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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor

PORTS AND TRANSPORT DEPARTMENT

Sachiyalaya, Gandhinagar, Dated the 3rd October, 2017.

GUJARAT ORDINANCE NO. 2 OF 2017.

AN ORDINANCE

to provide for the constitution of a Road Safety Authority for the implementation of road safety programmes in the State and to act as a lead agency for road safety; for the establishment of road safety fund and for matters connected therewith and incidental thereto.

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to provide for the constitution of a Road Safety Authority for the implementation of road safety programmes in the State and to act as a lead agency for road safety and for the establishment of road safety fund;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. Short title and commencement.- (1) This Ordinance may be called the Gujarat Road Safety Authority Ordinance, 2017.

(2) It shall come into force at once.

2. Definition.- (1) In this Ordinance, unless the context otherwise requires,-

- (a) "accident" means any incident wherein on account of the use of a motor vehicle on a public road, death, bodily injury or damage is caused to any person or property, as the case may be;
- (b) "Authority" means the Gujarat Road Safety Authority constituted under section 3;
- (c) "Chairman" means the Chairman of the Authority or of the Executive Committee, as the case may be;
- (d) "Enforcement officer" means the Enforcement Officer appointed under this Ordinance and includes the Chief Enforcement Officer or, as the case may be, the Deputy Enforcement Officer;
- (e) "Executive Committee" means the Executive Committee of the Authority constituted under section 8;
- (f) "Fund" means the Gujarat Road Safety Fund constituted under section 10;
- (g) "Local authority" means,-
- (i) a Municipal Corporation constituted under the Gujarat Provincial Municipal Corporations Act, 1949;
- (ii) a Municipality constituted under the Gujarat Municipalities Act, 1963;
- (iii) a Panchayat constituted under the Gujarat Panchayats Act, 1993;
- (h) "public road" shall include any road to which public have access; and also the traffic island medians and footpath;
- (i) "prescribed" means prescribed by rules made under this Ordinance;
- (j) "regulations" means the regulations made under section 34;
- (k) "Road Safety Commissioner" means any officer appointed by the State Government to perform the functions of the Commissioner of Road Safety under this Ordinance and the rules made thereunder and includes a Joint Road Safety Commissioner and the Deputy Road Safety Commissioner;
- (l) "State, District or City Road Safety Committee" means the State, District or, as the case may be, the City Road Safety Council or Committee constituted under section 215 of the Motor Vehicles Act, 1988;
- (m) "vehicle" means vehicles or motor vehicles as defined in the Motor Vehicles Act, 1988 and includes any device used or capable of being used for the carriage of movement of human beings, animals or goods;
- (n) "victim" means a victim of an accident.

Bom. LIX
of 1949.

Guj. 34
of 1964.

Guj. 18
of 1993.

59 of 1988.

59 of 1988.

59 of 1988.

Bom. 65 of
1958.

(2) Words and expressions used but not defined in this Ordinance shall have meanings respectively assigned to them in the Motor Vehicles Act, 1988 and the Gujarat Motor Vehicles Tax Act, 1958.

3. Constitution of Gujarat Road Safety Authority.- (1) The State Government may, by notification in the *Official Gazette*, constitute, with effect from such date as may be specified therein, an authority to be called, "the Gujarat Road Safety Authority (GUJROSA)".

(2) The Authority shall be a body corporate by the name as aforesaid, having perpetual succession and a common seal, with powers subject to the provisions of this Ordinance, to acquire, hold and dispose of property, both movable and immovable and to contract and shall, by the said name, sue and be sued.

(3) The Authority shall consist of the following members, namely:-

- (i) the Minister for Transport, who shall be the Chairman of the Authority;
- (ii) the Secretary to the Government, Transport Department, who shall be the Vice-chairman of the Authority;
- (iii) the Secretary to the Government, Home Department;
- (iv) the Secretary to the Government, Health and Family Welfare Department;
- (v) the Secretary to the Government, Education Department;
- (vi) the Secretary to the Government, Roads and Buildings Department;
- (vii) the Director General of Police, Gujarat State;
- (viii) the Managing Director, Gujarat State Road Transport Corporation (GSRTC);
- (ix) the Municipal Commissioner of Ahmedabad Municipal Corporation;
- (x) the Chief Engineer, National Highway Authority of India (NHAI);
- (xi) the Chairman, Western India Automobile Association (WIAA);
- (xii) the Commissioner of Transport, Gujarat State;
- (xiii) two persons who are experts in the field of road safety, to be nominated by the State Government;
- (xiv) the Chief Enforcement Officer, who shall be the Member-Secretary of the Authority.

4. *Functions of Authority.*- The Authority shall discharge the following functions, namely:-

- (a) to advise the State Government on road safety policies;
- (b) to implement the National Road Safety Policy and the Gujarat Road Safety Policy;
- (c) to implement the directions of the Supreme Court Committee on Road Safety;
- (d) to implement the directions and recommendations issued from time to time by the State Government, Central Government, Hon'ble courts or the World Health Organization;
- (e) to direct the Government Departments, State Road Safety Committee, District and City Road Safety Committee and other persons regarding road safety;
- (f) to co-ordinate with the Road Safety Committee;
- (g) to co-ordinate the solatium fund scheme;
- (h) to act as a lead agency of the State for Road safety;
- (i) to prescribe and enforce road safety standards and procedures;
- (j) to formulate schemes, projects and programmes relating to road safety;
- (k) to co-ordinate the work relating to road safety with all concerned agencies and departments;
- (l) to facilitate implementation of road safety programmes by various means or media;
- (m) to administer the Fund;
- (n) to take appropriate decisions for efficient administration and management of the Authority, and to formulate policies for the code of conduct, disciplinary actions, grievance redressal mechanism and all other required policies and guidelines for the day to day smooth working for the Road safety;
- (o) to provide and arrange in training programmes and to organize conference, seminars, workshops, celebration activities and all such other activities for the purpose of capacity augmentation of the manpower working in the field of Road Safety;
- (p) to publish and finance specific research in relevant fields and to publish relevant papers, reports, books, journals, periodicals and newsletters covering the activities of the Authority;
- (q) to enter into agreement with research agencies/institutes/universities engaged in the field of road safety at international/national level or like institutions in specialized areas pertaining to the activities of authority for

exchange of professionals, study tours, training seminars and workshops, conducting joint projects, technical assistance in the field of road safety.

- (r) to co-operate or collaborate with other institutions having objects similar to the Authority;
- (s) to establish and maintain a library, providing reading, reference and research facilities and catering to the needs of students, practitioners and researchers particularly in the field of road safety;
- (t) to receive, manage and disburse the funds and maintain the accounts for the fund received;
- (u) to make rules and regulations for conduct and management of the affairs of the authority and to add, amend, vary or rescind them from time to time;
- (v) to sanction expenditure for the implementation of road safety schemes and programmes;
- (w) to sanction expenditure for road safety projects and for purchase and installation of equipments and devices connected with road safety;
- (x) to sanction financial assistance to organizations and institutions working in the field of road safety;
- (y) to sanction expenditure for the conduct of studies, projects and research on matters relating to road safety;
- (z) to extend assistance to the victims of accidents;
- (aa) to sanction expenditure for trauma-care programmes or activities;
- (ab) to sanction administrative expenditure of the Authority;
- (ac) to sanction expenditure on matters connected with road safety measures;
- (ad) to discharge such other functions, as may be prescribed, having regard to the objects of this Ordinance.

5. Meetings of Authority.- (1) The Authority shall meet at such time and place and shall follow such rules of procedure for transaction of business of the meeting as the Chairman may decide.

(2) Every meeting of the authority shall be presided over by the Chairman or in his absence, by the Vice-Chairman.

(3) The quorum for a meeting of the authority shall be five.

(4) The meeting of the authority may be held at least once in six months.

(5) Every matter to be decided by the Authority shall be considered and disposed of at the meetings of the Authority in accordance with the decision of the majority of the members present. The Chairman or the presiding Vice-Chairman shall have the casting vote.

(6) No act or proceedings of the Authority shall be questioned or shall be invalidated merely on the ground of existence of any vacancy or defect in the constitution of the Authority.

6. Officers and employees of Authority.- The State Government shall, for the purpose of carrying into the effect the provisions of this Ordinance, provide to the Authority, such number of officers and employees as may be necessary for the efficient performance of the functions of the Authority under this Ordinance as expeditiously as possible and the salaries and allowances payable to and other terms and conditions of service of officers and conditions of services of the officers and other employees shall be such as may be prescribed by the State Government.

7. Salaries and Allowances.- The salaries and allowances payable to the non-official members of the Authority and administrative expenses including the salaries and allowances payable to the officers and other employees shall be paid out of the grants made to the Authority under this Ordinance:

Provided that the Authority shall be empowered to determine salaries and allowances as well as service conditions, eligibility conditions in case of contractual employees with the approval of the Government from time to time and also determine their applicable salary scale and allowances:

Provided further that the Authority shall follow employment recruitment procedure framed by it and approved by the State Government from time to time.

8. Executive Committee.- (1) There shall be an Executive Committee for the Authority consisting of the following members, namely:-

- (a) the Principal Secretary (Transport), who shall be the Chairman;
- (b) the Transport Commissioner, who shall be the Vice-Chairman;
- (c) the Commissioner of Health, Gujarat State;
- (d) the Commissioner of Primary Education, Gujarat State;
- (e) the Inspector General of Police (Traffic);
- (f) the Chief Engineer (Roads and Bridges);
- (g) the Chief Engineer (National Highways);
- (h) the Joint Commissioner of Traffic;
- (i) the Deputy Municipal Commissioner, Ahmedabad Municipal Corporation;
- (j) the Regional Transport Officer, Ahmadabad;
- (k) the Joint director, Commissioner of Transport or, as the case may be, the Officer on Special Duty;
- (l) the Deputy Enforcement Officer, Member-Secretary;
- (m) two experts from the field of road safety education and emergency care, as may be nominated by the Authority.

(2) Subject to such restrictions, conditions and limitations as may be imposed by the Authority, the Executive Committee shall exercise such powers and discharge such functions of the Authority as may be delegated to it by the Authority.

(3) The Executive Committee shall be responsible for implementing the decisions of the Authority.

9. Meetings of Executive Committee.- (1) The Executive Committee shall meet at such time and such place as the Chairman of the Executive Committee may decide and shall observe such rules of procedure in relation to transaction of its business at the meetings, as may be made by the regulations.

(2) Every meeting of the Executive Committee shall be presided over by the Chairman or in his absence, by the Vice-Chairman.

(3) The Executive Committee may meet at least once in two months or sooner, as may be decided the Chairman of the Executive Committee.

(4) The quorum for meeting of Executive Committee shall be five.

(5) Every matter to be decided by the Executive Committee shall be considered and disposed of at the meetings of the Executive Committee in accordance with the decision of the majority of the members present and voting. The Chairman shall have the casting vote.

(6) No act or proceedings of the Executive Committee shall be questioned or shall be invalidated merely on the ground of existence of any vacancy or defect in the constitution of the Executive Committee.

10. Establishment of Fund.- (1) As soon as may be after the constitution of the Authority, there shall be established a Fund to be called the "Gujarat Road Safety Fund".

(2) There shall be credited to the Fund, -

- (a) grants by way of share of compounding fees recovered for traffic violations under Motor Vehicles Act, 1988 or for violations under this Ordinance or any other grants as may be fixed by the Government from time to time, loans or advances made by the State Government;
- (b) grants, loans or advances made by the Government of India;
- (c) contributions from public or private institutions or organizations;
- (d) by auctioning of the confiscated vehicle.

11. Vesting and Administration of fund.- (1) The Fund shall vest in and be administered by the Authority under this Ordinance.

(2) The Authority shall administer the Fund vested in it in such manner, as may be determined by the Authority with the approval of the State Government from time to time.

(3) All moneys forming part of the Fund shall be deposited in any Scheduled Commercial Bank, as may be decided by the Authority and the

account shall be operated by the Chief Enforcement Officer of the Authority in such manner, as the Authority may decide.

12. Utilisation of Fund.- The Fund shall be utilized for all or any of the functions of the Authority mentioned in section 4.

13. Removal of causes of accidents.- (1) Notwithstanding anything contained in any other law for the time being in force, where the Authority is satisfied, on a report by any person or otherwise, that-

(i) structure or materials including arches, banners, display boards, hoardings, tents, pandals, poles, platforms, statues, monuments or any other structures, on a public road;

(ii) the condition of any parking area, tree, structure or building situated in the vicinity of a public road; or

(iii) the entry or exit of any building or premise in the vicinity of a public road, is likely to cause an accident or causes an obstruction to the free flow of traffic or distract the attention or obstruct the vision of the driver of any vehicle,

the Authority may, after recording reasons thereof, direct the person concerned, either by a general or special order, to take such measures as it considers necessary and such person shall be bound to comply with the direction within such time, as may be specified by the Authority.

(2) Notwithstanding anything contained in sub-section (1), in case of urgency, the Road Safety Commissioner or the Joint Road Safety Commissioner may take such action as may be necessary to prevent accident or obstruction, as the case may be, and recover the cost thereof from the person responsible, in such manner as may be prescribed:

Provided that the powers mentioned in above may be utilized by the Road Safety Commissioner or the Joint Road Safety Commissioner.

14. Power to seize vehicles.- (1) Notwithstanding anything contained in any other law for the time being in force, where the Enforcement Officer, or the other officers of Police or the Motor Vehicles Department or any officer of the State Government authorized in this behalf is satisfied, on a report by any person, or otherwise, that the placement or positioning of any vehicle, on a public road or the movement of vehicles on a public road is likely to cause accident or cause obstruction to the free flow of traffic or distract the attention, or obstruct the vision of the driver of any vehicle, he may -

(i) seize the vehicle, in the prescribed manner and for this purpose take or cause to be taken such steps as he may consider proper for the temporary safe custody of the vehicle; or

(ii) he may, instead of seizing the vehicle, seize the certificate of registration of vehicle and shall issue an acknowledgement in respect thereof.

(2) Where a motor vehicle has been seized under sub-section (1), the owner or person in-charge of the motor vehicle may apply to the Chief Enforcement Officer or any officer authorized in this behalf by the State Government, together with the relevant documents for the release of the vehicle and such officer may, after verification of such documents, by

making an order, release the vehicle subject to such conditions, as he may deem necessary to impose.

(3) Notwithstanding anything contained in this section, a vehicle seized under sub-section (1) shall lie with the authority for more than two months due to non attempt of the releasing the vehicle or no one applies to release the vehicle, or, any vehicle seized three time under sub-section (1), the Enforcement Officer or officer of Police or motor vehicle department or any officer of the State Government authorized in this behalf, may forfeit the vehicle in the name of State Government after giving an opportunity of being heard to the owner or person in possession of controlled of the vehicle.

(4) The vehicle so forfeited may be auctioned by the forfeiting officer as may be determined by the authority.

(5) The income generated from the auction shall be deposited in the fund of the Authority.

15. Power to order works.- (1) Notwithstanding anything contained in any other law for the time being in force, it shall be lawful for the Road Safety Commissioner or the Joint Road Safety Commissioner to order any work or improvement on a public road, as it may consider necessary, to secure safety on such roads and every department or the local authority or any other authority concerned shall be bound to carry out such works or improvement within such time, as may be specified by the Authority:

Provided that no order under this sub-section shall be issued to such public authority without prior written notice and opportunity of being heard. If such public authority is fails to respond or reply to the satisfaction of the Road Safety Commissioner or Joint Road Safety Commissioner, a reasoned order shall be issued and same shall be binding on such public authority to carry out such work to secure safety of such road.

(2) It shall be the duty of every officer of the Government, local authority or any other authority to act in aid of the Authority in enforcing under sub-section (1).

(3) If any person or officer in-charge of such public authority or to whom a written order is served under sub-section (1) refuses or fails to comply with the order within the time limit set out by the authority, the Road Safety Commissioner or the Joint Road Safety Commissioner may after giving opportunity of being heard impose a fine up to Rs. 1,00,000 (rupees one lakh only) upon such officer or person and may also take such action as to prevent danger and ensure safety to the public and may recover the cost thereof from such person or officer.

16. Amounts recoverable as arrears of land revenue.-

Any amount due to the Authority under this Ordinance shall, without prejudice to any other mode of recovery, be recoverable in the same manner as an arrear of public revenue due on land.

17. Punishment for failure to comply order.- Notwithstanding anything contained in the section 15,-

(1) whoever, including public servant, refuses or fails to comply with any written order or direction of the Road Safety Commissioner or Joint Road

Safety Commissioner, or any other officer under section 22 shall be punishable with imprisonment for a term of three months or with fine which may extend to five thousand rupees or with both.

(2) in the case of a continuing offence, a fine of one thousand rupees shall be imposed for each day for which the offence continues.

(3) a Judicial Magistrate of First Class shall try an offence punishable under this Ordinance.

18. Accounts of Fund.- The accounts of the Fund shall be maintained by the Accounts officer under the overall supervision and control of the Chief Enforcement Officer in such manner, as may be resolved from time to time by the Authority.

19. Submission of reports.- Every District or City Road Safety Committee shall submit such reports and returns and furnish such information to the Authority, as may be required from time to time.

20. Annual report.- (1) The Authority shall, during each financial year, prepare in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities in the previous year and submit such report to the State Government before such date as the State Government may by order specify.

(2) The Government shall cause every such report to be laid before the State Legislature, as soon as may be, after the receipt of the same.

21. Audit of Accounts.- (1) The accounts of the Authority shall be audited annually.

(2) The Authority may also carry out internal audit including concurrent audit of the accounts every year by such officials or by the Chartered Account as it deems fit.

(3) The accounts of the Authority, as certified by the auditor, together with the audit report thereon shall be submitted to the State Government along with the remarks thereon by the Authority and the State Government shall cause the same to be laid before the Legislative Assembly.

(4) The Authority shall take such corrective steps as may be ordered by the Government in pursuance of the report.

22. Delegation.- The Authority may, with the previous approval of the State Government, delegate to the Executive Committee or the Road safety Commissioner or the Chief Enforcement officer or the District or City Road Safety Committee or to any other officer of the authority or to any Gazetted officer of the Government by general or special order, subject to such restrictions as it deems fit, such of its powers and functions, as it may consider necessary, for the effective implementation of the road safety programmes. The District or City Road Safety Committee shall exercise such powers and perform such functions, as the Authority may, from time to time delegate.

23. Compounding of offences.- Any offence punishable under this Ordinance may either before or after the institution of prosecution, be compounded by such officers or authorities and for such amount as the State Government may, by notification in the *Official Gazette*, specify in this behalf.

24. Offences by Companies.- If an offence punishable under this Ordinance is committed at any time by a company, every person who is in charge of and responsible to the company for the conduct of its business at the time of the commission of the offence and the company shall be deemed to be responsible for the offence and shall be liable to be proceeded against and punished accordingly:

Provided that where any offence under this Ordinance has been committed by a company and it is proved that the commission of the offence is with the consent and connivance attributable to any neglect on the part of any Director, Manager, Secretary or other officer of the company such Director, Manager, Secretary or other officer shall be deemed to be responsible for that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.- For the purpose of this section,-

- (a) 'company' means any body corporate, and includes a firm or other association of individuals; and
- (b) 'Director' in relation to a firm means the partner in that firm.

25. Appeal.- (1) Any person aggrieved by an order passed by any officer of the Authority under this Ordinance may, within sixty days of the date of that order, appeal to the Joint Road Safety Commissioner.

(2) Every appeal preferred under sub-section (1) shall be accompanied by fees of ₹ 5000/-.

(3) After the receipt of any appeal under sub-section (1), the Appellate Authority shall, after giving the appellant an opportunity of being heard in the matter, dispose of the appeal as expeditiously as possible.

26. Revision.- The Road Safety Commissioner may, *suo-motu* or on application made to it by the aggrieved person, call for the records of any case in which an order under section 13, 14, 15 or 24 has been passed by any subordinate officer of the Authority and if it appears to the Road Safety Commissioner that the order is improper or illegal, the Road Safety Commissioner may pass such order as he deems fit.

27. Members of Committee, officers and employees to be public servant.- All the members and employees of the Authority while acting or purporting to act in pursuance of the provisions of this Ordinance or rules made thereunder, be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

XLV of 1860.

28. Protection of action taken in good faith.- No suit, prosecution or other legal proceedings shall lie against the Government or Authority or any officer of the Government or any member or other employees of the Authority for anything, which is done in good faith or purported to be done under or in pursuance of this Ordinance or the rules made there under.

29. Cognizance of offences.- No court shall take cognizance of any offence punishable under this Ordinance except on a report in writing of the facts constituting such offence submitted with the prior permission of the Authority or as the case may be executive committee or Chief Enforcement Officer.

30. **Bar of jurisdiction of Civil Courts.-** No civil court shall have jurisdiction to settle, decide or deal with any question or to determine any matter which is by or under this Ordinance required to be settled, decided or dealt with or to be determined by the State Government or the Authority or any officer authorized by the State Government or the Authority.

31. **Act not in derogation to any law for the time being in force.-**The provisions of this Ordinance shall be in addition to, and not in derogation of any of the provisions of the Motor vehicles Act, 1988 or any other law which is time being in force. 59 of 1988.

32. **Power of State Government to give directions.-**

(1) The State Government having regard to-

- (a) the desirability of effective enforcement of the provisions of this Ordinance or any other law for the time being in force to control, and regulate the road traffic,
- (b) the desirability of preventing the road accidents,
- (c) the desirability of preventing the deterioration on the road system,

may, from time to time, by notification in the *Official Gazette*, issue directions to the Road Safety Authority,-

- (i) regarding the appointment of any public or private agency after following due process by the Authority; for the purpose of road safety measure in specific area or area, to remove traffic nuisance, detect traffic offence, accept composition fee, recover fine or penalties, recover cost of the damage caused by traffic nuisance, regularize any other measure related to road safety in the benefit of public at a large.
- (ii) regarding fixing of service charge as may be levied by such agency:

Provided that the rate of compounding fees, penalties or fine shall be specified under the respective Acts or rules made thereunder:

Provided further that compounding fees, penalties, fine or cost shall be deposited in the Government treasury by such agencies. However, such agencies may be entitled to retain service charge with itself.

(2) The Authority or the State Road Safety Committee or District or City Road Safety Committees may by order give direction to any officer of the department or any person of public, public or private institutions to act for the purpose of Road Safety.

33. **Power to make rules.-** (1) The State Government may, subject to the condition of previous publication, make rules for carrying out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing provision, the State Government may make rules for all or any of the following matter, namely:-

- (a) functions to be performed by the Authority in addition to the functions provided in the section 4;
- (b) the designation, method of appointment and other conditions of service of the officers and staff of the Authority;
- (c) the form and time for preparation of annual report under section 20;
- (d) any other matter which is required to be, or may be, prescribed.

(3) A rule made under this section may provide that the contravention of any of the provisions which are specified in such rule shall be punishable with fine, which may extend to one thousand rupees.

(4) All rules made under this section shall be published in the *Official Gazette*.

(5) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made, and shall be subject to rescission by the State Legislature or to such modifications as the State Legislature may make, during the session in which they are so laid or the session immediately following.

(6) Any rescission or modification so made by the State Legislature shall be published in the *Official Gazette* and shall thereupon take effect.

34. Power to make regulations.- The Authority may make regulations in respect of the procedure to be adopted by the Authority, the Executive Committee and officers of the Authority for meetings and disposal of matters coming up before the Authority or the Executive Committee or the officers, as the case may be.

35. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by general or special order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Ordinance, as it appears to it to be necessary or expedient for the purposes of removing the difficulty:

Provided that, no such order shall be made after the expiry of two years from the commencement of this Ordinance.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before the State Legislature.

STATEMENT

The road safety is a matter of foremost priority of the State Government. In the Writ Petition (PIL) No. 295/2012, the Hon'ble Supreme Court has constituted a Committee on Road Safety on the 22nd January, 2014 under the Chairmanship of retired Justice Dr. K.S. Radhakrishnan. Supreme Court has suggested that the directions of the Road Safety Committee may be followed to decrease the road accidents and has also suggested to constitute a lead agency with power, fund and manpower to ensure the road safety. It is also suggested that for the purpose of Road Safety, there should be a special provision to make separate authority and budget. The State Government has announced the Road Safety Policy in March-2016 with a target to decrease the accident up to 50 per cent.

In order to comply with the aforesaid suggestions of the said Committee of Hon'ble the Supreme Court and for effective implementation of the State Road safety policy in its true letter and spirit, a road safety authority is proposed to be established which would be the Lead Agency for undertaking the work of road safety with the co-ordination of separate Government departments as also with the co-ordination of certain NGOs, volunteers, etc. the proposed road safety authority would be a lead agency for road safety.

As the Legislative Assembly of the State of Gujarat is not in session, the Gujarat Road Safety Authority Ordinance, 2017 is promulgated to achieve the aforesaid objects.

Gandhinagar,
Dated the 27th September, 2017.

O. P. KOHLI,
Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

VIPUL MITRA,
Principal Secretary to Government.