SIGNIFICANT LAW AMENDMENTS TO PREVENT ROAD ACCIDENTS IN RURAL INDIA - MOTOR VEHICLE ACT

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INTRODUCTION

India is an agricultural country consisting 67% of rural area geographically. Agriculture and its confederated conditioning act as main source of livelihood for further than 80% population of pastoral India. It provides employment to roughly 52% of labour. Its donation to Gross Domestic product (GDP) is between 14 to 15. The Government has introduced several schemes and programs that support lesser robotization of Indian Agriculture, in the light of its commitment to transfigure the husbandry sector and double growers’ income by 2022-23. The Sub Mission on Agricultural Mechanization of (SMAM) is an important action of the Government, in this direction.

The country is developing day by day and inventions also take place with a growing country, we also developed it by using innovative products which are discovered for our ease. We've to remain in sync with inventions to remain up with current times and make the full use of them. At present, demands are different as compared to the demands nearly a decade ago. For producing high-quality products growers have to keep pace with changing time. For perfecting your productivity in fields you have to use tractor tools for scattering, tending, digging etc. This apply can increase your effectiveness, save lots of plutocrat, saves time etc. so, Tools are introduced for the comfort of the growers.

We're noticing the top 10 tools which are perfect for you to be used with your tractor, they can help you to increase your productivity and effectiveness in the fields. They're Rotavator,
Cultivator, Plough, Trailer, Harrow, Roto seed Drillmaster, Planter, Baler, Sprayer, Straw Reaper etc. All these tools are used by a tractor. Again tractor has its own sub types similar as Utility tractors which we see generally in large, Compact Tractors, Row Crop Tractors, Industrial Tractors, Garden Tractors, Carrier Tractors, Earthmoving tractors, Autonomous, two-wheeler type etc. On par with these machinery, growers its confederated sectors like Major Irrigation, Medium Irrigation and Minor Irrigation, PanchayatRaj, Rural Development, Agriculture, Other civil works in pastoral areas use majorly Bulldozers, Excavators, Backhoe, Graders, Trenchers, Payload, Cranes, Compactors, Dump Exchanges, Boring Machines, Wheel Tractor Scapers etc. in large. All these types of Machines (or) (and) Vehicles are especially designed and manufactured for respective purposes. Still the operation of said Machines (or) (and) Vehicles is fleetly increased in the last two decades and its going to be important large in near future.

All these else designed Machines (or) (and) Vehicles have their own physical confines and some of them are shown in the form of pictures for easy understanding.
Recent reports state that it can be seen that the loftiest number of accidents were due to tractor and tractor operated tools (31%) followed by beast drawn tools (22%), threshers (14%), electric motors/pump sets (12%), chaff knives (9%), power farmers (6%), sprayers (4%) and other machines (2%). Tractors and tractor operated tools were responsible for 44% of the total losses caused due to ranch ministry whereas electric motors/pump sets, sprayers, power farmers and threshers caused 31%, 13%, 10% and 2%, losses respectively.

COMPREHENSIONS OF FEW PROFESSIONALS ARE AS FOLLOWS

• Maturity of Road accidents in Pastoral India are because of Tractors and its confederated bodies/ machinery as they don’t correspond Pointers or Radium Stickers at least – Mr. Laxman Punjati, Researchgate.net

• Ferocious use of tractors and tractor-operated machines has increased cropping intensity and thereby product and productivity on granges. Still, accidents have also increased, performing in losses from the work force. Because of the non-availability of sufficient and dependable data on the etiology of agricultural based and allied accidents, it becomes delicate to plan strategies for minimizing them. – Prem Shanker Tiwari, Central Institute of Agricultural Engineering, Government of India.

• Injuries related to agrarian outfit are a significant cause of morbidity and mortality both in high-income and low-income countries. Tractors are most frequently associated with severe
injuries and losses. – Dinesh Mohan, Centre for Biomedical Engineering, Indian Institute of Technology, Delhi

• Tractor accidents are the most frequent causes of mortality in agrarian workers and rollover of the tractors is the primary medium that causes death in further than 50% of those accidents – www.hindawi.com

• Each day, agrarian workers witness 100 non-fatal lost-work-time injuries. Transportation incidents, including tractor rollovers – www.ruralhealthinfo.org

• Tippers, and particularly carrying loaded and opened back is one of the major cause for major accidents in Pastoral India – Narinder, Senior Engineer, L&T, India

• Overloaded transport vehicles is also one of the major reasons – Mr. Balakrishna, Retired Senior Driver, Telangana State Road Transport Corporation

• Tractors with carriers not conforming any pointers or markings leading to notable accidents in India – Anantha Venkat Ram Reddy, Farmer

• Special vehicles like Bulldozers, Excavators, Payload, Cranes, Jilting Exchanges, Boring Machines, Wheel Tractor Scapers are also standing in frontal line for severe accidents among which maximum deaths/oppressively injured of common and innocent people are noted – Narsing Rao, Superintendent Engineer, Irrigation Department, Telangana

REVIEW OF LITERATURE

Under the farm machinery order about 31% of accidents were due to tractors and tractor operated outfit, 22% due to beast drawn outfit, 14% due to threshers, 12% due to electric motor/pump sets, 9% due to chaff knives, 6% due to power cultivator, 4% due to sprayers and 2% due to other machine. Thus, the outfit which need immediate attention are tractors, threshers, electrical motors and pump sets, chaff knives, power farmers, sprayers and beast drawn outfit. Among other sources, snake mouthfuls were observed to be one of the major sources of fatal accidents and necessary action for educating workers and making anti-venom injections available at will position health centers are demanded. Of the total accidents, 5.5% were fatal whereas 94.5% were non-fatal in nature.
The overall prevalence rate per time was 334 accidents per lakh workers whereas the casualty rate was 18.3 per lakh workers. The data collected in this check are being used to formulate accident minimization programmes in India and develop safe contrivance for linked ministry.

It isn’t always that speed kills, especially when it comes to driving. In a surprising disclosure it turns out that laggardly moving tractors regard for maximum road accident losses, much further than trucks, autos, buses, cars and two wheelers.

A recent study by National Road Transport Authority and Transport department revealed that as numerous as 43 people failed for every 100 accidents involving tractors compared to 42 losses involving exchanges in India. Traffic and Transport Safety Authorities said high death rate in tractor-accidents is because tractors aren’t designed to carry passengers or loads. i.e. Motor Vehicle Act doesn’t allow carriers/ agricultural and husbandry abettors machinery of Tractors.

According to the opinion of Mr. Vinod Kumar Kanumala, Chief of Indian Federation of Road Safety, Farmers carry passengers in campers attached to tractors in violation of rules. Caravan designed to carry agrarian yield. Passengers don’t have seating installation nor grip indeed in a small accident. Agrarian labourers, Contractual labourers and families going to family functions are transported dangerously in these campers. Another major reason for tractors turning into killer vehicles is their slow movement and poor visibility, as tractors work in agrarian fields, radium strapped glass and tail end lights aren’t maintained, indeed if maintained in rare cases, they get covered with dust and slush and aren’t visible from longer distance for drivers coming with high speed.

Engineering Staff College of India former Director-General S. Nagabushan Rao criticized high tractor road related accidents on lack of enforcement by transport officers to bespeak cases against growers who transport passengers in campers, lack of special training to motorists before issuing driving license. Maturity of the licenses in India are issue by Intercessors/agents without proper examination of Driving by an aspirant when comes for applying Driving License. There’s common opinion in the public in large that getting License is veritably easy by paying fix lower than Rs. 1000/-. It’s very much pathetic.

Joint Transport Commissioner T Raghunath said lack of staff leads to inadequate enforcement. There are no service roads and tractors take to the roadways be it state or public trace, to back
to their town lets from agrarian field or diligence and vice versa especially during night hours and early hours in the morning. Frequently they go on the wrong side too and situate on the roads and roadways without any parking pointers and radium strapped mirrors. It’s also true to say that officers can’t check each and every village for examination of these miscalculations rather Governments have to take necessary way to educate and train the Motorists and Possessors of the Vehicles. After profitable reforms of 1991, the pace of change increased and by late 1990’s with product approached per time. In early 2000s, India caught the United States as the world’s largest patron of four-wheel tractors. FAO estimated, in 1999, that of total agrarian area in India, lower than 50% is under mechanized land medication, indicating large openings still live for agrarian robotization.

In 2013, India produced tractors counting for 29% of world’s affair, as the world’s largest patron and request for tractors. India presently has 16% domestic and 4% transnational pots manufacturing tractors. The time 2020-21 has been an astonishing time for the tractor assiduity as the overall tractor deals went up from to this time including an grade in domestic deals by 27% and in exports by 16% when compared with the time 2019-20. This inconceivable growth redounded in total domestic deals of and import of tractors as well as it also brought an overall proliferation of 26% during 2020-21 when varied with 2019-20.

The Tractor Manufacturers’ Association of India (TMA) is housed under The Confederation of Indian Industry (CII), New Delhi. Though not all manufacturers are members TMA is recognized as the main trade group representing the agrarian tractor assiduity in India.

TR Kesavan, SusurrusProduct Strategy and Commercial Relations, TAFE-Tractors and Farm Equipment Limited is the current President of TMA. The Ministry of Road Transport and Highways has notified that new vittles of the Motor Vehicles Act will come into force from hereafter, April 1, 2022. The Central Government has notified that Sections 50 to 57 and 93 of the Motor Vehicles (Amendment Act) 2019 will come into force with effect from April 1, 2022 which concerns to third party insurance and form of claims before Motor Accident Claims Tribunal etc. “In exercise of the powers conferred by sub-section (2) of section 1 of the Motor Vehicles (Amendment) Act, 2019 (32 of 2019), the Central Government hereby appoints the 1st day of April, 2022 as the date on which the following vittles of the said Act shall come into force, videlicet Section 50, Section 51, Section 52, Section 53, Section 54, Section 55, Section 56, Section 57, and Section 93.” The Ministry of Road Transport and Highways has notified
that new provisions of the Motor Vehicles Act will come into force from tomorrow, April 1, 2022.

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The Motor Vehicles (Amendment) Act, 2019, came into effect on 1st September 2019 and made rules more stringent for offenders, therefore creating a more rigorous punishment for them. This amendment has made it difficult for those in the habit of breaking traffic rules. Some examples of the change that have been brought about are- imprisonment of up to a month for driving errors and a provision for imprisonment of up to 6 months for accidents caused by rash drivers etc.

OBJECTIVE

With every step towards increased urbanization, it is evident that the traffic on roads has increased. Nowadays, each household in almost every city or town has at least one motor vehicle. With this increasing traffic on roads the probability of accidents increases. This probability matches with the reality. The number of road accidents is on the rise. The reasons are many, like negligent and rash driving, dishonoring the traffic rules, unavailability of an efficient enforcement mechanism for traffic rules, inefficient traffic police force etc. The Motor Vehicles Act’s recent Amendment was done keeping in view these factors. This Act majorly aims at ensuring road safety, compensation for the victims of accidents, third party insurance and the health of the vehicles.

SALIENT FEATURE OF THE AMENDMENT
The important features of the Motor Vehicles (Amendment) Act, 2019 are as under:

Road And Environment Health: In case the vehicles are not fit to be used on roads as they cause environmental damage and hence harm the health of others, they have to be returned to the manufacturers of the respective vehicles. The manufacturers through this amendment are directed to take back these vehicles and have the choice to either reimburse or replace the defective vehicle with one of similar make.

Road Safety: This Amendment vehemently propagates the increase in the penalty for traffic rule offenders. This is done in the hope that this increased fine would force the drivers to be more alert and careful on the roads. This amendment provides more stringent rules for offences like juvenile driving, drunken driving, over speeding, overloading and driving without a license. Stricter punishment for those driving without helmets is also made in this Amendment.

**Fitness of Vehicle:**

This Amendment has provisions mandating the automated testing of vehicles for doing a fitness check. This would help improve road safety by removing from the traffic unfit vehicles. This Amendment makes specific provision for those who deliberately violate environment and safety regulations. This Amendment promoted certification of automobiles after they were successfully tested. The regulation of this process of certification was also proposed via this Act. In addition to this, Amendment of 2019 aims at setting testing standards and bringing the agencies issuing automotive approvals under the Motor Vehicles Act.

**National Road Safety Board:**

Another major feature of this Act is the provision for setting up of a National Road Safety Board under the central government. This board is supposed to advise governments of all the states in addition to the central government on matters of traffic management and road safety. Compensation for victims of Road Accidents: Provisions have been made for cashless treatment of victims of road accidents, during the golden hour. Golden hour is the time period up to one hour from the time of the accident. This is the time period in which the chances of survival if proper treatment is given are maximum. An effort to make this whole process cashless is also made by this Act.

**Protection of Good Samaritan:**
This Act defines a Samaritan as a person who stands up for helping out a road accident victim immediately after such mishappening takes place. It is often seen that these generous people are the ones who end up being the victim of harassment for their acts of kindness. This Amendment provides for these people too. It ensures that they are not harmed in any manner whatsoever. It also protects them from any kind of civil or criminal proceedings, even in cases where they negligently cause the death of the victim.

**Compulsory Insurance:**

This Act instructs the union government to establish a Motor Vehicles Accident Fund providing compulsory insurance to all drivers of India. Taxi Aggregators: These are defined by the Bill as the intermediaries using a digital platform for connecting drivers to passengers. These according to these new provisions, are to be provided with licenses from the governments of the respective states. Also, they are instructed to follow the rules and regulations of the Information And Technology Act, 2000.

**National Transportation Policy:**

This Act promotes the idea of the formation of a National Transportation Policy. This is to be made by the Central government in collaboration with the governments of all the states. This policy would structure a framework for road transport. In addition to this, priorities for the transport system would be specified. Training of drivers: This Amendment strengthens the process of driving training. This would lead to a faster issuance of licenses. This Amendment comes in the wake of a shortage of commercial drivers in the country. It propagates the opening up of more driver training institutes for ensuring the production of better commercial drivers in India. National Register for Driving license and Vehicle Registration: This Amendment puts forth 26 harmonization and integration of issuance of driving license with vehicle registration. This would be done by the creation of a National Register for Driving License and National Register for Vehicles with the online portals of ‘Sarathi’ and ‘Vahan’. This process would ensure the creation of a uniform system of licenses and vehicle registration throughout the country. Online Driving Licenses: This Act makes a provision for online issuance of learner’s license, mandating an online identity verification. This would improve efficiency and limit to a large extent issuance of fake licenses. In addition to increasing transparency, this Act also
provides commercial licenses to be valid up to a period of five years instead of three years. There would now be driver training schools for the production of better drivers on roads.

**Motor Vehicles Accident Fund:**

A Motor Vehicles Fund would be constituted to give mandatory insurance to all motorists on-road by the central government. This fund would be set up to compensate victims of road accidents and their legal inheritors in case of their death. Better Insurance Installations This Act states that there exists no cap on liability for insurers. In fact, motorist’s attendants are now to be included in third party insurance. There would now be over to ten times increase in compensation by insurance companies. Vittles have been made to insure that if the victim’s family agrees to compensation of five lakhs, the family gets it within a month. The process of claiming compensation has also been simplified. The minimal compensation for megahit and run cases and cases where the grievous injury is caused has also been increased.
Issues:

1. Some issues regarding the colorful vittles handed for under this Act have been raised, the major bones are listed below-. With an formerly being fund for megahit and run cases, another fund, created by this Act for the same purpose seems futile and unreasonable.

2. This Act is good in textbook and spirit, but its invariant perpetration each over India is a veritably delicate job.

3. It has also been brought to light that for icing that business rule malefactor’s don’t go unpunished, electronic surveillance is imperative. For illustration, the installation of CCTV cameras and other affiliated outfit. Naturally, this would bear huge investments, regarding which the Act is nebulous.

4. Numerous countries have raised the issue of curtailment of their autonomy at the decree of the central government.

5. Also, it has been noted that this correction provides for relief to victims. Still, it’s unclear as to which specific offences would lead to that penalty. This may make the whole attempt of furnishing relief futile.

6. Also, there are inadequate vehicle-manufacturers for the successful perpetration of safety features.

The main benefits of the correction Acts are as follows:

1. E-Governance is the major highlight of this correction. With this, it’s no longer necessary to have certain specified educational qualifications for acquiring transport licenses. This provides online literacy for licenses and increases the driving license’s validity period.

2. The biggest benefit of this correction for the ordinary man is the increase in compensation to victims and their families and better and quicker insurance installations.

3. Vittles have been made to ameliorate the enrollment process of vehicles by making this process more accessible with the use of ‘Sarathi’ and ‘Vahan’ platforms. Vittles have been made to enable enrollment of vehicles at the end of the dealer. Also, temporary enrollments have been discouraged.
4. With stricter rules on the fitness of vehicles, the air pollution position in metropolises is anticipated to significantly drop.

5. With digitalization and e-governance, the system is anticipated to be more effective in its undertaking, minimizing pitfalls.

It is very much pathetic to state none of the Governments either Central or State(s) have taken initiatives to bring proper amendments in Motor Vehicle Act since long time. The Government(s) is / are more keen on imposing penalties and taxes rather focusing on controlling and implementing Road Safety Measures.

**SURVEY**

Following standard, scientific and empirical methodology, using demographic procedure data collected from 2200 respondents from whom 1600 are male and 600 are female through direct interaction, telephonic conversation, using social media etc procedures. The states covered in this survey are Telangana, Andhra Pradesh, Maharashtra, Karnataka, Tamilnadu, Kerala, Haryana, Gujarat, Rajasthan, Punjab, Madya Pradesh, Uttar Pradesh etc. After receiving responses from respondents, the data has been formulated them in standard Pictorial representation with respect to specific questions to respondents divided in major categories, the reports are as follows:
1. Do you have an Agricultural Land or are you a farmer?

![Diagram showing 91% of respondents either hold agriculture land or are farmers.]

Fig 1: As per the responses received, it is learnt that 91% of the respondents are either hold agriculture land or they are farmers.

2. Have you frequently visit your farm land?

![Diagram showing 89% of respondents convey that they visit their farm lands frequently.]

Fig 2: 89% of the respondents conveyed that they visit their farm lands frequently.
3. Have you ever witnessed road accident during your journey or stay?

![Figure 3](image)

Fig 3: From the above diagram, it is understood that 95% of the respondents stated that they have witnessed road accidents during their journey or stay.

4. According you opinion or observations which of the following vehicles is (are) a major cause for road accidents?

![Figure 4](image)

Fig 4: It illustrates that, as per the respondents records 53% of them have opined that the major road accidents takes place because of tractors, where as 19% because of Trucks, 15% because of Autos, 6% because of bulldozers, 4% because of Buses and lastly 2% because of others
5. Do you agree that there must be a significant amendment made in Motor Vehicle Act to prevent these road accidents in rural India?

![Fig 5: It is noted that, 86% of the respondents i.e. 1888 out of 2200 have agreed with the recommendation that there must be significant amendments made to the existing Motor Vehicle Act in order to control road accidents in Rural India.]

**CONCLUSION**

Farm robotization along with increased operation of other agrarian inputs enhanced the productivity and product in husbandry. But on the other hand, it has also increased casualties through agrarian accidents. Loss of mortal life brings anguish to the victim’s family and to the society; in addition to causing considerable loss to the country as a whole. There's a wide ignorance or misconception about the meaning of accident. The description of accident countries that a) accident is an unanticipated, unplanned and unwanted event or a sequence of events; b) occurs through a combination of causes; and c) results in physical detriment (death or injury) to an individual, damage to machine or parcels, provident loss or a near miss. Tractors are constantly involved in accidents leading to major physical injuries and indeed death.

The tractor and campers related accidents can be reduced by installing safety widgets and by following safety guidelines during use:
Slow Moving Vehicle Totems (SMVE) It's a fluorescent orange equilateral triangle with a red reflective border. It's to be fitted on hinder side of tractor seat and on left and right hinder side of caravan. The orange colour is visible in sun; whereas, red border reflects light when headlight of vehicle coming from hinder side falls on it. The length of each sides of SMVE should be 44.5 cm but not lower than 20 cm, if need be. Due to Government regulation all of new tractors being vended in India are fitted with SMVE.

Roll Over Protective Structure (ROPS) A tractor with Roll Over Protection Structure (ROPS) provides the safety to driver against being crushed under the tractor in case of accidental capsizing. The ROPS have sufficient strength to bear safely the cargo of tractor in case of capsizing. Still, the motorist must wear seatbelt to get benefit of ROPS. Hydraulic thickets for campers, The tractor thickets should be in a good condition to stop it within asked distance. However, hydraulic thickets can be fitted on caravan too. If the tractor is to be constantly operated with a loaded caravan. The hydraulic thickets of caravan are coupled with tractor near the PTO link. The boscage pedal of tractor, when pressed, activates the thickets of tractor as well as caravan Lights. The tractor should have all lights in full functional conditions. These lights include headlights, tail-lights, and boscage lights, reversing lights and turning pointers. The caravan should also have lights fitted on the hinder side. These lights can be coupled with tractor in such a way that control switches handed on the tractor operates the tractor as well the caravan lights. Other Safety guidelines during tractor trolley use • Don’t use intoxicants like liquor, opium, etc. while operating. • Don’t make adaptations when tractor is in operation. • Don’t put or take off belt while pulley is running. • Don’t sit or stand at unsafe places similar as drawbar, mudguard, cargo, etc. when tractor is moving. • No person should mount or dismount from a tractor while it's in stir, except in an exigency. • Don’t wear loose clothes, shoes, etc. • Put the gear, PTO to neutral and lower the attached tools to base before leaving the stopped tractor. • Lock the boscage pedals together when traveling on public roads. • Stop at all unguarded road crossings and make sure that no train is coming.
Operator should use a seat belt when operating tractor fitted with ROPS or cabin. It's explosively recommended that no seat belt be used if ROPS or cabin isn't handed. • To avoid sideways capsizing of tractor, special care should be taken during driving at sharp pitch, uneven, soft or slippery ground, alongside dikes or banks, during turning or reversing. • To avoid tilting backward, special care should be taken while driving heavy loads on a pitch, soft ground, dikes or uneven ground. However, front of tractor should be fitted with dead weights, If necessary. • When traveling on public roads, keep on the correct side of the road. Use light signals with intention to turn, stop or decelerate down. • While transporting ranch yield, caravan shouldn't be overfilled or over loaded. • Use hinders view glass in duly acclimated angle.

**Proposed Amendments:**

• Addition of Guidelines to the Tractors and it’s confederated ministry manufacturers to incorporate lighting medium so as to appear on the sides of separate ministry or body with index lights/ parking lights etc.

• Addition of Act making obligatory to register agrarian, artificial, carriers grounded machinery also along with the Tractor.

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