

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 295/2012

S.RAJASEEKARAN

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With application for directions and office report)

(For final disposal)

WITH

W.P.(C) No. 645/2016

(With Office Report)

Date : 19/09/2016 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
 HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Krishna Kumar, Adv.
 Mr. Vinodh Kanna B., Adv.

Mr. M. Rambabu, Adv.
Mr. N. Eswara Rao, Adv.
M/s M. Rambabu & Co.

For Respondent(s) Mr. Ajit Kr. Sinha, Sr. Adv.
 Mr. M.P. Gupta, Adv.
 Mr. Ajay Sharma, Adv.
 Mr. Shadman Ali, Adv.
 Mr. S.S. Ray, Adv.
 Mr. Mohan Prasad Gupta, Adv.
 Mr. Sarfraz Ahmed Siddiqui, Adv.
 Ms. Satya Siddiqui, Adv.
 Mr. D. S. Mahra, Adv.

Dr. (Mrs.) Vipin Gupta, Adv.

Mr. Gaurav Agrawal (AC), Adv.

Andaman & Nicobar Mr. K.V. Jagdishvaran, Adv.
 Ms. G. Indira, Adv.
 Mr. Franklin Caesar Thomas, Adv.
 Mr. Chand Qureshi, Adv.
 Mr. M.P. Siddiqui, Adv.

H.P. Mr. Suryanaryana Singh, AAG.

	Ms. Pragati Neekhara, Adv.
J & K	Ms. Astha Sharma, Adv. Ms. Mithu Jain, Adv. Mr. Puneeth K.G., Adv. Mr. Sunil Fernandes, Adv.
Maharashtra	Ms. Swarupama Chaturvedi, Adv. Mr. Nishant R. Katneshwarkar, Adv.
Puducherry	Mr. V. G. Pragasam, Adv. Mr. Prabu Ramasubramanian, Adv.
Sikkim	Ms. Aruna Mathur, Adv. Ms. Anuradha Arputham, Adv. For M/s Arputham Aruna & Co.
Tripura	Mr. Gopal Singh, Adv. Mr. Rituraj Biswas, Adv. Ms. Varsha Poddar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have gone through Report - 9 submitted by the Committee. We have been informed that a meeting was convened by the Secretary, Ministry of Road, Transport and Highways on 2nd September, 2016 instead of 7th September, 2016. We have seen the attendance in the meeting and we are perturbed to find that apart from two or three Secretaries of the concerned Transport Ministry of the State Governments, the representation by the State Governments was through junior official and in some cases even the designation of the junior official is not mentioned.

It is a matter of concern that road safety is not being given the due importance that it deserves, particularly considering the fact, as noted in Report 9, the number of deaths due to road accidents has gone up from 1,39,671 in the year 2014 to 1,46,133 in the year 2015. The Committee has also reported that as per the

information received from the State Governments, fatalities are on the increase in the current year. It is high time that road safety issues should be taken seriously both by the Central Government as well as by the State Governments.

It has been brought to our notice that an amount of Rs.600 crores has been earmarked by the Central Government for road safety measures including identification and rectification of black spots. It has been mentioned that 789 black spots have been identified based on fatality data available for the years 2011 to 2014. We also find that for an earlier year i.e. 2015-16, an amount of Rs.500 crore was earmarked for rectification and identification of black spots on National Highways. In other words, an amount of Rs.1100 crore has been made available for the road safety purposes during the years 2015-16 and 2016-17 but there is nothing to indicate how the amount has been spent. We expect to know from the Ministry of Road, Transport and Highways how the amount has been spent and also how the amount of Rs.600 crores earmarked for the years 2016-17 is proposed to be spent and whether any of that amount has been spent or not and for what purpose.

We are also informed that a Road Safety Council has been set up in all the States but has not been meeting regularly. Learned counsel for the Union of India should inform us the constitution of the Road Safety Council and should also indicate why the Road Safety Council is not meeting twice a year as it is expected.

We must re-emphasize that the number of fatalities taking place is extremely large and we are told that there is on an average one death every three minutes. Surely, this should be a

matter of concern not only for the Central Government but State Governments as well. It should be appreciated that life is not cheap.

We have also been informed that an amount of Rs. 11,480 crores has been spent by the insurance companies by way of compensation for deaths, injuries, third party property damage and other damage during the financial year 2015-16. Surely, this is not a small amount and the insurance companies should inform us through learned counsel for the Union of India how much has been collected towards insurance of vehicles for the financial year 2015-16.

The matters are adjourned to 3rd October, 2016.

A copy of Report 9 be given to learned counsel for all the State Governments.

Reply be filed by the petitioner.

(Meenakshi Kohli)
Court Master

(Jaswinder Kaur)
Court Master