

Pari/Road Safety/2019

27 May 2019

Justice K.S. Radharishnan,
Chairman, Supreme Court Committee on Road Safety,
Room No. 249, Vigyan Bhavan Annexe, Maulana Azad Road,
New Delhi 110011

Dear Sir,

Violation by State Governments of directions by Hon'ble Supreme Court regarding District Road Safety Committees

In exercise of the power conferred by sub-section 3 of Section 215 of the Motor Vehicles Act 1988, the Government of Maharashtra issued a notification to re-constitute District Road Safety Committees under the Chairmanship of District Collector/Commissioner of Police dated 13th May 2015.

However, subsequently MoRTH issued a notification dated 28th September 2017, constituting District Road Safety Committees with senior Member of Parliament as Chairperson, in all districts of the country. It may be noted that no such powers are granted to the Central Government and the section/Act under which these District Road Safety Committees have been constituted is not mentioned in the aforementioned notification.

Based on this impugned MoRTH notification, the Office of the Transport Commissioner, Government of Maharashtra (which is the lead agency for Road Safety in the State) sent a letter to all the RTOs asking them to disband the legally constituted District Road Safety Committees (under the Chairmanship of the District Collector) and instead to henceforth convene the Committees constituted by MoRTH. No notification to this effect was issued by the Government of Maharashtra.

We believe that the newly constituted committees do not have any legal sanctity. Further, they are in contravention of the directions of the Hon'ble Supreme Court dated 30th November 2017. District Committees chaired by an Hon'ble Member of Parliament cannot be held accountable by the State/District administration.

We urge you to bring this to the attention of the Hon'ble Supreme Court with a prayer to quash the impugned MoRTH notification and also instruct State Governments to comply strictly with the directions of the Hon'ble Supreme Court.

Regards,



Ranjit Gadgil,

Program Director, Parisar.

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Cc: Transport Commissioner, Transport Commissioner office, Bandra (E), Mumbai.
Principal Secretary, Transport and Ports, Home Department, Maharashtra, Mumbai.

Ref: I Government of Maharashtra Notification No. MVR. 0215/C.R.102/TRA-2 dt 13th May 2015

Ministry of Road, Transport and Highways (MoRTH) notification No. RT-25043/03/2017-RS dt 28th September 2017.