GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

LOK SABHA
UNSTARRED QUESTION NO.1397
ANSWERED ON 10TH FEBRUARY, 2022

PUNISHMENT FOR DRUNKEN DRIVING

1397. SHRI MALOOK NAGAR:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS

सड़क परिवहन और राजमार्ग मंत्री

be pleased to state:

(a)   whether there is any other provision to give more severe punishment for driving under the influence of alcohal in addition to the punishment already prescribed in the existing law;

(b)   if so, the details thereof;

(c)   the number of such offenders given severe punishment for drunken driving during the last three years, state/UT-wise; and

(d)   the details/nature of such severe punishment?

ANSWER

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS

(SHRI NITIN JAIRAM GADKARI)

(a) & (b)   The provision to penalize driving under the influence of alcohol is through Section 185 of the Motor Vehicle Act, 1988. Section 185 of Motor Vehicle Act, 1988 states as follows:

Driving by a drunken person or by a person under the influence of drugs.— Whoever, while driving, or attempting to drive, a motor vehicle,— 1[(a) has, in his blood, alcohol exceeding 30 mg. per 100 ml. of blood detected in a test by a breath analyser, [or in any other test including a laboratory test], or]

(b) is under this influence of a drug to such an extent as to be incapable of exercising proper control over the vehicle, shall be punishable for the first offence with imprisonment for a term which may extend to six months, or with fine [of ten thousand rupees], or with both; and for a second or subsequent offence, with imprisonment for a term which may extend to two years, or with fine [of fifteen thousand rupees], or with both.

(c) & (d)   As per the information available with the Ministry, the number of challans issued across the country from the eChallan system for drunken driving cases in the last three years is as under : -

Sl. No.	Year	Number of Challan
1	2019	70444
2	2020	56204
3	2021	48144

*****