



Investigation of Road Traffic Accidents in India Current Status Vs. What should be

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President: IRTE



College of Traffic Management

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DEPARTMENTS OF COLLEGE OF TRAFFIC MANAGEMENT



Department of Traffic Engineering



Department of Traffic Enforcement



Department of Forensic Science



Department of Driver Training

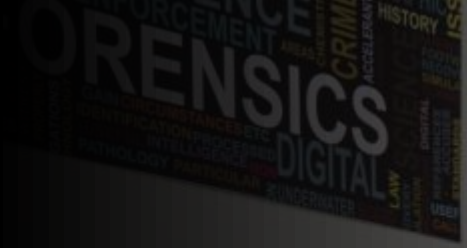


Department of Public Health for
Road Safety



Department of Law

Department of Forensic Science



Department of Law

DEPARTMENT OF LAW



Road Traffic Legislation

- Study of Motor Vehicles laws/ Rules of various States within India
- Study of Motor Vehicles laws of various Countries
- Search of various Amendments of Supreme Court & High Court



- The Department of Law at the Institute of Road Traffic Education was inaugurated in the year 2008 and since then it is working incessantly towards research on Road Traffic Laws of India and South East Asia.
- It is one of the most prominent department of IRTE which works jointly with rest of the departments and academics in order to safeguard their interests and to achieve the IRTE's objectives and ensures that the IRTE's activities are in conformity with the well-defined laws and regulations.
- IRTE's Law department is working with United Nations, Government of India & States towards suggesting/ drafting improvement of legal instruments dealing with Traffic Management.
- The Law department facilitates various training programmes for Police, Transport, Engineers and Road Authorities in association with Ministry of Road Transport & Highways, Ministry of External Affairs and Bureau of Police Research & Development.
- The department is further responsible for development and updation of Course Curriculum for Training in fields of Traffic Management, Road Accident Investigation and Driver Training & Assessment.
- Law department has a high degree of accountability and visibility within the organization.
- The department is responsible for handling litigation, legal compliance and appropriate department strategy and management approach. The department vigorously strive to safeguard the interest of the organisation against all the external parties.
- It further provides legal consultation and advice as well as reviewing the rules, contracts and agreements generated by other departments. Duties of the legal department include drafting agreements, MOU's, resolutions, letters, memos and participating in balanced administrative decision-making.
- It looks after the joining and exiting formalities of staff members which is another area of responsibility of the Law Department.
- Recently Road Safety Court of Justice has been launched under the aegis of the Department of Law at the College of Traffic Management where we are planning to initiate training of Judicial officers.

DEPARTMENT OF LAW

Department of Law

Road Safety Court of Justice

Accident Investigation

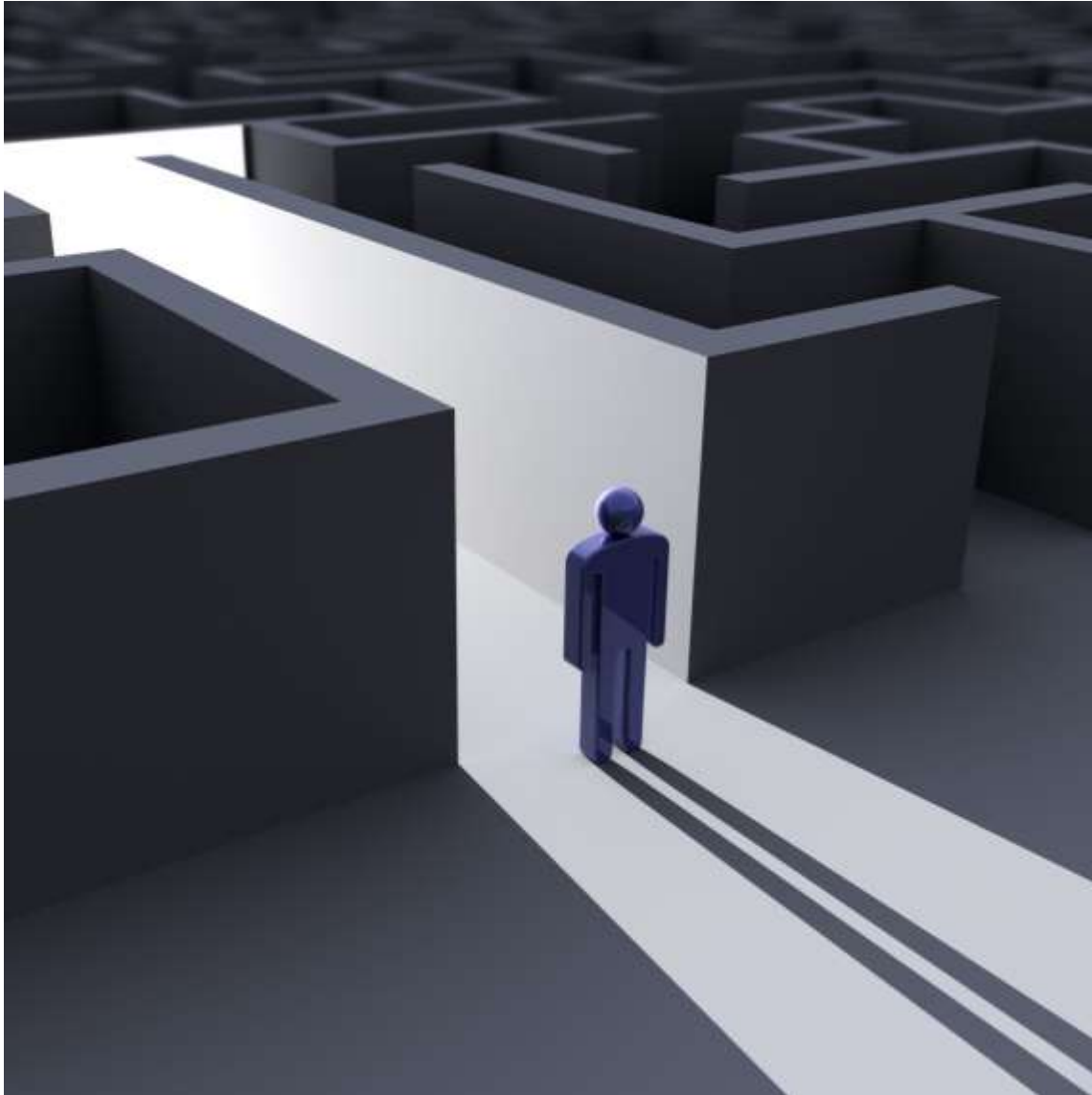
Why Investigate Road Accidents: What is the Basis ?

Is to complete a formality by writing a FIR?

Is it to gather basic data for NCRB/ MoRT&H?

Is the priority to provide Compensation to the Victim?

Is it for Fault or Guilt Finding ?



Who Investigates the Accident ?

Is this person or system accountable ?

Is he trained to do so ?

Does he understand the basis of investigation and the repercussions of his enquiry

Can we compare



Accident Investigation to
Diagnosis of a disease ?

What is Diagnosis?

- The identification by the medical provider of a condition, disease, or injury made by evaluating the symptoms and signs presented by a patient.
- The act or the process of identifying or determining the nature and cause of a disease or injury through evaluation of patient history, examination, and review of laboratory data.

Evidence

Do the Investigating Officer understand the basis of forensic evidence?

Should He /She continue to work on presumptive evidence ?

Can evidence be correlated to a fact finding solution?

Do He /She understand the basics of forensic photography ?

Evidence Vs. Diagnostics

- Can we compare

Evidence to
Pathology or Diagnostics



What is Diagnostics?

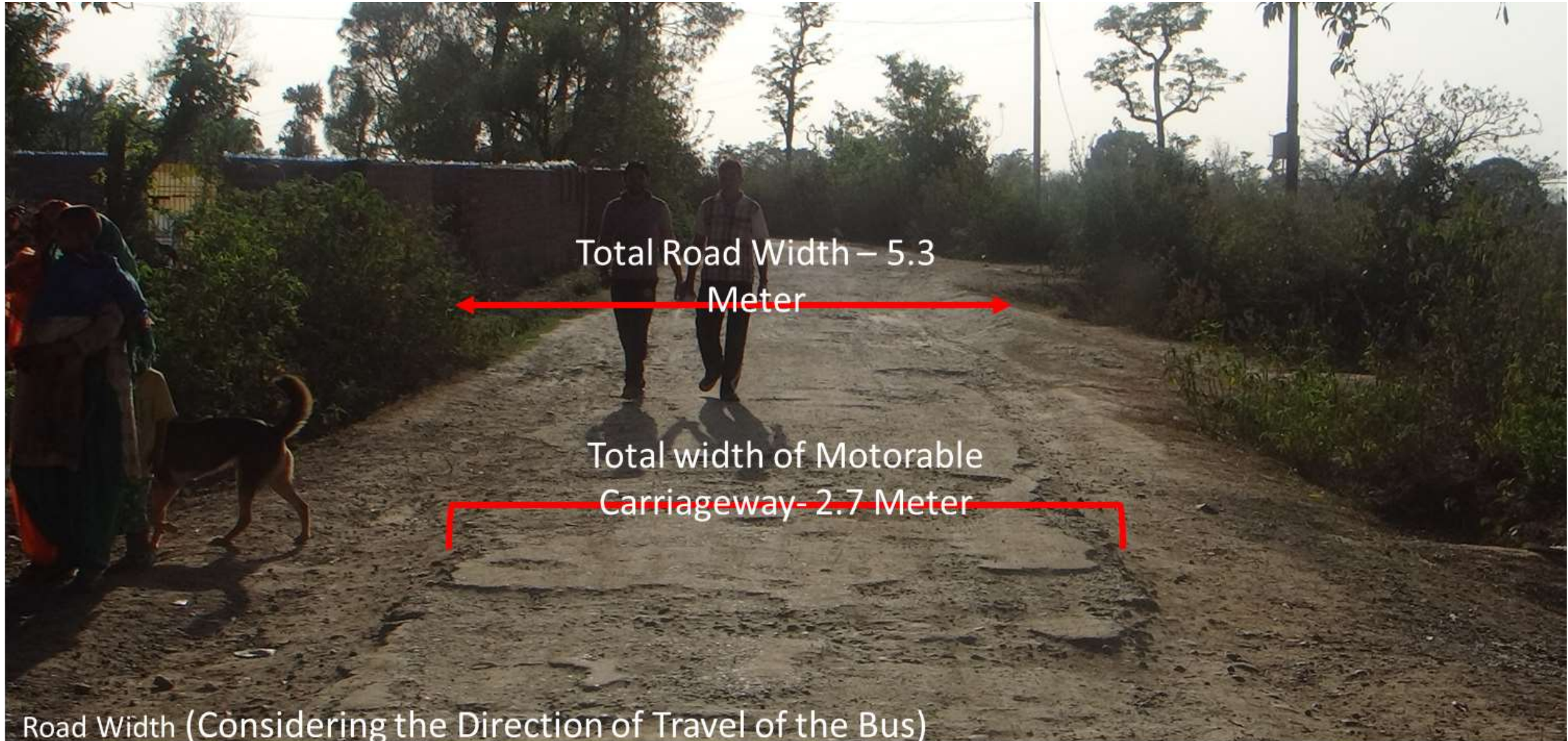
- Diagnostics is defined as the identification of disease by the examination of symptoms and signs and by other investigations an opinion or conclusion so reached.
- Through analysis of facts or problems in order to gain understanding and aid future planning an opinion or conclusion reached through such analysis.

Our
Commitment
Today
हमारी
प्रतिबद्धता
आज।

- That even one accidental death, is one too many
- यहां तक कि एक आकस्मिक मौत, एक बहुत अधिक है।



Road Environment at the Crash site



[illegible]



चंबा में गिरी निजी बस 14 की मौत, 31 जख्मी

खैरी-सुंडला-डलहौजी मार्ग पर दर्दनाक हादसा, कई घायलों की हालत गंभीर

■ मंजीत मन्हासा, डईनाला (धनीखेत)

खैरी-सुंडला-डलहौजी मार्ग पर शुक्रवार शाम एक निजी बस के अनियंत्रित होकर गहरी खाई में गिरने से 14 यात्रियों की मौत हो गई, जबकि 31 अन्य गंभीर रूप से घायल हो गए। बस में कुल 45 लोग सवार बताए जा रहे हैं। दुर्घटना में घायलों को खैरी, बाधरी, डलहौजी व धनीखेत में भर्ती करवाया गया। कई घायलों की हालत नाजुक बताई जा रही है। पुलिस ने मामला दर्ज कर दुर्घटना के विस्तृत कारणों की जांच आरंभ कर दी है। जानकारी के अनुसार संचाली से डलहौजी रूट पर दौड़ने वाली निजी बस नंबर (एचपी- 47, 2477) शुक्रवार देर शाम डईनाला के पास अचानक अनियंत्रित होकर खाई में गिरी। फूट खोस



हादसे का शिकार

खैरी मार्ग पर हुई बस दुर्घटना में मारे गए लोगों की पहचान राजकुमार गांव बाधरी, अरुणा गांव ब्रंगाल, सुमन वासी एलन नाली, रजत भाटिया संगरूर, शोकी संगरूर, चैन सिंह गांव मंजीर, पुत्री, मुन्नी, विकास वासी गांव चकलू, छवि वासी चकलू और प्रवीन वासी ग्वाल, अनुराग, रश्मि, सुरजीत के तौर पर की गई है। उपमंडलीय प्रशासन की ओर कार्यवाहक एसडीएम अजय पराशर ने मृतकों के परिजनों को दस-दस हजार और घायलों को पांच-पांच हजार रुपये की फौरी राहत प्रदान की है।

Home: 22 die in two road accidents in Himachal Pradesh

NetIndian News Network
Shimla, May 21, 2016

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As many as 22 people died in two road accidents in Nichar Valley of Kinnaur district and at Bajrol bridge in Himachal Pradesh in the past 24, official sources said.

The sources said 13 persons died when a Bolero Camper carrying 14 passengers veered off the road and fell into a deep gorge on Bada Kamba road in Nichar valley last night. The passengers of the vehicle were returning from a wedding when the mishap occurred opposite Taranda Dhang on the right bank of River Sutlej.

Nine others died in a bus accident at Bajrol bridge, four km beyond Sain on the Theog-Chopal Road today. The bus was on its way from Shimla to Tharoch, they said.

Both the driver and the conductor of the HRTC bus were among those who died. As many as 21 others suffered injuries and were being treated at a hospital in Shimla.

Himachal Pradesh Governor Acharya Devvrat and Chief Minister Virbhadr Singh expressed grief over the loss of the lives in the two accidents as well over the death of 14 people in an accident in Chamba two days ago.

Accident Location: Bajroli Pul, Theog Police Station (Shimla)



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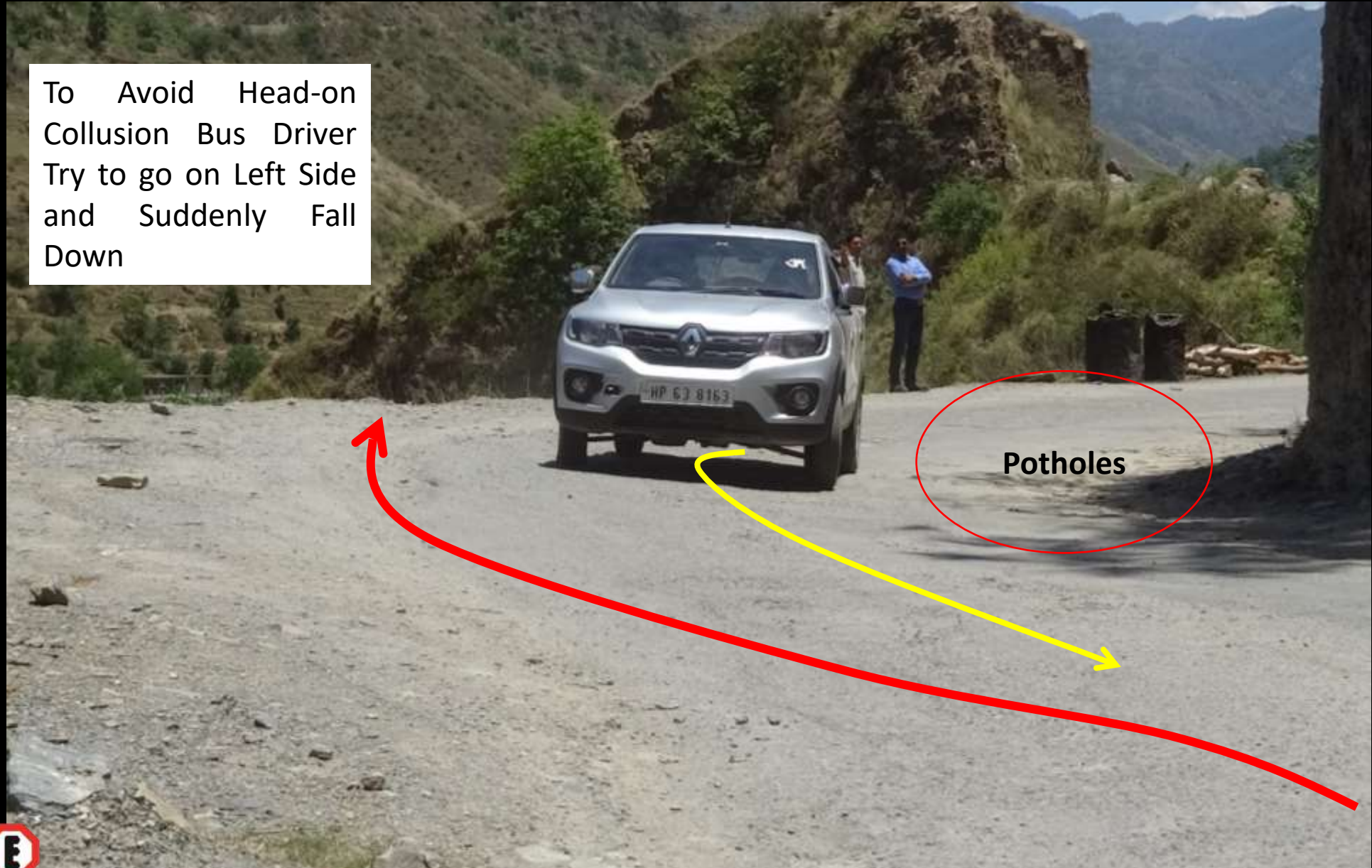


Accident Location: Bajroli Pul, Theog Police Station (Shimla)



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To Avoid Head-on
Collusion Bus Driver
Try to go on Left Side
and Suddenly Fall
Down



Potholes

t=2.160 s

v1=23.5 [km/h]

v2=19.4 [km/h]





Forcing Guilt 297, 304A , 336, 337,338

Compensation Quantum

Case Closure, Data to the minimum



Courts: Pending cases

24 high courts

Fig in Lakh

2014	41.52
2015	38.70
2016	40.15

Subordinate courts

Fig in cr

2014	2.64
2015	2.70
2016	2.74



Shortage of judges*

HCs: 413 (38.2%)	Lower courts: 4,937 (24.6%)
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as on September 1

Objectives of Crash Investigation

- **What** took place
- **Why** it happened (Precipitating & Contributing factors)
- **Why** serious consequences
- **How** to prevent such accidents in future
- **How** to prevent the serious consequences in future

Diagnosis

Human Disease

PATHOLOGY

- cause/etiology,
- mechanisms of development (pathogenesis),
- structural alterations of cells (morphologic changes), and
- the consequences of changes (clinical manifestations)

Road Crashes

ROAD PATHOLOGY (CRASHOLOGY)

- factual causes behind serious & fatal road crashes
- catalytic agents which are leading to unsafe roads
- consequences of road crashes.













This Investigating Officer

- Duty Needs to be Defined
- Trained & Equipped to carry out his job with Responsibility



Invoking
Section 218 IPC
Public Servant Framing
Incorrect Record or
Writing with Intent to
Save Person from
Punishment or Property
from Forfeiture

- Whoever being a Public Servant, and being as such public servant, charged with the preparation of any record or other writing, frames that record or writing in a manner, which he knows to be incorrect, with the interest to cause or knowing it to be likely that he will thereby cause.....may extend to three years.....

Entire System of Accident Investigation

- Needs Overhauling to be made Accountable
- Evidence Based : Fact Finding NOT Fault Finding
- Aimed at Prevention not only Support



- Importance of Scientific Evidence Collection, Packaging and Correlation

Saving Lives & Injury is Paramount

No Compromise on Evidential Relevance

26th Sep 2020



09th Oct. 2020



26th Sep 2020



28th Sep 2020





Section 198A

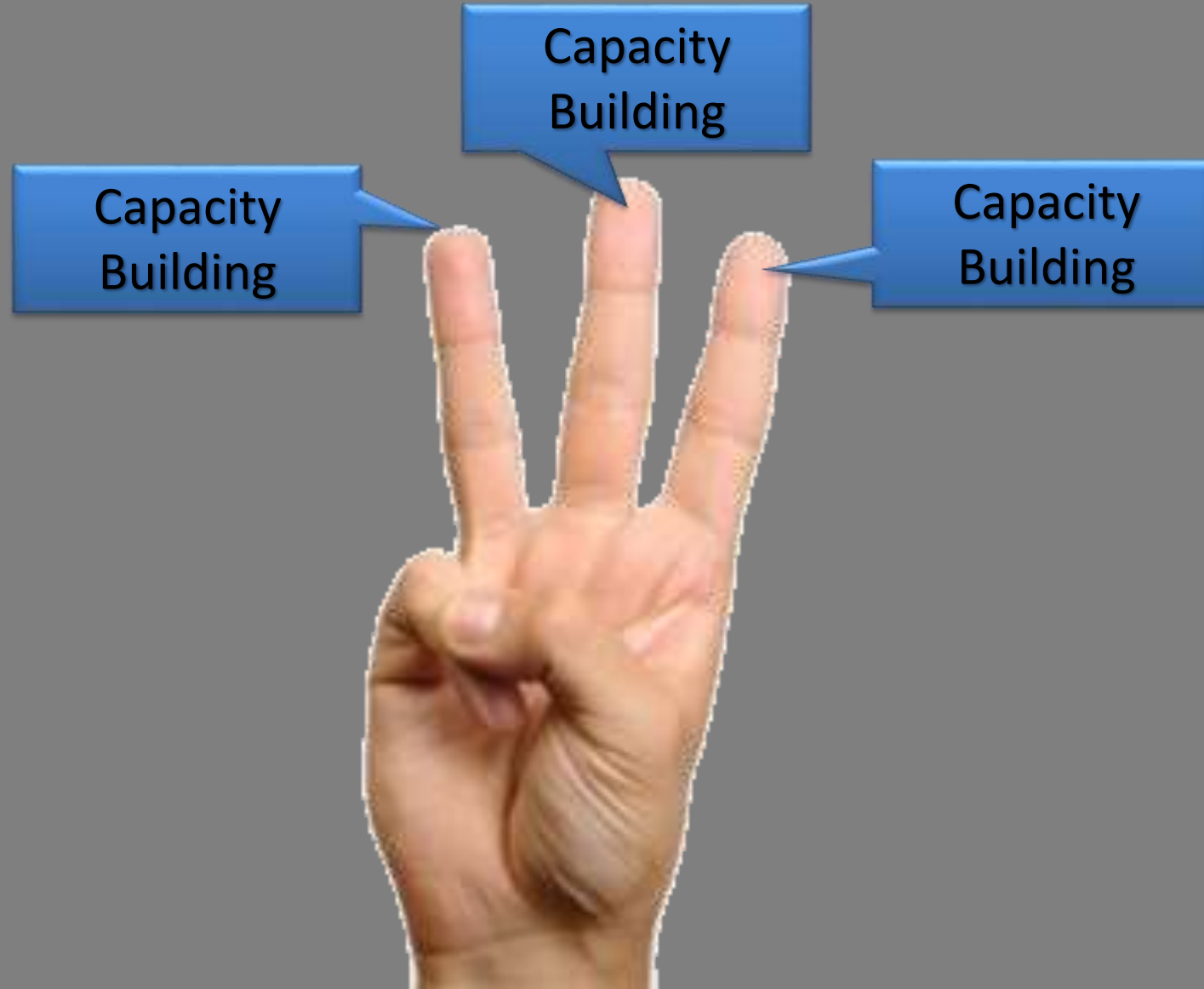
Failure to comply with standards for road design, construction and maintenance.

(Motor Vehicles (Amendment) Act, 2019)

- (1) Any designated authority, contractor, consultant or concessionaire responsible for the design or construction or maintenance of the safety standards of the road shall follow such design, construction and maintenance standards, as may be prescribed by the Central Government from time to time.

(2) Where failure on the part of the designated authority, contractor, consultant or concessionaire responsible under sub-section (1) to comply with standards for road design, construction and maintenance, results in death or disability, such authority or contractor or concessionaire shall be punishable with a fine which may extend to one lakh rupees and the same shall be paid to the Fund constituted under section 164B.

Need for Three Things





INSTITUTE OF ROAD TRAFFIC EDUCATION

Lets make Global Roads Accident-free,
Pollution-free and Stress-free, through
Education, Discipline, Research
and Planning.



That's the Philosophy of IRTE,

a non-profit institution
for making people aware -
of the value of life,
so that happiness prevails!

INSTITUTE OF ROAD TRAFFIC EDUCATION | COLLEGE OF TRAFFIC MANAGEMENT

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