



Road Safety – The Judiciary Intervenes



S. Sundar
Distinguished Fellow, TERI
Chair Professor, TERI University,

Integrated Conference/8th Regional EST
Forum in Asia, 19-21 November 2014,
Colombo, Sri Lanka



Road Safety – an Equity Issue



- ★ 1. 24 million death in 2013, 3400 deaths everyday.
- ★ 92% in low and middle income countries
- ★ 50% of those dead were the most vulnerable.
- ★ Families who lost the bread-winners were reduced to poverty and privation.



Road Safety a Public Health Issue



- ★ Road traffic injuries 6th leading cause of death in India, but not treated as a public health issue.
- ★ Structured programmes exists to combat communicable diseases with substantial allocation of funds and lead agencies to implement these programmes.
- ★ No lead agency to promote road safety
- ★ Allocation of funds inadequate.



Successful Interventions in Developed Countries

4



★ Strong political commitment to reduce road related morbidity and mortality.



★ Strategies to reduce road accidents based on the safe system approach - safe roads, safe vehicles and good road user behaviour.



★ Appropriate legal and regulatory frame work.
★ Lead agency with adequate powers and funds to implement the strategy.

4



Developing Countries - Current Scenario



★ Lack of commitment and policy - Road safety not a priority



★ Weak regulatory framework



★ Fragmented institutional responsibility

★ Inadequate funding

★ Lack of expertise; interventions not based on country specific research and data



Situation in India



★ Nearly 500000 road related injuries and 137572 road related mortality reported in 2013.

★ Nearly 70% of those killed were the vulnerable road users.



★ Poor road engineering, defective vehicles and inadequate enforcement.

★ Lack of awareness amongst road users.



★ Inadequate emergency care.

★ Responsibility for road safety divided between and within governments.



Judicial Intervention

- ★ A concerned orthopaedic surgeon files a writ petition in the Supreme Court seeking Court's intervention in strict implementation of laws, more affirmative action on the part of the governments and upgradation of infrastructure for emergency care.



Judicial Intervention – Contd...



- ★ Court directs the Centre and State Governments to strictly implement laws and take appropriate measures by way of enforcement, engineering, education and emergency care.
- ★ Court recognises that this is a long journey and that the implementation of laws by the Central and State Governments need to be measured and monitored by the Court.



Court Constitutes a Committee



- ★ Not having the time to measure and monitored the performance of the governments, the Court constitutes a high level three member Committee to carry out this function on behalf of the Court.
- ★ With little information in the public domain the Committee seeks response from the Centre and States to detailed questionnaires.



Committee's Approach



- ★ As the performance of the states in terms of the 4 Es is not satisfactory the Committee begins to hold discussions with the states to get them to commit to take measures within given time frame to reduce road related accidents.
- ★ The states agree to formulate action plans and submit regular reports to the Committee.
- ★ Committee will keep the Court informed and seek directions where necessary.



And the Results?

- ★ States are becoming aware at the highest levels of the importance of road safety and the issues involved.
- ★ Institutional arrangements are being put into place.
- ★ Systems and protocols are being established.
- ★ Action plans are being formulated.
- ★ Implementation is being closely monitored.



Thank You

Integrated Conference/8th Regional
EST Forum in Asia, 19-21 November
2014, Colombo, Sri Lanka