

Regional Advocacy Meeting
On
Road Safety: The Motor Vehicles (Amendment)
Bill 2017 & Way Forward

Kolkata, August 30, 2017



Organised by

CUTS[®]
International

Background

The Regional Advocacy Meeting on Road Safety Motor Vehicle (Amendment) Bill 2017 was organised by CUTS CART in partnership with Calcutta Research Centre (CRC) on August 30, 2017 under the project entitled 'Campaign for enhanced Road Safety in India through Advocacy for Enactment of Motor Vehicle (Amendment) Bill, 2017' at Hotel Hindustan International, Kolkata West Bengal.

The one point agenda of the meeting was to discuss the changes made in the Motor Vehicle (Amendment) Bill or MVA Bill, 2017 and to advocate for the early passage of MVA Bill, 2017 as the Bill has been passed in Lok Sabha on April 10, 2017 and was expected to be passed in Rajya Sabha in the upcoming monsoons season, but it has been delayed and the Bill has been moved to select Committee, which is directed to give its report on the first day of the winter session. Around 75 participants from Non-government Organisations (NGOs) of Kolkata and representatives from states – Jharkhand, Mizoram, Chhattisgarh, Arunachal Pradesh, Delhi, Assam, Tripura and Orissa; media representatives; officials of stakeholder departments; and road safety experts participated in the meeting.

Proceedings

Session 1: Inaugural Session

Prithviraj Nath, Associate Director, CUTS in his welcome note welcomed all the participants and emphasised on the need of passing the Bill at the earliest. While sharing the data of accidents in India, he stated that there is one accident at every fourth minute.



George Cherian, Director, CUTS in his opening remarks spoke about the urgency of passing the MVA Bill, 2017 in Rajya Sabha. While addressing the need of passing the Bill at

the earliest he highlighted that though India has only 2 percent of motor vehicles population, but it accounts for more than 10 percent of road accidents of the world. Consequently, on an average, there are more than 400 fatalities each day on Indian roads.

He also spoke about the journey of the MVAB and how CUTS and Global Road Safety Partnership (GRSP) Partners were actively involved in the process. Referring to the data of Ministry of Road Transport and Highways (MoRTH) he said that 4,73,964 accidents took place in 2016, which is 5.53 percent lesser than 2015. There is an increase in road accident fatalities from 2015 to 2016 by 3.18 percent as 4652 more people died in the road accidents in 2016, which shows that more serious accidents are caused or the victim does not get the timely emergency treatment.

Sharing the data of road accidents of West Bengal, he said that in 2016, 13540 accidents took place resulting to 6544 deaths and 11859 injuries. In year 2016 people died in road accidents were 310 more than 2015. Among all road fatalities, 68 percent of people are between 18-45 years of age, which means that youth of the country is dying on the Indian roads. While talking about the current status of the Bill he said that the Bill was passed in Lok Sabha on April 10, 2017 and it was expected to be passed in Rajya Sabha in the monsoon session, but it got delayed and has gone to the select Committee, which is asked to give its report on the first day of the winter session of the parliament.

Talking about the reason of delay of passing of bill in Rajya Sabha he said that some of the points of the opposing states shall also be incorporated, so that the opposition can be reduced. While emphasising on the need of early passage of the Bill he said, that every passing month is taking away the life of 12000 people and every passing year will take away the life of 1.5 lakh people, and hence, the Bill should be passed at the earliest.



Madhu Sudan Sharma, Sr. Project Coordinator, CUTS elucidated about the proposed amendments in the MVA Bill, 2017 and highlighted the aims of the same which comprise: 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 and rural transport; automation; computerisation and enabling online services.

In his presentation, Sharma mentioned that 89 amendments have been proposed in the MVA Bill, 2017. He also spoke about the guidelines for the Good Samaritan Bill. Drawing the attention of audience towards major risk factors, he said the major risk factors are over-speeding, drink and driving, not wearing helmets and car safety belts and not using child restraint system. He also threw light on increased penalties in all the five risk factors and in general penalties in the proposed MVA Bill, 2017.

Nalin Sinha, Consultant, Global Health Action Incubator (GHAI) presented an overview of road safety scenario in India. He said that there are three things involved in the road accident: the driver, the road and the vehicle. The driver should know the road manners, the road should be in proper condition and the vehicle should be properly maintained in order to avoid the number of accidents. Every day, 407 people die in road accidents. Across the globe 3400 people die every day in the road crashes. Around 43.7 percent deaths are caused due to over speeding followed by overloading at 31.4 percent. Almost 70 percent deaths are caused on the National and State Highways, and Uttar Pradesh leads in the number of accidents, Sinha added.

Highlighting the data of road accident in India he said that the country has recorded 148,707 road crash deaths and 477,731 injuries in 2015. Over-speeding was the biggest cause of road fatalities on Indian roads resulting in 60,969 deaths. Evidence from many countries around the world show that focussing on behavioural risk factors like speeding, drink and driving, not wearing helmets and seat belts, and not using child restraints can help in reducing number of road fatalities in India. Also a good and visible enforcement while taking the community along at every stage is crucial for the success of road safety, he added.



Dr P K Sarkar, Head of Department, School of Planning and Architecture and Ministry of Human Resource, Government of India (New Delhi) gave the presentation on 'Prioritisation of Road Safety Measures Using iRAP Study Tool – A Case Study'. He said that basically there are five pillars of road safety which are: Road Safety Management, Road Infrastructures, Safety Vehicles, Road User Behaviour and Post-Crash Care. The iRAP stands for International Road Assessment Programme and he mentioned that roads should be star rated, so that it is clear that which road is safer and less prone to accidents.

While focussing on India, he said that for the country – the standard road will be 3 star rated He said that the proper care should be taken that the roads are designed properly this would help in mitigating the road accidents. He finally advocated for adopting the good practice of awarding good road engineers, good road designs and safe vehicles.

Madhumati Mitra, Secretary, Law Department spoke about the journey of the Motor Vehicle Bill, 2017 – the Bill has been referred to the 24 member Select Committee of Rajya Sabha on the demand of opposite party for scrutiny. While talking about the need of road safety she said that road safety is not only needed to protect human life, but also to protect the environment. She also highlighted some sections of MVA Bill, 2017 in relation to road safety.



Session 2: *HumSafar App and Car Crash Survivor's Experience*



In the second session a presentation on *HumSafar* App was given by Vibhor Gupta followed by the views of car crash survivor, Dr Varsha Pradhan. The session was moderated by George Cheriyan.

Vibhor Gupta, Founder Mobiquel talked about the *HumSafar* app for Road Safety. While talking about the features of the application he discussed that when any road accident occurs the app triggers the alarm, which connects to the stakeholders including police, medical and related people. The app also has localised directory of services like petrol pump, hospitals, mechanic and food within five km of radius, which helps the user in finding the nearest locations.

This app would help the victim to get the instant medical care, which will definitely help in reduction of post accidental deaths, he added. The ambulances services – 108 fails to locate the exact location of the victim, but the app like *HumSafar* helps to navigate the location of the victim. The app also has the facility of auto assigning the location to the victim, so that the ambulance which is near most reaches swiftly to the victim and acquires his details. This would enable the victim to avail the emergency care which will reduce the chance of death of the road accident victim.

After the presentation, a question was raised by Bibhu Sahu , that if the *HumSafar* App has any feature that by pressing any button your family get the message about the accident. Answering to this Vibhor said that message goes to the family, along with the medical and police department, the decoded message which goes to the family also includes the information of the nearest medical centres.

Dr Varsha Pradhan, Ph.D (Pharma. Sciences) from New Delhi who survived in a car crash narrated her own story as a victim and appealed the audience to wear seat belts indicating “Seat belt is not just a seat belt, it is a safety belt”. Speaking 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 Supplementary Restraint System (SRS) Airbag system, she urged the audience to buy a car with the facility of airbags despite being expensive. She also said that in order to make the youth aware about the road safety issues, training 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 examinations should also be conducted for the same as the habits formed at early age lasts for longer period. She also showed some video clips related to the importance of wearing seat belts.

Session 3: Technical Session and Open House Discussion



The session was chaired by P S Mukharjee, Assistant Commissioner of Police, Kolkata; Sandhi Mukharjee, IPS (Retd.), Kolkata; Soumyajit Raha, Advocate, Kolkata; Abhimanyu Prakash, Programme Manager, National Association of City Transportation Officials (NACTO); and Srikumar Bhattacharya, Engineer in Chief, Public Works Department, Government of West Bengal. The session was moderated by Nalin Sinha.

P S Mukharjee spoke about the initiatives taken by Kolkata police to reduce the road accidents. The campaign *safe drive-save life*, which is been run by Kolkata police has helped curbing down the road accident fatality rate in the city. He also added that the police is working continuously to keep a check on the road traffic. Moreover, speed is a major cause of accident, and Kolkata police traffic department is implementing serious initiatives to curb down the speed of the operating vehicle on the roads, he added.

Sandhi Mukharjee shared the history of road construction that the city started its development in 1690, when there were only two roads in Kolkata. The concept of traffic police started in 1874, and thereafter it started developing. The police sector was divided into the investigating agency and the non-investigating agency, which was the traffic police. By 1935, the traffic started growing, and the traffic accidents started taking place frequently. In year 1936, about 35 people and in 1937, 36 persons died in the road accidents.

The traffic police job was quite tough and there was constant resignation of the traffic police due to work load, health issues like asthma, tuberculosis etc. He emphasised on engaging variety of road users and incorporating their feedback and suggestions in the traffic planning system, which is very important. He said that for effective traffic management all the enforcement agencies including Indian Institutes of Technology (IITs) and engineering departments need to be collaborated for better outcome. The road fatalities can be avoided, if traffic is controlled and maintaining good infrastructure.

Soumyajit Raha discussed about the technical aspect of the Bill, certain sections of the Motor Vehicle (Amendment) Bill, 2017 shall go hand in hand with certain provisions of Indian Penal Code. He suggested that some of the serious traffic violations shall to made non-bailable category, so that that they are proved as more deterrent. The Bill does not mention about the periodical check-ups, especially of the vision of the drivers, as many drivers have the vision problem or are colour blind. The drivers should be given proper training, especially the defensive driving training. Major chunk of the auto rickshaw drivers' start driving the auto rickshaw at the age of 15, the traffic police shall be more active in catching such things, Raha added.

Abhimanyu Prakash started his presentation by sharing a video clip, which showed that in every 34 seconds, one person is dying in the world. Poorly maintained roads are the risk to the life, children are risking their life every day and so the pedestrians and others. He talked about the initiatives taken for the road designs and a toolkit developed for the same. Prakash mentioned about the importance of the road designs, which are evidence-based and includes the concerns of all the road users, especially the vulnerable road users like pedestrians, cyclists and non-motorised vehicles.

He said that good road structure is available online and only those need to be replicated. In order to develop a city in such a way where poor people can also afford cars, focus should be to make the rich people use public transport, as more of public transport will help in reducing the road accidents. Prakash viewed that number of road accidents can be reduced mainly by three things – checking the speed, improving the roads and using public transport more.

Srikumar Bhattacharya said that the road safety is much beyond than sign and signages. Even if there is no fault in road structure and engineering, accidents take place due to various other factors like fault of the driver. Black Spots should be identified, and after identifying the black spots on roads, the causes of road accidents can be analysed. In the construction of every road, there should be road safety audit, or any other flaw should be analysed properly and measures should be taken accordingly.

Open House Discussion



The participants actively took part in open house discussions. Some of the suggestions given by the participants are:

- Anandji from Bokaro Jharkhand suggested that the potholes on roads should be taken care of, so that it reduces the chance of accidents. Geroje Cheriyan replied mentioning that the clause of accountability of has already be added in the MVA Bill, 2017 as a result of CUTS advocacy, but there is need of further advocacy in this regard.
- Bibhu Sahu asked Abhimanyu Prakash that as in India there are some cities where there is lesser public space, so how can the road be designed giving proper attention to the pedestrians and the vehicles. Abhimanyu Prakash responded saying that the first thing is to understand that what is the basic mode of transport in a city, and based on the percentage of means of transport, roads should be designed.

Conclusion & Way Forward

Jeetali Agnani, CUTS summed up the proceedings of the daylong meeting. In her vote of thanks she said that the meeting was very helpful for the audience as it rendered more clarity to the people about the amendments of the Motor Vehicle Bill, 2017 and current scenario in India with regard to road accidents. **Arnab Ganguly** Assistant Policy Analyst, CUTS CRC also thanked the speakers and the participants for their valuable presence.

Programme Schedule

Time	Activity	Guest/Resource Person
09.30-10:30 am	Arrival, Registration of Delegates & Tea	
10:30-12:00 am	Inaugural Session	
	Welcome	Prithviraj Nath Associate Director, CUTS International
	Opening Address	George Cheriyan Director, CUTS International
	Highlights of MVA Bill, 2017	Madhu Sudan Sharma Sr. Project Coordinator, CUTS International
	Discussion on the Road Safety	<ul style="list-style-type: none"> • Madhumati Mitra, Secretary, Law Department, Government of West Bengal • P K Sarkar, Prof. & Head of Department, Transport Planning School of Planning & Architecture, Ministry of HRD • Nalin Sinha, Consultant, GHAI
12:15-12:30 pm	Tea Break	
12:30-12:45 pm	Presentation on <i>HumSafar App</i>	Vibhor Gupta Founder, Mobiquel, New Delhi
12.45-1.30 pm	Presentations by Car Crash Survivors	Dr Varsha Pradhan Ph.D (Pharm. Sciences), New Delhi
1:30-2:30 pm	Lunch	
2.30-4.00 pm	Technical Session	
	Expert Views on Road Safety Moderator: Nalin Sinha Consultant GHAI/GRSP	<ul style="list-style-type: none"> • Sandhi Mukherjee, IPS (Retd.), Kolkata • Srikumar Bhattacharya, Engineer in Chief, Public Works Department, Govt. of West Bengal • Soumyajit Raha, Advocate, Kolkata • P S Mukharjee Asst. Commissioner of Police, Kolkata • Abhimanyu Prakash, Programme Manager, National Association of City Transport Officials (NACTO)
4.00-4.15 pm	Summing Up, Vote of Thanks and Way Forward High Tea, Departure	Jeetali Agnani Programme Associate, CUTS International Arnab Ganguly Assistant Policy Analyst, CUTS International

Registration Sheet

S.No.	Name	Name & Address of the Organisation
1	Pranab Das	Chanchhal, Malda
2	Khairul Anam Meerza	Palsa Pally Unnayan Samity, Murshidabad
3	Mostafizur Rahman	Palsa Pally Unnayan Samity, Murshidabad
4	Surya Nath Singh	Ambikapur Surgyi, Chhatisgarh
5	Haritabrata Mallick	Bajkul Purba Madinipur
6	Marka Lalsangliana	Mizoram Road Transport Union, Aizwal
7	Samar Maity	VP- Janka, Mednpur
8	Giadap Naling Cherom	All Arunachal Pradesh Consumer Association
9	Dilip Ku. Panda	AL/62, Housing Board, Bhimatangi, Bhubaneswar
10	Ablirup Khan	41/13, AC Banyee Road, Dakhneswan, Kolkata
11	Sujata Basu	IEST, Shibpur, Howrah
12	Saptarshi Sen	IEST, Shibpur
13	Satyaki Jana	Airan Ramkrishna Vivekanand Yuva Sangh, Purba Medinipur
14	Biplab Barna	Deepalaya Behada
15	Kalyani Palui	Khanpur, Tulsiberia, Howrah
16	Jiban Saha	5/5, B.T. Road, Kolkata
17	Bindu	AIRTWF
18	Mustak Ali Mondal	Agargati NGO, Kalikata, Racj[ao. Howrah
19	Bappa Karar	146, Balarh Day St., Kolkata
20	Rishi Moily	Kakdwip, Ganshas
21	Md. Nasim	GRACEO, Garden Reach, Kolkata
22	Md. Moinuddin	GRACEO, Garden Reach, Kolkata
23	Sayandeep Chattopadhyay	Research Associate, CUTS
24	Sulehanil Banerjee	CUTS CRC
25	Rupamoy Bhattacharya	CUTS CRC
26	Bashar Iyar	CUTS CRC
27	Sumanta Biswas	CUTS CRC
28	Sayantan Sengupta	CUTS CRC
29	Goutam Gupta	OSD & EO, DCTP, Kolkata

S.No.	Name	Name & Address of the Organisation
30	Pavihasasarcifi Neskheveyee	OSD & ACP, Kolkata Police
31	Sandhi Mukherjee	IPS (Retd.), West Bengal
32	Srikumar Bhattacharya	West Bengal
33	Soumyajit Raha	Advocate, Kolkata
34	Anandji	National Road Safety Club, Bokaro Steel City, Jharkhand
35	Subata Mallick	Bajkul, PS-Kismat Bajku, Purb Madinapur
36	Sanjoy Kr. Das	Mankind Awareness Platform, Jogendranaar, Vidyasaar Road, Tripura
37	Debdulal Sahoo	Bhuban Nagar Rural Development Society, Bhuban Nagar, South Pag.
38	Varsha Pradhan	A021, Summit Golf Course Road, Gurgaon
39	George Cherian	Director, CUTS International
40	Samya Bhandwaj	Guwahati Aroam Consumers' Legal Protection Forum
41	Nalin Sinha	GHAI, New Delhi
42	Asis Kr. Mondal	Canning Swanirbhar Nikarishata, Canning Town, 24 Pgn
43	Debraj Pal	IIEST, Shibpur, Howrah
44	Arvindan Mahato	Chartatar Chalanika Bagmundi, Purulia
45	Palash Bardhan	VPO- Atshana, PS- Baduria, N. 24 Pg.
46	Surafuddin	Vil. Kashinathpur, Kolkata
47	Vaneek Patnau	NUJS Salt Lak
48	U K Pahari	Law Department
49	Dinesh Maito	Belgharia
50	Keya Ghosh	CUTS CRC
51	Snehamay Mandal	RLSK
52	Amar Deep Singh	CUTS Jaipur
53	Madhu Sudan Sharma	CUTS Jaipur
54	Jeetali Agnani	CUTS Jaipur
55	Bijaya Roy	CUTS CRC
56	Dipender Das	CUTS CRC
57	Sukanta Mondal	Deepalaya, Kolkata

S.No.	Name	Name & Address of the Organisation
58	Abhinanyo Prakash	109/8, Hazra Road, Kolkata
59	N K Sinha	CUTS CRC
60	K Baryuya	ToI, Media
61	Prithviraj Nath	CUTS CRC
62	Arnab Ganguly	CUTS CRC
63	Sudarshan Jan	CUTS CRC
64	Pradip Mandak	Pdamsms Pargo, Purulia
65	Mahendra Mahato	Pdamsms Pargo, Purulia
66	Bhabesh Ch. Mahaot	PNJS, Purulia
67	Swapn Chanda Mahato	BRJEOS. Bagjamda Purulia
68	Pinaki Ganguly	Rural Organisation for Social Establishment
69	Avtar Singh Negi	Mount Valley Development Association Uttarakhand
70	Bibhu Prasad Sahu	USD, Berhampur Odisha
71	Advocate Ajoy Hazarika	Consumer Legal Protection Forum, Guwahati
72	Vibhor Gupta	<i>Humsafar</i> Road Safety App, Delhi
73	Saunya Das	The Hindu
74	Abhishek Majee	A2/1001, PHC, Kolkata
75	Sabyasachi Mondal	11/A, Ramlal Vegi Lane, Howrah
76	Mantu Shie	Kamina Social Welfare Society, Kamina, Sunda, Howrah
77	Anandi Ranjan Helder	Raynagal Charitable, Diamond Harbour, 24 Pgs
78	Madhu Sudan Mainli	Kapasaria Sarlick, V-Service Society, Dist.- Purulia
79	Prahsant Gupta	Kolkata

Road Safety Experts and NGOs Demanded for Early Passage of Motor Vehicle Amendment Bill, 2017

Every month there are road accidents are causing around 12000 fatalities in India, out of which 25 percent are two-wheeler riders, mostly comprising youngsters. There is dire need to pass the Motor Vehicle (Amendment) Bill, 2017 at the earliest as demanded by the government officials, road safety activists, experts and NGOs of four states in Regional Advocacy Meeting organised by CUTS International in Kolkata. The Motor Vehicle (Amendment) Bill, 2017 has been passed in Lok Sabha and was expected to be passed in Rajya Sabha, but currently has been referred to Select Committee, which will submit its report on the opening day of the winter session of the Parliament.

The worst time of risky roads is yet to come in India but there is need of changing things now and early as stated by Professor P K Sarkar, Head of Department, School of Planning and Architecture, Ministry of Human Resource, Government of India (New Delhi). He further mentioned that there is an urgent need of preparing a master plan of road safety and using effective road engineering and technical tools on roads.

He also shared the best practices related to road safety of various countries from Asian and other high income countries and shared experience of successfully mitigating the road safety issues and challenges. He also discussed about the International Road Assessment Programme (iRAP) which talks about star rating of highways and particularly state highways. He shared his findings of using iRAP as a tool on 10 black spots in Delhi and outcome of corrective measures taken accordingly.

George Cheriyan, Director, CUTS International in his opening remarks highlighted that though India has only 2 percent of motor vehicles population, however, it accounts for more than 10 percent of road accidents of the world resulting in 400 road accident-prone fatalities on an average basis. While focussing on the data of Ministry of Road Transport and Highways (MoRTH), Government of India, he said that accidents have reduced by 5.75 percent from 2015 to 2016, however, there is a raise of 3.18 percent in deaths.

Nalin Sinha, Consultant Global Health Advocacy Incubator (GHAI) presented an overview of road safety scenario in India. He said that there are mainly three things involved in the road accidents: The driver, the road and the vehicle. Every day, 407 people die in road accidents. Around 43.7 percent deaths are caused due to high speed followed by overloading at 31.4 percent.

Vibhor Gupta, Founder Mobiquel elucidated about the *HumSafar* app for road safety – when the road accident occurs the alarm connects to the team comprising police, medical professionals and other relevant people.

Dr Varsha Pradhan, car crash survivor shared her experience and urged the participants to wear seat belts.

Partha S Mukherjee, Asst. Commissioner of Kolkata Police highlighted on the recent initiatives taken by the Kolkata police towards road safety by running ‘Save Drive, Save Life’ campaign. This advocates ‘no drink and driving’ and keeps a check on high speed. He said that under the campaign so far 80, 000 and hundreds of road users have been educated and night vigilance has yielded good results.

Sandhi Mukharjee former Director of Police, Kolkata shared the history of road construction, historic developments, challenges in the smooth enforcement of the traffic rules and regulations in west Bengal, in general. He emphasised on engaging a variety of road users and using their feedback in the traffic planning system. He added that for effective traffic management all the enforcement agencies including Indian Institutes of Technologies (IITs) and Engineering Departments need to be collaborated for better outcome.

Soumyajit Raha, advocate of Kolkata drew the participants’ attention towards legal loopholes and ambiguities in the traffic rules. He recommended that some of the serious traffic violations should be in non-bailable category, so that this can be prove to more deterrent. Raha praised the proposed new amendments and urged for timely passing MVA Bill, 2017.

Abhimanyu Prakash Programme Manager, National Association of City Transport Officials (NACTO) discussed about the initiatives taken for the road designs and a toolkit developed for the same. He mentioned about the importance of the road structures, which are evidence-based and include the concerns of all the road users, especially the vulnerable road users like pedestrians, cyclists and non-motorised vehicles. He informed that good road structures are available online, and only those should be replicated.

Media coverage available at: <http://timesofindia.indiatimes.com/city/kolkata/faulty-road-design-poor-upkeep-will-be-punishable/articleshow/60299734.cms>

Media Coverage

‘Faulty road design, poor upkeep will be punishable’

TNN | Aug 31, 2017, 05:19 IST



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KOLKATA: Faulty [road](#) design and poor maintenance are being made part of the Motor Vehicles Act to hold the designers, engineers contractor accountable. With a large number of blackspots were found to have been existed because of faulty designs, the ministry of road transport and highways (MoRTH) wants legal ways to hold the engineers

accountable, road safety experts said at the regional advocacy meeting on Motor Vehicles (Amendment) Bill 2017 by [CUTS International](#).