



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
Dated: 30th November, 2016.

To

The Principal Secretary (Transport)
Government of Uttarakhand,
Kulhan, Shatradhara Road,
Dehradun
(Shri S. Ramaswamy)
(Email- secy-trpt-ua@nic.in; transportdeptuk@gmail.com)

Sub: Committee on Road Safety – Meeting held on 28th October, 2016- Furnishing of compliance report - regarding.

Sir,

The measures taken by the Government of Uttarakhand have been reviewed by the Committee in detail in a meeting held on 28th October, 2016. A copy of the minutes is enclosed. Following discussions, the Committee requested the State Government to take following action **by 31st January, 2017** or the date specified:

- i) Collect/compile data on fatalities in road accidents in the State for the period January - October, 2016; assess the rate of increase/decrease in the current year up to October, 2016 and inform the Committee.
- ii) As directed by the Committee vide its letter no 10/16/CoRS dated 12th April, 2016, scientifically analyze the data of the last three or four years to understand the trend of fatalities, identify locations which are currently accident prone, causes of accidents and degree of vulnerability of different categories of road users specific to those identified locations and based on such analysis, fix priorities for counter measures for 2017.
- iii) In view of variation in the data on fatalities on account of drunk driving between 2009 and 2015, over spending between 2013 and 2015 and hit and run cases from 2009 to 2011, the State should look into the correctness of the published data particularly fatalities data in respect of the years 2013 to 2016 **by 31st January, 2017** and submit a report to the Committee.

- iv) Hold next meeting of the Council as soon as possible; place ATR on the minutes of the last meeting in its next meeting and ensure that the Council now meets at least twice a year and the minutes of the meetings are forwarded to the Committee.
- v) Assess the adequacy of the funds likely to be made available to the Road Safety Fund under the present proposal i.e. 25% of fees /fines collected by the Transport and the Police Departments and, in case it is likely to be inadequate, the State should suitably increase the percentage of fees/fines to be credited to the Fund. The Committee desired that the Road Safety Fund should be established **by 31st January, 2017.**
- vi.) Set up a Lead Agency as directed earlier by the Committee. The Committee appreciated the constitution of and observed that a decision on the proposal sent by the Transport Commissioner to the Secretary (Transport) for establishing a Lead Agency should be taken at an early date and a copy of the order or notification setting up the Lead Agency should be endorsed to the Committee.
- vii.a) The Protocol sent by the State, does not provide for all the steps which a Protocol should have. The Committee observed that the Calendar (Protocol) should list all the activities involved in the process of identification, rectification and monitoring of black spots. It 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 Expert(s) nominated by the State Government etc; (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/pin point specific responsibilities to authorities/officers by designation for initiation/completion of each step involved in the process 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.

The Committee directed that the Lead Agency should prepare Protocol for PWD, NHAI or MoRTH (PIU) or any other road owning/managing agency in the State (in respect of black spots on NHs, SHs and MDRs under their respective jurisdictions) in consultation with the concerned road owning/managing agency. 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 **by 31st January, 2017.**

- b) Work out specific strategies for reduction of fatalities at locations where 23% fatalities took place on 103 black spots (identified by the State on NHS, SHS

and ORs in accordance with MoRTH letter dated 30.12.2016 during 2013 to 2015) and apprise the Committee.


- c) Provide a detailed jurisdiction wise report on number of Black Spots identified on National Highways separately under the jurisdiction of State PWD & NHAI and on State Highways, MDRs and Ors and the status of these black spots indicating the action taken to rectify them and evaluation of rectified black spots.
- vi. Comply with the directions issued by the Committee vide para 2 (vii) of the Committee's letter dated 10.08.2016 and send a copy of the orders issued by the State in regard to the audit of road projects costing above Rupees ten crores.
- vii.a) Strictly implement the Committees' directions dated 18.08.2015 and 17.11.2015 regarding suspension of licenses in respect of specified violations and the progress of implementation for the quarter October-December, 2016 should be sent in the proforma prescribed vide Committees' letter dated 24th October, 2016.
- b) Devise effective enforcement strategies by analysing the data. The Committee pointed out that as per the State Government's own data, two wheeler and car/taxi riders together constituted about 62% of the total fatalities in 2015 and urban fatalities in road accidents (involving all vehicles) constituted about 47% of total fatalities. The Committee directed that the State should keep these realities in mind while devising its enforcement strategies.
- viii. The Lead Agency should verify and confirm that appropriate speed calming measures at all required places have been taken by the State and send a report to the Committee.
- ix. a) Timelines for completion of the action should be drawn for shifting of hoardings (which obstruct or distract drivers) beyond 100 meters of NHs and SHs in 5 districts where there has been no progress at all and in 3 districts where there has been partial or negligible progress and intimated to the Committee.
- b) Undertake audit of all road side hoardings on NHs, SHs, MDRs and Other Roads to ensure that they are not dangerous as directed vide Committees' letter dated 24th May, 2016.
- x. (a) Noting that only Municipal Corporation, Rudrapur and Municipal Council, Champawat, have taken action under the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act 2014, the Committee directed the State to intimate the action taken by other Local Bodies in the State under the said Act.
- (b) The applicability of the Uttarakhand Road Infrastructure Protection Act, 2014" and the Road Side Land Control Act to the removal of encroachments on pedestrian path, has not yet been satisfactorily explained as directed vide para 2 (vii) of the Committee's letter dated 10.08.2016. The State should explain the same to the Committee **by 31st December, 2016.**
- xi. Conduct analysis of data as directed in paras 2 and 3 (v)(b) above and based on such analysis, fix priorities, revise the Action Plan. The revised Ac-

tion Plan should conform to the directions given by the Committee vide para 2 (vii) of its letter dated 10.08.2016 and should reflect the strategy and the interventions based on the outcome of the analysis to be conducted by the State as directed in paras 2 and 3 (v)(b) above. The State should submit the revised Action Plan directly to MoRTH and endorse a copy to the Committee.

- xii. The Lead Agency should verify that Cinema Halls in all districts in the State have actually begun showing a short film/clip on road safety and send a confirmation thereof to the Committee.
- xiii. Collect/compile district wise information on number of liquor shops located within 100 meters of Highways separately in respect of plain areas and hilly areas in each district **by 31st December, 2016** and send the information to the Committee; prepare two separate proposals for shifting liquor shops beyond 100 meters of Highways, one for plain areas and the other for the hilly areas of the State **by 31st January, 2017** and report the progress to the Committee.
- xiv. Draw time lines for shifting each RTO and DTO/ Asstt. DTO to 'SAARATHI 4.0' and intimate the Committee. The Committee noted that 'SAARATHI 4.0' has been implemented in one RTO (Dehradun).
- xv. Lead Agency should ensure that the agenda for the next meeting of the State Road Safety Council includes all the above issues and the directions given by the Committee.

2. 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 31st January, 2017** or the specified date.

Yours faithfully,



(S.D. Banga)

Copy for information and necessary action to:

1. The Chief Secretary, Government of Uttarakhand, Dehradun
2. Ms. Sunita Singh, Addl. Transport. Commissioner, Dehradun, Uttarakhand

Minutes of the Meeting held by the Committee on Road Safety on 28th October, 2016 at 1400 Hrs in Seminar Hall, Darbari Seth Block, India Habitat Centre with the Government of Uttarakhand on implementation of the road safety measures

The Supreme Court Committee on Road Safety convened a meeting on 28th October, 2016 with the Government of Uttarakhand on the implementation of the Committee's directions to promote Road Safety Measures. The following were present:

Committee on Road Safety

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| (i) | Justice (Rtd) K.S. Radhakrishnan: | Chairman; |
| (ii) | Shri S. Sundar: | Member; |
| (iii) | Dr (Mrs) Nishi Mittal: | Member; |
| (iv) | Shri S.D. Banga: | Secretary. |

National Highways Authority of India (NHAI)

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|-------|-------------------|-------------------|
| (i) | Shri P. C. Arya, | RO, UK, NHAI |
| (ii) | Shri P.N Gawasane | RSO & Manager (T) |
| (iii) | Dr. A. K Sharma | GM(T) Road Safety |

Govt of Uttarakhand :

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|--------|---------------------|--------------------------------------|
| (i) | Ms. Sunita Singh | Addl. Transport. Commissioner. |
| (ii) | Shri Naresh Sangal | Asst. Dir. Transport |
| (iii) | Shri H.S. Bargal | Asst. Dir. Transport. |
| (iv) | Mrs. M.B. Rawat | Dy. Dir. SCERT |
| (v) | Shri Hariom Sharma | PWD |
| (vi) | Shri K P Upreti | PWD |
| (vii) | Dr. L. D Semwal | Nodal Officer, Health Deptt. |
| (viii) | Dr. S.P Agarwal | Medical Health |
| (ix) | Shri D.V Singh | Addl. Excise Commissioner |
| (x) | Shri Ramesh Singh | Dy. Excise Commissioner |
| (xi) | Shri Navneet Pande | Addl. Dir. Urban Development |
| (xii) | Shri Ravi Pandey | E.E/Nodal Officer, Urban Development |
| (xiii) | Ms. Sweety Agarwal | S.P, Road Safety, Uttarakhand Police |
| (xiv) | Shri Prashant Joshi | Design Aid, Safety Auditor |

2. The Committee noted with concern that the total number of fatalities in the State has gone up by 35 (about 4%) in 2015 over 2014. The State representatives could not provide the data on fatalities of 2016. The Committee asked the State to collect/compile data up to October, 2016, assess current year's trend and inform the Committee. The Committee also noted that the State has so far not analyzed the data on fatalities/accidents and observed that as directed vide its letter no 10/16/CoRS dated 12th April, 2016, the State should scientifically analyze the data of the last three or four years to understand the trend of fatalities, identify locations which are currently accident prone, causes of accidents and degree of vulnerability of different categories of road users specific to those identified locations and based on such analysis, fix priorities for counter measures for 2017.

3. The State representatives apprised the Committee on the status of the implementation of the Committees' directions particularly the latest letter dated 10th August, 2016. Detailed discussions took place on each issue. The observations made/ directions given by the Committee on the State Governments' submissions are as follows:

- i. First of all, the Committee took note of the fact that the published data shows huge yearly variation in fatalities, accidents and injuries on account of drunk driving between 2009 and 2015 and substantial variation in fatalities, accidents and injuries on account of over spending between 2013 and 2015. Ironically, no hit and run cases were reported from 2009 to 2011. The Committee observed that the corresponding published data did/does not seem to reflect the correct picture and that this raises doubt about the veracity of the entire published data. The Committee directed the State to look into the correctness of the data in respect of the years 2013 to 2016 **by 31st January, 2017** and submit a report to the Committee.
- ii. In spite of the Committee's directions that the State Road Safety Council should meet at least twice a year, it has met only once in 2015 and once in 2016 (on 21.09.2016). The Committee directed that the State should hold next meeting of the Council as soon as possible; place ATR on the minutes of the last meeting in its next meeting and ensure that the Council now meets at least twice a year and the minutes of the meetings are forwarded to the Committee.
- iii. The Committee noted that the State proposes to establish a non lapse-able Road Safety Fund and credit 25% of fees /fines collected by the Transport

and the Police Departments and directed the State to assess the adequacy of the funds likely to be credited to the Fund and, if necessary, suitably increase the percentage of fees/fines to be credited to the Fund. The Committee desired that the Road Safety Fund should be established **by 31st January, 2017.**

- iv. The Committed appreciated the constitution of the Monitoring Committee under the Chief Secretary and the appointment of the Transport Commissioner as the 'Road Safety Commissioner' and observed that in addition to this, a Lead Agency should be set up as directed earlier. The Committee noted the proposal dated 14.10.2016 sent by the Transport Commissioner to the Secretary (Transport) for establishing a Lead Agency and desired that a decision on the proposal should be taken at an early date and a copy of the order or notification setting up the Lead Agency should be endorsed to the Committee.

- v. a) The Committee observed that the Protocol Calendar should 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 Expert(s) nominated by the State Government etc; (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/pin point specific responsibilities to authorities/officers by designation for initiation/completion of each step involved in the process 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.

The Committee observes that the Protocol sent by the State, does not provide for all the above steps. The Committee directed that the Lead Agency should prepare Protocol for PWD, NHAI or MoRTH (PIU) or any other road owning/managing agency in the State (in respect of black spots on NHs, SHs and MDRs under their respective jurisdictions) in consultation with the concerned road owning/managing agency. 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 **by 31st January, 2017.**

- b) The Committee also took note of the fact that the State identified 103 black spots on NHS, SHS and ORs in accordance with MoRTH letter dated 30.12.2016 and that these 103 black spots accounted for only 23% fatalities in the State during the period from 2013 to 2015. The Committee desired that the State Government should work out specific strategies for locations where 23% fatalities took place on these 103 black spots and directed that the action taken in this regard should be intimated to the Committee.
- c) The representatives of the State Government could not satisfactorily provide details in regard to the number of Black Spots on National Highways separately under the jurisdiction of State PWD & NHAI and on State Highways, MDRs and ORs. The Committee asked for a detailed jurisdiction wise report on the status of Black Spots indicating the action taken to rectify them and evaluation of rectified black spots.
- vi. The Committee noted that the State has not sent a copy of the orders issued by it in regard to the audit of road projects and directed that the State should comply with the directions issued by the Committee vide para 2 (vii) of the Committee's letter dated 10.08.2016 and send a compliance report.
- vii. The Committee observed that two wheeler and car/taxi riders constituted about 62% of the total fatalities in 2015 and that urban fatalities in road accidents constituted about 47% of total fatalities and expressed its disappointment that the State has not even looked at the available data to devise effective enforcement strategies. The Committee was also unhappy that the State has not strictly implemented the Committees' directions dated 18.08.2015 and 17.11.2015 regarding suspension of licenses in respect of

specified violations and directed that these directions should be strictly implemented and the progress of implementation for the quarter October-December, 2016 should be sent in the proforma prescribed vide Committees' letter dated 24th October, 2016.

- viii. The Committee noted the action taken by the State regarding speed calming measures and sought a confirmation from the State that the appropriate speed calming measures at all required places have been taken by the State.
- ix. a) The Committee noted that there has been no progress in shifting the hoardings (which obstruct or distract drivers) beyond 100 meters of NHs and SHs in 5 districts and partial or negligible progress in 3 out of 10 districts and desired that timelines for completion of the action should be drawn and intimated to the Committee.
- b) Audit of all road side hoardings on NHs, SHs, MDRs and Other Roads should be undertaken to ensure that they are not dangerous as directed vide Committees' letter dated 24th May, 2016.
- x. (a) The Committees noted that only Municipal Corporation, Rudrapur and Municipal Council, Champawat, have taken action under the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act 2014 and directed the State to intimate the action taken by other Local Bodies in the State under the said Act.
- (b) The Committee also noted that the State has not yet satisfactorily explained the applicability of the Uttarakhand Road Infrastructure Protection Act, 2014" and the Road Side Land Control Act to the removal of encroachments on pedestrian path, as directed vide para 2 (vii) of the Committee's letter dated 10.08.2016 and directed the State to explain the same to the Committee **by 31st December, 2016.**
- xi. The Committee observed that the Action Plan submitted by the State does not conform to the directions given by the Committee vide para 2 (vii) of its letter dated 10.08.2016 and that the State is in the process of revising the Action Plan with annual targets. The Committee said that the revised Action Plan should reflect the strategy and the interventions based on the outcome of the analysis to be conducted by the State as directed in paras 2 and 3

- (v)(b) above and directed the State to submit the revised Action Plan directly to MoRTH and endorse a copy to the Committee.
- xii. The Committee noted the action taken by the State for display of short film on road safety in cinema halls and directed the Lead Agency to verify that Cinema Halls in all districts in the State have actually begun showing a short film/clip on road safety and send a confirmation thereof to the Committee.
 - xiii. The Committee noted that during 2017-18, the State proposes to shift 44 out of 526 liquor shops located within a distance of 100 meters of NHs & SHs. The Committee observed that this is too slow a pace and is unacceptable. The State Government representatives explained that in hilly terrains, it is not possible to shift liquor shops beyond 100 meters of Highways because of lack of adequate road side space. The Committee felt that the liquor shops located in plain areas should be shifted forthwith and directed that the State should collect/compile district wise information on number of liquor shops located within 100 meters of Highways separately in respect of plain areas and hilly areas in each district **by 31st December, 2016**. The Committee also directed that the State should prepare two separate proposals for shifting liquor shops beyond 100 meters of Highways, one for plain areas and the other for the hilly areas of the State **by 31st January, 2017** and report the progress to the Committee.
 - xiv. The Committee noted that 'SAARTHI 4.0' has been implemented in one RTO (Dehradun). The State has decided to implement it in 12 out of the remaining 17 RTOs. In addition, the State has provided connectivity to 12 DTOs/Asstt. DTOs and has asked them to make preparations for implementing 'SAARTHI 4.0'. The Committee directed the State to draw time lines for shifting each RTO and DTO/ Asstt. DTO to 'SAARATHI 4.O' and intimate the Committee.
 - xv. Lead Agency should ensure that the agenda for the next meeting of the State Road Safety Council includes all the above issues and the directions given by the Committee.
- 4. The Committee directed the State to take action on the above directions by **31st January, 2017** unless otherwise specifically stipulated in the direction.
 - 5. The meeting ended with a vote of thanks to the Chair.