

Road to safety: A Study of Patterns of Road Accidents in NH37 Guwahati to Shillong Road

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Abstract

Right to life and safety is the fundamental right of any citizen. This is guaranteed under the constitution of every country in the world including India. However, more people die every year from road accidents all over the world than the number killed during the whole of the Second World War. Road fatalities are due to a number of reasons, primary among them are bad condition of roads and traffic violations, poor implementations of various laws governing road traffic and safety issues, and last but not the least, the faulty engineering of road mechanics, may it be road design or traffic lighting etc. Furthermore, lack of awareness of road safety issues among the masses and apathy of the policy makers and implementers add to the increasing problem of road safety. Hence, the present study is aimed to understand the patterns of road accidents in GS Road which is connecting the two capitals of Assam and Meghalaya i.e. Dispur and Shillong. The study attempts to understand the reasons behind the occurrence of road accidents and the problems that lead to these accidents in this road which is mostly filled with traffic and in the process also suggest remedial measures to address the crisis. The study is based on secondary data collected from government, journals and government reports to address the issue of road accident in this area. The study confirms that there are few spots in this road which is considered recognized 'black spot', where most of this accidents occurred over the period of time because of diverse reasons and the data also confirms that both the category are found to be victims of accidents most of the time. Even after the series of effort Nongpoh Police and others states holders who raise awareness regarding safe roads the effects are not visible in the know of traffic accidents in the area as over the period of time it is going high.

Key words: Road safety; accidents; patterns; government; victim; compensation.

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Introduction:

Right to life and safety is the fundamental right of any citizen. This is guaranteed under the constitution of every country in the world including India. However, more people die every year from road accidents all over the world than the number killed during the whole of the Second World War. Road fatalities are due to a number of reasons, primary among them are bad condition of roads and traffic violations, poor implementations of various laws governing road traffic and safety issues, and last but not the least, the faulty engineering of road mechanics, may it be road design or traffic lighting etc. Furthermore, lack of awareness of road safety issues among the masses and apathy of the policy makers and implementers add to the increasing problem of road safety.

India has the dubious distinction of being one of the countries with the highest number of road accidents yield a cart-load of case law, which, of course, is not an elegy on the dead but real tribute on this threatening piece of legislation. Each case however bears its own imprint which cannot be universalized, Bakshi P.M. (1989).

A look at some of the statistics on road safety presents a very grim picture worldwide and especially in developing countries like India. Road fatalities now has leads the list of accidental death in India much more than any other such as by droning, fire, rail mishaps. The magnitude of road accidents in India is increasing at an alarming rate. About 60,000 people are killed every year in India and top the world in the number of road fatalities. National level of fatalities per kilometer is 0.025 (Gupta: 1999).

According to the 2016 report submitted by Ministry of Road Transport and Highways, Government of India, 480652 road accidents took place in 2016 and the fatalities were 150785. By the report there is 3.2% rise the fatalities and 4.1% decreased in the accidents. Source (PIB).When we look at the status of North Eastern states, Meghalaya has second highest number of road accidents (620) after Assam and also has the third highest number of fatalities (150) after Assam and Tripura in the year 2016.

The present study aims to understand the patterns, source, victims and impact of accident and in the process suggest remedial measures to address the issue in the NH 40 connecting the two capital city of Assam and Meghalaya where most of accidents are reported. The study is focused on secondary data collected from Government Offices as S.P office Nongpoh Ri Bhoi District, books, journals and Government records.

The study was conducted in Nongpoh the headquarter of Ri Bhoi District under the state of Meghalaya. According to the 2011 Census it has known as the fastest growing town in the state of Meghalaya. Because of the development taken place in recent years in economic, political, social and also through the transportation system. Nongpoh town it is located at the centre of two state capitals Shillong and Dispur till far only road transportation was there. Every commodity, goods and product even for the people the only transportation is through vehicles. It has a 4 lane road and by pass constructed by the National Highway Authority of India (NHAI) according to the Census 2011 it shows before the coming of the NHAI there was only the GS Road which connected the two states, after seeing the network of other states through this road and suddenly increasing of the vehicles travelling from the G S Road to other states of North East the Government of India start for the construction of the 4 lane and By pass under the NHAI project. Thus, increasing number of vehicles to this road day by day and accidents occurred in spite of a good smooth surface of the roads, have make the people, passengers, pedestrians and especially schools students to be very careful whenever they are near the highway.

Review of Literature:

Chaturvedi (2010) focuses on different aspect of motor accidents and has discussed the concept of awarding compensation to victims of motor accidents. He states: "If the Government opts for mandating the automobiles to carry a statutory inscription that birding kills or maims, because it is unimpeachable truth that Indians motorized mayhem has officially made it the most dangerous place to drive in the world. Suffice this to betray the Division Bench decision of the High Court of Madras in B. Govinda Rajaju Chetty (1966) V.M.L.A. Goondaraja Mudaliar that a motor vehicle without which modern life would become impossible, cannot or should not be held to be inherently a dangerous thing". Mehta, (2010) deals with the aspects of accident arising out of use of motor vehicles, no fault liability, claims applications, assessment of claims, legal defense available to the insurance companies towards third party, gratitude passengers, dishonor of cheque of insurance premium, right to recovery from owner to insurance company claims tribunal and appeal etc. Sarkar (2004) has explained the philosophy behind awards of compensation as far as pain and suffering proceeds on the footing that even through no monetary loss is occasional because of this situations, that it is because of the physiological aspect which the law takes cognizance of and which has been dealt with in some detail in the Jhulun Rani Saha's case where both the English and Indian law have been analyzed in some detail.

Fernandez (1995) has mentioned that there are numerous and extensive categories of situations which are treated by the courts as imposing a duty of care. By way of illustration merely, makers or repairs of chattels owe duty to those who use those chattels, teacher owes a duty to his child-pupil, an occupier of land to visitors there, and those engaged in skilled occupations to their customers, those carrying out activities on a highway to others highway users. The increased in road accidents is the poor condition of roads and disproportionate number of vehicle. A defendant who owed a duty to another was held to owe a duty also those who owe might attempt to rescue that other from acute peril in which the defendant's negligence had placed him. Dutt and Dadhich (1988) have focused on different aspects of motor accidents and have discussed the concept of awarding compensation to involvement of motor vehicles and law relating to compensation to victims of motor accidents. This book deals with accidents which occurred due to involvement of motor vehicles and law relating to compensation to victims of such accidents. Authors have also explained the concept of liability of owners and insurers of vehicles involved in accident and broadly discussed the concept of vehicles involved in accident and their liability under the Motor Vehicles Act criminal liability in case of motor accident.

Significant of the Study: After we find there is fast increase in the number of commercial as well as personal vehicles not only that but there is gradual improvement in the automotive technologies also in Ri Bhoi district day by day even the number of accidents cases are also increasing, accidents which are serious that is affecting the passengers, drivers, conductor and people walking near the highway or selling shops near the highway certain cases have been occurred in recent years. Due to increase in the number of vehicles and the frequency of their movement, the road accidents sometimes, found that whole of the family died in the road accident. On the other hand, it is also reported that due to road accidents people have become permanently disabled causing a permanent loss to their earning, sometimes he is not in position to do any work. In this study we want to find out the main reason behind the accidents cases taken place in the highway in spite of the good road transportation and also the kind of accidents taken place from the period of 2014-2016, in Ri Bhoi District and in the process suggest remedial measures for road safety for every citizen.

Patterns of Accidents reported in Ri-Bhoi District for the year 2014-2015 and 2016:

The table 1 shows that during the last three years (2014, 2015 and 2016) around 148 accident cases are registered. Out of which 167 persons are injured in these accidents, 142 were males and 25 were females. People who died during this last three years who have met in an

accident the total number were 95 in which males were 78 and females were 17. The table also reveal that that the total number of the person who are injured and died after meeting with road accidents were mostly males, the causes of accidents were mainly overtaking, carelessness, over speeding, influence of drugs, alcohol, physical fatigue of drivers, driving under poor weather condition.

Table 1: Details of Road Accident during Last Three Years, 2014, 2015 and 2016

Year	No. of Accident	No. of Person who are Injured	Male	Female	No. of Person who died	Male	Female	Causes of Accident
2014	51	65	60	5	34	31	3	Over-taking/careless/over speeding etc
2015	40	42	36	6	23	20	3	Over-taking/careless/over speeding /driving under influence of drug/alcohol/physical fatigue of drivers etc
2016	47	60	46	14	38	27	11	Influence of drug/alcohol over-taking/careless/over speeding etc driving under weather condition/other causes physical fatigue of drivers.

Source: S.P Office Nongpoh Ri Bhoi District.

During the year 2014 most of the accident were met through heavy vehicles mostly like Truck/Lorry (normal goods carrier/Trailers/containers carriers others) and through Bus (Government/Private School Bus). In the year 2015, majority of the accident were met by vehicles like three wheeler/Auto rickshaw (Passenger Carriers/Goods carriers) followed by two wheeler (motor cycle/ scooter others) and through Jeep (Government/Private vehicles). During the year 2016 mostly accidents occurred from SUV (7&8 Seater/Station Wagon/ etc) including vehicles like Truck/Lorry (Normal goods carrier/Trailers/containers carriers others) and vehicles like Car (Government/ Private/ Taxi).

When we look at the road accidents classified according to place of occurrence from all the three years 2014, 2015, and 2016, it revealed that they were mostly in places near schools/ college/ educational institution, near residential area, near religious place, near recreation place/ cinema hall, near factory/ industrial area and at pedestrian crossing. Hence the study shows that the people meet with accidents are not always in the vehicle which meet with the accidents, but

students whose schools and colleges are near the road side and the people who are residing near the roadside of the highway are also victim of these accidents mainly because of carelessness/over speeding and physical fatigue of the drivers. But different kind of modes of transportations is more vulnerable to these accidents as cars, SUV and trucks. When it comes to the accidents by travelling in public transportation like bus, tourist cab the reason of an accident are mostly due to over speeding and over taking of the vehicles. When it comes to the accident cases met by private vehicles like car and two wheeler bikes the reason is mostly drunk driving and over speeding. Hence these accidents leads to the person die at the spot or very few survived with serious injuries with very less chance to survive.

The data also identified some of the places where accident used to happened more or accident prone location area in which they have been named as **“black spot”** area in the national highway. These places are identified as accident prone locations which mainly because of too straight roads or very sharp turns and the bad weather together with drunken drivers with heavy load makes it even more vulnerable to meet with accidents. These places which have been identified as **black spot** area are:

1. Shillong Bypass (Dwarksuid, Bhoirymbong, Umroi Madan, Nongtraw, Umdohbyrthi).
2. NH37 (15th Mile Byrnihat, Umling, Shangbangla, 12th Mile Byrnihat, Mawtnum,, Quinine, Nongpoh proper, Mawdiangum, Downgate Nongpoh, Umlyngkdait, 18TH Mile Byrnihat, 15th Mile Byrnihat, 17th Mile Byrnihat, 14th Byrnihat).

According to the 2014, 2015 and 2016 the report which has came out is that the black spot area which has the maximum number of accident was in NH40 i.e. Shangbangla then come in Shillong By pass (Umdohbyrthi, Bhoirymbong and Dwarksuid). Others followed by NH40 (Umroi madan and Nongtraw), NH37 (Umling, Mawtnum Quinine).

Also in the last three years certain types of violations under Motor Vehicles Act has been detected by the Ri Bhoi Police as:

1. Driving/Pillion riding without helmet.
2. Driving under influence of Drinks/Drugs.
3. Over speeding.
4. Seat belts laws violations.
5. Using of Mobile phone.
6. Overloading.
7. Rash and negligence driving.

8. Driving without driving license.
9. Minor local drivers in around the areas.

It has also been updated during this last three years most of the accidents used to meet at the month of December, January and February in all the different places mostly because of drunken driving and over speeding, which may be because in these months most of the popular festivals including new year celebrations are there when people are found more vulnerable to fall into the prey of drunk driving and over speeding lack of patience when everyone is into a rush of their own work.

The Ri Bhoi Police used to go for regular vehicles checking which have been intensified in the district for detection of drunken driving, rash or negligence etc along with excise department's check for illegal sale of liquor especially on the highways. Moreover according to the Supreme Court's verdict on ban on sale of alcohol on the national-highway though according to the statement of the S.P Nongpoh there is no shop selling liquor is found visible in national highway 40 and no shop is situated within a distance of 100 meters of the outer edge of the National or state highway. But we can actually observe that many wine shops are functioning illegally within the radius of 100 meters in the highway which is making the purpose of the government difficult to realize.

In general when we focus on the issue of road accidents case in India it is really very unfortunate that over one lakh persons lose their live every year in our country in road accident, causing loss of human lives and property and trauma to the family of the deceased. This underlines the urgency for adopting various road safety measures. As part of the advocacy campaign for road safety, "Road Safety Week" is observed throughout the country every year in the month of January in order to highlight and emphasized the need for safe roads. It is also an opportunity for all the stakeholders to contribute to the cause by taking up activities to promote the concept. The Union Ministry of Road Transport and Highways in its Transport Research Wing has brought out a publication titled "Road Accidents in India- 2015". The cover depicts in rather graphic terms vehicles involved in car crashes. There is a large group of persons assembled in the foreground, and was a leading cause of road accidents with as many as 27,152 road accidents being caused under the influence of alcohol in that year. On 1st December, MORTH in an advisory to the Chief Secretaries of all the State and Union Territories noted that India had reported the Highest number of road accident fatalities in the world and data of 2009 indicated that road accident occurred every four minutes. Drunken driving, it was stated, Section

185 is indicative of Parliament intent to follow a zero-tolerance policy towards driving under the influence of alcohol. The position was illustrated in another advisory dated 18th, March 2013 of MoRTH to the Chief Secretaries of States and Union Territories where it was stated that in 2011, 1.42 lakh people were killed in 4.9 lakh road accidents. 24,655 road accidents were caused due to drunken driving resulting in 10,553 death and injuries to 21,148 persons. The advisory requested the removal of all liquor vends on national highways and ban on the issuance of fresh licenses on the ground that “prevention is better than cure”. The occurrence of a large number of road accidents is not a phenomenon confined to national highways nor is the prevalence of road accidents, including fatalities, confined only to the national highways. Both the national highways and state highways share a common experience of an unacceptably high number of road accidents, the prevalence injuries and fatalities; drunken driving being one of the major causes. Human life is precious. As the road network expands in India, road infrastructure being an integral part of economic development, accidents profoundly impact on the life of common citizen. For a nation on the cusp of economic development, India can well avoid the tag of being the accident capital of the world. Our highways are expanding, as are the expressways. They provide seamless connectivity and unheralded opportunities of the growth of trade and industry and for the movement of goods, persons and capital. They are the backbone of the freedom of trade and commerce Guaranteed by Article 301 of the Constitution. Our highways are dotted with sign boards warning of dangers of combining speed and alcohol. Together, they constitute a heady cocktail.

Conclusion:

It has been deduced through the three years reports from the Nongpoh Ri Bhoi Police the details of the patterns of road accidents occurring in NH40 which is in Ri Bhoi District of Meghalaya. In the year 2014, 2015 and 2016 the number of cases has been registered mostly on the accident taken place by heavy vehicles, cars, and two wheelers apart from them even the pedestrian crossing have been the victim of this kind of accident cases. Total numbers of person who are injured both males and females have an average number but when it comes in terms of the total number of persons who died in these last three years males significantly leads the number. It has also been found that the main causes of accidents was because of over speeding and drinking alcoholic drinks while driving which in the last three years it has been detected during the month of January, February and December highest number of accidents cases and people both injured and died due to this reason. The venue of accidents occurrence was mostly

near the schools institutions and pedestrian crossing. The Ri Bhoi Police have also traced during in this last three years certain types of popular violations under Motor Vehicles Act as Driving/Pillion riding without helmet, Driving under influence of Alcohol/Drugs, Over speeding, Seat belts laws violations, Using of Mobile phone, Over loading, rash and negligence driving, Driving without driving license, minor local drivers in around the areas. The Ri Bhoi Police have tried their best in reducing accident cases each and every year they used to organized an awareness program on road safety and awareness programme on drugs abuse and addiction, Juvenile Justice Act dealings with band of selling tobacco, alcohol and drugs below the age of 21 years are not allowed to buy or sell to them (source by one of the officers Ri Bhoi Police). In different regions, they have also organized refreshers training for drivers by imparting training about road safety rules, various sign/ signage and first aid service in case of accident and also special meeting to the local drivers especially to the local Sumo and auto drivers on the subject Road Safety to impart ideas while driving on the highways to check whenever its written signboards like “Go slow in Accident Prone Area”, “Market Area”, “Blind Curve”, “School Area”, “Obey Traffic Rules” etc so to avoid accident. Hence the study clearly established the rising prevalence of road accidents in the area and how it is far from being a safe place to be, the Ri Bhoi police has also identified some venues which they call ‘black spots’ where accidents are regularly occurring taking many lives. But the study also confirms the role played by the Ri Bhoi police in dealing with the crisis and bringing change. But it seems that the finding of the study reveals that more steps have to be taken to seriously address this issue.

Recommendations:

1. In order to manage the unfortunate happenings like traffic congestion, accidents, vehicles break down etc. Scientific methods such as guidance regarding the traffic conditions on mobile phones and internet, availing hospitals with trained medical staff at specific intervals with supply of oxygen and life saving medicines.
2. In case of accident or break down of vehicles, the Project Highway should have the provision of quick services to drivers like tow-away for the damaged vehicles ambulance to provide quick medical help At many places especially near the Schools area, speed breakers are needed.
3. Some portion of the highway do not have signboard so there should be given.
4. At many places, especially the places near the villages and small town’s Zebra crossing is needed.

5. Fixing the cameras at right spots and right intervals so as to identify the vehicles breaking the traffic rules and even people indulging in crime should be provided on the highway.
6. Ensuring that all accident victims should get compensation.
7. To ensure effective functioning of Police Authorities in accidents cases.
8. Drunken Driving: Prevention and Control awareness program should be conducted from time to time.
9. Road Safety Policy: Planning and Execution should be maintained strictly.
10. Regular check up and Inspection of vehicles should be conducted.
11. Strict Procedure for Allotment of Driving License.
12. Literacy Programs Centers and First Aid Centers for Accident Victims.
13. An awareness program on road safety should be conducted to every citizen.
14. Strictly actions should be taken for those people who violate the rules of law.

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