correspondent of Daily News, Jaipur

Session 2: Views of Road Accident Victims

The second session “Views of Road Accident Victims” was taken by the Victims of the Road Accident Laxmi Kant Sharma, Jaipur and Dr. Varsha Pradhan, Delhi. The victims urged audience to wear the head gear and use the seat belt while riding two-wheeler and travelling in car respectively.

Laxmi Kant Sharma, a local resident of Jaipur, who was an indirect victim of the road accident, narrated his story. He said that he lost his son in a road accident and appealed everyone to wear head gears while driving/riding two-wheelers.



Varsha Pradhan, Ph. D (Pharm. Sciences), New Delhi , a car crash survivor narrated her own story as a victim and appealed the audience to wear seat belts saying that “Seat belt is not just a seat belt, it’s a safety belt”. While talking about how she lost her very close friend in the same road accident, who was not wearing the seat belt, she emphasised upon the importance of wearing the seat belt.



While talking about the SRS Airbag system, she appealed the audience to buy a car with the facility of airbags, though being expensive but not more than someone’s life. She also said that in order to aware the youth about the road safety issues, teaching at the school level should be given to the children. She also said that the Road Safety laws should be part of the compulsory curriculum and the exams should also be conducted for the same as the habits formed at early age lasts for lifetime

Session 3: Expert Views on Road Safety



The session “Expert Views on Road Safety” was moderated by Nalin Sinha Consultant GRSP. The experts in the session were Anil Jain, Regional Transport Officer, Rajasthan, Dr Maya Tondon, Chief Executive Officer, Sahayata Jaipur, Rajeev Kumar Sharma Additional Director General of Police, Anti-Human Trafficking, Rajasthan, DCP Traffic, Jaipur Yatindra Kumar Gupta, Rally Mark Legal Advocates and Legal Consultants, Lucknow. The objective of the session was to get the expert views from different perspectives like law, RTO, Police, and Medical on the same platform to present their views on Road Safety issues.

Anil Jain, Regional Transport Officer, Government of Rajasthan, while recited a poem that drew the attention of the audience to save precious life and urged the participants never to be in haste on roads. Through his touching poem he elucidated about the basic rules of the road, that a person should always wear head gear and seat belt while travelling on the two-wheelers and four-wheelers respectively. He also said that the people should follow all the traffic signals while driving. While drawing the attention towards the licence system, he said that there need to be more strict rules for issuing the licence and the licence should only be issued after taking proper driving test.



Dr Maya Tondon, Chief Executive Officer, Sahayata Jaipur gave a presentation stating the facts about the Road safety. She said that common people should be trained about giving essential first aid to the victims immediately at the spot. She also added that the people should always show courtesy to help the victims to reach the hospital timely; which could

save their lives. She also added that the team of persons can be trained to save life of the accident victims and then they should be asked to train the other ten people, this will spread the awareness level in a chain, in the fastest way possible.

Rajeev Kumar Sharma, Additional Director General of Police, Anti-Human Trafficking, Rajasthan, DCP Traffic, Jaipur said that awareness should spread about the good Samaritan laws. He also added that there is lot of pressure on the roads due to the Public and Private Transport. He also spoke about the amendments of the Bill.



Sharma advocated that the violation of traffic should be categorised under crime. While giving the licence, a driving knowledge test should be taken, to ensure that the future driver has all the knowledge of the laws and the rules. While appreciating in the changes in the Bill, Rajeev Sharma said that national level registering of driving licence is a welcome step.

While pointing in the flaws in Bill, he said that the proposed Bill has not covered the people making cuts on the road due to the commercial activities. He also drew the attention of the participants towards reality and stated that the drivers of the mini busses are not aware about the general driving rules like overtaking, taking left and right turns, etc.

Yatindra Kumar Gupta, Rally Mark Legal Advocates and Legal Consultants, Lucknow, said that the systems of the agents should be removed, as due to the agents the licences are issued without the compulsory tests and this result in the non-professional drivers driving on the roads and thereby the accidents occur. Taking the discussion forward he said that the drivers should follow all the rules while driving on the roads. Awareness of the laws is must in order to reduce the number of accidents.



Open House Discussions



In the end, in the third session, questions were asked and suggestions were given to the panel members by the audience.

- Tarachand, Retired, Indian Administrative Service suggested that the training of the first aid should be made compulsory to save the life of the victim.
- Rajeev Kumar Sharma while accepting the suggestion said that the plan can be made to train more and more people.
- Badrinarayan, Azad Foundation, Jaipur said that strict examination to be done while issuing the licence. He also added that the verification should also be done that the person has gone to the training school before issuing the commercial licence.
- Anil Jain, suggested that the *yatri vahan* toll roads should be waved off
- Swati, Azad Foundation, Jaipur said that there should be digitalisation of the penalty

Vote of Thanks

Madhu Sudan Sharma, Senior Project Coordinator, CUTS summarised the day long proceedings, highlights of the meeting and the emerging points discussed in the sessions. He said that the day's meeting was extremely fruitful in the sense that the early passage of MV Act Bill, 2016 was demanded by the representatives of four different states. In addition, consumer activists, representatives from various organisations working on road safety; legal experts, transport engineers; traffic police and other stakeholders from 24 districts of Rajasthan attended the meeting.

He added that a useful data has been shared with the participants on the roads safety and

road safety scenario in Rajasthan and India. He also mentioned that discussions in meeting incorporated aspects of vehicle engineers, road engineers, law enforcement officials and others. Finally, Sharma said that the key takeaways of the meeting will be shared with the policymakers and MoRTH to take the same further.

In his vote of thanks, he thanked the representatives from GRSP partners all the consumer organisations and representatives of roads safety organisations, media, and all the resource persons of all the three sessions.



Programme Schedule

| Time | Activity | Resource Person |
|-----------------|--|--|
| 09.30AM-11:00AM | Arrival, Registration of Delegates and Tea | |
| 11:00AM-12:30PM | Inaugural Session | |
| | Welcome and Introductory Remarks | George Cherian Director, CUTS International |
| | Highlights of MVA Bill, 2016 | Madhu Sudan Sharma Sr. Project Coordinator, CUTS International |
| | Overview of Road Safety in India | Shri Nalin Sinha , Consultant, GHAI/GRSP |
| | Initiatives on Road Safety by Government of Rajasthan | Dr Ashwini Bagga Consultant to Transport Department, Government of Rajasthan, Jaipur |
| | Keynote Address by Special Guest | Dr B L Soni , Additional Director General of Police, State Disaster Action Force, Rajasthan |
| | Presentation of <i>Gram Gadar</i> Award by Chief Guest | Award to be presented to Shri Giriraj Sharma, Rural Correspondent of Daily News, Jaipur |
| 12:30PM-12:45PM | Tea Break | |
| 12.45PM-1.30PM | Presentations by Car Crash Survivors | <ol style="list-style-type: none"> Dr Varsha Pradhan Ph. D (Pharm. Sciences), New Delhi Shri Laxmi Kant Sharma, Businessman, Jaipur |
| 1:30PM-2:30PM | Lunch | |
| 2.30PM-4.00PM | Expert Views on Road Safety Moderator: Mr Nalin Sinha | <ul style="list-style-type: none"> Shri Rajeev Kumar Sharma, Additional Director General of Police, Anti-Human Trafficking, Rajasthan, DCP Traffic, Jaipur Smt Maya Tandon, CEO, <i>Sahayta</i>, Jaipur Shri Yatendra Kumar Gupta, Rally Mark Legal Advocates and Legal Consultants, Lucknow Shri Anil Jain, RTO, Govt. of Rajasthan |
| 4.00PM-4.15PM | Summing up, Vote of Thanks and Way Forward High Tea, Departure | Madhu Sudhan Sharma Sr. Programme Officer , CUTS International |

Background Paper

'Regional Advocacy Meeting on Road Safety'

March 30, 2017, New Delhi

Introduction

Currently, road accidents are globally recognised as a serious public health problem. More than 1.2 million people die each year on the world's roads, making road traffic injuries a leading cause of death in the world. As per Global Health Observatory (GHO) data in 2013, low- and middle-income countries had higher road traffic fatality rates per 100,000 populations (24.1 and 18.4, respectively) compared to high-income countries (9.2). Almost half of all deaths on the world's roads are among those with the least protection – motorcyclists, cyclists and pedestrians.

Road traffic injuries involve issues of social equity, having a disproportionate impact on the poor in developing countries, where most victims are vulnerable road users (such as pedestrians, children, cyclists and passengers) having less access to medical services, their chances of survival and recovery after crashes are also relatively lower. As per Global Status report on 'Road Safety 2015' it is found that globally, road traffic crashes are a leading cause of death among young people, and the main cause of death among those aged 15–29 years. As people in this age groups are the most economically active are also most affected by road crashes, this is an added burden on poorer countries attempting to tackle poverty and raise levels of economic growth.

Indian Scenario: An Overview

In India, according to official statistics 141,526 persons were killed and 477,731 injured in road traffic crashes in 2014 (NCRB, 2015). However, this is probably an underestimate, as not all injuries are reported. The actual number of injuries requiring hospital visits may be even more. The situation in India is worsening and road traffic injuries (RTI) have been increasing over the past twenty years. This may be partly due to the increase in number of vehicles on roads but mainly due to the absence of coordinated evidence-based policy to control the problem.

Some startling facts about the road safety issue in India are as below:

- Total number of road accidents in 2015 was 501,423 in 2015, recording an increase of 2.5 percent as compared to 2014. Persons killed in road traffic crash increased by 4.6 percent i.e. from 139,671 in 2014 to 146,133 in 2015. On an average, 1,374 accidents and 400 deaths take place every day on Indian roads.

Over speeding causes 240,463 (47.9 percent) accidents and 64,633 (44.2 percent) road deaths.

- Driving under influence of alcohol/drugs accounted for 16,298 (3.3 percent) accidents and 6755 (4.6 percent) deaths. Vulnerable road users (pedestrians, cyclists and two-wheeler riders) comprised 63,089 road fatalities. Number of persons killed per 100 accidents has increased to 29.1 in 2015 from 28.5 in 2014.
- National Highways accounted for 51,204 (29 percent) road deaths in 2015 as compared to 47,649 (29.9 percent) in 2014. State highways registered 40,863 (28 percent) deaths in the previous year. Nearly 54.1 percent of all persons killed in road accidents were in the 15-34 year age group during 2015. Traffic police are the source of official government statistics related with road traffic injuries in India. The actual figures may be much more than what is reported.
- The economic, social and health losses resulting from road traffic injuries are not inevitable. There is substantial evidence confirming that road traffic injuries can be prevented. A number of factors have been identified as increasing the risk of traffic-related injuries, including: inappropriate and excess speed; not- wearing seat belts and child restraints; drinking and driving; not wearing helmets by riders of motorised two-wheelers; poorly designed or insufficiently maintained road infrastructure; and vehicles that are old, not well maintained or that lack safety features being used by people.
- Regulatory and other actions that address these risk factors have led to dramatic decreases in road crashes in many countries. The provision of emergency trauma care services has also been shown to be important in mitigating the negative impacts of road traffic crashes.

Present Context

Over the past decades, many regional and global road safety initiatives have been implemented. These initiatives emphasise on the role of many sectors in the prevention of road traffic injuries and describe the fundamental concepts of road traffic injury prevention, the magnitude and impact of road traffic injuries, the major determinants and risk factors and effective intervention strategies.

Almost a year ago, the 'Road Transport and Safety Bill, 2015-Draft was tabled in Indian Parliament. To address the issue of road safety and to improve the facilitation of the citizens while dealing with transport department, Ministry of Road Transport and

Highways referred it to the Parliamentary Standing Committee and constituted a Group of Transport Ministers (GoM) of the States.

The GoM recommended that to address the pressing issue of road safety and improving transport scenario, the Government should immediately bring amendments to the present Motor Vehicle Act. On August 03, 2016 Cabinet Chaired by Hon'ble Prime Minister had approved the bill. Parliamentary Standing Committee on Transport, Tourism and Culture has also had rounds of meetings on the issue and the report of the PSC is expected to be submitted soon. Now its high time that the bill is passed in the Parliament.

The Regional Advocacy Meet

CUTS has been working in the area of Road Safety for more than two decades. Since 2005 onwards CUTS has also been engaging with the Parliamentarians through PARFORE (Parliamentarians' Forum on Economic Policy Issues), a non-partisan informal forum conceived by CUTS. A special meeting of PARFORE on Road Safety was organised on November 16, 2016 in Delhi wherein nine MPs cutting across party lines participated and contributed.

In the final run up to get the MVA bill enacted, National Advocacy Meeting (NAM) is being organised in New Delhi on February 02, 2017 and will brought together a cross-section of stakeholders. The Meeting aims to advocate with the Parliamentarians of both lower and upper houses for their support to the bill during debate and voting in their respective houses. It also aim to solicit support of consumer organisations/other relevant organisations working on road safety, road transport authorities, traffic police, concerned citizens and media for being part of advocacy for bill.

It focusses on to create awareness about the dire need for the bill and its key highlights among all stakeholders and common public, which will further enhance the demand for speedy enactment of the bill without weakening the envisaged regulatory provisions of it. As an outcome of this meeting it is expected to help overcoming the roadblocks in the passage of bill and hope to get a strong bill enacted in the coming future.

List of Participants

| S.N. | Name | Name and Addresses of the Organisation |
|------|-----------------------|---|
| 1 | Badri Narayan | Azad Foundation, Jaipur |
| 2 | Swati Dev | Azad Foundation, Jaipur |
| 3 | Anupam Pathak | Vagad Vikas Sansthan, Banswara |
| 4 | Dr Harish Kumar | Bharatpur |
| 5 | Anwar Ahmed Khan | Oxford Shikshan Prashikshan Evam Vikas Sansthan, Kota |
| 6 | Shabnam Khan | Oxford Shikshan Prashikshan Evam Vikas Sansthan, Kota |
| 7 | Govind Solanki | Chohatan, Barmer |
| 8 | Sindhu Upadhyay | Mansarovar, Jaipur |
| 9 | Gajendra Singh Charan | Shri Chalrai Shiksha Samiti, Sikar |
| 10 | Vinti Arora | Centre for Road Safety, Jaipur |
| 11 | Suleman Sheikh | Gramin Manav Kalyan Shikshan Sansthan, Kachroda, Phulera |
| 12 | Y K Gupta | Bharat Jyoti, Lucknow |
| 13 | Madan Giri | CUTS CHD, Chittorgarh |
| 14 | Jai Kumar | Spectra |
| 15 | Suresh Kumar Nair | C-4, Tulsi Parisar BHEL, Bhopal |
| 16 | Ravi | Bhopal |
| 17 | Mehesh | Doordarshan News, Jaipur |
| 18 | Babu Lal | DD News, Jaipur |
| 19 | Gyan Tripathi | Daily News |
| 20 | L N Pandey | Jaipur |
| 21 | Dr Ashwini Bagga | WHO Consultant, Transport Department, Government of Rajasthan |
| 22 | M K Sharma | Transport Dept., Government of Rajasthan |
| 23 | George Cherian | CUTS International, Jaipur |
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| 32 | Dr Varsha Pradhan | Gurgaon |
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| 34 | Mal Chand Sharma | Saraswati Vidhya Niketan Samiti, Tonk |
| 35 | Lalit Sharma | Pali |
| 36 | Sagar Mal | Traffic Police, Jaipur |
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| 43 | O.B. Mishra | CRSO, Ujjain MP |
| 44 | Mahesh Chandra Shrimali | Rachana Sansthan, Rajsamand |
| 45 | Ajay Singh | Shri Marwar Vikas Samiti, Barmar |
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| 62 | Sardar Mal | Jaipur Traffic S.P Control Room 52, Jaipur |
| 63 | Lakshmi Kant | Ram Gadar Vistar, near 100 ft. Raod |
| 64 | Renu Beniwal | CUTS International, Jaipur |
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| 74 | B L Soni | Additional Director General of Police, Jaipur |