



## SUPREME COURT COMMITTEE ON ROAD SAFETY

Chairman : Justice K.S. Radhakrishnan  
Members : S. Sundar  
Dr. Nishi Mittal

Secretary : S.D. Banga  
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**No.29/CoRS/2014 Pt.II.**

Dated: the 10<sup>th</sup> August, 2016.

To

The Transport Commissioner,  
Government of Uttarakhand,  
Kulhan, Sahastradhara Road,  
Dehradun  
(Shri S. Ramaswamy)

Email- transportdeptuk@gmail.com)

**Sub:** Committee on Road Safety- Furnishing of compliance report - reg

Sir,

Kindly refer to the letter dated 29<sup>th</sup> June, 2016 from the office of Transport Commissioner, Government of Uttarakhand, furnishing the compliance report relating to the directions of the Committee on Road Safety sought by the Committee vide its letter dated 26<sup>th</sup> April, 2016.

2. The measures taken by you have been examined by the Committee in detail. The Committee has following observations:

<u>Item No.</u>	<u>Observation of the Committee</u>
(i)	Noted.

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(ii)	<p>Noted. The Committee is unhappy that the State Road Safety Council had met only once in 2015 and has not met in 2016 so far.</p> <p>The Action Taken Report on the minutes of the meeting of the Council held on 23.05.2015 may be placed before the Council in its next meeting.</p> <p>The Committee again reiterates that the State should hold meetings of the Council at least twice a year; and send the minutes of the meetings of the Council and the Action Taken Reports thereon regularly to the Committee.</p>
(iii)	<p>Noted. The State was directed to constitute a Road Safety Fund and not the 'Urban Transport Fund'. The Committee again directs the State to constitute a Road Safety Fund. The Committee directs the State to set up the Road Safety Fund (and notify the Rules), <b>by 30<sup>th</sup> September, 2016</b>, and credit a certain percentage of compounding fees &amp; fines collected from traffic law violators, and cess, if the State decides to impose any, to ensure adequate and steady flow of funds for road safety activities. The use of this Fund should not be limited only to urban areas.</p>
(iv) (a)	<p>Noted. The Committee directs that the two posts of 'Assistant Directors' be created and filled up by 30<sup>th</sup> September, 2016.</p>
(iv) (b)	<p>The State has not confirmed, as directed vide Committees' letter dated 26.04.2016, as to whether with the appointment of two 'Assistant Directors', the 'Lead Agency' will have adequate dedicated and professional staff to effectively discharge its functions. This may be confirmed.</p>
(v) (a)	<p>Noted.</p>
(v) (b)	<p>Noted.</p>

<p>(v) (c)</p>	<p>Noted. The Protocol does not list all the activities involved in the process of identification, rectification and monitoring of black spots. The Protocol should specify each step involved in different stages in the process of dealing with the black spots e.g. (i) identification of spots; (ii) joint visits to each spot by a team comprising of representatives of stake holders, viz, Engineering Wing, Police Department, Traffic Police, Road Safety Experts etc, as deemed fit by the State; (iii) Identification of rectification measures required to be taken for each spot and making suggestions for rectification measures; (iv) Implementation of the counter measures suggested {at (iii) above}; and (v) monitoring of the treated sites based on number of fatalities and accidents etc after rectification/treatment of the identified sites {as at (iv) above}. All steps or activities involved in each of these stages along with month of the year in which the respective step(s) are required to be taken, should be specified in the Calendar of Black Spots. The Protocol should also allocate specific responsibilities to authorities designated therein with a view to ensure that the work relating to identification, rectification and monitoring of black spots is initiated and completed every year within a fixed time frame as per schedule prescribed therein.</p> <p>The Committee directs that the Lead Agency should prepare Protocol for Black Spots in consultation and coordination with PWD, NHAI or MoRTH(PIU) or any other road owning/managing agency in the State for NHs, SHs and MDRs under their respective jurisdictions. The Protocol should be, applicable to each road managing/owning agency in the State. A copy of the Protocol finalized by the Lead Agency should be sent to the Committee <b>by 30<sup>th</sup> September, 2016.</b></p>
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(v) (d)	<p>Attention is invited to State Governments' letter dated 01.04.2016 from forwarding therewith State Police Departments' letter dated 25.02.2016 from Shri Mukhtar Mohsin, Chairman, Road Safety Cell, Police HQ, Uttarakhand. The total number of Black Spots on NHs &amp; SHs prepared by the State, comes to 103 which accounts for 576 fatalities during the period from 2013 to 2015 whereas the total number of fatalities in the State during this period was 2,557 (766 in 2013, 878 in 2014 and 913 in 2015 respectively). These lists, which have left out 1,981 (more than 77% of) fatalities which occurred in 2013 – 2015, are susceptible to doubt. The Committee directs the Lead Agency to verify the data on ground and prepare a revised/correct jurisdiction wise list of Black Spots (in respect of black spots on NHs, SHs and MDRs under the respective jurisdictions of PWD, NHAI or MoRTH (PIU) or any other road owning/managing agency in the State), in accordance with the M/o Road Transport &amp; Highways letter No. MR-17018/1/2015-TRW (Pt.) dated the 30<sup>th</sup> December, 2015 and send the same to the Committee.</p>
(vi)	<p>The State, in its letters dated 01.04.2016 and 29.06.2016, has not furnished categorical information on the analysis of the accident data of particular accident prone stretches on all National &amp; State Highways and MDRs conducted by the State in order to decide the nature of traffic calming measures required to be applied. No details of actual measures taken on roads merging in or diverging from the National/State Highways have been provided. The State should furnish this information.</p>

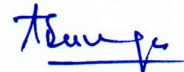
<p>(vii)</p>	<p>The State has not been furnished a categorical reply. Details of action taken by PWD and copy of instructions issued to field offices have not been enclosed. The Committee directs that the State should ensure that the road safety audits are always conducted by a third party. The Committee also directs that the State should take following action:</p> <p>a). Ensure that the construction work of any road costing above rupee ten crores is commenced only after road safety audit is conducted, <b>by a third party</b>, at design stage and recommendations of the design stage audit are implemented. Road Safety Audit should be conducted at construction and operational stages also.</p> <p>b). Prepare a separate calendar for PWD, NHAI or MoRTH (PIU) and any other road owning/managing agency in the State, in consultation with the concerned road owning/managing agency, for training of adequate number of highway engineers belonging to the concerned road owning/managing agency and ensure that the engineers are trained in road safety and that their services are utilized as master trainers.</p>
<p>(viii)</p>	<p>a) Noted.</p> <p>b&amp;c) The Committee notes that, in 2015, accidents and fatalities on account of over speeding were 1198 and 774 (out of total 1523 accidents and 913 fatalities). The Committee observes that even though 'over speeding' seems to be single largest killer on roads, the State issued only 92 challans during 01.03.2016 to 31.05.2016. There were no prosecutions during this period. The Committees' directs that its directions dated 18.08.2015 and 17.11.2015 should be strictly implemented by the State and that district wise reports on the compliance of the Committees' directions dated 18.08.2015 and 17.11.2015 should be regularly sent to the Committee by the stipulated date.</p>

(ix)	Noted. The reply furnished by the State is not satisfactory. The State is directed to conduct a survey of all NHs and SHs and send a factual report on action taken to remove hoarding and objects located within a distance of 100 meters from National and State Highways that obstruct driving or distract drivers. A factual report on such hoarding and objects yet to be removed should also be sent to the Committee.
(x)	a) The reply furnished by the State is evasive. As directed vide Committees' letter dated 26.04.2016, the State is again directed to draw the "Timelines for preparation of Land Plans of road and road side and its notification in accordance with Uttarakhand Road Infrastructure Protection Act, 2014" and also explain the "applicability of Road Side Land Control Act to the removal of encroachments on pedestrian path" and intimate the Committee <b>by 30th September, 2016.</b>  b) A report on action taken by the Local Bodies in the State in accordance with Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act 2014 for removal of illegal encroachments on pedestrian path may be intimated to the Committee.
(xi)	The Action Plan submitted by the State does not indicate year wise targets (for reduction of fatalities and road accidents) with their inter-set priorities, human and financial resources required to achieve the targets, the nodal agencies for each activity mentioned, and the strategy the State proposes to adopt to achieve those targets. The Committee, therefore, directs the State to revise its Road Safety Action Plan accordingly and the revised Action Plan should be submitted directly to MoRTH with a copy to the Committee <b>by 30<sup>th</sup> September, 2016.</b>
(xii)	Lead Agency should pursue with Information and Public Relations Department and ensure that the film clip in appropriate format is sent to the Entertainment Tax Department and that all Cinema Halls begin to show the film/clip on road safety before beginning of each show.

(xiii)	Noted.
(xiv)	Noted. A report on action taken on Excise Departments' notification dated 25.02.2016 regarding shifting of all liquor shops beyond 100 meters from NHs/SHs should be sent to the Committee <b>by 30<sup>th</sup> September, 2016.</b>
(xv)	The State should take action for digitization of Driving License data and its upload on a networked central computer server.
(xvi)	Lead Agency should place all the above issues and the directions given by the Committee before State Road Safety Council in its next meeting.

3. You are requested to kindly take action as advised above and forward a comprehensive compliance report to the Committee in respect of all the directions **by 30<sup>th</sup> September, 2016.**

Yours faithfully,

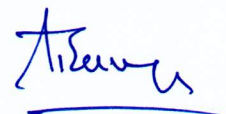


(S.D. Banga)

**Secretary to the Committee**

Copy to:

The Chief Secretary, Government of Uttarakhand, Dehradun.



(S.D. Banga)

**Secretary to the Committee**