

Vidhan Sabha Question

Name of Department : Transport
Question No. Starred : 1383
Date of Reply : 13-02-2019
Subject : Accidents
Asked by : Shri Balbir Singh
: (Chintpurni)
Concerned Minister : Forest Minister

	Question	Answer
(a)	during the last three years upto 15 th January, 2019, how many students have sustained injuries and lost their lives while travelling in School/College Buses; details be given; and	(a) and (b) Information is laid on the table of the House
(b)	what action has been taken by the Government to prevent the road accidents of School/College buses?	

The Information/reply in respect of Starred Assembly Question No. 1383 asked by Shri Balbir Singh (Chintpurni).

- (a) During the last three year upto 15th January 2019, 125 students sustained injuries and 35 student lost their lives while travelling in school/college buses. The district wise detail is given at **annexure "A"**
- (b) To prevent the road accidents of school/college buses Government has amended H.P. Motor Vehicle Rule, 1999 by inserting Rule 73-A. The Government has taken a very serious view of school buses accidents where innocent school children are losing their lives.

In order to ensure public safety of the school children, Transport Department has already launched a massive campaign to ensure that all buses are 100% checked before the start of next academic sessions & all school management are fully sensitized to implement of School Safety Guidelines issued vide notification No TPT-A(7)-1/2018 dated 12-10-2018 (copy of the Guidelines are enclosed).

Annexure "B"

All Regional Transport Officers are conducting workshops with the school managements to sensitize them and also procure certificate to the effect that all school buses shall be complied to the School Safety Guidelines. Besides this, parents shall also be sensitized towards School Safety Guidelines. All Regional Transport Officers & ARTOs have been given dedicated telephone where any citizen or the parents will be free to make complaints in case of laxity or default by any school management. This campaign would continue throughout the year.

Moreover, the matter with regard to the safety of school children is being periodically reviewed by the High level Committee Constituted under the Chief Secretary and since then department has been requesting the enforcement agencies to implement the

provisions made HP Motor Vehicle rule, 1999 for the safe transportation of school children in letter & spirit. In this regard following steps has been taken by the Department:-

1. For the safe transportation of the school children Rule 73-A has been inserted in HPMVR, 1999. Necessary directions have been issued to all RTO's for strict implementation of this rule.
2. Special checking drive was conducted for the school buses in which 1648 school buses were checked and 727 buses were challaned under various offences.
3. The Driving Licenses of offenders are being suspended on the recommendations of enforcement agencies. During 01.01.2018 to 31.12.2018, 3344 DLs have been suspended by the RTOs/ R&LAs in the State.
4. All the Registering & Licensing Authorities and RTO's shall invariably inspect all the vehicles of educational institutions (100%) irrespective of the fact that fitness certificate has been granted to them by the authorities concerned. For the purpose of inspection authorities depending upon their geographic profile can divide the days of inspection Zone-wise and direct the school authorities to bring their vehicle for inspection at some convenient location. If on inspection it comes to the notice of the authorities that school vehicles are not complying with the statutory norms of the Motor Vehicle Act and Rules and school safety guidelines issued in this regard, immediate steps shall be taken to cancel the certificate of fitness as per the Section 56 of the Act. All authorities empowered with the issuance of certificate of fitness shall comply with the direction before 31st March 2019.
5. All vehicles belonging/ owned by the educational institutions shall be inspected by the Board of Inspection (BoI) committee already constituted in this regard and days will be earmarked for this purpose by the RTO's in their respective jurisdiction depending upon the number of Sub- Divisions.
6. All RTO's and Registering & Licensing Authorities shall hold and organise special workshops and camps to make School Management Committees and Parent Teacher Associations aware about the school safety guidelines.
7. All RTO's shall ensure that their phone numbers are displayed at conspicuous places on the body of bus for reporting of any violation by the bus operators.
8. In case special permit is granted to any vehicle for ferrying school children, the RTO shall ensure that it complies with the school safety guidelines and its service history will be taken into account before issuance of such permit.

The Government had decided to reduce the number of road accidents in the State and make road safety a culture. In order to create awareness among masses, jingles on various aspect of road safety are being played daily on FM radio. Road safety publicity material had been provided to field offices for distribution among various stakeholders' viz. truck unions taxi unions, school management and general public. In view to spread the road safety message to general public an amount of Rs 5.00 lac each was also given to all RTOs for wide publicity. Status of Road safety activities in the state is being reviewed periodically by a high level Committee under the Chairmanship of Chief Secretary to the Govt. of H.P. comprising the members ACS (PWD), Principal Secretary Transport Education, Health, Home, DGP, and Director Transport as Member Secretary. To reduce road accidents and fatalities in critically sensitive locations and crowed places, zero tolerance is being observed to remove the idle parked vehicles and more traffic police staff has been deployed in such areas to check traffic violation.

Annexure "A"

District Wise detail of accident occurred and persons injured and died including students

Name of RTO	No of accidents occurred	Students died in accident	Students injured in accident	Total person died including students	Total person injured including students
Sirmour	5	7	16	8	19
Bilaspur	1	1	-	-	-
Kullu	1	-	-	-	-
Solan	1		7	1	10
Shimla	1	2	2	3	4
Mandi	3	1	32	1	36
Baddi	3	-	1	-	3
Kangra	11	25	60	32	69
Una	2	-	2	-	4
Hamirpur	2	-	5	1	8
Total	30	35	125	45	143

(Authoritative English Text of this Department Notification No. TPT-A(7)-1/2018 Dated 12-10-2018 as required under clause (3) of article 348 of the Constitution of India)

GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF TRANSPORT

No.TPT-A(7)-1/2018

dated:Shimla-2

12-10-2018

NOTIFICATION

WHEREAS the draft Himachal Pradesh Motor Vehicles (First Amendment) Rules, 2018 were published in the Rajpatra (e-Gazette), Himachal Pradesh, vide this Department Notification of even number dated 25-09-2018 for inviting objection(s) and suggestion(s) from the persons likely to be effected thereby, as required under sub-section (1) of section 212 of the Motor Vehicle Act, 1988 (Central Act No. 59 of 1988).

AND WHEREAS, no objection(s)/suggestion(s), in this behalf has been received within the specified period.

NOW, THEREFORE, in exercise of the powers conferred by clause (xxxiii) of sub-section (2) of section 96 read with section 212 of Motor Vehicles Act, 1988 (Central Act No. 59 of 1988), the Governor of Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Motor Vehicle Rules, 1999 notified vide this Department Notification No.5-14/88-TPT-III Dated 12th July, 1999 published in the Rajpatra (e-Gazette), Himachal Pradesh on 27th July, 1999 namely:-

1. Short title.- These rules may be called the Himachal Pradesh Motor Vehicles (First Amendment) Rules, 2018.
2. Insertion of Rule 73-A.- In the Himachal Pradesh Motor Vehicles Rules, 1999 after rule 73 the following shall be inserted namely:

"73-A. Conditions that may be inscribed in the permit relating to Buses/vehicles owned or attached with School/Educational Institutions.

A Regional Transport Authority may inscribe in the permit belonging to the School buses/vehicles owned or attached with a School/Educational Institution, the following conditions in addition to those as specified in sub-section (2) of section 72,73,74,76 as the case may be namely:-

(1) Transport related school safety Conditions

Currently, following categories of vehicles are being used to provide transport facilities for school children in the state:-

- Buses, self operated by schools;
- Buses of private contract carriage/Himachal Road Transport Corporation taken on lease basis by schools; and
- Motor cab/Maxi Cab vehicle used to provide transportation facilities to school children.

The general and class-wise guidelines for the above three categories of vehicles and whenever the school management operates, contracts and uses any bus, they shall strictly adhere to these conditions: -

A General conditions applicable to all categories

- i) The buses self-operated by the school and buses arranged on the basis of whole-time contract shall be painted in dark yellow colour and the name of the school shall be written clearly on both sides so that it can be easily identified. "School Bus" shall be written in the size of 400mm x 300mm on the back and front of the vehicle. If it is a leased bus/vehicle, then "On School Duty" shall be clearly written on it. There should be a first aid box and drinking water in the school bus/vehicle.
- ii) Details of the driver (name, photo, license number and telephone number) shall be displayed inside the bus and the name of the school or name of the owner of the bus, Child Helpline No. 1098, important emergency numbers (Police, Hospital) and vehicle registration number will be displayed in fluorescent colours at prominent places outside the bus. This information should be clearly visible to all passengers of the bus and people so that the school management/police or other officers can be informed when required.
- iii) If the age of the students is less than 12 years then the number of students in the vehicle/bus will not exceed 1½ times the prescribed capacity of the vehicle. Student over 12 years of age will be considered as a person.
- iv) School bus/vehicle seats should be in line with standards for students safety.
- v) There should be sufficient lighting in the school bus /vehicle and there should be no curtain and any type of film on glasses, so that the inside activities will be clearly visible from the outside. Apart from this, the bus/vehicle will not have any kind of music device.
- vi) Under any circumstances, no unauthorized person shall be allowed to sit in the bus/vehicle, nor will it be allowed to place any objectionable materials like gas cylinders, kerosene, acids, liquor etc.
- vii) School bus/vehicle must be stationary during boarding and debarking of the children.
- viii) In bus/vehicle, passenger and vehicle should have valid insurance under provisions contained in the Motor Vehicles Act, 1988.
- ix) The School bus/vehicle shall be repaired/inspected at regular and fixed intervals and it will be mandatory to get a fitness certificate under the provisions of the Motor Vehicles Act, 1988.
- x) Route and stoppage of each school bus/vehicle will be required to be approved by Regional Transport Authority or School Management and it will be necessary to give information in this regard to the Transport Department and local administration.
- xi) Vehicles providing transportation facilities to schools will not be more than 15 years old.

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- xii) It shall be mandatory to install Global Positioning System (GPS) in each school bus/vehicle. The school management and vehicle owner must ensure that this system is functioning smoothly at all times and its record is regularly checked and available, if required.
 - xiii) The driver of the school bus/vehicle should have a valid driving license.
 - xiv) The driver's age should not be more than 60 years.
 - xv) The physical fitness of the bus/vehicle driver, including eye examination, should be done every year and the school management will provide the health card to the driver. School management will also ensure that the driver has been issued a fitness certificate by the competent authority according to safety standards under the Motor Vehicles Act, 1988.
 - xvi) Any school management, if found violating the provisions of the Motor Vehicles Act, 1988 or the rules made there under and the directions issued by the State Government or Hon'ble Court, will be punished as per the rules.
 - xvii) While driving, the use of mobile phone by the school bus/vehicle driver will be strictly prohibited.
 - xviii) School Management/Vehicle Owner will ensure fitting of tamper-proof Speed Governors in buses/ vehicles with maximum speed limit of 40 KM per hour.
 - xix) For the convenience of divyangs/students, necessary and appropriate provisions will be mandatory in vehicles/buses as per the rules.
 - xx) It will be ensured that school bus should have two ISI standard fire extinguishers of 5 Kg capacity installed in the bus, of which one should be placed in the driver's cabin and the other should be placed near the emergency exit gate. Drivers, conductor and female guard/attendant should be trained to operate firefighting equipment. School management will also ensure regular inspection of them so that they are in working condition at all times. Apart from this, it will be mandatory to have a fire-extinguisher in the motor/maxi Cab and it will be kept in working condition at all times.

Done

B Category-wise conditions

1: Self-operated buses/ vehicles by schools

- i) School buses/vehicles will be painted in dark yellow and the name of the school will be written clearly on its both sides so that it can be easily identified.
- ii) School bus/vehicle will be written on the back and front of the school bus/vehicle.
- iii) The bus's windows will be fitted with the grills/lattice.
- iv) School Management will ensure that there will be an emergency door and a transparent cabin for the driver in each school bus.
- v) The CCTV camera must be installed in each school bus/vehicle. School management will ensure that this system is functioning smoothly at all times and its record is regularly checked and available, if required.
- vi) The driver of the school bus should have a minimum five years experience of driving a heavy vehicle.

- vii) In addition to the driver, there will also be a conductor in the school bus who possesses a valid license and the prescribed qualification under the provisions of Rule 22 (3) of the Himachal Pradesh Motor Vehicle Rules, 1999.
- viii) The school management will also ensure the arrangement for at least one trained female guard / attendant in each school bus, who will take care of the students traveling on the bus and ensure their safety during the journey and also assist students in boarding and de-boarding the bus.
- ix) To keep the school bag safely, the availability of convenient place under the seats or in the bus will be ensured.
- x) School management shall also directed to make such arrangements as voluntary as possible that at least one parent is present in every school bus, who shall keep an eye on behavior of the bus driver and other staff during the journey, it will ensure that the rules of children's safety are adhered to and the bus is driven carefully by the driver.
- xi) School buses should have arrangement for alarm and sirens so that everyone can be alerted in case of any emergency.
- xii) The bus driver and conductor will wear grey colour uniform and a pair of black shoes. Their name plates will be clearly displayed on the uniform.
- xiii) The conductor of school bus should always have information regarding travelling students name, class, residential address, telephone contact number, blood group, bus stops name, route plan etc.
- xiv) To improve the driving and behavioral skills of bus drivers, they should undergo the refresher training course every year. This type of refresher training course will be organized by the transport department.
- xv) School Management will provide a mobile phone in each school bus, so that in case of any emergency the school bus can be contacted or the school bus driver/conductor/police, school management or administration can be contacted.

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2: Private contract carriage /Himachal Road Transport Corporation buses taken on lease by schools.

- i) The buses which have been taken on lease by the schools will have a contract with the school and the driver of that bus will always keep the copy of the contract.
- ii) In relation to such^pbuses, it shall be mandatory for school management to give the details of the driver's name and vehicle to the nearest Police Stations and District Traffic Police.
- iii) It will be mandatory to install CCTV cameras in each school bus/vehicle. The school management and vehicle owner will ensure that this system is functioning smoothly at all times and its record is regularly checked and available, if required.

- iv) The driver of the school bus should have minimum five years experience of driving a heavy vehicle.
- v) In addition to the driver, there will also be a conductor in the school bus having valid license and the prescribed qualification under the provisions of rule 22 (3) of the Himachal Pradesh Motor Vehicle Rules, 1999.
- vi) It will be mandatory to wear uniform for driver and conductor. In case of Himachal Road Transport Corporation bus it will be mandatory to wear uniforms and shoes decided by the corporation management, otherwise it will be mandatory to wear blue uniforms and black shoes. The name plate will be clearly displayed on the uniform.

3: Motor cab / Maxi Cab vehicle used to provide transportation facilities to school children

- i) "On School Duty" should be clearly written on the back and front of the Motor cab/ Maxi cab.
- ii) In relation to such a motor/maxi cab, it shall be mandatory for the school management to give the name of the driver and the description of the vehicle in the nearest police station and the district traffic police.
- iii) The driver must possess a valid driving license while driving the vehicle.
- iv) Children below the age of five years will not be allowed to sit in the front seat of the vehicle.
- v) It will be mandatory for the driver to wear blue uniform and a pair of black shoes. His name plate will be clearly displayed on the uniform.

Chief

By Order.

(J.C. Sharma) IAS
Principal Secretary (Transport) to the
Government of Himachal Pradesh.

Endst. No. TPT-A(7)-1/2018

Dated: Shimla-2 the 12-10-2018

Copy to

1. The Chief Secretary/Addl. Chief Secretaries/Principal Secretaries/Secretaries /Special Secretaries/ Additional Secretaries/Joint Secretaries/Deputy Secretaries/ Under Secretaries/ to the Government of Himachal Pradesh.
2. The JLR-cum-Joint Secretary (Law) to the Government of Himachal Pradesh.
3. The JLR-cum-Joint Secretary (Law-Hindi) to the Government of Himachal Pradesh.
4. The Director of Transport, Shimla-04, Himachal Pradesh.
5. The Managing Director, HRTC, Shimla-03, Himachal Pradesh.
6. The Commissioner, Excise & Taxation, Kasumpti, Shimla-09, Himachal Pradesh.
7. All the Deputy Commissioners in Himachal Pradesh.
8. All the Registration & Licensing Authorities in Himachal Pradesh.
9. All the Regional Transport Officers in Himachal Pradesh.

10. The Secretary, State Transport Authority, Himachal Pradesh /Punjab /Haryana /Rajasthan /Utrakhand /Uttar Pradesh /Chandigarh/Delhi.
11. All the Superintendent of Police in Himachal Pradesh.
12. The Controller, Printing & Stationary, Shimla-05, H.P. for immediate publication the above notification in H.P. Rajpatra (Extraordinary).

Ramesh Chand Sharma
15/11/2018

(Ramesh Chand Sharma)
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Government of Himachal Pradesh
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