

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
RAJYA SABHA
STARRED QUESTION NO - *268
ANSWERED ON- 12/08/2026

LIABILITY FOR UNSAFE ROADS

*268. PROF. MANOJ KUMAR JHA:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether the standards for road design, construction and maintenance, and other matters under Section 198A of the Motor Vehicles Act, 1988 have been prescribed by the Central Government and, if so, the details thereof;
- (b) the State-wise/UT-wise number of complaints, prosecutions, convictions and penalties under the said provision since its commencement;
- (c) the year-wise amount recovered as penalties and credited to the Motor Vehicle Accident Fund under Section 164B; and
- (d) the steps taken to implement and monitor the enforcement of Section 198A across the country?

ANSWER

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS

(SHRI NITIN JAIRAM GADKARI)

(a) to (d). A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF THE RAJYA SABHA STARRED QUESTION NO. *268 FOR ANSWER ON 12th AUGUST, 2026 ASKED BY PROF. MANOJ KUMAR JHA REGARDING LIABILITY FOR UNSAFE ROADS.

(a) to (d). Government in Ministry of Road Transport and Highways is responsible for development, operation and maintenance of National Highways (NHs). Government has formulated Rule 166 of Central Motor Vehicles Rules, 1989, vide G.S.R. 584(E) dated 25.09.2020 under Sections 198A and 210C of the Motor Vehicles Act, 1988.

Rule 166 states as follows:

“166. Road Design, Construction and Maintenance Standards.—

(1) The design, construction and maintenance of national highways shall be in accordance with the standards and specifications of the Indian Road Congress as may be applicable, or any other instructions or guidelines issued by the Central Government from time to time.

(2) The design, construction and maintenance of roads other than national highways shall be in accordance with the standards and specifications of the Indian Road Congress as may be applicable, or any other instructions or guidelines issued by the State Government from time to time.

(3) Subject to the previous approval of the Central Government or State Government, as the case may be, deviations from applicable standards, specifications, instructions and guidelines issued under sub-rule (1) or (2), may be made due to local conditions including but not limited to site constraints or built up area or land acquisition, and a copy of the said approval shall be annexed as part of the relevant contract.

(4) The contract shall clearly define the terms designated authority, consultant and concessionaire.”

All efforts are made to ensure that the National Highways (NHs) are constructed as per stipulated quality standards specified in the Indian Roads Congress (IRC) specifications and codes. To ensure that highway construction adheres to stipulated quality standards, Consultants (Authority's Engineer/ Independent Engineers- AE/IE) are appointed by the executing agencies for day-to-day supervision of works at site. Officials of executing agencies undertake inspections from time to time and ensure adherence of conformity of quality of the work done by the Concessionaire/ Contractors with stipulated requirements. In addition, Third-Party Quality Auditors are deployed for independent quality audits of NH works on a case-to-case basis.

State / Union Territory (UT) - wise details of projects involving major failures or major structural damage on NHs including on bridges and flyovers due to various factors including negligence on part of Contractors and penalty imposed and other penal action taken against Contractors/Concessionaires/ AE/IE etc. are attached as Annexure. Action against defaulting

agencies has been taken as per the provisions of the Contract/ Concession agreement in case of deficiencies/ damages, such as termination of contract agreement, levying of penalties/liquidated damages, debarment/ blacklisting, declaring as non-performers etc.

The failure to comply with standards for road design, construction and maintenance under section 198A of the Motor Vehicles Act, 1988 is dealt/implemented through the contractual framework governing the design, construction and maintenance of road projects.

Further, section 198A was amended under the Jan Vishwas (Amendment of Provisions) Act, 2026, wherein the existing fine of up to rupees one lakh was replaced with a penalty of up to rupees fifty lakh for failure to comply with the prescribed standards resulting in death or disability, with the penalty being payable to the Fund constituted under section 164B in the case of National Highways, and to the State Government, in the prescribed manner, in the case of roads other than National Highways.

Government has notified the aforesaid amendments *vide* S.O. 4100(E) dated 24.07.2026 with effect from 15.08.2026.

Annexure

ANNEXURE REFERRED TO IN REPLY TO PARTS (a) TO (d) OF THE RAJYA SABHA STARRED QUESTION NO. *268 FOR ANSWER ON 12th AUGUST, 2026 ASKED BY PROF. MANOJ KUMAR JHA REGARDING LIABILITY FOR UNSAFE ROADS.

State / Union Territory (UT) - wise details of projects involving major failures or major structural damage on NHs including on bridges and flyovers due to various factors including negligence on part of Contractors and penalty imposed and other penal action taken against Contractors/Concessionaires/ AE/IE etc.:

State / UT	Year	No. of projects	Penalty Imposed	Other penal action
Andhra Pradesh	2021	1	Rs. 40.00 lakh on IE Rs. 3.0 Cr on contractor	
Arunachal Pradesh	2024	1	5% of Contract value on Contractor	
Bihar	2020	1		Contractor debarred for 3 years.
	2022	2		Key personnel of Contractor and AE/IE suspended
	2023	2	Rs. 25 Cr on Contractor	Key personnel of Contractor and AE/IE suspended
	2024	1		Key personnel of Contractor suspended
Himachal Pradesh	2022	1		Rectification done at Contractors own cost
Gujarat	2020	1		Contractor debarred for 2 years
Haryana	2020	1	Rs. 3.00 Cr on Contractor	Debarment of Team Leader of IE. Repairs on the cost of Contractor.
	2021	1	Rs. 6.67 cr on Contractor & Rs. 20 Lakhs on AE	Contractor and AE blacklisted for 3 months
	2024	2	Total Rs. 90 lakhs on Contractors	Rectification done at Contractors own cost
Jammu & Kashmir	2022	1	1% of project cost on EPC Contractor	Contractor blacklisted
Gujarat	2025	1	Rs. 2.80 cr. on Contractor	
Karnataka	2024	1		Contractor debarred for 1 month
	2025	1		Rectification done at Contractors

				own cost
Kerala	2020	1	Rs. 1.00 Cr on Contractor, Rs. 20 lakhs on AE	Project Manager of Contractor and Team Leader and Bridge Engineer terminated from project
	2024	1		Rectification done at Contractors own cost
	2025	7	Total Rs. 31.245 Cr on Contractors and Rs. 5 lakhs on IE	Key personnel of Contractor and AE/IE suspended in 1 project Contractor and AE/IE debarred in 2 projects
Madhya Pradesh	2025	2	Rs. 119 Cr on Contractor	
Maharashtra	2020	1	Rs. 41.32 Cr on Contractor in 1 project	
	2021	1		Debarment of Contractor for 9 months
	2024	4	Rs. 3.94 Cr in total on Contractors Penalty of Rs. 20 lakhs on AE	Key Personnel of Contractor and AE suspended in 2 nos. projects
	2026	2	Rs. 75 lakhs on Contractor and Rs. 12.50 lakhs on AE	
Telangana	2022	1	Rs. 134.78 Cr on Contractor	
Tamil Nadu	2021	1	Rs. 3.0 Cr on Contractor	
	2023	1		Rectification done at Contractors own cost
	2025	1	Rs. 7.21 cr on contractors & Rs. 5 lakhs on IE	
Uttar Pradesh	2026	5		Termination of Contractor in 1 project; Project Manager of Contractor and Team Leader of AE for 1 no. of project; TL and RE of IE and Project Manager (Maintenance) of Contractor debarred for 2 years for 1 no. of project.
Uttarakhand	2023	1		Rectification done at Contractors own cost
West Bengal	2024	2	Rs. 4.19 Cr on Contractors & Rs. 5	

			lakhs on AE/IE	
	2026	1		Toll has been suspended, Key Personnel of IE and Concessionaire suspended
Odisha	2022	1		Keep personnel of AE/IE and Contractor suspended
	2023	1	Rs. 5.30 Cr on Contractor and Rs. 25 lakhs on IE	Debarment of DPR consultant for 1 year
Assam	2024	1		Contractor debarred for 4 months
Meghalaya	2025	1	Rs. 20 lakhs on Contractor	
Delhi	2023	1		Rectification done at Contractors own cost
