

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS
LOK SABHA
UNSTARRED QUESTION NO. 6329
ANSWERED ON 5th APRIL, 2018

COMPENSATION TO ROAD ACCIDENT VICTIMS

6329. DR. KIRIT P. SOLANKI:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS

सड़क परिवहन और राजमार्ग मंत्री

be pleased to state:

- (a) the total number of road accidents and loss of life therein during the last and the current year ;
- (b) the details of the measures taken by the Government to address this issue; and
- (c) whether the family of the vulnerable group of pedestrians who account for a large part of the road accident deaths are compensated for their deaths and provided any assistance by the Government or the accused responsible for the accident and if so, the details thereof?

ANSWER
THE MINISTER OF STATE IN THE
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
(SHRI MANSUKH L. MANDAVIYA)

- (a) As per the data received from police department of States/UTs, the number of road accidents and persons killed due to road accidents in the country during last two calendar years i.e 2015 and 2016 is as under:

Years	Total Number of road accidents in the country	Total Number of persons killed in road accidents in the country
2015	5,01,423	1,46,133
2016	4,80,652	1,50,785

- (b) The Ministry of Road Transport and Highways has taken a number of steps including long terms strategy to prevent road accidents and road accident fatalities as per details mentioned under: -
 - 1) The Government has approved a National Road Safety Policy. This Policy outlines various policy measures such as promoting awareness, establishing road safety information data base, encouraging safer road infrastructure including application of intelligent transport, enforcement of safety laws etc.
 - 2) The Government has constituted the National Road Safety Council as the apex body to take policy decisions in matters of road safety.

- 3) The Ministry has constituted Group of Ministers of State Transport Ministers to examine the best practices of Transport and suggest issues to improve road safety.
- 4) Based on the recommendation of Group of Minister, the Ministry introduced Motor Vehicle (Amendment) Bill 2017 covering entire gamut of road safety.
- 5) The Bill contains the provision of creation of Motor Vehicle Accident Fund, implementation of Cashless Treatment Scheme during Golden Hour, setting up of a dedicated agency for road safety viz. National Road Safety and Traffic Management Board (NRSTMB), enhancement of penalty for traffic rule violations, etc. which have direct impact on road safety.
- 6) The Ministry has formulated a multi-pronged strategy to address the issue of road safety based on 4 'E's viz. Education, Engineering (both of roads and vehicles), Enforcement and Emergency Care.
- 7) Road safety has been made an integral part of road design at planning stage.
- 8) Road Safety Audit of selected stretches of National Highways has been taken up.
- 9) The threshold for four laning of national highway has been reduced from 15,000 Passenger Car Units (PCUs) to 10,000 PCUs. About 52,000 Km of stretches of State Highways has been identified for conversion to national highways.
- 10) Setting up of model driving training institutes in States and refresher training to drivers of Heavy Motor Vehicle in the unorganized sector.
- 11) Advocacy/Publicity campaign on road safety through the electronic and print media.
- 12) Tightening of safety standards for vehicles like Seat Belts, anti-lock braking system etc.
- 13) High priority has been accorded to identification and rectification of black spots (accident prone spots) on national highways.
- 14) Guidelines for identification and rectification of black spots, carrying out road safety audits and preparation of road safety improvement proposals on NHs and also guidelines on implementation of road safety engineering measures on state roads under Central Road Fund (CRF) have been issued.
- 15) 789 black spots based on fatalities in 2011,2012,2013 and 2014 calendars years have been identified. So far 189 spots have already been rectified. Rectification measures at 256 spots have been sanctioned which are in various stages of implementation. 138 spots are on State Government roads / with other agencies. The balance 206 spots would be taken separately or would be rectified as part of ongoing projects.
- 16) As a measure of supplementing the efforts of States / UTs for minimizing the accident potential at the identified locations / stretches through engineering improvement on state roads, Ministry of Road Transport & Highways had taken a decision to sanction road safety works on state roads with an earmarked allocation of 10% of funds allocated to the state roads under Central Road Fund.
- 17) Ministry has delegated powers to Regional Officers of MORTH for technical approval to the detailed estimates for rectification of identified Road Accident black spots for expediting the rectification process to ensure safety of road users.
- 18) Ministry had issued guidelines vide O.M. dated 14.1.2016 for taking up of Road Safety Audits on National Highways either as part of EPC/BOT projects or as stand-alone Road Safety Audits.
- 19) Guidelines for pedestrian facilities on National Highways for persons with disabilities have also been issued to all States / UTs.

- 20) In order to ensure safe and smooth flow of traffic, Ministry of Road Transport & Highways has envisaged a plan for replacement of all the Level Crossing on National Highways by ROBs / RUBs and replacement / widening / strengthening of weak and narrow bridges under a scheme Setu Bhartam. Under this programme, construction of 208 Level Crossings at an estimated cost of Rs. 20,800 Crore are included.
- 21) Two National Level Workshops and several Regional Training workshops in 11 states have been organized on Road Safety Engineering.
- 22) A Certification Course for Road Safety Auditors has been commenced in Indian Academy of Highway Engineers (IAHE) and 42 Auditors are certified.
- 23) Ministry of Road Transport & Highways has constituted a District Road Safety Committee in each district of the country to promote awareness amongst road users under the chairmanship of Hon'ble Member of Parliament (Lok Sabha) from the district.

(c) The provisions relating to compensation for the road accident victims are uniform across the country and provided in the Motor Vehicles Act, 1988. As per Section 165(1) of Motor Vehicles Act, 1988, a State Government may, by notification in the official Gazette, constitute one or more Motor Accidents Claims Tribunals for such area as may be specified in the notification for the purpose of adjudicating upon claims for compensation in respect of accidents involving the death of, or bodily injury to, persons arising out of the use of motor vehicles, or damages to any property of the third party so arising, or both. Sub-section (2) of Section 165 empowers the State Government to appoint such number of members as the State Government may think fit to appoint. Sub-section (3) of Section 165 empowers State Government to regulate distribution of business if there are two or more Claims Tribunals for an area. Thus, the matter regarding disposal of cases by Motor Accident Claims Tribunals comes under the jurisdiction of State Governments. Ministry of Road Transport & Highways has inserted a provision in Motor Vehicle (Amendment) Bill, 2017 which inter-alia envisages the creation of a Motor Vehicle Accident Fund.
