

Scope of New Legislation and Implementation of Supreme Court Committee Guidelines in the State of Rajasthan

A STATE LEGISLATIVE GAP ANALYSIS

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List of Abbreviations

S N	Term	
1	ATR	Action Taken Report
2	BLS	Basic Life Support
3	CBSE	Central Board of Secondary Education
4	CMP	Comprehensive Mobility Plan
5	CMVR	Central Motor Vehicle Rules
6	FAME	Faster Adoption and Manufacture of Hybrid & Electric Vehicles
7	GOI	Government of India
8	IRC	Indian Road Congress
9	ITS	Intelligent Transport System
10	JCTSL	Jaipur City Transport Services Ltd
11	JDA	Jaipur Development Authority
12	JMRC	Jaipur Metro Rail Corporation
13	KRSA	Kerala Road Safety Authority
14	LSG	Local Self Government
15	MDR	Major District Road
16	MoRTH	Ministry of Road Transport and Highways
17	MVA	Motor Vehicle Act
18	MVAB	Motor Vehicle Amendment Bill
19	NDA	National Democratic Alliance
20	NGO	Non Governmental Organization
21	NHAI	National Highway Authority of India
22	NMT	Non Motorized Transport
23	ODR	Other District Road
24	PHTT	Pre Hospital Trauma Technician
25	PUC	Pollution Under Control
26	PWD	Public Works Department
27	RAMDAS	Road Accident Management & Data Analysis System
28	RIDCOR	Rajasthan Infrastructure Development Company of Rajasthan
29	ROA	Road Owning Agencies
30	SCCRS	Supreme Court Committee on Road Safety
31	TOD	Transit Oriented Development
32	UDH	Urban Development and Housing
33	VR	Village Road
34	WHO	World Health Organization

Executive Summary

Efficient transport is the backbone of a progressive economy. Safe and timely commuting and effective logistics management catalyzes a country's growth. Successive transportation has also added an inevitable phenomenon of road traffic injuries that is a major concern for all of us.

The rapid growth of vehicle population in Rajasthan, with an average growth rate of 11.11% per annum, has also contributed to the factors causing fatal road crashes. Powered two-wheelers, having 75.25% share, are the highest risk form of motorized road transport.

Constitution of Supreme Court Committee on Road Safety (SCCRS) has paved way for interdepartmental coordination and collaborative efforts at state level which certainly has brought positive results. A steep decline of 190 fatalities has been reported over last three years (from 2015 to 2018). As compared to 10510 fatalities in 2015, a total of 10320 fatalities have been reported in year 2018. Yet, it is very unfortunate to note that despite this reducing trend, rate of severity is continuously on rise with a record high 47.5% reported in year 2018.

The much awaited Road Safety Amendment Bill (2017) could significantly help to improve road safety scenario in states but with dissolution of the present tenure of Lok Sabha in 2019, a parliamentary house, the bill was also lapsed. Taking the matter into consideration, CUTS International decided to explore possibilities of implementing necessary amendments in the state motor vehicle laws by conducting a legislative gap analysis in Rajasthan.

To initiate the assignment Motor Vehicle Act 1988, Central Motor Vehicle Rules 1989, Rajasthan Motor Vehicle Rules 1990, Motor Vehicle Amendment Bill 2017, State Road Safety Policy, Important Orders and Notifications issued by the Transport Department and Media Reports were reviewed.

To further analyze the issue at broader level an Expert Group Meeting was also convened in which delegates from government stakeholder departments, Non Governmental Organization (NGO) and other agencies participated to have consequential deliberations.

For an easier approach, outcomes and recommendations of the study have been grouped under five key pillars of road safety. Strengthening Institutional Framework, Introducing Road Accident Management and Data Analysis System (RAMDAS), Framing Rajasthan Road Sector Policy, Promotion of Non Motorized Transport (NMT), Launching Vehicle Phase Out Policy and Introducing Public Transport Policy are few major commendations which are prescribed in the study.

1. Scenario in Rajasthan

1.1 Road Safety Scenario in Rajasthan

Rajasthan is India's largest state by area (342,239 square kilometers or 132,139 sq mi) that comprises 10.4% of India's total land area. It is located on the north-western side of the India, where it comprises most of the wide and inhospitable Thar Desert (also known as the "Rajasthan Desert" and "Great Indian Desert") and shares a border with the Pakistani provinces of Punjab to the northwest and Sindh to the west, along the Sutlej-Indus river valley. Elsewhere it is bordered by five other Indian states: Punjab to the north; Haryana and Uttar Pradesh to the northeast; Madhya Pradesh to the southeast; and Gujarat to the southwest.

Rapid development in Rajasthan has not only catalyzed economic growth but has also augmented risk involved in transportation of goods and human. Not much variation has been noticed in terms of road crashes happening every year in Rajasthan in past ten years. On the contrary, the fatalities had been steadily rising, almost doubled to 10289 in year 2014 as compared to 5187 fatalities reported in year 2001. The year 2016 marked a turning point in the state road safety crisis for the first time in the last decade. Against 10510 fatalities in 2015, a marginal reduction of 45 fatalities was reported in year 2016. The negative trend continued in year 2017 as well. With a total of 10,444 fatalities in 2017 in the state, Rajasthan stands on 5th position in India, which is a great cause of concern for all stakeholders. Average per day rate of accidents, fatalities and injuries summarizes to 61, 28 and 60 respectively

A Comparative Analysis of Road Accidents in Rajasthan 2015 to 2018

Year	Accidents	Injuries	Fatalities
2015	24072	26153	10510
2016	23066	24103	10465
2017	22111	22071	10444
2018	21743	21547	10320

Average Per Day Road Crash Statistics in Rajasthan

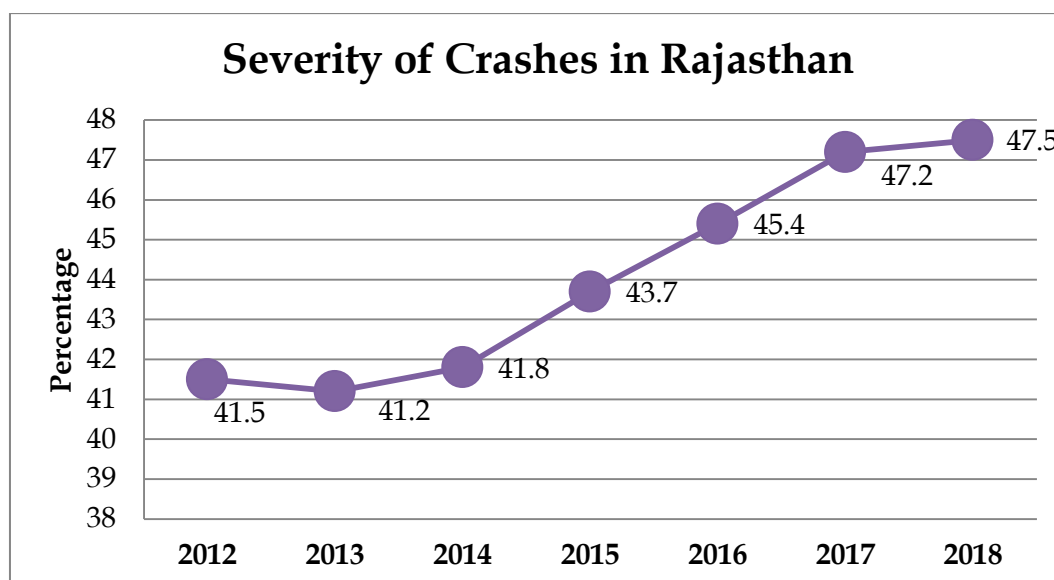
Particulars	Average/Day
Accidents	61
Fatalities	28
Injured	60

1.2 Trend of Fatal Crashes and Severity

The severity of crash, i.e. person killed per 100 accidents, is steadily rising in the State. The severity trend of past four years is continuously increasing. Severity reported in year 2013 was 41.2 which straightaway increased to 45.4 in 2016. Total

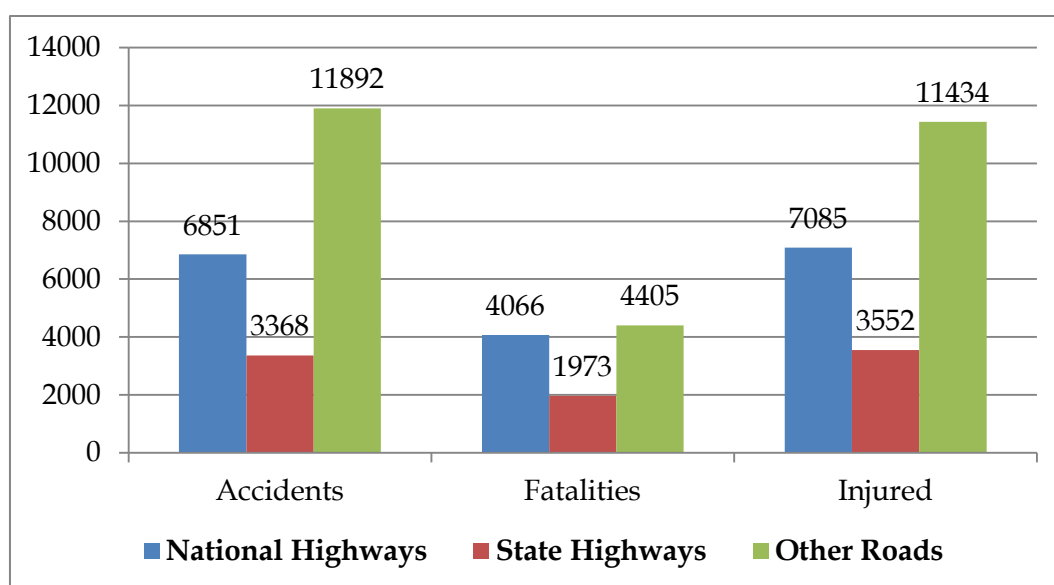
9282 crashes were reported fatal out of 23066 crashes in year 2016 whereas the accident severity in the country was reported 31.4 in year 2016. In 2017 the severity rate reported was 47.2 followed by 47.5 in year 2018. In respect to increasing number of vehicles, the approximate fatality rate per thousand vehicles has come down from 1.34 in 2006 to 0.70 in 2016.

Severity of Crashes in Rajasthan 2012 to 2018



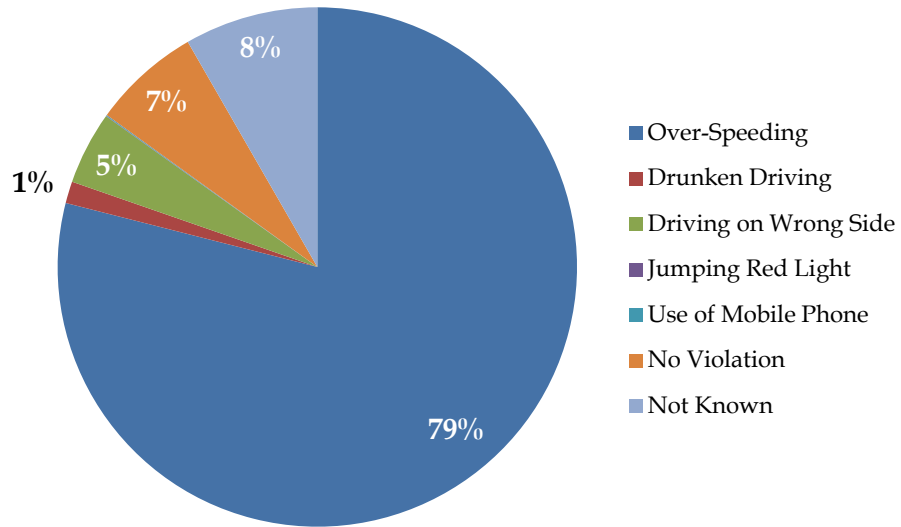
In terms of accidents according to road categories, the National Highways accounted for 6851 accidents and 4066 fatalities and State Highways accounted for 3368 accidents and 1973 fatalities in Rajasthan in calendar year 2017. Accidents and fatalities were reported highest on Other Roads which contributes to 11892 accidents and 4405 fatalities in the state in year 2017.

Road Accidents, Fatalities and Injuries by Road Type Rajasthan - 2017



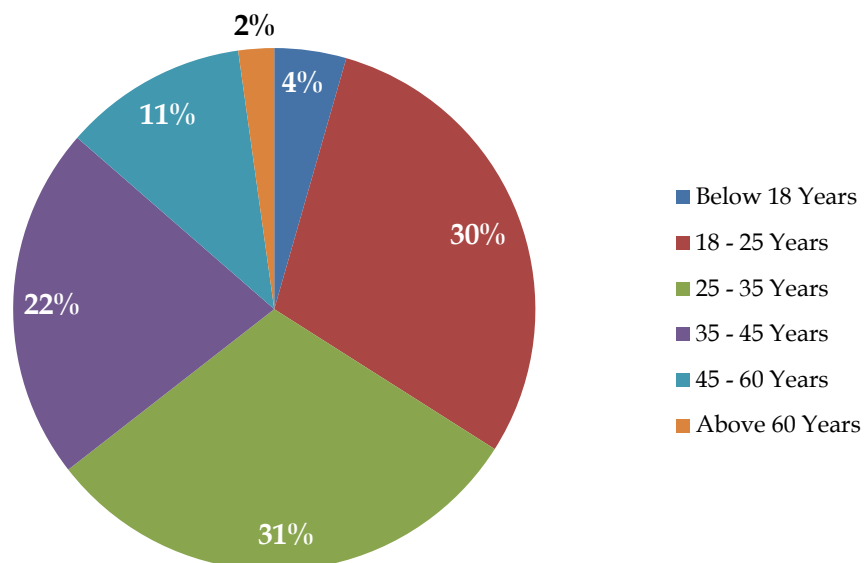
Fatalities According to Cause of Accident

Fatalities According to Cause of Accident



Fatalities According to Age Group

Fatalities According to Age Group



1.3 Vehicle Population

Rajasthan has been experiencing significant growth in motor vehicles. The registered motor vehicles in Rajasthan are increasing with an average growth rate of 11.11% per annum. Total number of registered vehicles in the state were 47,54,027 in year 2005-06 which apparently has increased to 1,49,00,562 vehicles in 2016-17¹. The highest growth is recorded in number of Powered Two Wheelers which constitute to 75.25% of the total vehicle population after Cars and Jeeps having total share of 9.50%. Powered Two Wheelers and Cars (including Jeeps) combined involvement in accidents is steadily increasing from 49.89% in 2009 to 54.81% in 2015. Powered Two Wheelers are the highest risk form of motorized road transport. The vehicle density in the state recorded 49.80 vehicles per kilometers in year 2015.

¹ Statistical Abstract 2016-17, Transport Department, Government of Rajasthan

2. Objective of Gap Analysis Study

2.1 Study Background

Indian roads have seen inevitable growth in road safety issues involving road crashes, injuries and fatalities. Unique conditions on Indian roads such as heterogeneous traffic, unsafe road infrastructure, inefficient enforcement and vehicles having unworthy conditions all contribute to the present scenario. Thus, it is necessary to institute evidence based national safety policies to ensure improvements in traffic safety.

To take a step forward, Ministry of Road Transport and Highways (MoRTH), Government of India (GOI) proposed to introduce Motor Vehicle Amendment Bill by incorporating necessary amendments in the existing Motor Vehicle Act 1988 focusing majorly on road safety issues. The draft of the bill was finalized, presented and was passed in Lok Sabha in 2017. Since then it has been lying pending to be cleared by Rajya Sabha.

The regime of the present Lok Sabha led by the National Democratic Alliance (NDA) government supposed to conclude in early 2019. Comprehending the situation, road safety experts and several non-profit organizations have called for enactment of the bill but unfortunately it couldn't be taken forward and was lapsed with announcement of code of conduct for Lok Sabha elections due in April-May 2019.

With lapse of Motor Vehicle Amendment Bill (2017), the scope of improving the road safety ecosystem in India has also vanished. As a subsequent effect to the cause, CUTS International decided to undertake the assignment to explore possibilities to bring in legislative reform in Rajasthan in terms of road safety. For the purpose a Legislative Gap Analysis study in the state was intended to find out opportunities to strengthen road safety scenario at various levels.

2.2 Objective of the Study

It is evident that the Motor Vehicle Act, 1988 and Central Motor Vehicle Rules, 1989 are almost 30 year old and since then the road infrastructure, vehicle technology and traffic conditions have changed significantly. With certain level of advancement it is practically not possible to regulate motor vehicles with decades old motor vehicle law. Thus, necessary amendments in the act become essential. Therefore, it is needed to have scientific review of state road safety rules, regulations, policies, notifications and official orders etc. Importantly the advocated amendments shall necessarily compliment the key risk areas to make them more strong and enforceable.

To strengthen the scenario in the country, the Hon'ble Supreme Court of India constituted Supreme Court Committee on Road Safety in April 2014 headed by Retired Justice K S Radhakrishnan. The Committee interacted with various central and state ministries and issued directions to improve road safety in India. But it has

been found that the implementation of guidelines is not uniform across the country. Thus it also makes essential to review the actual status of implementation of these guidelines in Rajasthan.

Thus, the objective of the study is to collectively address and review the following road safety issues in Rajasthan:

1. Review state road safety rules, regulations, policies, notifications and official orders.
2. Advocate for immediate amendments and changes in the existing act and study the scope of introducing new act to meet these challenges.
3. Necessarily focus the key five risk areas to make them more strong and enforceable.
4. Identify the legislative gaps in implementing existing policies and enactment of enforcement for improving road safety scenario in the state.
5. Evaluate the level of compliance of road safety guidelines in Rajasthan issued by Hon'ble Road Safety Committee on Road Safety.

3. Methodology

3.1 Research Methodology

To undertake the legislative gap analysis, a step by step systematic method has been followed for carrying out qualitative analysis involving a number of activities such as literature review, personal interviews, meetings and data analysis. For literature review relevant acts, rules, regulations, policies, notifications, circulars and key office orders related to road safety have been reviewed.

For personal interviews, key officials at state level and policy makers from different stakeholders have been reached for having one to one discussion, feedback and data collection. Key informants other than stakeholders of various road safety research organisations and NGOs have also been approached for getting their expert opinion.

3.2 Key Activities

3.2.1 Literature Review

Literature review of the latest research reports about challenges in the state road safety laws, rules and regulations, has been done. Respective laws and regulations (Road Safety Policy, State Motor Vehicle Rules), related to five risk areas, have been reviewed to analyze the scope of improvement and amendment. Media reports have also been used to gather facts. A wide variety of resources have been referred for the purpose. The complete list of documents is listed below:

- Motor Vehicle Act, 1988
- Central Motor Vehicle Rules, 1989
- Rajasthan Motor Vehicle Rules, 1990
- Motor Vehicle Amendment Bill (2017)
- Rajasthan State Road Safety Policy
- State Road Safety Action Plan 2018 - 2020
- Business Process Re-engineering study of the Transport Department, Government of Rajasthan
- Important Orders and Notifications issued by Transport Department
- Media Reports
- Compliance Report of Directions Issued by Hon'ble Supreme Court Committee on Road Safety
- Audit Implementation by the States of the Directions Issued by the Supreme Court Committee on Road Safety: Report – Rajasthan State
- Accident Data of India issued by MoRTH Year 2017
- Motor Vehicles (Driving) Regulations, 2017
- World Health Organization (WHO) Global Status Report 2018

3.2.2 Observations of Key Stakeholders

Agenda based strategic one to one meetings have been done with the officials of Road Safety Cell involving departments like Transport, Medical & Health, Police, Road Owning Agencies (ROA) etc. for assessing scope of amendments in the state rules. The major road owning agencies such as Public Works Department, Jaipur Development Authority (JDA), National Highway Authority of India and Road Infrastructure Development Company of Rajasthan have been involved for data collection.

3.2.3 Review of Implementation of Supreme Court Committee Guidelines

The Supreme Court Committee on Road Safety has issued several guidelines to the states for improving the road safety scenario. Out of the total guidelines, specific guidelines related to the five high risk areas have been reviewed in terms of their compliance and suitable recommendations given for effective enforcement of the same.

3.2.4 Expert Group Meeting

In addition to personal meetings, a cumulative assessment of the scenario was also carried out through group discussion among various stakeholders. An expert group meeting was convened where delegates from road safety stakeholders, experts and representatives of NGOs participated to have detailed dialogue. The experts opined upon the issue and shared their experiences which were really helpful in assessing the legislative gaps. The assessment shall form the basis for amending the gaps for improving road safety in the state for saving hundreds of lives.

3.2.5 Finalization of the State Legislative Gap Analysis

After undergoing all the necessary steps required for collection of primary and secondary data, a thorough analysis of the gathered facts was carried out for preparing a formal structured report. In a subsequent phase, the findings included in the report shall once again be discussed with stakeholders to reach to a final conclusion.

4. Target Institutions

4.1 Road Safety Stakeholders

Road safety is a multi-disciplinary subject and involves several ministries, departments, authorities, research institutes and other agencies at national, state and UT level. Transport Department is the nodal department which enforces the rules, regulations and policies along with Police.

There are several road owning agencies at state for constructing and maintaining different types of roads. So under the proposed research study the entire road making bodies have been contacted for data collection.

Health Department is also integral part of the road safety at state level. Other departments related to the road safety have also been consulted and taken in to board to receive their experiences and feedback. The complete list of department and agencies consulted for the purpose is as follows:

- Transport Department
- Rajasthan Police
- Education Department
- Medical & Health Department
- Public Works Department (PWD)
- Local Self Government (LSG)
- Urban Development and Housing (UDH)
- Rajasthan Infrastructure Development Company of Rajasthan (RIDCOR)
- National Highway Authority of India (NHAI)
- Jaipur City Transport Services Ltd. (JCTSL)
- Jaipur Metro Rail Corporation Ltd. (JMRC)
- Community for Safer Roads, Jaipur

5. Observations of Key Stakeholders

5.1 Introduction

To initiate the gap analysis study, key officials from different road safety stakeholder departments were reached personally for personal interview by the appointed consultant.

5.2 Research Questions

For the comprehensive gap analysis, the following set of research questions were used for collecting primary data from the officials:

- What are the gaps in state motor vehicle rules regarding high key risk areas to strengthen the provisions of the same?
- What are the gaps in the current official notifications, office orders and other especially regarding high risk areas to strengthen the provisions of the same?
- What are the institutional barriers and challenges to strengthen the provisions related to high risk areas in the state?
- What are the gaps in the state road safety policy regarding the high risk areas as above to strengthen the provisions of the same?
- What is the scope of bringing in new road safety legislation or policies to strengthen the scenario of road safety in the state?
- What is the state implementation of 14 guidelines given by Hon'ble Supreme Court Committee on Road Safety?

5.3 Key Findings

Officers from various stakeholder departments were approached and through personal interviews the following facts and information was collected related to the mentioned research questions:

Gaps in State Motor Vehicle Rules

Transport Department: Current provision of penalty for various traffic offences is the major issue behind most of the traffic violations. Low enforcement rate also adds to the effect especially in rural areas. State cannot amend provisions of penalties in Motor Vehicle Act as they are governed by Central Motor Vehicle Rules and it can be done once Motor Vehicle Amendment Bill is passed by the central government.

Powered two-wheeler constitutes around 75% of total vehicle population. Looking at higher share accidents involving two wheelers, helmet wearing has

been made compulsory for rider and pillion across the state. Sale, purchase and manufacturing of sub-standard helmet needs to be regulated. Government should introduce tax rebate or subsidy on purchase of new ISI marked helmet.

Police: Number of road crashes and fatalities could be controlled if the existing law is implemented judiciously. The barriers in implementation and enforcement of law majorly comprise lack of sufficient manpower. With the advent of technology, the enforcement agencies must shift to use of Intelligent Transport System (ITS).

UDH: Government must rely on Intelligent Transport System (ITS) to address challenges related to traffic and transportation. Automated enforcement system should be introduced in urban and rural areas. Multiple police stations could be combined into a cluster under one command center. Challans should be sent from the common command center for different rural areas falling within the jurisdiction of the cluster.

Education Department: The reason behind traffic violations is lack of awareness among masses. People just know how to drive but they are least concerned about acquiring traffic education. The trend shall follow until road safety is not introduced in school curriculum uniformly across the nation.

Medical & Health: One of the important reasons behind this negligence is meager amount of penalties for traffic offences. Strict enforcement should be introduced with more focus on automated enforcement system.

LSG: The issues related with key risk factors could be summarized as:

- Compliance of helmet wearing is almost negligible in districts other than Jaipur. Issue related to banning use of sub-standard helmets have to go a long way.
- Rate of over-speed violations is higher on highways as there is no enforcement for speed limits on highways.
- De-notification of several highways as urban roads has bypassed orders of Supreme Court for barring sale of liquor alongside highways.
- Distraction in form of unauthorized hoardings is also a menace. Similar is the use of mobile while driving.

PWD: Road engineering measures and stringent enforcement can improve the road safety scenario in the state.

JMRC: The decades old Motor Vehicle Act does not addresses issue of road safety, it does not have provisions for Non Motorized Transport (NMT) mediums, electric vehicles etc.

Gaps in Official Orders and Notifications

Transport Department: Orders are regularly issued by the head institutions but due to lack of a mechanized system it becomes difficult to track the compliance at lower levels.

Education Department: Non compliance of office order happens due to lack of monitoring process. Government should implement technology based monitoring and evaluation solution which could be reviewed at any level and should be capable of generating customized reports.

Medical & Health: As far as compliance of orders is concerned regarding road safety, it is not happening at par because road safety has not yet become a priority for departments. Issuing orders cannot serve the purpose unless its compliance is not monitored closely.

Institutional Barriers and Challenges

Police: Institutional framework is insufficient looking at present road safety scenario in Rajasthan. Road safety should be established as an independent authority having sufficient powers to deal with issues.

Education Department: Unfortunately, government institutions do not have ample manpower to monitor on ground activities. Government may collaborate with private institutions to exercise some specific tasks.

Medical & Health: It recommended having strong inter-departmental coordination on the issue. One lead agency above 33 districts is not enough to control or monitor activities in the state. There must be independent agencies at district level.

LSG: Engineering and Enforcement should be taken at first priority among 4Es of Road Safety followed by Education and Emergency Response. Automated enforcement should come into force.

PWD: Independent road safety cells should be constituted in all districts. This will ease the process of information sharing and will also help in implementation and monitoring of road safety activities. The deficit of budgeting for new roads and maintenance is huge. Roads which need thorough reconstruction are termed as non-patchable roads. Percentage of such non-patchable roads is higher in category for Village Roads (VR), Major District Roads (MDR), and Other District Roads (ODR).

JMRC: There is urgent need to strengthening the public transport system in the state. Citizens should be motivated to use public transport instead of private

vehicles. A massive revolution is needed to assess and address public transport demand. Thereafter sustainable transport infrastructure development for different level of cities could be planned. This is the best approach to deal with all five key risk areas of road safety.

Gaps in the State Road Safety Policy

Transport Department: State Road Safety Policy embodies basic outline needed to strengthen road safety scenario in Rajasthan. The policy outlines have also been integrated in Road Safety Action Plan 2018-2020. A copy of the same has been submitted to Hon'ble Supreme Court Committee on Road Safety.

Medical & Health: The policy is a replica of national road safety policy. The state must frame a customized road safety policy to suits its needs.

Scope of Bringing in New Road Safety Legislation

Medical & Health: State Trauma Care Policy, a uniform Ambulance Code, a uniform Emergency Response System or a common emergency number like 911 are few things which could be introduced in state. Pre Hospital Trauma Technician (PHTT) curriculum should also be introduced in medical and nursing colleges. Trauma Registry and Injury Surveillance is yet another system required to closely monitor and analyze injury data.

JMRC: In addition to Road Safety Policy several other initiatives are required to be taken such as developing Public Transport Policy, bringing reforms into public transport sector by introducing a unified regulatory body to deal with all transport mediums. The Comprehensive Mobility Plan (CMP) to be reviewed and revised in every five years. Urban Development and Housing shall work upon for introducing the concept of Transit Oriented Development (TOD).

Implementation of Guidelines Issued by Supreme Court Committee on Road Safety (SCCRS)

Transport Department: The Supreme Court Committee on Road Safety issue guidelines to the state from time to time. Road Safety Cell, the lead agency, coordinates with stakeholders to gather facts and figures on latest developments. An Action Taken Report (ATR) is then compiled by the lead agency and forwarded to the committee. The guidelines are being issued by the committee are followed and quarterly report is sent to the committee.

A detailed overview of the guidelines issued by the committee is described in further section of this report.

6. Literature Review and Gap Analysis

6.1 Act and Rules

For the purpose of this study, relevant act and rules regulating motor vehicles and corresponding activities in India and Rajasthan state incorporating five key risk areas have been referred. In addition to the existing act and rules, the proposed bill titled Motor Vehicle Amendment Bill 2017 have also been researched in detail. The complete list of different acts and rules referred for this study are enlisted in References section at the end of this report.

The proposed Motor Vehicle Amendment Bill 2017 had addresses the gaps and shortfalls prevailing in the Motor Vehicle Act, 1988 but unfortunately the bill couldn't be passed and lapsed.

It is noteworthy to mention here that the state government cannot propose to amend punishment and penalties stated in Motor Vehicle Amendment Bill (2017) in the State. Since, motor vehicle legislation in the state is regulated through Rajasthan Motor Vehicle Rules, 1990 and Motor Vehicle Act, 1988 thus; the provisions cannot be amended at the state level. Once the amendments proposed in the Motor Vehicle Bill, 2017 shall be passed by central government; the state may propose to amend the same in Rajasthan.

6.2 Important Orders and Notifications Issued by Transport Department

For undergoing the study, important orders and notifications issued by the Transport Department related to road safety and five key risk areas were also referred.

6.2.1 Orders

- **02/2017: Guidelines to issue driving license to deaf driver after obtaining necessary medical certificate from a doctor.** Compliance of the order shall ensure that person having ability to hear would be eligible to obtain a driving license ensuring safety on road.
- **06/2017: Compliance of standards for Bus Body Code (AIS 052) for building bus body.** As seen in many road crashes, engineering of vehicle plays important role in safety of its occupants. This would ensure compliance of engineering standards for manufacture of safer bus body.
- **08/2017: Orders for formation of dedicated Road Safety Fund.** The fund is being utilized for carrying out various road safety activities in the state by various stakeholders.

- **23/2017: Orders for revised Bal Vahini Norms.** The detailed guidelines cover the code to be followed by driver, school administration regarding standard of vehicle being used for safe transportation of school children.
- **28/2017: Orders regarding fitment of Speed Limiter Devices.** Fitment of Speed Governor at manufacturer or dealer's end in public transport vehicles complying standard number AIS 018 shall ensure safer speed.
- **29/2017: Orders to investigate and prepare detailed report of road crashes.** Detailed analysis of road crash followed by report preparation shall be done by concerned transport officer in the state where minimum number of fatalities reported is three. This will help in analyzing cause behind the major fatal crashes occurring in the state.
- **Orders containing guidelines for issuing driving license to person having monocular vision.** This would ensure driving by a person having proper monocular vision ensuring safety of road users.
- **Orders regarding providing compulsory training for e-Rickshaw drivers and owners by the dealer.** E-Rickshaws have grown in ample number and due to their NMT category they are partially regulated, hence training of such drivers is shall be made mandatory in order to educate them regarding traffic rules and regulations.
- **Orders for notifying revised national speed limit Revision by MoRTH through Gazette Notification 1377 dated 6th April 2018.** This was issued in order to comply with directions issued in the gazette.
- **Orders regarding guidelines for computerization of procedure of obtaining Pollution Under Control (PUC) certificate.** Pollution Under Control guidelines shall be followed by all motor vehicles to ensure safer environment.
- **Orders regarding up-gradation of Fitness Testing Centers.** It is necessary that vehicle passing all the fitness norms shall be issued the fitness certificate. For transparent process manual intervention shall have to be reduced.

6.2.2 Notifications

- **69098 Dated 22.07.2010:** Amendment regarding slab of penalty to be charged in case of overload vehicles.
- **GSR86 Dated 28.01.2011:** Amendment regarding use of head gear by pillion rider.
- **GSR87 Dated 28.01.2011:** Amendment regarding use of headgear by pillion rider.
- **3999 Dated 25.06.2012:** Notification regarding making speed limiter device mandatory in commercial vehicles.

- ### 6.3 Media Reports

Use of sub-standard helmets is a big problem in Rajasthan. People wear helmet to avoid violation for not wearing a helmet. On the other hand, wearing a sub-standard helmet is also an offence that is being treated at par not wearing helmet. There must be policy to refrain manufacture, sale, purchase or even storing the poor quality helmets.

Number of vehicles is continuously increasing. Government must come up with a phase out policy to regulate use of old vehicles.



हरियाणा साहित्य अकादमी

हमारे कभी बताकर नहीं आते ...इसलिए हेल्मेट लगाकर चलो

जय

₹65 का हेल्मेट ट्रैफिक चालान से तो बचा सकता है पर जिंदगी नहीं

₹65 का हेल्मेट ट्रैफिक चालान से तो बचा सकता है पर जिंदगी नहीं

कमना सिंह/टी. अजय

दुर्घटनाओं में घटिया हेल्मेट लगाने या हेल्मेट नहीं लगाने के कारण सिर पर चोट लगने से करीब दस प्रतिशत दुर्घटनाओं की हानि मौत हो जाती है।

गहन होने के बाद भी मौत में हार छोड़ते पर एडवोकेट चन्दन ने बच्चे के लिए 65 रुपये में हेल्मेट धालने से निष्कर्ष निकाले हैं। ऐसे में वाहन चालक भी खुद की सुरक्षा के बजाय पुलिस चालान से बचने के लिए इन घटिया हेल्मेट का उपयोग करते हैं। वहीं जो वाहन कानूनियों का हेल्मेट लगाने से ही हेल्मेट को नहीं लखे से नहीं चाहती। किन्तु चले हरदम होने पर गलत तरीके से फाले हेल्मेट सिर से ही निकल जाता है या फिर घटिया हेल्मेट फटकर चूरे हो जाता है। इन ही में टैंक रोल पर भी दुर्घटना खोकर पर चोट खाते हैं।

हमारे में हेल्मेट सिर से निकल जाने के कारण सिर में मस्तिष्क के अंगों को चोट लगता है या फिर घटिया हेल्मेट फटकर चूरे हो जाता है। इन ही में टैंक रोल पर भी दुर्घटना खोकर पर चोट खाते हैं।

प्रेमन चतुर्धन की कहानी बालू एक किशोर ने अमेरिका/असल हेल्मेट लग कर खाते हैं लेकिन घटिया हेल्मेट की किसी नहीं चेती जाती है।

सिर पर चोट से 10% लोगों की मौत होती है इनमें अधिकतर या तो हेल्मेट नहीं लगाते या फिर घटिया हेल्मेट लगाते हैं।

हेल्मेट टूट कर युवाक के चेहरे में घुस गया

अनुराग 28 में टैंक रोल पर विहारपोल गैलियन के बाप मिनी बस की टक्कर में युवाक मर चुका हेल्मेट लग रहा था। गिरने के दौरान हेल्मेट टूट गया और टूटे हेल्मेट के टुकड़े युवाक की आंख के पास पड़ गए। किन्तु हेल्मेट पर टैंक अलग नहीं कर घटिया हेल्मेट जानलेवा हो जाता है।

वर्ष 2017

339 लोगों की मौत हुई। उनमें 29 वाहन चालकों ने घटिया हेल्मेट लगा रहा था

वर्ष 2018

308 की मौतें इरादों से।

जब से सारंगी अमेरिका 10 प्रतिशत ने या तो हेल्मेट नहीं लगा रहा था, या घटिया/नग्न हेल्मेट लगा रहा था।

सस्ता हेल्मेट, ज्यादा मुनाफा और पुलिस भी नहीं रोकती

सस्ता हेल्मेट बेचने पर विक्रेताओं को ज्यादा मुनाफा होता है जबकि स्टैंडर्ड कंपनी का हेल्मेट में ज्यादा मुनाफा नहीं होता। किन्तु चले बीबीसी पर हेल्मेट विक्रित केवल सस्ते या घटिया क्वालिटी के हेल्मेट रखते हैं। दूसरे हेल्मेट में ही हेल्मेट बेचने वाले नगरपाला खुदों का बच्चा है कि हेल्मेट पर चोट से हेल्मेट में 40 से 50 फीसदी की बचत हो जाती है। किन्तु चले ये सस्ता हेल्मेट ही खरीदें। एग्जिस्टिंग कंपनी को बचाना का बजट है चालान से बचने के लिए घटिया हेल्मेट लगाने हैं। हेल्मेट मुफ्त के लिए हैं। वाहन चालक सुरक्षा के लिए हेल्मेट लगाए। मजबूत हेल्मेट पहनने का बजट भी इन्हीं केवट को बोधो। ताकि सुरक्षित रहे।

सड़कों पर यातायात दबाव घटाने का लक्ष्य अपनाने का सुझाव

सिर्फ वैकल्पिक रास्ते बनाना हल नहीं शहर में घटानी होंगी मोटर गाड़ियाँ

शुक्रवार सुबह दिल्ली के कलकत्ता रोड पर भारी यातायात जाम हो गया।

सड़कों पर यातायात दबाव घटाने का लक्ष्य अपनाने का सुझाव

सिर्फ वैकल्पिक रास्ते बनाना हल नहीं
शहर में घटानी होंगी मोटर गाड़ियाँ

किस फास्टवे में किन्हीं वाहन जाम के प्रतीक	वाहन का प्रकार	प्रति घंटा वाहन
01	मोटर गाड़ी	5,75,650 प्रति घंटा
02	मोटर साइकिल	1,05,262 प्रति घंटा
03	ऑटो रिक्शा	7,00,000 प्रति घंटा
04	ऑटो रिक्शा	4,82,350 प्रति घंटा
05	ऑटो रिक्शा	1,72,447 प्रति घंटा
06	ऑटो रिक्शा	1,12,233 प्रति घंटा
07	ऑटो रिक्शा	2,63,258 प्रति घंटा
08	ऑटो रिक्शा	2,74,540 प्रति घंटा

सड़कों पर यातायात दबाव घटाने का लक्ष्य अपनाने का सुझाव

सिर्फ वैकल्पिक रास्ते बनाना हल नहीं
शहर में घटानी होंगी मोटर गाड़ियाँ

5 साल बाद यात्री वाहनों की सालाना बिक्री 50 लाख तक पहुंच जाएगी

एसोचैम की रिपोर्ट के अनुसार हर साल बिक्री औसतन 7.7% बढ़ेगी

एजेसी | नई दिल्ली

भारत में यात्री वाहनों की सालाना बिक्री 2023 तक 50 लाख तक पहुंच जाएगी। उद्योग चैम्बर एसोचैम और कंसल्टेंसी फर्म रोलॉ बरि की स्टडी रिपोर्ट में यह बात कही गई है। यात्री वाहन में कार, एसयूवी और वैन शामिल किए जाते हैं। यह रिपोर्ट बुधवार को जारी की गई। इसमें कहा गया है कि देश में यात्री वाहनों की बिक्री हर साल औसतन 7.7% बढ़ेगी। पिछले साल फेरलु बाजार में करीब 33 लाख यात्री वाहनों की बिक्री हुई थी।

सबसे ज्यादा ग्रोथ: एसयूवी की बिक्री में सबसे अधिक 12% वृद्धि की उम्मीद

यात्री वाहन 12% सालाना बढ़ेगी से एसयूवी की बिक्री।
32.8 लाख यात्री वाहन बिक्री थे 2017-18 में। 7.89% री थी इसमें बढ़ोतरी 2017-18 के दौरान।

वजह | अमेरिका और चीन जैसी बड़ी आर्थिकव्यवस्थाओं की तुलना में भारत में गाड़ियां कम। ग्रोथ की काफी गुंजाइश है।

कॉमर्शियल 5.6% सालाना औसत ग्रोथ की उम्मीद।
8.32 लाख गाड़ियां बिक्री थीं 2018 में। 10 लाख से अधिक होगी बिक्री 2023 में।

वजह | क्षमता से अधिक माल लाने पर प्रतिबंध लगाया गया है। 2020 से पुराने वाहनों को हटाने की नीति बनाई गई है।

ट्रेक्टर 2.8% सालाना बढ़ेगी खेती के लिए ट्रैक्टर की बिक्री।
10% कुल वृद्धि का अनुमान टेकसाई रिसर्च के अनुसार। 7.11 लाख ट्रैक्टर की बिक्री हुई थी 2017-18 के दौरान।

वजह | फसलों के एमएसपी में बढ़ोतरी। यूपी, पंजाब, महाराष्ट्र और कर्नाटक में किसानों के कर्ज माफ किए गए हैं।

2017-18 में कॉमर्शियल वाहनों की बिक्री 20% बढ़ी थी

साल	यात्री वाहन	कॉमर्शियल
2013-14	6.06%	20.22%
2014-15	3.90%	2.83%
2015-16	7.23%	11.51%
2016-17	9.26%	4.14%
2017-18	7.89%	19.94%

(ग्रोथ के आंकड़े विस्वाम के अनुसार)
दोपहिया की बिक्री 2017-18 में 14.8% बढ़ी। बीते 5 वर्षों के दौरान इनकी बिक्री में सालाना औसतन 7.9% वृद्धि हुई।

Policy Regarding Regulation of Aggregators

A policy framework needs to be introduced to regulate the fare being charged and overcharging by aggregators. The report depicts zero surcharge in peak hours in Delhi, similar benefits must be provided to aggregator users in Rajasthan.

भास्कर खास • ड्राइवर्स की भी शिकायत...40% तक कमीशन लेती हैं कंपनियां

कैब भले ही न चले... इंजन स्टार्ट है तो भी ओला-उबर यात्रियों से वसूलती हैं ₹1.20 प्रति मिनट

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ऐसे समयों कैसे वसूल रही हैं ट्रैफिक जाम का शुल्क

ओला-उबर टैक्सी से लेने को जितनी सुविधा है, उतनी ही यह कैब पर भारी पड़ रही है। पहले तो दोनों कैब कंपनियों का यात्रियों से हावबदूदा पर टोल वसूली का मामला अग्रा। अब यात्रियों से ट्रैफिक जाम नहीं होने के बाद भी इनके नाम से अतिरिक्त चार्ज वसूल रही हैं। कंपनियों या चार्ज यात्रियों से प्रति मिनट 1.20 रुपये वसूल रही हैं। इससे कंपनियों के खाते में यात्रियों की कैब से हर दिन लाखों रुपये जा रहे हैं। ये सब होने के बाद भी परिवहन अधिकारी कैब कंपनियों को कोई खतरा नहीं ले रहे हैं।



ड्राइवर्स के नाम की राशि भी कंपनी के पास

अतिरिक्त चार्ज के नाम से वसूली जा रही राशि ड्राइवर्स की अग्रेषण कंपनियों को अधिक मिल रही है। कंपनियां किराया का 20 प्रतिशत हिस्सा लेने की बात कर रही हैं, लेकिन इसके विपरीत हो रहा है। कंपनियां ड्राइवर्स से 40 प्रतिशत तक का हिस्सा ले रही हैं। एक ड्राइवर ने 23 किमी की यात्रा की। इसमें यात्री ने 460 रुपये का भुगतान किया। इसमें से 293 रुपये ड्राइवर को और कंपनी को भी 167 रुपये का भुगतान हुआ है।

6000 से अधिक टैक्सी वर चल रही हैं। शहर में वर्तमान में ओला-उबर कंपनी की तरफ से।
350 किमी का रन करती है हर कर जर्जरिता। इस हिस्से में प्रति कर 1.20 रुपये के हिस्से से हर दिन करीब 420 रुपये ट्रैफिक जाम के नाम से चार्ज वसूल रही हैं।

6000 के हिस्से से यात्रियों की कैब से हर दिन इस मद में 25 लाख रुपये जा रहे हैं। यही राशि महीने में साढ़े सात करोड़ के आसपास हो रही है।

पीक आवर्स में ओला-उबर की मनमानी, दिल्ली में 0, जयपुर में 50% तक सरचार्ज



जयपुर शहर में मेट्रो प्रशासन ने यात्रियों को राहत देने के लिए पीक आवर्स में अतिरिक्त किराया वसूली खत्म कर दी है। शहर में ओला-उबर कैब कंपनियों पीक आवर्स में 10 से 50 फीसदी तक एक्सट्रा चार्ज लगा रही हैं। कोलकाता में यात्रियों से कैब कंपनियों एक्सट्रा चार्ज 25 फीसदी से ज्यादा नहीं वसूल सकतीं। दिल्ली में एक्सट्रा चार्ज पर बैन है। शिकायत के लिए हैल्पलाइन नंबर हैं। शहर में ज्यादातर ओला व उबर कंपनी की कैब सर्विस है। मेट्रो शहरों में पीक आवर्स के लिए समय तय है। पीक आवर्स सुबह-शाम में माना जाता है। हालांकि, जयपुर में ओला व उबर कंपनियों के पीक आवर्स कभी भी शुरू हो जाते हैं। पीक आवर्स में कैब से जाने वालों से किराये के अतिरिक्त एक्सट्रा चार्ज 10 प्रतिशत से लेकर अनलिमिटेड तक वसूला जा रहा है।

पीक आवर्स के मायने

शारी-समारोह, बारिश और बड़े आयोजन होने पर कंपनियां पीक आवर्स घोषित करती हैं। कैब की संख्या कम होने का हवाला दे कंपनियां एक्सट्रा चार्ज लेती हैं। जबकि मेट्रो शहरों में पीक आवर्स सुबह 6 से 10 और शाम 6 से 10 बजे तक माना जाता है। किसी यात्री के 500 रुपये किराया आता है, उसे पीक आवर्स में 10 प्रतिशत के हिसाब से 550 रुपये और 20 प्रतिशत के हिसाब से 600 रुपये लेने पड़ते हैं। जयपुर में 6 हजार कारों व 600 मोटरसाइकिलें देती हैं सर्विस। जयपुर में ओला व उबर की करीब 6 हजार कारों व 600 से ज्यादा मोटरसाइकिलें हैं। इनमें मिनी, माइक्रो, प्राइम और शेयर कैब सर्विस शामिल है।

Gaps in Road Safety Capacity Building and Awareness

This media report focuses on creating awareness among applicants of learning license. Orders have been issued by the department for showing road safety short films to the applicants of learner's license.

हर साल सड़क हादसों में 10 हजार मौतें, फिर भी रोड सेफ्टी प्रशिक्षण नहीं

सभी डीटीओ में लगे हैं प्रोजेक्टर, नहीं दिखाई जाती आवेदकों को शॉर्ट फिल्म

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जयपुर। सड़क सुरक्षा को लेकर सरकार और उच्च अधिकारी जितने सजग हैं, उतने ही नीचे के अधिकारी

इसके प्रति उदासीन नजर आ रहे हैं। मामला राजधानी के झालाना ड्राइंग ऑफिस में लॉनिंग लाइसेंस का है। लॉनिंग लाइसेंस हॉल में रोड सेफ्टी और ट्रैफिक नियमों के प्रति लोगों को जागरूक करने के लिए लगाई गई एलईडी और प्रोजेक्टर एक महीने पहले से खराब पड़ा हुआ है। इससे लोगों को रोड सेफ्टी पर जानकारी नहीं मिल रही है। विभाग ने बढ़ती सड़क दुर्घटनाओं में कमी लाने के लिए आरटीओ को सड़क सुरक्षा के प्रति लोगों को जागरूक करने निर्देश

वर्ष	2014	2015	2016	2017
सड़क दुर्घटनाएं	25628	24072	22052	22112
घायलों की संख्या	27453	26153	26045	22071
मृतकों की संख्या	10289	10510	10465	10444

दे रखे हैं। इसके लिए विभाग ने प्रदेश के 12 आरटीओ और 52 डीटीओ ऑफिसों में एलईडी और प्रोजेक्टर लगा रखे हैं। इस पर अधिकारियों को लॉनिंग लाइसेंस से पहले ट्रैफिक नियमों और रोड सेफ्टी पर बनी आधा घंटे की लघु फिल्म दिखाने के निर्देश दे रखे हैं, लेकिन एलईडी और प्रोजेक्टर खराब होने की वजह से आवेदकों को यह जानकारी नहीं मिल रही है। यह स्थिति तो तब है जबकि प्रदेश में हर साल करीब 10 हजार लोगों की सड़क दुर्घटना में मौत हो

रही है। इस विंग में हर दिन आठ घंटे में करीब 200 लॉनिंग लाइसेंस जारी होते हैं। इन सभी को यह फिल्म दिखाना अनिवार्य है। मैंने बुधवार को ही जयपुर किया है। ऑफिस निरीक्षण के दौरान यह मामला मेरी जानकारी में आया था। मैंने अधिकारियों को इसे तुरंत ठीक कराने के निर्देश दे दिए हैं। यह प्रोजेक्टर कई महीने से खराब था। अब जल्दी ही ठीक करा दिया जाएगा। राजेंद्र चर्मा, आरटीओ, जयपुर

No Policy for Promoting Use of Electric Vehicles

The Central Government to introduce Faster Adoption and Manufacture of Hybrid & Electric Vehicles (FAME) - 2 scheme for promoting electric vehicles. Under the scheme subsidy shall be offered on purchase of electric vehicle. At present the Rajasthan Government has no policy for promoting use of electric vehicles.

फेम-II योजना: ई-वाहनों के लिए 10,000 करोड़ की सब्सिडी संभव

आज कैबिनेट दे सकती है मंजूरी, स्कीम 5 की जगह 3 साल के लिए लागू होगी

एजेंसी | नई दिल्ली

इलेक्ट्रिक और हाईब्रिड वाहनों के उपयोग को बढ़ावा देने के लिए सरकार फेम-II योजना के तहत 10,000 करोड़ रुपये मंजूरी कर सकती है। प्रधानमंत्री नरेंद्र मोदी की अध्यक्षता में गुरुवार को होने वाली कैबिनेट की बैठक में इस पर फैसला

हो सकता है। यह राशि इलेक्ट्रिक बसों और टैक्सी एग्रीगेटर्स को सब्सिडी देने में इस्तेमाल की जाएगी। इसके अलावा इलेक्ट्रिक तिपहिया और दोपहिया वाहनों पर भी सब्सिडी मिलेगी।

आधिकारिक सूत्रों ने बुधवार को यह जानकारी दी। उन्होंने बताया फेम-II स्कीम को लागू करने में पहले ही काफी देर हो चुकी है। अब इसकी अवधि पांच की जगह तीन साल की होगी। सूत्रों ने बताया कि 50 लाख रुपये तक मूल्य की 7,000 इलेक्ट्रिक बसों या कीमत के

40% हिस्से तक सब्सिडी दी जाएगी। लेकिन यह सब्सिडी सिर्फ ऑपरेशनल खर्च के आधार पर दी जाएगी, न कि पूंजीगत खर्च के आधार पर।

टैक्सी एग्रीगेटर्स द्वारा खरीदी जाने वाली 35,000 हाईब्रिड व इलेक्ट्रिक पैसेंजर कारों पर सब्सिडी दी जाएगी। निजी उपयोग के लिए खरीदी जाने वाली इलेक्ट्रिक कारों पर सब्सिडी नहीं दी जाएगी। सूत्रों ने बताया कि योजना के दूसरे चरण में कई तरह के इन्सेंटिव दिए जाएंगे।

कुल 15.42 लाख वाहनों पर सब्सिडी देने का लक्ष्य

7 हजार इलेक्ट्रिक बसों पर कीमत के 40% तक छूट

5 लाख तिपहिया वाहनों पर 50 हजार रुपये तक सब्सिडी

35 हजार कारों पर टैक्सी एग्रीगेटर्स को सब्सिडी

10 लाख इलेक्ट्रिक दोपहिया की खरीद पर सब्सिडी

Policy for Controlling Access of Stray Animals

Stray animals on roads is also a major issue. The media reports highlights suggestion by the high court to prepare a policy for controlling stray animals on road.

सामने कुत्ता आने से कार पलटी, तीन जख्मी

जयपुर | एयरपोर्ट के पास स्टेट हैंगर रोड पर मंगलवार को सड़क पर आए श्वान को बचाने के चक्कर में कार बेकाबू होकर पलट गई।

हादसे में युवक-युवती और एक बालिका घायल हो गए। सूचना पर पुलिस मौके पर पहुंची और घायलों को उपचार के लिए हॉस्पिटल पहुंचाया। कार में पांच जने सवार थे। पुलिस ने बताया कि सुबह सात के करीब अश्वत शर्मा व सिद्धि जैन तीन अन्य जनों के साथ कार में सवार होकर एयरपोर्ट जा रहे थे। इस दौरान स्टेट हैंगर रोड पर अचानक सामने श्वान आ गया। कार की रफ्तार तेज थी। ऐसे में कार बेकाबू होकर पलट गई। कार के पलटने से उसमें सवार युवक-युवती चिल्लाते लगे। आस-पास के लोग दौड़कर मौके पर आए और काफी प्रयास के बाद घायलों को कार से बाहर से निकाला। इस दौरान जवाहर सर्किल पुलिस व दुर्घटना पुलिस मौके पर पहुंच गई और घायलों को उपचार के लिए तुरंत हॉस्पिटल पहुंचाया। इसके बाद पुलिस ने क्रेन बुलाकर कार को सीधा करवाया

कोर्ट बोला-अब बने पॉलिसी सड़कों पर जानवर

जयपुर | हाईकोर्ट ने शहर की सड़कों को आवारा पशुओं से मुक्त बनाने के लिए राज्य सरकार की मुख्य सचिव की अध्यक्षता वाली कमेटी को पॉलिसी बनाने व उसे 25 अप्रैल से पहले अदालत में पेश करने का निर्देश दिया है। मुख्य न्यायाधीश प्रदीप नंद्राजोग

व न्यायाधीश जीआर मूलचंदानी की खंडपीठ ने यह अंतरिम निर्देश, मंगलवार को शहर के हालात पर लिए गए स्वप्रेरित प्रसंज्ञान मामले व जयपुर को वर्ल्ड हैरिटेज सिटी बनाने के मामले में सुनवाई करते हुए दिया। कोर्ट ने सरकार से कहा कि वह सड़कों पर आवारा पशुओं को छोड़ने वालों व पशुपालकों पर जुर्माना लगाए।

Need for Policy on Parking

With rapidly increasing number of vehicles, shortage of parking space has evolved as a major issue. Encroachment on road by roadside vendors, illegal parking and related issues must be addressed under parking management.

टैमिक भास्कर

व्यापार मंडलों के साथ मेयर-परिवहन मंत्री का संवाद, व्यापारी बोले...

अतिक्रमण, परिवहन, पार्किंग की परेशानी, व्यापार कैसे बढ़ाएं हम

विजयेंद्र रिपोर्टर, जयपुर

परिवहन मंत्री प्रतापसिंह खांचीयावास के बुलावे पर सोमवार को आयोजित व्यापार व्यापार मंडलों की बैठक में टायालोट, पार्किंग, अवैध कॉमर्सियल कॉम्प्लेक्स, ई-रिक्शा से परेशानी और यातायात व्यवस्था का मुद्दा छाना रहा। व्यापारियों ने कहा, इतनी समस्याएं होने के चलते व्यापार कैसे बढ़ेगा। इस पर परिवहन मंत्री ने जल्द ही सभी समस्याओं को दूर करने की योजना बनाने की बात की। बैठक में सभी संबंधित विभागों के अधिकारियों को भी आना था, लेकिन लोकसभा चुनाव के मौक़े पर आकर नहीं आ सके थे। बैठक में जयपुर विभाग के अध्यक्ष और अमीन कमान्नी जयपुर व्यापार महासंघ के अध्यक्ष सुभाष गोपाल, महासंघी सुंदर कुमार बज्र, फोर्टी अथर्व, सुरेश अग्रवाल, राजाराम व्यापार मंडल के अध्यक्ष रवि मेहर, सुरेश सैनी, नोरा सिंगल समेत विभिन्न व्यापार मंडलों के प्रतिनिधि मौजूद थे।

ई-रिक्शा के नए रजिस्ट्रेशन पर रोक लगाएं : किसान-विकास विभाग क्षेत्र से विधायक अमीन कमान्नी समेत विभिन्न व्यापार मंडलों के प्रतिनिधियों ने शहर में ई-रिक्शा की वजह से यातायात गड़बड़ाने का मुद्दा उठाते हुए नए ई-रिक्शा रजिस्ट्रेशन पर कुछ समय के लिए रोक लगाने की मांग की। कमान्नी का कहना था कि शहर में ई-रिक्शा की तादाद 25 हजार तक पहुंच गई है। इससे यातायात व्यवस्था बिगड़ी

है। इस परिवहन मंत्री ने जल्द इस दिशा में कदम उठाने का आश्वासन दिया।

लाटा ने फिर साधा पूर्व महापौर पर निशाना

जयपुर के मेयर विष्णु लाटा ने कहा कि नगर निगम के पास पैसा की कमी नहीं है। भूदायार के चलते जलदित के काम नहीं किए गए। पिछले बार बार से भूदायार का बोर्ड रखा है। लेकिन सब अपने जुगाड़ में रहे। जबकि निगम में पैसा की कमी नहीं है। स्मार्ट सिटी के लिए एक हजार करोड़ रुपये आए हैं। लेकिन 200 करोड़ रुपये भी खर्च नहीं किए गए। निगम के पास 35 करोड़ की एफडी है। इसको कोर्ट के आदेश के अनुसार चारदीवारी में मॉडर्नाइज के काम के लिए खर्च किया जा सकता है। इस पैसे का उपयोग नहीं किया गया। उसके मेयर बनने के बाद हर वार्ड के विकास के लिए तीन करोड़ रुपये यानी कुल 299 करोड़ रुपये के चर्क ऑर्डर जारी कर दिए गए हैं। डोर-टू-डोर कवचा उठाने वाली कंपनी के दूसरे चरण को भी रद्द किया जा सकता है। इसका काम ठीक नहीं है।

There is a dire need to streamline public transport system in the cities of Rajasthan. Public transport is worse in sub-urban and rural areas. Multiple modes of public transport are not interlinked and interconnected. Thus, people rely more on private transport medium rather than public.



Though Bal Vahini norms have been laid by the Transport Department but gaps have been reported in the system related to transportation of school children. School buses are not monitored and inspected thoroughly thus unsafe and unfit buses are used for transportation of school children.



An in-depth review of literature comprising various acts, rules, orders, notification and policies have been undertaken and following gaps have been identified which is described hereunder:

i) Provision of Headgear

Section 129 of Motor Vehicle Act, 1988 describes use of headgear conforming to standards of Bureau of Indian Standards by person driving or riding a motor cycle of any class in a public place exempting a Sikh wearing a turban. The 129 (b) also states that the fastening provided on the headgear shall be fastened by the wearer.

ii) Penalty for Offence

A penalty of Rs 100/- is charged for the first offence and Rs. 300/- for the subsequent offence for not wearing helmet. It is compounded under section 177 as violation of section 129 of the Motor Vehicle Act.

The penalty for the offence is needs to be increased in the state. Though, penalty and punishment are regulated through the Motor Vehicle Act, 1988, the state cannot introduce such amendments.

In the new Motor Vehicle Amendment Bill 2017, a new section 194D had been proposed for violation of helmet rule that stated:

Whoever drives a motor cycle or causes or allows a motor cycle to be driven in contravention of the provisions of section 129 or the rules or regulations made there under shall be punishable with a fine of one thousand rupees and he shall be disqualified for holding license for a period of three months.

In compliance to the directions of Supreme Court Committee, two hours counseling is being conducted for helmet and seatbelt violators in Rajasthan. The Lead Agency is working in this direction to implement it in entire state in uniform fashion.

iii) Headgear Not Supplied by the Manufacturer

Section 138[f]² of CMVR, 1989 states that the manufacturer of two-wheeler shall supply a protective headgear conforming to specifications prescribed by Bureau of Indian Standards.

But in practice, there is no such ruling applicable in the state. In most of the cases, people usually do not buy headgear along with purchase of two-wheeler especially in sub-urban and rural areas.

iv) Exemption from Use of Headgear

According to section 129 of MV Act, 1988 Sikh riders wearing turban are exempted from wearing. In certain places in India, Sikh women are also exempted from wearing helmet. On the lines of the same, Sikh women in other cities shall soon be given exemption³. Looking at number of vulnerable road users in India, exemption for use of headgear should be minimized.

v) No Prescribed Age Limit for Riders

In the rules or act there age limit has been prescribed for use of headgear. Thus, it rest on willingness of an enforcement officer to impose penalty for not

² Clause (f) inserted by G.S.R. 589(E), dated 16-9-2005 (w.e.f. 16-3-2006)

³ <https://www.ndtv.com/chandigarh-news/sikh-women-to-be-exempted-from-wearing-helmets-in-chandigarh-after-union-home-ministry-instruction-1930469> (October 11, 2018)

using headgear in case of a adolescent pillion rider. This issue had been taken care in the section 129 of proposed Motor Vehicle Amendment Bill 2017 that stated:

129. Every person, above four years of age, driving or riding or being carried on a motor cycle of any class or description shall, while in a public place, wear protective headgear conforming to such standards as may be prescribed by the Central Government.

It further also states that the Central Government may by rules provide measures for safety of children below four years of age being carried on motor cycle. But no clear guidelines had been provided in the MVA Bill 2017.

vi) Relaxation for Use of Headgear According Area

Earlier, use of headgear was prescribed according to municipal limits and it was not mandatory to wear by the pillion in certain notified municipal areas. For reference the amendment⁴ no 5512 issued by Transport Department, Rajasthan dated 01.04.2015 stated that the state Government:

(a) relaxes from the provisions of the said rule in case of pillion riders of areas other than the municipal limits of Divisional Headquarters of the State.

(b) exempts, from the applications of provisions of the state rule, areas other than the municipal limits of all municipalities of Rajasthan State.

Later, State Government issued a Notification No 20445 dated 28.10.2015 which rescinds the earlier notification no 5512 dated 01.04.2015, thus with this amendment it became mandatory to use headgear by driver and pillion rider throughout the state irrespective of sub urban or rural limits.

Still after this amendment, the implementation of the rule is not satisfactory in the state except in Jaipur, capital of the state.

vii) Fastening Chinstrap

Fastening chinstrap is as important as wearing a standard headgear. In case of a crash the rider or pillion may expose to head injuries if chinstrap is not fastened properly. Necessary amendment in the act shall be introduced for mandatory use of chinstrap and non compliance shall be treated as violation of the rule.

viii) Issue of Substandard Helmet

Strict provisions shall be introduced in the MV Act to penalize use of substandard helmets. State Government may direct concerning department to

⁴ Notification No. F 7 (66) Pari/Rules/H.Q./94/5512

collaborate for imposing ban on manufacture, sale, purchase, storage and transportation of substandard helmet in the state.

Wearing Seatbelt and Child Restraint System

i) Provision of Seatbelt

As per the provisions of sub-rule (3) of Rule 138 of the Central Motor Vehicle Rules, 1989 *'in a motor vehicle, in which seat-belts have been provided under sub-rule (1) or sub-rule (1A) of rule 125 or rule 125A, as the case may be, it shall be ensured that the driver, and the person seated in the front seat or the persons occupying front facing rear seats, as the case may be, wear the seat belts while the vehicle is in motion.*

ii) Penalty for Offence

Not wearing seatbelt is considered as violation of rule 138 (3) of CMVR, 1989 which is penalized according to section 177 of MV Act and a penalty of Rs 100 is compounded. Looking at the present scenario, the amount of penalty is very less and needs to be amended.

iii) Amendment Proposed in Motor Vehicle Amendment Bill 2017

A new section had been proposed 194 (B) for not wearing seatbelt which states that:

Whoever drives a motor vehicle without wearing a safety belt or carries passengers not wearing seat belts shall be punishable with a fine of one thousand rupees.

Provided that the State Government, may by notification in the Official Gazette, exclude the application of this sub-section to transport vehicles allowed carrying standing passengers or other specified classes of transport vehicles.

iv) Children and Seatbelt Use

In the CMVR, 1989 and MV Act 1988 there is no provision regarding use of seatbelt or related safety gear for children. There has to be necessary amendments to be introduced in the act or rules as seatbelt cannot safeguard children below 12 years even if they wear it. A new section 194 (2) was proposed in Motor Vehicle Amendment Bill 2017 that stated:

Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven with a child who, not having attained the age of fourteen years, is not secured by a safety belt or a child restraint system shall be punishable with a fine of one thousand rupees.

At present there is no law in India regarding use of Child Restraint System. MoRTH has issued notification number 221 dated 24.04.2014 stating that Motor vehicles of category M1 excluding transport vehicles and special purpose vehicles manufactured on and after 1st April, 2015, shall have a provision for installation of at least one category of child restraint system for

all weight groups on at least one of the seating positions, as specified in AIS: 072-2009. Apart from the fact, there is no law for mandatory fitment of child restraint system.

Drink and Drive

i) Present Provisions

There are strict laws and provisions to prevent drunken driving in India. There are different sections in the Motor Vehicle Act, 1988 which details various provisions and actions that can be taken for this violation.

Section 185 Driving by a Drunken Person: If a person is found driving a vehicle having alcohol content exceeding 30 mg per 100 ml of blood or is under influence of a drug to such extent as he is incapable to have proper control over vehicle is punishable for imprisonment for a term which may extend to six months or fine which may extend to rupees two thousand or with both. For subsequent offence, the imprisonment may extend to two years and fine may extend to rupees three thousand or both.

Section 20 Power of Court to Disqualify Driving License: The clause (2) of this section describes that where a person is convicted of an offence under section 185, the court shall order the disqualification of his driving license for a period of not less than six months.

Section 22 Suspension or Cancellation of Driving Licence: The clause (2) of this section states that if a person, having been previously convicted of an offence punishable under section 185 is again convicted of an offence punishable under that section, the court, making such subsequent conviction, shall, by order, cancel the driving license held by such person.

Section 202 Power to Arrest without Warrant: The section 202 offers powers such that a police officer in uniform may arrest without warrant any person who in his presence commits an offence punishable under section 184 or section 185 or section 197. Further such person shall, within two hours of his arrest, be subject to a medical examination by a registered medical practitioner.

Section 203 Breath Test: The section 203 states power of a police officer or an officer of the Motor Vehicle Department may ask a person to provide one or more specimen of breath for test if such officer has any reasonable cause to suspect him to having committed and offence under section 185.

Section 204 Laboratory Test: This section states that if a person was arrested under section 203 may be produced by police officer to a registered medical

practitioner for a blood test in a laboratory and the results of a laboratory test made in pursuance of this section shall be admissible in evidence.

Section 205 Presumption of Unfitness to Drive: Section 205 lays down provision that refusal by a driver to submit himself to breath test or urine test to prove drunkenness without any reasonable case will amount to presumption by the prosecution of the driver's unfitness to drive.

ii) Amendments Proposed in MVA Bill 2017

The bill proposed the several amendments in case of section 185. Some of the important substitutions or amendments are described as below:

- a) The penalty of rupees two thousand was substituted by rupees ten thousand
- b) The subsequent penalty of rupees three thousand was substituted by rupees fifteen thousand
- c) In section 206 clause (4) has been inserted which states that the police officer believes that the driver has committed an offence under section 185 may seize the driving license held by such driver and forward it to the licensing authority for disqualification or revocation. The officer shall give a temporary acknowledgement to the person but such acknowledgement shall not authorize the person to drive until the license is returned to him.

iii) Lack of BAC Level Categories

The legal limit of Blood Alcohol Concentration (BAC) in India is 0.03% or 30 mg per 100 ml of blood for all categories of drivers. Different BAC levels could be introduced according to different categories of drivers such as novice, intermediate and experienced.

iv) Insufficient Prosecutions

Sections in Motor Vehicle Act, 1988 provide various powers to enforcement officers to take strict action against the convict found guilty of drunken driving. In most of the cases the drivers are fined and not booked for driving under influence of alcohol or drugs. It is required that strict procedures should be followed for violation of section 185 and media publicity of drives can also help in reducing cases of drunken driving in the state.

v) Insufficient Suspension of Driving License

After the direction of Supreme Court Committee on Road Safety, the lead agency advised enforcement agencies to suspend driving license of convict of drunken driving. Enforcement agencies have started implementing the directions yet the number of driving licenses being suspended is very less.

Over-speeding

i) Present Provisions

Just like stringent provisions for violation of section 185, driving at dangerous speed or rash driving is regulated under section 184 of the Motor Vehicle Act 1988. The section 184 of the act states that whosoever drives a motor vehicle at dangerous speed shall be punishable for first offence with imprisonment for a term which may extend for six months and fine which may extend to one thousand rupees. For subsequent offence the imprisonment may exceed to two years and fine may extend to two thousand rupees or with both.

ii) Suspension and Cancellation of Driving License

Section 21 refers to suspension of driving license in certain cases involving violation of section 184.

Section 22 talks about suspension or cancellation of driving license on conviction.

iii) Amendment Proposed in MV Bill 2017

The Motor Vehicle Amendment Bill 2017 proposed following amendments in section 184 to make the provisions stringent for violation of speed and reckless driving:

- (a) The punishment stated as may extend to one year but not less than six months and fine from one thousand rupees had been substituted by not less than one thousand rupees but may extend to five thousand rupees or with both.
- (b) The word two thousand rupees had been substituted by ten thousand rupees in case of subsequent offence.
- (c) Explanation for the purpose of this section had been inserted for control of the following manoeuvres: Jumping a red light, Violation of stop sign, Use of handheld device while driving, Passing or overtaking other vehicles in a manner contrary to law, Driving against authorized flow of traffic, Driving in a dangerous manner.

iv) Need for Stringent Implementation

Despite stringent provisions, lack of proper implementation of speeding rule is the major cause behind severe road crashes. Amendments are necessary in terms of controlling over-speeding on highways. Use of technology and ITS based automated enforcement is necessary to control speed accompanied by regular patrolling by police.

Distracted Driving

i) Present Provisions

Use of mobile phone while driving is regulated under section 184 as described above and same provision of penalty and punishment is applicable for distracted driving. Similarly, the amendments proposed in MVA Bill 2017 are also applicable for this category of offense.

ii) Regulation for Use of Mobile Communication Devices

In the Motor Vehicles (Driving) Regulations, 2017 issued by Ministry of Road Transport and Highways⁵, Government of India states the guideline for use of mobile and communication devices and permits the driver to use hands-free devices only. Thus use of any handheld phone or communication device while driving is completely prohibited. It also prohibits use of handheld mobile phone by a supervisor while training or supervising a learner driver. The guideline shall need to be part of the amendment in Motor Vehicle Act.

iii) Covering Other form of Distraction

There are many forms of distraction other than use of mobile phone while driving such as texting, changing music track on mobile, watching videos, streaming live videos on social media playing loud music, driving while wearing headphones or earplugs, changing audio or AC settings or other device being controlled from dashboard of the motor vehicle etc.

There may be other forms of distractions in surroundings like hoardings or billboards and movement of stray animals on road. Amendments are necessary in the Motor Vehicle Act for addressing all forms of distractions described herein.

iv) Supreme Court Guidelines for Use of Mobile Phone

Supreme Court Committee on Road Safety has issued guidelines to states by virtue of which stakeholders have been directed to suspend driving license for three months if found using mobile phone while driving. Number of licenses being suspended is quite less as compared to number of violations being reported in Rajasthan.

2. Office Orders and Notifications

Office Orders

As discussed in Personal Observations section about office orders, the main issue related with officer order is monitoring and evaluation of compliance. Unless a uniform state-wide system is not devised the problem shall remain intact.

Notifications

⁵ Gazette Notification No 525 GSR 634(E) Dated 23rd June 2017

On analyzing various notifications issued by Transport Department, major gaps which are identified are listed below:

- (a) Internal coordination among various sections within departments shall be exercised while issuing notifications that shall have a direct impact on road safety. Sections within Transport Department like Planning & Development, Rules, Enforcement and Road Safety etc. shall work in close coordination while issuing orders and notifications.
- (b) Transport is one of the major revenue earning departments wherein revenue is collected from various sources such as fee, taxes and penalty etc. Referring to a notification⁶ dated 22.07.2010 states slabs of penalty to be charged from overload carriers. It is noteworthy to mention here that overload vehicles pose a serious threat to safety of other road users. Thus it is desirable that alternative measures should be adopted to deal with issue of overload and revenue collection without compromising safety of other road users.
- (c) Transport Department issued notification⁷ dated 25.11.2016 regarding Rajasthan On-demand Information Technology Based Transportation by Public Service Vehicle Rules, 2016 could be referred to as Aggregator Policy. The policy majorly point out issues related to Licensing of Aggregator, Tax, GPS, Emission Norms, Operating Hours, Details of Drivers and Guidelines for End User etc. but it does not address about safety rules to be followed by the driver and the end user while the trip is on.

3. Gaps in Road Safety Policy

Rajasthan State Road Safety Policy has been adopted from National Road Safety Policy released by Ministry of Road Transport and Highways, Government of India. Though major dimensions of Road Safety have been covered in the policy, yet it could be strengthened by incorporating following suggestions in terms of state of Rajasthan:

- 1. Policy addresses issue of vulnerable road users but it is suggested that the policy shall focus on all five pillars of road safety to ensure safety of vulnerable road users.
- 2. Safe System Approach shall be made an essential ingredient in terms of following international best practices. Safe System Approach emphasises on building forgiving system where fault of a human is considered at last.

⁶ Notification F 7(47)Rules/HQ/Transport87/69098 dated 22.07.2010

⁷ Notification No F7(495)Pari/Trans/Rules/HQ/2013/24615 dated 25.11.16

3. For capacity building of road safety professionals, the policy shall instigate a framework for building a state level training hub for road safety where key experts and trainers shall be brought under one roof.
4. The policy also highlights strengthening enforcement and enactment of laws to improve road safety. However, lapse of Motor Vehicle Amendment Bill 2017 has come out as a major shortfall in taking it to a step further. Policy shall propose measures to deal with institutional barriers in enactment of present road safety laws towards sustainable solution.
5. According to the policy the Government shall ensure benefit to every road crash victim in form of speedy, sufficient and effective trauma care. The policy shall also address about developing a state-wide trauma care system for providing free intensive care for grievous injured road crash victims for first 48 hours.
6. Road Safety Policy also incorporates research and development activities to promote road safety education. In accordance with it, the policy shall propose to include road safety in schools and higher education throughout the state. This would encourage researchers to opt road safety for their research programs. Subsequently, HRD department in government and public sector may find scope of generating employment in road safety sector.
7. As earlier described that the State Road Safety Policy has been adopted from National Road Safety Policy, thus necessary amendments could also be introduced in the policy to suit the local needs of the state in order to improve road safety scenario in Rajasthan.

4. Status of Implementation of 14 Guidelines in the State

Status of implementation of 14 guidelines issued by the Supreme Court Committee on Road Safety in Rajasthan and related gaps has been discussed in detail in the subsequent section.

7. Compliance of Guidelines Issued by Supreme Court Committee

7.1 Formulation of Supreme Court Committee on Road Safety

In April 2014, the Honorable Supreme Court of India constituted a three member Committee on Road Safety, headed by Retired Justice K S Radhakrishnan, in light of increasing road accidents which required immediate attention and remedial action. The main objective was to scrutinize and monitor enforcement of statutory provisions including the Motor Vehicles Act for making road safer. With this objective, the committee interacted with various central and state ministries and issued directions to improve road safety in India.

The Supreme Court Committee on Road Safety (SCCRS) has, over the course of last few years, sent directions to the states to implement various policies, institutional and infrastructure related measure in an effort to improve the standards of road safety and reduce accidents and fatalities.

The committee, while sending the recommendations for implementation had directed the states that the measures should be implemented positively, and the adopted measures and actions taken up should be shared with the committee through an Action Taken Report (ATR) every quarterly by sending a detailed report to the Committee. Subsequent to this, the committee issued additional directions to the states based on the review of action taken report received from the States.

It has been observed by the committee that even though the states were taking actions to implement the directions, the road accident fatality rates were not showing much improvement. Also, some of the states were not shown progress towards implementation of the directions.

7.2 Status of Compliance of Guidelines Issued by SCCRS in Rajasthan

The status of compliance of guidelines issued by Supreme Court Committee on Road Safety has been compiled according to consultations with Road Safety Cell, Transport Department. Road Safety Cell being the lead agency collects data from other stakeholders and compiles the report.

S. No.	Direction	Compliance
1	Road Safety Policy Formulating/adopting road safety policy	Approved by State Cabinet order dated 07.12.2016 and issued on 21.03.2017.
2	Action Plan Action Plan for reducing road crash fatalities and injuries	Road Safety Action Plan 2018-2020 has been prepared and submitted to the committee.
3	State Road Safety Council Activate State Road Safety Council and hold its meetings at least twice a year	The compliance is being done and regular meetings also being held twice a year.

4	Lead Agency Establish a Lead Agency in the State with adequate dedicated and professional staff to deal exclusively with road safety issues.	Lead Agency constituted with representatives from Police, PWD, Transport, LSG, Medical and Health are working full time in road safety cell.
5	Road Safety Fund Establish Road Safety Fund by making available a portion of the fines collected from traffic offences to the fund and also make adequate provisions in the budget for meeting expenses on road safety.	A dedicated regular road safety fund with 25% of amount received from challans/fines every year has been created. This fund is non-lapsable.
6	Engineering Measures Implement directions of the Hon'ble Court on Road Engineering as contained in its Judgment dated 22 nd April 2014.	Road owning agencies have been directed to follow MoRTH protocol for black spots. Specific instructions have been given to road owning agencies and police department to coordinate and monitor the effectiveness of the rectification work being done.
7	Black Spots Rectify immediately all Black Spots identified since 2011.	The process of black spot identification and rectification is being undertaken by all concerned road owning agencies in the state on regular basis.
8	Annual Protocol Draw up a protocol and an annual calendar for identifying black spots and their removal and further monitoring to see the effectiveness of the action taken.	Annual protocol received from the ministry has been forwarded to all road owning agencies. The agencies have been directed and they are following the same.
9	Road Safety Audit Carryout road safety audits during, design, construction and operation of roads and implement recommendations of the audit.	Audit is also being carried out by road owning agencies. In addition to that, Road Safety Cell is also organizing capacity building courses on road safety audit wherein road engineers from different road owning agencies are being nominated and sent to attend training.
10	Construction of Road Under Audit Undertake construction of road beyond Rs 10 Crores only after design audit is complete and its recommendations are implemented.	This condition has been amended by the committee. According to the amendment road safety audit of new road projects is to be carried out at design phase for road projects more than 5 km or more, rather than based on cost of the project.

11	Traffic Calming Measures Adopt traffic calming techniques at locations where accidents are occurring due to over speeding.	Traffic calming measures at locations where accidents are occurring due to over speeding are being adopted by road owning agencies as well as police department on regular basis.
12	Suspend Driving License Suspend driving license for not less than 3 months under section 19 of MV Act and Rule 21 of CMVR for over speeding, red light jumping and use of mobile phones while driving and over loading.	Quarterly reports are being submitted to SCC on suspension of driving license under various offences.
13	Use Helmet Make use of helmet compulsory both for main and pillion riders	Helmet has been made compulsory throughout the state w.e.f. 28.10.2015. Regular enforcement activities are also being carried out.
14	Permanent Driving License Tighten procedure for issue of permanent driving licenses. Commence action in a time bound manner for establishing sensor based computerized driving tracks to eliminate human intervention for issue of permanent driving license.	To strengthen the provision of issuing permanent driving license automated driving testing tracks are being developed in Rajasthan. In first phase 13 such tracks are being constructed in various RTO/DTO offices in the state.

7.3 Audit Recommendations

It has been noted that the State was taking actions to implement the directions issued by Supreme Committee on Road Safety yet the road accident fatality rates were not showing much improvement. Towards this, SCCRS recommended to have a detailed road safety audit of the implementation status of the road safety directions through expert consultants. As an initiative towards the process a consortium comprising DIMTS, TRIPP IIT Delhi and TERI was entrusted to carry out the audit followed by submission of detailed report to the committee and MoRTH.

7.4 Important Gaps According to the Audit Report

7.4.1 Institutional Framework

- The Rank of the Head of the Lead Agency is not as per the directions issued by the SCC.
- No dedicated staff was deployed from Education and Urban Development and Housing (UDH).

7.4.2 Enforcement Dimension

- Accident Recording Formats are not computerized and GIS based Accident Information System is not deployed.
- Computerized Accident Database Systems are not deployed
- Accident data is not utilized for improving road safety.
- No Analysis is done for accident data and no reports are being published which are available to public.
- Significant shortfall in existing police strength. It is estimated by the state that this shortfall for all position is about 13277. At present there is no plan in place to fill this gap.
- Helmet and seatbelt law violations are very high in all cities except in Jaipur.
- Traffic violations data is not updated against DL data due to lack of complete infrastructure.
- Only overcrowding checks are being done for all unauthorized vehicles carrying school children.

7.4.3 Engineering Dimension

- There is no notified protocol exists for identification of black spots for state roads. As per internal process, Police Department identifies the black spots on all roads and sends to respective department for further action. Police department is using MoRTH definition for identifying the black spots.
- Road Safety Audits are not being conducted for the existing roads under PWD.
- There is no mechanism for monitoring the effectiveness of the rectified black spots, which were identified by Police department.
- About 36% of the junctions on state highways, and 57% of the junctions on MDR lack traffic calming measures on Minor roads at Major Road-Minor road Junctions.
- There is severe lack of required road markings on State highways and Major District Roads. Whereas, no Bus stops and Bus Bays were provided on State Highways and MDRs.
- Traffic Sign boards are not as per Indian Road Congress (IRC) standards with respect to Color and Reflection parameters in Jaipur, Jodhpur and Kota.

7.4.4 Emergency Response and Health Care Dimension

- No comprehensive Trauma Plan is prepared for the state.
- There are 1 Level I, 4 Level II and 38 Level III Trauma care centers and 20 other health care centers are identified to upgrade as trauma care centers.
- Gap analysis reports have been prepared for some of the health care facilities but action plan for the same has to be prepared.

- No Dynamic Linkages between various health care facilities and No approved PTT curriculum at State Level.
- No Maintenance of records/information's on Injury and Trauma.

8. Expert Group Meeting

8.1 Introduction

After personal consultation with senior officials of various stakeholder departments, an Expert Group Meeting was organized on 25th March 2019 at Hotel Sarovar Premiere, Jaipur. The meeting was aimed to have a detailed review of all road safety provisions by the top policy makers of the state to find out the gaps in existing laws, rules, policy ecosystem, notifications and other legal instrument and progress on the guidelines of issued by the Supreme Court Committee on Road Safety. The agenda of the meeting could be referred at *Annexure 3*. The detailed list of participants with their portfolio is enlisted in *Annexure 4*.

8.2 Deliberations Made in Expert Group Meeting

Mr. Harish Chandra Meena – Member of Legislative Assembly, Dausa



Harish Chandra Meena, Member of Legislative Assembly from Dausa, Rajasthan, in his address stated that road accident is the leading cause of deaths in our country. He said that there are many causes of road accidents and the issue must be addressed seriously. According to him, self introspection is needed and as a citizen it's our duty to follow traffic rules.

He mentioned that policies and rules are sufficient but they need to be followed and enforced honestly. He added that collection of real time road crash data is very important to analyze the scenario from a scientific perspective. At the end he suggested to approach legislators, speakers and political leaders to address road safety issue in order to find sustainable solution. He recommended a meeting with Shri C.P. Joshi to approach concerned legislative members to take forward the road safety advocacy.

Ms. Nidhi Singh - Dy. Transport Commissioner, Road Safety Cell



Ms. Nidhi Singh, Deputy Commissioner, Transportation Department of Rajasthan, shared details about state initiatives taken by the lead agency, institutional framework in Rajasthan, state road safety council, status of road safety cell at district level, road safety policy, budget constraint and assessment of the impact of awareness programs.

She stressed on the need of intensive training of staff members for the proper enforcement of laws and policies. Lot of efforts

are needed on various issues such as introducing policy for Road Safety Education, improving road safety curriculum for class 6th to 10th, introducing a uniform system for formation of road safety clubs in schools.

She emphasized on need of an apex body or authority to coordinate and look after road safety issues at state level. Multiple agencies are involved in road safety hence, there should be an independent a regulatory body which could deal with each agency in an effective manner. She mentioned that if SCC directs the state to form Road Safety Authority this could be implemented by the government.

Other issues she mentioned in her address included focused and targeted utilization of road safety fund, need of vehicle discard policy; cashless scheme for free treatment of road crash victims, need of state trauma care policy along with trauma care action plan, implementation of counselling for violators of helmet and seatbelt.

She also shared details about the Brasilia Declaration on road safety and India being a signatory to the Brazilian Declaration is committed to reduce number of road accident fatality by 50 percent by the year 2020, which is now not viable looking at the current scenario of the state.

Dr. L. N. Pandey – Nodal Officer, Road Safety Cell, Transport Department

Dr. L. N. Pandey from Medical and Health Department suggested the following remedial measures to adopt:

- Guidelines for forming road safety club could be included in the book which is being developed jointly by Transport Department and Education Department for school children.
- A policy framework to be developed which could address the issue of treatment of road crash victims in private hospitals. This is also one of the big reasons that victims die due to non handling of crash victims until his or her relatives reach to the hospital.
- Medical and Health Department is looking forward to develop a State Action Plan for Trauma Care which is right now is at inception phase.

Mr. M. K. Sharma – Superintending Engineer, LSG

Mr. M. K. Sharma from Local Self Government Department laid the following points related to road owning agencies:

- Major share of budget from Road Safety Fund should be allocated to enforcement agencies and road owning agencies to deal with development of road infrastructure and rectification of black spots.

- To streamline the budget allocation procedure, a policy could be framed for allocation of road safety fund for different activities of road safety.

Mr. Satendra Mamodia – Assistant Vice President, RIDCOR

Mr. Satendra Mamodia from RIDCOR highlighted the following points in the meeting to strengthen the road safety scenario in Rajasthan:

- He emphasized on introducing a Phase-out Policy for discarding age old or unworthy vehicles from the road in order to reduce vehicle congestion.
- Need of aggregator policy to regulate aggregators including both car taxi and powered two wheelers.
- Inclusion of all road owning agencies in the proposed Road Sector Policy being developed by PWD.
- Utilize public vacant places as parking lots. A survey could be commissioned to identify such places.

Mr. George Cheriyan – Director, CUTS International



In his opening address Mr. George Cheriyan presented road accident statistics which took place in last year i.e. 2018. He also narrated about the historical aspects of the Motor Vehicle Act and also threw light on lack of concern regarding road safety in political domain. His address also included an in-depth analysis of the five key risk factors. He unveiled ways to investigate present rules, regulations, policies and other relevant documents. He further added that 90 percent of road accident deaths occur due to lack of stringent enforcement on roads and lack of strict punishment for traffic rules violators. In his address he raised following issues to be addressed by the delegates attending the meeting:

- How state administration could strengthen the provisions of current Motor Vehicle Act?
- How the existing policies could be reengineered to strengthen road safety scenario?
- What other policies could be introduced and implemented?
- What strategy is to be implemented to undertake impact assessment of awareness programs?

Mr. Ashwini Bagga - Road Safety Consultant



Mr. Ashwini Bagga, Road Safety Consultant, gave a presentation on Legislative Gap Analysis on Road Safety in Rajasthan, which included road safety scenario of Rajasthan, statistical analysis of road crashes, injuries and fatalities that took place during year 2015 to 2018.

In his presentation he talked about issues and perspectives of five key risk factors: over-speed and rash driving; helmet wearing; seatbelt wearing & child restraint system; drunken driving and distraction. He also put forward data analysis of the respective risk factors responsible for the road crashes. In his presentation he also mentioned key directions issued by the Supreme Court Committee on Road Safety. At the end he pointed out the challenges and way forward grouped under five key pillars of road safety which included Road Safety Management; Safer Roads; Safer Vehicles; Safer Road Users and Post-Crash Response.

Mr. Madhu Sudan Sharma - Sr. Program Officer, CUTS International



Mr. Madhu Sudan Sharma while addressing the participants in the expert group meeting discussed about the key expectations of the delegates. He raised and put forward the following issues in front of the panel:

- What we can learn from this bill & good practise?
- How we can strengthen state rules?
- How we can improve state road safety policy?
- Can there be though new laws?
- What can be the way forward to achieve these targets?

Ms. Nisha Bagga - President, Community for Safer Roads

Ms. Nisha Bagga from Community for Safer Roads, a non-profit organization from Jaipur, pointed out method to strengthen road safety club in government schools. She suggested that a designated amount of fund could be allocated to government schools from dedicated Road Safety Fund which could be utilized by schools for forming road safety club and conducting assigned road safety activities in the school under the banner of the club.

Mr. Deepak Saxena - Dy. Director, CUTS International



Mr. Deepak Saxena, Dy. Director, CUTS International extended a warm welcome of all delegates participating in the meeting. He addressed the efforts and initiatives being taken by the CUTS International in the field of Road Safety. He also appealed everyone for wholehearted participation by putting forward collaborated efforts to efficiently deal with issues related to road safety.

8.3 Outcome and Recommendations

The major outcomes and recommendations of the legislative gap analysis for the state of Rajasthan are summarized according to five key pillars of road safety.

PILLAR 1: ROAD SAFETY MANAGEMENT

1. Strengthen Institutional Framework for Road Safety in the State

In compliance to the directions of Hon'ble Supreme Court Committee on Road Safety, Government of Rajasthan issued orders for the formation of Road Safety Cell on 29th June 2016. As per the order the Lead Agency acts as Secretariat to the State Road Safety Council which is headed by Transport Minister.

For delegation of work down the line, separate Road Safety Cells have also been formed in all 33 districts of Rajasthan but these are not independent and hereby no dedicated staff has been deputed so far. To strengthen the present framework it is highly recommended that:

- i) Independent Road Safety Cells to be formed in all districts in Rajasthan in phased manner. In first phase, independent cells could be formed at all Zonal Head Quarters followed by other districts in coming phases according to the requirement.
- ii) To strengthen State Road Safety Cell at HQ level, additional staff including Road Safety Consultants and middle level staff should be hired to support planning, execution, evaluation and monitoring of activities.
- iii) To strengthen the state institutional framework and in accordance with directions of SCC, it is recommended to appoint Addl. Transport Commissioner (Road Safety) in Road Safety Cell.

On the issue of possibility of introducing Road Safety Authority Act in Rajasthan, deliberations also held to appraise success of the authority in Kerala and Gujarat. In Kerala, the Kerala Road Safety Authority (KRSA) has been functioning since last three years but state is facing issues related to manpower and financing. However, in Gujarat it has been partially implemented as required officers/members have not been appointed as yet. The task of constitution of Rajasthan Road Safety Authority could be initiated if the same is directed by the Supreme Court Committee on Road Safety.

2. Strengthen Rajasthan State Road Safety Policy

On analyzing the Rajasthan State Road Safety Policy it was found that the policy is mere a replica of the National Road Safety Policy introduced by MoRTH⁸. Rajasthan is the largest state in the country and comprises of ten percent of the total land area. The state comprises of varied geographical regions including Thar Desert, Aravali Mountain Range, Eastern Plains and South Eastern Plateau. It may seem compromising to measure intensity of problems of entire state using a similar yardstick. Thus it is recommended that, integrating the outlines of the National Road Safety Policy, a separate Road Safety Policy for the state should be framed addressing local requirements of the state.

3. Road Accident Management & Data Analysis System (RAMDAS)

In calendar year 2017 a total of 4,64,910 road accidents have been reported in India claiming 1,47,913 deaths and 4,70,975 injuries. Whereas the Global Status Report 2018 published by WHO estimates that road crash fatalities in India in year 2016 is more than 2,99,000. The difference in reported and estimated fatalities is huge i.e. just double than the reported deaths.

The major reason behind this discrepancy could be estimated as lack of proper data recording, management and reporting system pertaining to road crashes and fatalities. Until MoRTH has not circulated the standard format for recording accident data, each district have been recording statistic according to their convenience. There is a dire necessity of a uniform automated system that should be able to record and analyze road crash data throughout the state. Coordination of various stakeholder departments shall be required to design and develop such system.

4. Publication of Annual Report on Accident Data

It has been directed by Supreme Court Committee to Road Safety Cell to publish an annual report on accident data covering analysis of essential

⁸ <http://morth-roadsafety.nic.in/index1.aspx?lsid=488&lev=2&lid=439&langid=1>

factors in accordance to the report published by MoRTH each year. The report should also be circulated to different stakeholder departments related to road safety.

5. Scientific Accident Investigation and Reconstruction

This recommendation highly correlates with development of Road Accident and Data Management System. It is very essential that investigation of road accidents shall be done at par investigation of other crimes. It is unfortunate to note that no such system has been devised to undertake in depth investigation of accidents. To develop such mechanism of scientific investigation of road crashes it will be required to develop standard recording formats for capturing data related to road crashes. MoRTH have already developed and circulated format the states for recording accident data. In the second step the government agencies shall be required to develop accident data management system wherein the data could be fed to get the desired reports. In addition, this will create need for trained investigating squad in order to undertake investigation.

6. Policy for Management of Dedicated Road Safety Fund

Allocation of fund from dedicated road safety fund for various road safety activities is done through a Fund Operation Committee chaired by Principal Secretary, Transport Department. A meeting is convened by the lead agency wherein agenda having road safety activities is discussed for grant of approval. Thereafter fund is allocated for the approved set of activities. A policy framework could be introduced for management and allocation of fund such that a specific percentage of funds could be allocated annually covering activities grouped under five key pillars of road safety.

7. Policy for NGOs for Road Safety

Lead agency submitted a comprehensive Road Safety Action Plan 2018-2020 in October 2017. The activities were clubbed according to the pillars of road safety and each stakeholder had been assigned clear targets for year 2018, 2019 and 2020.

Among the prescribed activities, there are many activities which cannot be implemented by government agencies alone. For example road safety education and awareness drives, capacity building for road safety etc. would need to have involvement of non-governmental organization.

Unfortunately the dedicated road safety fund guidelines do not include directions for allocating funds directly to NGOs. It is easier for government to allocate fund to other government stakeholder but as far as the matter of other non-government organizations is concerned there is no clear policy for that.

Thus it is essential that the lead agency shall formalize a legal framework or policy for inclusion of NGOs for allocation of fund for road safety activities.

8. Strengthening Political Will

Mr. Harish Chandra Meena in his address strongly advocated for involvement of political leaders in road safety issues. According to him without strong political desire, it would become tedious to achieve desired goals. He quoted example of polio eradication program in India. Strong political will, involvement and support from government, outreach of the campaign in rural areas made it a huge success. Similarly, strong political will and in depth outreach shall reap fruitful results in spreading a word about road safety.

PILLAR 2: SAFER ROADS

1. Rajasthan Road Sector Policy

To address the issues related to road infrastructures in Rajasthan, a Road Sector Policy was drafted by PWD which has yet to obtain approval from the State Cabinet. The draft did not include roads managed by other road owning agencies other than PWD. In subsequent stakeholders meetings, it was then suggested to have a uniform Road Sector Policy that involves inclusion of all road owning agencies of the state.

This will lead to development of a common principle, common standards and common set of guidelines for constructing new roads and maintenance of existing road infrastructure. The issue is still lying pending with the department and it is recommended that all road owning agencies should come together under one roof for building a comprehensive road sector policy for Rajasthan.

2. Policy to Block Stray Animals on Highway

Stray animal poses a great threat for road users especially on highways. Accidents caused due to movement of animals include wild, stray and domestic animals. As far as share of animals on roads are concerned it is higher in case of domestic animals which are released by owners. Unless a policy doesn't come into force, such menace would continue contributing to crashes and leading deaths. Instead of formulating an independent policy, this issue could be integrated into the proposed Road Sector Policy.

3. Infrastructure to Promote Non-Motorized Mode of Transportation

The prevailing Motor Vehicle Act 1988 is decades old and it does not have provisions of road safety and regulation of Non Motorized Transport (NMT).

Road accident data published by MoRTH annually reveals that there is a huge share of fatalities that belongs to the category of non motorized transport be it pedestrians, bicycle riders or others. It is strongly recommended that a policy must be framed for promoting safety of vulnerable road users and people using non motorized mode of transportation.

4. Ensuring Safer Road Infrastructure and Safety of Vulnerable Road Users

Main focus of road owning agencies sticks to the development of forgiving infrastructure and maintenance of existing roads for reducing road crashes. In response to the point raised by road owning agencies about effectiveness education and awareness, Mr. Bagga quoted about Safe System Approach.

The approach majorly focuses on the concept of fault of the system rather than the fault of human. He added that, emphasis should be given on implementation of Safe System Approach and road users must be educated to give an insight about this approach.

PILLAR 3: SAFER VEHICLES

1. Vehicle Phase Out Policy

Continuous rise in number of motor vehicles has led to several issues in form of road crashes, traffic congestion and environmental pollution etc. The registered motor vehicles in Rajasthan are increasing with an average growth rate of 11.11% per annum. Out of the total number of registered vehicles in the state the share of Powered Two Wheelers constitutes to 75.25%. Powered Two Wheelers are at the highest risk in terms of motorized road transport.

The Motor Vehicle Act does not specify the process of disposing off old or unworthy vehicles. As a result the number of such vehicles is continuously increasing posing serious threat to other road users. Such vehicles are sold in smaller cities and towns where they are used as a medium of public transport.

Necessary amendments should be introduced in Motor Vehicle Act wherein the vehicle owner shall be compelled to obtain a fitness certificate from the registering authority for getting renewed registration certificated. In case if the authorities do not find the vehicle fit to be driven, the vehicle and its parts must be disposed off in an environment friendly manner.

PILLAR 4: SAFER ROAD USERS

1. Public Transport Policy

Public transport could be considered as one of the important pillars of economic development. Public transport is as important as transportation of goods. Efficient public transport is also considered as an alternative for

promoting road safety. Maximum use of public transport shall lead to lesser road congestion and decreased vehicular pollution leading to reduction in road crashes.

There are several factors which are used to determine efficiency of public transport in a city such as population density, preferred mode of transport, time of travel and resistant factors etc. Thus the state must frame a Public Transport Policy to address the local public transportation needs.

2. Parking Policy

Parking is one of the essential components of land use planning for a city. All vehicles produced need space to park somewhere. A car owner would park their car in his residence and in his office, in addition to the spaces taken while going for shopping and other purposes. This would mean that they would take up huge volume of land space. Parking pricing alternatively could be used to compliment promotion of public transport. If parking price would be higher, car owners would avoid going to such places and they would prefer to use either public transport or aggregator. There is need for a comprehensive law relating to parking and a general parking policy.

3. Policy to Promote Sale and Use of Standard Helmet

Wearing helmet has been made compulsory in Rajasthan for both rider and pillion. As an effect to this ruling and prevailing tendency, people wear helmet to bypass traffic violation. As a result sale of substandard helmets is continuously increasing everywhere.

Substandard helmets cannot sustain the impact of the crash which certainly causes grave injuries to the riders. Surprisingly, there is no provision in motor vehicle act to penalize use of substandard helmet. After the direction of SCC the enforcement agencies consider use of substandard helmet as not wearing helmet.

Strict guidelines must be issued and necessary amendments shall be made in the act to enforce use of substandard helmet. Concerned stakeholder shall frame a policy in the state to ban manufacturing, sale, purchase and storage of substandard helmets. Additionally, government may also plan to offer subsidy on purchase of ISI mark helmet and exemption on tax levied on manufacturing and selling of standardized helmets.

4. Road Safety Education in School in School Curriculum

Education Department, Government of Rajasthan has introduced road safety in school curriculum for class 6th to 10th. One to two chapters on road safety have been integrated in course book of each subject. It is being felt that the

content needs upgrade with increase in number of chapter to cover essential aspects of road safety. Apart from government schools there is large number of Central Board of Secondary Education (CBSE) affiliated schools in Rajasthan. CBSE has yet to introduce road safety in school curriculum. This implies that huge share of students are still deprived of getting formal road safety education.

5. Strengthen Road Safety Club in Schools

To promote road safety in school, Education Department circulates guidelines for constituting road safety clubs in schools and proposes activities to be organized through the club. It is obvious that to organize road safety activities round the year resources must be also be made available. Private schools are self sufficient and they seldom face problems in managing resources for organizing road safety activities. But in government schools there is no provision of resources for such things. Ms. Nisha Bagga, President of Community for Safer Roads suggested that a minimum sum from dedicated road safety fund could be allocated to government schools for conducting road safety activities under the banner of road safety club.

6. Traffic Legislation and Enforcement of Traffic Laws

Transport Department and Police are the two major enforcement agencies in the state. Transport Department is majorly responsible for enforcement such as fitness, permit, taxation, overloading and unauthorized means of transport by commercial vehicles whereas Traffic Police enforces traffic violations like not wearing seatbelt, not wearing helmet, drunken driving, use of mobile phone and red light jumping etc.

Despite regular monitoring and enforcement drives being run by both traffic police and transport department it is impossible to enforce major chunk of vehicles. Usually, considering the current capacity of enforcement it is estimated that only 5% of vehicles could be manually checked. To enforce a larger share of vehicle it is required that automated enforcement techniques should be adopted by both transport and police departments. To prevent accident on highways and expressways the following enforcement measures should be adopted for both commercial and private vehicles:

- Over-speeding
- Under-run protection device
- Lane discipline
- Unauthorized parking
- Distraction
- Movement of stray animals on road

- Highway patrolling

7. Publicity Measures and Awareness Campaign on Road Safety

Opinion differs when we speak about success rate of road safety awareness programs. Some people claim that awareness programs are not effective whereas others consider that they should not be overlooked. There is lack of monitoring and evaluation mechanism in government departments. There is need for scientific evaluation system to measure effectiveness of road safety awareness programs. Mass awareness campaigns for the public must be conducted by involving local administration, NGOs, social clubs, community organizations, colleges and schools etc.

PILLAR 5: POST CRASH RESPONSE

1. State Trauma Care Policy

In the meeting interventions were made with consensus of the participants about need of overall trauma care policy to assure certain standards for care of the injured. The motive of the policy is to assure that all injured patients receive essential treatment within the specified time frame. The policy shall have essential elements as how the trauma care network will be built in state, how private public partnership could also be used to strengthen trauma care system in Rajasthan and especially how essential life care services should be provided to all who are unwilling to pay. The policy must be framed to suggest a suitable outcome for all such relevant questions related to life saving and providing timely care to different sort of injured victims.

2. Injury Surveillance

Timely, adequate and reliable information is required in order to have access to affordable and sustainable improvements in care of the injured. The suggested improvements in the system must be accompanied by measurable statistics. Changes that are made need to be assessed so as to know which measures are effective, and hence should be continued and scaled-up, and which measures are ineffective, and hence should be modified or discarded. Thus, the state should have in place mechanisms for gathering the needed injury-related information, as a component of their broader health information systems.

3. Cashless Treatment for Road Crash Victims

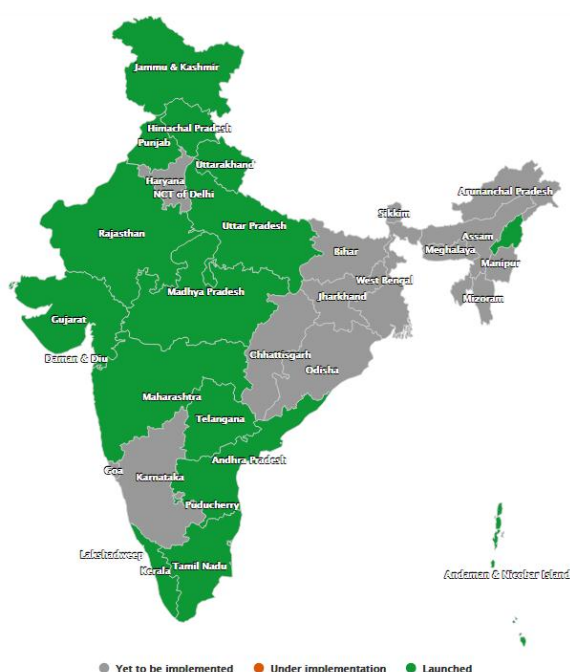
On classifying the reason behind death of a victim in a road crash it is found that there are around 25% cases in which the victim dies on the spot

due to the high intensity of the impact. Around 55% victims die due to delay in getting medical assistance.

To bring down the road crash fatality rate in the state, major reform is required in terms of post crash response. First, the network of trauma care centers in the state is to be developed such that accident victims could be brought to the nearby trauma care facility within golden hour. Medical & Health Department, Government of Rajasthan has taken up initiatives in this regard.

To cover the treatment of road crash victims in private hospitals a policy needs to be developed for providing free treatment during the initial 48 hours. The first 48 hours are crucial for saving life of the accident victim and it also incurs heavy expense to be paid at this point of time. The government in collaboration with insurance companies must devise a plan to provide cashless treatment to road crash victims for first 48 hours.

4. Uniform Emergency Response Code



There are different emergency helpline numbers for seeking help in different emergency situations. For example helpline for police is 100, for ambulance it is 108, for traffic it is 1095 and for NHAI it is 1033 and the list is endless. It is difficult for a citizen recall a helpline number according to the type of emergency. Therefore, it is recommended to have a universal emergency response code like 911 in USA. To address the situation Government of

India has launched a universal emergency response code 112 to address all sort of emergency. According to the information available on 112 emergency portal, the service has also been launched in Rajasthan. Now it is required the state government should create awareness about this emergency response service. States depicted in green color in the map represent areas where 112 services have been launched.

5. Trauma Care Action Plan

Once Medical and Health Department finalizes and launch Trauma Care Policy for the state of Rajasthan, it is recommended that the department shall launch a comprehensive Trauma Care Action Plan for Rajasthan. The action plan shall club the trauma care policy outlines and on the given outlines the action plan shall be build upon that clearly states year wise targeted activities. The action plan shall also address financial provisions required for each activity along with its sources of fund.

6. Promotion of Good Samaritan Guidelines

Ministry of Road Transport & Highways have issued guidelines to be followed by hospitals, police and all other authorities for the protection of Good Samaritan. Despite the fact, masses are unaware about rights of a Good Samaritan. The findings of survey conducted recently by a non government organization revealed that around 80% people are unaware of Good Samaritan Law and around 59% people face harassment by police for helping the accident victim. Mass awareness using media publicity, awareness campaigns and education drives by the lead agency is required to create awareness for public at large about Good Samaritan Law.

9. Stakeholder Consultation Workshop

9.1 Introduction

To review the key findings of the draft report of the Legislative Gap Analysis in Rajasthan, a Stakeholder Consultation Workshop was organized on Wednesday, 29th May 2019 at Hotel Hilton, Jaipur. The gist of the draft report was presented before the experts and delegates to have necessary key inputs on the same. In addition to the officials of stakeholder departments, delegates and representatives from various districts of Rajasthan participated in the workshop. A panel discussion was also organized at the end of the workshop wherein suggestions and feedback from delegates were also taken into consideration on various issues related to road safety laws in Rajasthan.

9.2 Deliberations Made in the Workshop

Welcome address and a brief introduction of the workshop were given by Mr. Madhu Sudan Sharma, Senior Program Officer from CUTS International. Mr. Madhu Sudan briefed the purpose and need of the Legislative Gap Analysis for improvement of road safety scenario in the state.

Mr. Pankaj Kumar Singh - ADGP (Traffic), Rajasthan Police

Mr. Pankaj Kumar Singh, Additional Director General of Police (Traffic) addressed the delegates and expressed his views about need for improvement of Road Safety Laws in Rajasthan. In addition, he also suggested effective and alternative strategies for stringent control over traffic law violators. He mentioned various Traffic Management strategies that can be introduced to improve traffic conditions in the state. He insisted on use of technology to develop a nationwide database of traffic laws violators on the lines of Crime and Criminal Tracking Network and Systems (CCTNS) being used by police to track criminals across the nation. He added, that the similar system could be developed to track traffic offences made by a driver. The database of drivers and violations shall be made accessible to insurance companies. The companies shall frame rules to overcharge the insurance premium from regular traffic offenders.

To reduce number of vehicles on roads, congested zones must be identified in various parts of the state and congestion pricing should be levied from the vehicle owners plying from that area. In addition, government may also frame a policy to seal number of registrations of new vehicle on monthly or quarterly basis. Mr. Singh also shared update on various activities being done by police to strengthen enforcement in Rajasthan. He emphasized upon amendment of dedicated road safety fund rules to eliminate need of re-approval of budget in the next financial year

to save time. He said that the budget which couldn't be utilized due to some circumstances within the timeframe of a financial year should not be subject to re-approval as lot of time is wasted in this process.

Mr. George Cheriyan – Director, CUTS International

Mr. George Cheriyan in his address about the historical aspects of the Motor Vehicle Act, 1988 and he also discussed chronological developments made so far for introducing Motor Vehicle and Safety Bill and further Motor Vehicle Amendment Bill 2017. He threw light upon efforts made by CUTS International and the inputs provided to the standing committee for passing the bill. He elaborated that the provisions proposed in the act related to road safety had never been a problem but issues related to transport sector hindered and delayed the process. As a matter of fact, it was not possible to isolate and pass the road safety component as it was part of the entire amended legislation hence, it could not be exercised. He further suggested that CUTS International along with other agencies working in Rajasthan shall carry out advocacy to bring a separate road safety bill in Rajasthan.

Mr. Nalin Sinha - Coordinator GHAI/GRSP, New Delhi

Mr. Nalin Sinha from Global Road Safety Partnership, New Delhi expressed his views about the need of necessary amendments in road safety legislation in the country. He shared road crash statistics of India among the delegates and related his point of view that with stringent compliance of helmet and seatbelt alone can help in saving approximately 62,000 lives in a year which is a remarkable number.

Mr. Ashwini Bagga – Road Safety Consultant

Mr. Ashwini Bagga, Road Safety Consultant gave a technical presentation on Legislative Gap Analysis in Rajasthan. In his presentation, he discussed current provisions in Motor Vehicle Act 1988, proposed clauses in the Motor Vehicle Amendment Bill 2017 and key gaps in road safety laws pertaining to five key risk areas. He also shared status of guidelines issued to the Lead Agency by the Hon'ble Supreme Court Committee on Road Safety and audit recommendations done in Rajasthan by the joint team of DIMTS, TERI and IIT New Delhi.

Panel Discussion

After the technical presentation, a Panel Discussion was also organized which was moderated by Mr. Nalin Sinha of GRSP. Dr. Sushil Taparia – Director, Neurosurgery, EHCC Hospital and Mrs. Perna Singh from People's Trust, Jaipur shared their valuable insights in the panel discussion.

Dr. Sushil Taparia – Director Neurosurgery, EHCC Hospital, Jaipur

Dr. Sushil Taparia from EHCC Hospital Jaipur shared insight about number of youth getting affected due to road crashes in India. He insisted on need of BLS training for Primary Health Care staff in Rajasthan followed by need of establishing trauma facilities alongside highways. He further added that most of the road crash victims die due to lack of medical care within the Golden Hour. Therefore, it becomes essential for all ambulance drivers to undergo mandatory BLS training. It should be made compulsory for major hospitals to upgrade to multi-specialty Trauma Centers in order to provide quick access for life saving.

Mrs. Prerna Singh – People’s Trust, Jaipur

Road Safety Expert from People’s Trust, Jaipur Mrs. Prerna Singh shared his expert opinion about Legislative Gap Analysis especially about seatbelt law. She pointed out that Ministry of Road Transport and Highways has issued notification for providing provision for necessary fitment of child restraint system in cars w.e.f. 01.04.2015. She presented valuable insight upon need of Accident Investigation Unit in all Police Stations and as well as introducing the topic Scientific Investigation of road crashes in the curriculum of police training in Rajasthan. She further emphasized upon introducing Driver Rehabilitation Program for long haul drivers and exercising post crash counseling for family members of the road crash victim.

Mr. Yogendra Kumar Sharma – ADED, Education Department

Mr. Yogendra from Education Department Rajasthan shared initiatives taken by the Education Department Rajasthan. He stated that awareness programs regarding seating capacity in Bal Vahini are being organized and directions have been issued by the department to stop underage driving in all schools in Rajasthan.

Mr. Nalin Sinha - Coordinator GHAI/GRSP, New Delhi

The moderator Mr. Sinha shared the following conclusion remarks:

- Road Safety Law should be introduced in India and further State Road Safety shall compliment the national law.
- There should be an independent authority in the state that shall have powers and accountability to coordinate with all stakeholders for efficient implementation of law. In addition there also exists coordination among other agencies.
- Innovative ways needs to be introduced to have public participation for strengthening road safety in the state.
- Alternative means like Public Transport and Non Motorized Transport should be promoted to bring down number of road crashes.

10. References

Here is the list of references used for preparation of this report:

1. Motor Vehicle Act, 1988
2. Central Motor Vehicle Rules, 1989
3. Rajasthan Motor Vehicle Rules, 1990
4. Carriage by Road Act, 2007
5. Motor Vehicle Amendment Bill (2017)
6. Motor Vehicles (Driving) Regulations, 2017
7. Rajasthan State Road Safety Policy, Transport Department, Government of Rajasthan
8. National Road Safety Policy, Ministry of Road Transport and Highways, Government of India
9. State Road Safety Action Plan 2018 - 2020, Transport Department, Government of Rajasthan
10. Statistical Abstract 2016-17, Transport Department, Government of Rajasthan
11. Accidents in India 2017, Ministry of Road Transport and Highways, Government of India
12. Consulting Services to audit the implementation by the States of the directions issued by the Supreme Court Committee on Road Safety - Group 4: Rajasthan State
13. Compliance Report of Directions Issued by Hon'ble Supreme Court Committee on Road Safety
14. Business Process Re-engineering study of the Transport Department, Government of Rajasthan
15. Important Orders and Notifications issued by Transport Department, Government of Rajasthan
16. Media Reports Published in Newspapers in Rajasthan

Annexure 1

Some Important Amendments Proposed in Motor Vehicle Amendment Bill (2017)

New Section 25 (A): The Central Government shall maintain a National Register of Driving Licenses to introduce uniformity and uniqueness across nation.

Amendment Section 59: In regard to the public safety, convenience, protection of the environment, the Central Government may make rules prescribing the manner of recycling of motor vehicles and parts thereof which have exceeded their life

New Section 62 (A): No registering authority and prescribed authority shall register a vehicle or issue certificate of fitness to any motor vehicle that contravenes any rule made under section 110.

New Section 62 (B): The Central Government shall maintain a National Register of Motor Vehicles in to introduce uniformity and uniqueness across nation

New Section 66 (A): The Central Government may develop a National Transportation Policy in consultation with State Governments and other agencies.

New Section 134 A: Protection of Good Samaritan who shall not be liable for any civil or criminal action for any injury to or death of the victim of an accident involving a motor vehicle.

New Section 136 A: The State Government shall ensure electronic monitoring and enforcement of road safety on National Highways, State Highways, roads or in any urban city within a State which has a population up to such limits as may be prescribed by the Central Government.

Amendment Section 137 (aa): For the safety of children below the age of four years standards of protective headgear and measures shall be introduced.

Amendment Section 162 (2): The Central Government shall make a scheme for the cashless treatment of victims of the accident during the golden hour and such scheme may contain provisions for creation of a fund for such treatment.

Amendment 164 B: The Central Government shall constitute a Fund to be called the Motor Vehicle Accident Fund.

Amendment 215 D: The Central Government shall, by notification in the Official Gazette, constitute a National Road Safety Board.

Annexure 2

Proposed Penalty for Various Offences under MV Amendment Bill (2017)

Section	Violation	Old Penalty	Proposed Penalty
177	General	Rs. 100	Rs. 500
New 77A	Rules of road regulation violation	Rs. 100	Rs. 500
178	Ticketless travel	Rs. 200	Rs. 500
179	Disobedience of authorities' orders	Rs. 500	Rs. 2,000
180	Unauthorized use of vehicles without license	Rs. 1,000	Rs. 5,000
181	Driving without license	Rs. 500	Rs. 5,000
182	Driving despite disqualification	Rs. 500	Rs. 10,000
182 B	Oversize vehicles	New	Rs. 5,000
183	Over speeding	Rs. 400	Rs. 1,000 for LMV Rs. 2,000 for Medium passenger vehicle
184	Dangerous driving penalty	Rs. 1,000	Up to Rs. 5,000
185	Drunken driving	Rs. 2,000	Rs. 10,000
189	Speeding/ Racing	Rs. 500	Rs. 5,000
192 A	Vehicle without permit	Up to Rs. 5,000	Up to Rs. 10,000
193	Aggregators (violations of licensing conditions)	New	Rs. 10,000
194	Overloading	Rs. 2,000 and Rs. 1,000 per extra tonne	Rs. 20,000 and Rs. 2,000 per extra tonne
194 A	Overloading of passengers	New	Rs. 1,000 per extra passenger
194 B	Seat belt	Rs. 100	Rs. 1,000
194 C	Overloading of two wheelers	Rs. 100	Rs. 2,000 Disqualification for 3 months of the license
194 D	Helmets	Rs. 100	Rs. 1,000 Disqualification for 3 months of the license
194 E	Not providing way for emergency vehicles	New	Rs. 10,000
196	Driving without Insurance	Rs. 1,000	Rs. 2,000
199	Offences by Juveniles	New	Guardian/Owner shall be deemed to be guilty. Rs. 25,000 with 3 yrs imprisonment.
206	Power of Offices to impound documents	New	Suspension of driving licenses u/s 183, 184, 185, 189, 190, 194C, 194D, 194E
210 B	Offences committed by enforcing authorities	New	Twice the penalty under the relevant section

Annexure 3

Agenda of Expert Group Meeting (25.03.2019)

S N	Activity	Resource Person
1	Arrival and Registration	All Delegates
2	Welcome	Mr. Deepak Saxena Deputy Director CUTS International
3	Opening Remarks	Mr. George Cheriyan Director, CUTS International Dy. Transport Commissioner (Road Safety)
4	Key Expectations from the Expert Group Discussion	Mr. Madhu Sudan Sharma Senior Program Officer CUTS International
5	Road Safety Scenario in Rajasthan: Challenges and Way Forward	Mr. Ashwini Bagga Road Safety Consultant
6	Special Address	Mr. Harish Chandra Meena Member of Legislative Assembly Former DGP Rajasthan
7	Key Note Address	Ms. Nidhi Singh Dy. Transport Commissioner Road Safety Cell Transport Department
8	Round Table Discussion	All Delegates
9	Key Suggestions to Improve Road Safety in Rajasthan	All Delegates
10	Summary and Vote of Thanks	Mr. Satyapal Singh Program Associate CUTS International

Annexure 4

Participants of Expert Group Meeting

S N	Name	Designation	Department
1	Mr. George Cheriyan	Director	CUTS International
2	Mr. Harish Chandra Meena	Member of Legislative Assembly and Former DGP Rajasthan	Dausa
3	Ms. Nidhi Singh	Dy. Transport Commissioner (Road Safety)	Road Safety Cell, Transport Department
4	Mr. M. K. Sharma	Superintending Engineer Local Self Government	Road Safety Cell, Transport Department
5	Mr. Gopal Lal Arora	Executive Engineer Public Works Department	Road Safety Cell, Transport Department
6	Mr. Dilip Singh	Manager Technical	National Highway Authority of India
7	Mr. Satendra Kumar Mamodia	Assistant Vice President	RIDCOR
8	Dr. L.N. Pandey	Nodal Officer Medical & Health	Road Safety Cell, Transport Department
9	Mr. Deepak Saxena	Dy. Director	CUTS International
10	Mr. Madhu Sudan Sharma	Senior Program Officer	CUTS International
11	Mr. Yogendra Kumar Sharma	ADED	Education Department
12	Mr. Ashwini Bagga	Road Safety Consultant	
13	Ms. Nisha Bagga	President	Community for Safer Roads
14	Ms. Radhika Khandelwal	Program Associate	CUTS International
15	Mr. Satyapal Singh	Program Associate	CUTS International

Annexure 5

Glimpses of Expert Group Meeting

