

GOVERNMENT OF ASSAM
TRANSPORT DEPARTMENT DISPUR:::
GUWAHATI- 781006

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the February, 2022

No.eCF No.213887/36 : The following draft of the Assam Road Safety Management and Fund Control (Amendment) Rules, 2022 which the Governor of Assam proposes to make in exercise of the powers conferred by section 135 and 138 read with section 215 of the Motor Vehicles Act, 1988 (Act No. 59 of 1988) was published as required under sub-section (1) of section 212 of the above mentioned Act vide Government Notification No. eCf No. 213887/36 dated 19-12-2022 in the Assam Gazette Extraordinary No. 771 Dated 28th December 2022 inviting objection or suggestions from any person likely to be affected thereby within a period of 45 days from the date of Publication in the Official Gazette.

And, whereas no objection and suggestions were received from any individual or organization with respect to the said rules before the expiry of the period specified above for consideration by the Governor of Assam.

Now, therefore in exercise of the powers conferred by section 135 and 138 read with section 215 of the Motor Vehicles Act, 1988 (Act No. 59 of 1988), the Governor of Assam is hereby pleased to make the following rules namely:-

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| Short title, and commencement | 1. | (1) | This rule may be called the Assam Road Safety Management and Fund Control (Amendment) Rules, 2022. |
| | | (3) | They shall come into force on the date of their publication in the Official Gazette. |
| Amendment of rule 7 | 2. | In the principal Rule, in rule 7, | |
| | | (i) | for sub-rule (1), the following shall be substituted, namely:- |
| | | “(1) | "The State Government may by notification in the Official Gazette constitute District Road Safety Committee as per subsection (3) of section 215 of the Motor Vehicles Act, 1988. The District Road Safety Committee for each district of the State shall be constituted with the following members:- |
| | | (i) | Deputy Commissioner (Ex-Officio) : Chairman |
| | | (ii) | Superintendent of Police of the District (Ex- Officio) : Member |
| | | (iii) | Joint Director (Health Service) of the District/ Chief Medical Officer of Health(Ex-Officio) : Member |

- (iv) Executive Engineer,
Public Works Department (Roads) : Member
- (v) Executive Engineer,
Public Works Department (NH) : Member
- (vi) Divisional Forest Officer (DFO) : Member
- (vii) Inspector of Schools/District Elementary
Education Officer(DEEO) : Member
- (viii) Superintendent of Excise : Member
- (ix) Representative of Regional Office,
Ministry of Road Transport
and Highways (MoRTI-I) : Member
- (x) Project Director, National Highway
Authority of India (NHAI) : Member
- (xi) Representative of National Highways Infrastructure
Development Corporation Limited
(NI-IDCL) : Member
- (xii) General Manager /Deputy General
Manager-Member; Assam Power
Distribution Company Ltd. (APDCL) : Member
- (xiii) Executive Officer of Municipalities/
Urban Bodies/ Notified Authorities : Member
- (xiv) At least one Civil Society Organisation
(CSO) or any other Non-Government
Organisation (NGO) working on improving
road safety in the State : Member
- (xv) District Transport Officer : Member
- (xvi) *Highway Administrator of State
Highways and Major District Roads
(MDRs) : **Member Secretary**
- (xvii) **Non-official co-opted members:-
(a) President or Secretary, District Motor Transport
Association
(b) President or Secretary, District Bar Association
(c) Two experts on Road Safety

Note 1: *Concerned Superintendent Engineer/Executive Engineers: PWD shall act as District Administrator of State Highways and Major District Roads in each district

Note 2: **Deputy Commissioners are free to induct/co-opt in addition to the above structure any other stakeholder deemed fit on the above committee. However, no substitutions shall be made.

- (ii) After sub-rule (2), the following new rule 2A shall be inserted, namely:-
 "2A The District Road Safety Committee (DRSC) shall hold its meeting at least fortnightly on a virtual platform and meet physically at least once a month at a venue decided by the Chairman. The minutes of the meeting shall be made public on the district website within 48 (forty eight) hours of the meeting and shall also be uploaded in the web portal of Ministry of Road Transport and Highways (MoRTH) in the format designed and approved by Ministry of Road Transport and Highways (MoRTH)."

Amendment of 3.
 Rule 8

In the principal Rules, after rule 8, the following new rule 8A shall be inserted, Rule namely:-

" 8A The terms of reference and functions of the District Road Safety Committee(s) shall be as follows:-

- (i) Periodic review of the road accidents in the district;
- (ii) Monitor the implementation of State Road Safety policy and the targets set under it;
- (iii) Implement directions of the Supreme Court Committee on Road Safety, Government of India and the State Government as may be issued from time to time on matters of road safety;
- (iv) Implementation of decisions of the State Road Safety Council in the district;
- (v) Regularly track and update State Road Safety Council on details of road crashes that took place in the district, which shall include:-
 - (a) details of the vehicle;
 - (b) cause of crash;
 - (c) details of spot investigation, evidence if any;
 - (d) details of offender/s (if any);
 - (e) details of Victim/s and victims latest condition;
 - (f) types of injury caused;
 - (g) FIR registered, if any.
- (vi) Publish road accident data on monthly basis on public domain on:-
 - (a) the district website portal (to be widely published);
 - (b) the Ministry of Road Transport and Highways (MoRTH) Portal (<http://morth-roadsafety.nic.in>).
- (vii) Develop a district road safety plan;

- (viii) Ensure forensic crash investigation under section 135A of the Motor Vehicle Act, 1988 for all mass fatality crashes in the district;
- (ix) Ensure optimal placements of ambulances to help improve response time and handover time to hospitals;
- (x) Ensure adequate availability of different ambulance types as per historic caseload in the district;
- (xi) Prepare an Emergency Medical Plan for mass fatality accidents in the district;
- (xii) Ensure linkage between hospitals and ambulances through setting up a prior notification system. Ensure linkages between hospitals to find out the availability of beds in case of emergency;
- (xiii) Act as the nodal body for placing, requirement/s, and disbursal of road safety funds and interact with State Road Safety Council as and when required;
- (xiv) Provide regular inputs to the State Road Safety Council or Lead Agency of State and recommend road safety measures especially with regard to identification of major accident-prone areas or Black spots etc. and also in parts regarding the important of 4Es viz Engineering. Education. Enforcement and Emergency;
- (xv) Promote Good Samaritans to assist the road accident victims;
- (xvi) Provide suggestion/s to State Government as and when requested to formulate or amend:
 - (a) Rules Under section 107,138,176, 210D and 215D of the Motor Vehicle Act, 1988.
 - (b) Schemes Under section 135 of the Motor Vehicle Act, 1988."

Signed by Adil Khan

Date: 03-02-2023 13:46:32

Secretary to the Government of Assam,
Transport Department.

Memo no. 213887/ 36 – A Dated 19-12-2022

1. The Chief Secretary to the Govt. of Assam, Dispur, Guwahati-6 for favour of kind information.
2. The Director General of Police, Assam, Ulubari, Guwahati-5 for favour of kind information.
3. The Special Commissioner & Special Secretary to Govt. Assam, Public Works (Roads) Department. He is requested to issue necessary directions to all the Member Secretary of The District Road Safety Committee.
4. S.O. to the Chief Secretary, Assam for kind information of the C.S.
5. The Commissioner of Transport, Assam for information and necessary action.
6. Deputy Commissioner of (All district) Assam for information
7. Superintendent of Police of All Districts of Assam for information
8. The PS to Hon'ble Chief Minister, Assam for his kind perusal
9. The PS to Hon'ble Minister, Transport Department for his kind perusal.
10. Joint Director (Health Service) of the District/ Chief Medical Officer of -Health(Ex Officio) All district through H&FW Department
11. Executive Engineer, Public Works Department (Roads) through the concerned Department.
12. Executive Engineer, Public Works Department (NH) through the concerned Department
13. Divisional Forest Officer (DFO) through the concerned Department
14. Inspector of Schools/District Elementary Education Officer(DEEO)
15. Superintendent of Excise
16. Representative of Regional Office, Ministry of Road Transport and Highways (MoRTH) House No.5, Rajgarh Road, Guwahati for information.
17. Project Director, National Highway Authority of India (NHAI)
18. Representative of National Highways Infrastructure Development Corporation Limited (NHIDCL)
19. General Manager /Deputy General Manager-Member; Assam Power Distribution Company Ltd. (APDCL)
20. The Deputy Director, Assam Govt. Press, Bamunimaidam with a request to publish the Notification in the next issue of the Gazette and to submit 100 copies of the Gazette Notification
21. Executive Officer of Municipalities/ Urban Bodies/ Notified Authorities
22. District Transport Officer (All)
23. All officers concerned.
24. The Content Manager, Transport Department. He is requested to upload the notification in the official website.
25. Office copy.

By order etc.,

Joint Secretary to the Govt. of Assam
Transport Department