



## SUPREME COURT COMMITTEE ON ROAD SAFETY

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**No.16/2016/CoRS**

**Dated: 24<sup>th</sup> November, 2016**

To

**Chief Secretaries of all the States/UTs**

**Sub: Constitution of Lead Agency, State Road Safety Council and Road Safety Fund.**

Sir/Madam,

This Committee has, vide its letter dated 23<sup>rd</sup> December, 2014 and subsequent discussions with the State Govts. directed them to constitute a Lead Agency to exclusively deal with road safety issues. It has been brought to the notice of this Committee by Mr Gaurav Agrawal, the learned *Amicus Curiae* appointed by the Hon'ble Supreme Court of India that there is lack of clarity amongst the States on the constitution and functions of the Lead Agency. The learned *Amicus Curiae* has requested the Committee to clarify the directions of the Committee to the States in respect of the Lead Agency.

2. The Committee has asked the States to set up a Lead Agency to be led by a senior officer supported by adequate and competent staff to deal exclusively with all matters related to road safety in the State. In the discussions with the State Govts., the Committee has pointed out that the State Road Safety Council constituted under the chairmanship of Hon'ble Chief Minister/ Hon'ble Transport Minister or a Committee constituted under the chairmanship of the Chief Secretary / Transport Secretary / Transport Commissioner notified as Lead Agency by some of the States cannot perform the duties of a Lead Agency as such a Council or a Committee cannot function on a fulltime basis and



continuously monitor the implementation of road safety measures as directed by this Committee or the Govt. of India. The Committee has, therefore, desired that the Lead Agency should be a separate entity headed by an officer not below the rank of Additional Commissioner(Transport)/Joint Commissioner (Transport) supported by full time staff drawn from the Departments of Police, PWD, Education and Emergency Care.

3. It is important that the Lead Agency should be headed by a senior officer so that he is effective in coordinating the road safety matters with the concerned Departments and resolve road safety issues. Similarly, the support staff should also have domain knowledge in the field of road safety so as to deal with the road safety issues appropriately.

4. The Lead Agency should ideally be constituted through legislative enactment. Some of the States are planning to take this route. However, this could be a time consuming process. In case the States decide to constitute the Lead Agency through an Executive Order, the Order should be duly notified.

5. The functions of the Lead Agency should be as follows:

- (i) To work as a secretariat for the State Road Safety Council, arrange meetings of the Council issue it's Minutes and monitor the implementation of the decisions of the Council by the concerned Departments of the State.
- (ii) To coordinate with the concerned Departments of the State Govt. to ensure implementation of the directions issued from time to time by this Committee and furnish Compliance Report in a time bound manner.
- (iii) To ensure implementation of the directions given by the Central Govt. from time to time.
- (iv) To notify annual targets for reduction of accidents and fatalities as fixed by the State and draw up an Annual Action Plan to achieve the targets and monitor its implementation.
- (v) To collate on a regular basis data on road accidents and analyse the data to identify areas /road stretches and categories of accident victims who should be focused upon.
- (vi) To manage the Road Safety Fund and ensure that the Fund is effectively utilized.





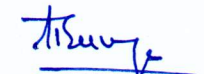
6. The Committee has also directed the State to set up Road Safety Fund which would be non-lapsable and ensure that a steady flow of money accrues to the Fund by diversion of significant portion of the fines/ compounding fee collected from traffic violations. The fund should not be solely dependent on budgetary allocations which may vary according to the financial constraints of the Govt.

7. In some States, the State Road Safety Council is headed by the Chief Secretary. The Committee has directed that the Council should preferably be headed by the Transport Minister or any other Minister nominated by the Chief Minister to get political commitment to road safety issues. Further, The Council should meet at least twice in a year and the Minutes along with Action Taken Report on the decision taken in the previous meeting should be sent to the Committee regularly.

8. India has highest number of road accident fatalities in the world. According to the statistics maintained by the Ministry of Road Transport and Highways, 146133 persons had died during the year 2015. Information being received from different States indicates that the fatalities are on the increase in the current year as well. As per the UN Decade of Action for Road Safety 2011-20, India is committed to decrease the fatalities by 50% by the end of 2020. It is, therefore, necessary for the States to fix realistic targets year wise till 2020 to reduce the number of fatalities and prepare Annual Action Plan to achieve the targets. The progress in this regard should be monitored by the respective State and reported to the Committee on a continuing basis.

9. You are requested to kindly ensure that the Lead Agency, State Road Safety Council and Road Safety Fund are constituted as per the clarifications provided above.

Yours faithfully,

  
(SD Banga)

Secretary to the Committee

Copy to:

Principal Transport Secretaries /Transport Commissioner of all States/UTs