



## Road Safety and Motor Insurance

- Towards safe driving and insuring uninsured vehicles



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## From the Publisher

### Road Safety and Motor Insurance

The Twelfth Five Year Plan document mentions that India has 1% of world's vehicles but accounts for more than 10% of the total people killed globally due to road accidents. The Tenth Five year plan estimated that, in the year 1999-2000, India lost nearly 3% of its GDP due to the road traffic crashes. Further, as per Ministry of Road Transport Report on "Road Accidents in India 2014", over 1,40,000 people were killed in road accidents in 2014. Almost 16 people die and 56 are injured every hour in India due to road accidents. The above figures when seen with the number of uninsured vehicles which stood at 59% as on 31st March 2015 create an alarming picture.



The figures also depict the need for more efforts by all concerned in enforcing the statutory requirement of Motor Third Party Liability Cover. While the main enforcing authorities remain the State Governments concerned, a synchronised effort by Central Government, State Government agencies, insurers and all other concerned stakeholders would, I believe, bring in the much needed compliance with provisions of the Motor Vehicles Act. The experience of the Cyberabad Initiative (pioneered by the Insurance Information Bureau of India in collaboration with the Government of Telangana) where a special drive was conducted in cooperation with all stakeholders shows us that a concerted effort by all concerned will make it possible to bring many uninsured vehicles into the insurance ambit.

Presently, it is a well known fact that all insurers incur heavy losses in motor segment, especially the statutory cover. Further, since the statutory covers are governed by pre-determined tariff, it is often felt that there is very little scope left to decrease the losses.

While efforts towards increasing motor insurance penetration will bring in much needed relief to the affected victims and their families; on the other hand, maintenance of good roads, emphasis on fitness of vehicles, proper training of drivers would all lead to lesser number of accidents. These twin efforts would be beneficial to insurers too - in broadening premium received as well as decreasing the claims outgo.

Of late, there have been demands from many forums like linking insurance coverage to regular servicing of vehicles, obtaining 'pollution control certificates, driver's performance record, driving license renewals etc. I am sure Insurers are already seized of these demands and will come up with customised solutions in future which would not only be mutually beneficial but also contribute towards making Indian roads more safer.

I am happy to note that articles published in the current issue of Journal have covered various facets of road safety and motor insurance. Keeping in view the importance of the timely delivery of services to policyholders, the next issue of the Journal will focus on "Right to timely delivery of services in Insurance Business".



**T.S. Vijayan**

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## Road Safety & Motor Insurance

The issues picked up for September issue of the Journal **Road Safety & Motor Insurance** assumes importance in view of universal & increasing nature of Road Accidents in our country. The loss involving such accidents has disastrous effects for the individual or a group of people & above all huge economic loss having societal effects.

While Road safety could play a positive role to prevent the quantity & quality of accidents, the loss of life & assets need to be protected by insuring the rider/Driver (including other personnel if it involves road transport) as well as the assets in question. It is in this context **Motor Insurance** occupies an essential component in Insurance Business. But what is baffling that a large number of vehicles that ply on the road without a valid and proper insurance. Fully knowing the grave impact of such human tragedy & assets damage involved in accidents, We are at loss to appreciate to renew policies in time in spite of the fact that motor third party insurance is compulsory under the Motor Vehicle Act 1988.

Towards preventive & promotive aspects to eliminate and minimize human suffering including loss of assets involving road accidents, it is necessary to educate all the Stakeholders through Awareness Campaign for road safety and Motor Insurance both for the vehicles as well as the riders/Drivers. With technological development and proactive role of authorities in such departments as Police and Transport etc, coupled with Insurers, it is not impossible to overcome the issues affecting **Road Safety & Insuring the uninsured.**

**B.K. Sahu**

Consultant, Communication

# Accelerating Motor Insurance in India

- Prof. D.CHENNAPPA

## ABSTRACT

**M**otor insurance is mandatory for all vehicles under the provision of Motor Vehicles Act 1988, be it for commercial or personal use. It is compulsory to have a valid Motor insurance policy before you can start driving your vehicle. Motor insurance comes with unique plans for four wheelers, two wheelers and commercial vehicles. In India, nearly 4 lakh people meet with accidents every year. Fatalities in road accidents in India are moving up at a compounded annual rate of four per cent. It is considering as the high number and the poor state of roads. In this background, Motor Insurance is essentially required.

An attempt is made in this paper to know the trend of motor insurance and to identify the reasons for accidents and grievance addressed by the insurer and the ombudsman. It concludes with suitable suggestions for accelerating motor insurance business in India.

## INTRODUCTION

Motor insurance is mandatory for all vehicles under the provision of Motor Vehicles Act 1988<sup>1</sup>, be it for commercial or personal use. It is compulsory to have a valid Motor insurance policy before you can start driving your vehicle. Motor insurance comes with unique plans for four wheelers, two wheelers and commercial vehicles.

Motor insurance protects the vehicle against losses arising from unforeseen risks. It basically covers financial losses arising from accidents, theft and other natural calamities. Motor insurance is a contract for an automobile in which the insurance company agrees to pay for financial loss resulting from a said specified event.

In India, nearly 4 lakh people meet with accidents every year<sup>2</sup>. Fatalities in road accidents in India are moving up at a compounded annual rate of four per cent.

Considering the high number and the poor state of roads. Motor insurance is a necessary requirement. Motor Insurance protects from losses arising from natural calamities like cyclone, earthquake etc. The All India Motor Tariff governs motor insurance business in India. According to the tariff, all classes of vehicles use two types of policy forms. Like Form A and Form B.

## TYPES OF MOTOR INSURANCE

### a. Form A/ Third Party Insurance (Third Party)

Form A is known as Act policy, covers Act Liability, which is compulsory requirement of the Motor Vehicle Act. No vehicle can be used without this minimum insurance cover. Use without such insurance is a penal offence. This insurance is mandatory by law. It protects a policy holder against losses which arise due to bodily injury/death to a third party or any damage to property. Here third party includes



people travelling with you or whom the insured person injures and claims damages at the time of accident. But this insurance does not protect policy holder, vehicle and co-passengers against losses which arise due to bodily injury/ death<sup>3</sup>.

**b. Form B/Comprehensive Insurance (Own Damage)**

Form B is known as Comprehensive policy, is an optional cover, which takes care of the additional loss and liabilities - own damages. In addition to third party coverage, this policy covers the policy holder, car and co-passengers against damages /losses arising from unforeseen calamities, hence it is prudent to purchase this policy.

Most of the insurance companies do not cover mechanical breakdown,

consequential loss, depreciation, wear and tear, any contractual liability and intoxicated driving.

**MOTOR INSURANCE BUSINESS IN INDIA**

In Indian conditions, the vehicles are subject to many hazards like potholes, open manholes, puddle, untarred roads, poor traffic management system, poor pedestrian management, absence of footpaths for pedestrians, joywalkers, drunken driving, reckless driving, result in increasing number of accidents etc. and which accentuate the need for automobile insurance.

Motor Insurance is a financial safety net that can help the insured offset the cost of

bodily injuries to himself or others; Lost wages due to injury, Benefits to survivors when an accident results in death; Lawsuits brought against insured as the result of an accident; Repairs made to your car due to damage caused in an accident.

Motor insurance can be the insured party, the insured vehicle, third parties (car and people). The premium of the insurance is dependent on certain parameters like gender, age, vehicle classification, etc. There are 28 (6 public and 22 private) Non-Life Insurance companies have been functioning since liberalization on this sector. The IRDAI has de-tariffed this sector in 2007. Thus, the details of Own Damage and Third Party Premium Collections and Claims from 2006-07 to 2014-15 is presented in Table1.

**Table 1: Motor Insurance business in India ( Rs in Crore)**

YEAR	OD	TP	OD-CLAIM	TP-CLAIM	OD-CL%	TP-CL%
2006-07	7739	3341	4117.148	5335.577	53.2	159.7
2007-08	8419	4644	4916.696	7671.888	58.4	165.2
2008-09	8756	5065	5778.96	6685.8	66	132.1
2009-10	10013	5573	6408.32	6854.79	64	123.6
2010-11	12400	6355	6478.411	10981.44	64.7	172.8
2011-12	15295	9679	9268.77	19948.419	60.6	206.1
2012-13	18090	12460	10347.48	16821	57.2	135.1
2013-14	19572	15237	11116.896	17370.18	56.8	114.6
2014-15#	23687	14518	13264.72	14989.13	56	103.2451
TOTAL	123971	76872	58432.681	91669.094		
MEAN	24794.20	15374.40	13013.01	19832.73	59.66	145.83
MAX	23687	15237	13264.72	19948.419	66	206.1
MIN	7739	3341	4117.148	5335.577	53.2	114.6
SD	5365.90	4283.19	2961.00	5194.99	4.17	30.76

source: Indian Non- Life Insurance Industry Year Book 2013-14, pp 78-79.  
 # provisional and drawn from Consumer Affair Booklet; #OD= own damage;  
 TP= Third party insurance; OD-Cl= Own damage claims; TP-Cl= Third party Claims

Table 1 exhibits the Own Damage, Third Party Premium and claims paid by the General Insurance companies on a year to year basis during 2006-07 to 2014-15. This table also reveals Maximum, Minimum values of premium and claims and Claim Ratio, Mean and Standard Deviation over the period.

Under Form B/ Own Damage (OD) category the premium was increased from Rs 7,739 crore to Rs 23,687 crore in a span of nine years. And it has grown at a Compound Annual Growth Rate (CAGR) of 14.2 % over the period from 2006-07 to 2014-15. Similarly, in form A/ third party coverage, the premium was increased from Rs 3,341 crore to Rs 14,518 crore during same period. And it has also grown at a CAGR of 24.2% for the same period.

It is noticed that the average claims under Own Damage is 60 % and the minimum and maximum percentage of claims noticed 53.2% in 2006-07 and 64.7% in 2010-11. Third Party Average Claim is 151.15% and the minimum and maximum percentage of claims noticed in 2013-14 is 114.62% and in 2011-12 is 206.1%. It is significant to note that general insurance companies drastically reduced the claims rate by adopting innovative fraud checks/control methods.

Own damage claims are closely range from 53.2% to 66% but Third Party claims are widely spread from

114.6% to 206.1% during the same period. It is imperative to note that more consistency trend ( Standard Deviation 4.17%) was observed in own damage claim ratio then that of Third Party claims ( Standard Deviation 30.76%). It also contemplating to that the administered Premium prices is lower than the claims outgo, mainly increasing in claims ratios.

Therefore it is necessitating probing the grievance and frauds in the Motor Insurance. Hence, before probing the frauds, insured to report their grievance to the insurer and in case, insurer does not address the issues, then, they have to report to the ombudsman. Therefore, it is indispensable to cross verify grievances addressed by the insurer and the ombudsman.

#### **GRIEVANCES ADDRESSED BY THE INSURANCE COMPANIES**

With the liberalising of the insurance sector, global and private insurance giants have entered the industry. The products on offer are no doubt innovative but they also tend to be complex<sup>5</sup>. The intermediaries have become aggressive in selling the products. One common grievance of the consumers is that the insurers' agents/ representatives are at their best behavior until the policy is sold while they do not even show minimum courtesy when claims are lodged. The days of innocence

where the customer depended on the agent or the affable manager who believed in long term relationship with the customer are over. The customer has to contend with new players, new products and agents, mis-selling, rejection of claims fully or partly, poor or no after-sales service and the like. The insurers might not also deliver what had been promised at the time of selling the policy. Often, the well-healed and literate public too are confused by the fine print of the policy documents and find themselves totally at sea when they face repudiation of their claims. Therefore, signing the proposal form on the dotted line could spell disaster. The situation is much worse if the customers are illiterate or semi-literate. Their declarations, made in good faith, bind them even though they hardly understand the terms of the policy.

The insurance industry in India is well regulated. The IRDAI (Protection of Policyholders' Interests) Regulations, 2002 enjoin the insurers to set up internal grievance redressal mechanism. The insured person, therefore, can knock at the door of the insurer's internal grievance department for redressal of the grievance, when they realize that the claims have been unjustly repudiated? Therefore year wise grievances addressed by General Insurance Companies are presented in Table 2.



**Table 2: Grievances addressed by the Non- Life insurance Companies (%)**

YEARS	2006-07	2007-08	2008-09	2009-2010	2010-11	2011-12	2012-13	2013-14	2014-15#	Mean	SD
Private co.	73.12	80.52	85.61	89.26	89.58	99.61	99.36	99.09	99	90.6	3.483688
public co	60.04	63.18	72.3	71.66	72.86	80.7	89.26	90	91	76.8	5.722647
AVERAGE	66.58	71.85	78.955	80.46	81.22	90.155	94.31	94.545	95	83.7	4.234

SOURCE: IRDAI HAND BOOK 2013-14; # provisional

Table 2 shows that on an average 83.7 % of grievances addressed by the respective non- life insurance companies within stipulated period<sup>6</sup>. However, private insurer cleared 90.6 % grievances at their level and settling grievance has steadily increased from 66.58 % in 2006-07 to 95 % in 2014-15.

Public sector insurers have cleared 76.8% of their grievance within stipulated time. The percentages of settling grievance have steadily progressed from 60.04% in 2006-07 to 91 % in 2014-15. Thus necessitating noticing the consistency in addressing the grievances by calculating Standard Deviation (SD). It indicates that the private insurers are maintained more consistency (SD is 3.48%) than that of public insurers (SD is 5.72).

It indicates private insurers are consistently settling their grievance to retain the competitive advantage and to sustain the policy holders' interest than that of public sector insurers. Even then, unsettled claims can be referred to Ombudsman for legal settlement of the claims.

### OMBUDSMAN REDRESSAL MECHANISM

The government and the insurance industry have realized that the consumer is entitled to cost effective, efficient and impartial disposal of complaints not in lieu of but in addition to the regular legal remedies. With this as the objective, the Central Government, in exercise of the powers conferred under section 114(1) of the Insurance Act, 1938, has established the institution of Ombudsman for the insurance sector by framing the Redressal of Public Grievance Rules, 1998.

The Ombudsmen have the power to decide the procedure for disposal of complaints subject, however, to the requirement that they act fairly and equitably. Usually, the Ombudsman hears both the parties to the dispute before arriving at a decision. This requirement is not specifically mandated under the Rules but the requirement under the Rules to act fairly and equitably enjoins the Ombudsman to adhere to the principles of natural justice, the most important of which is that the parties are allowed the opportunity

of being heard. The ombudsman can redress grievances in different ways - make a recommendation if both parties to the dispute agree for mediation, make an award or grant ex gratia.

If the complaint has no merit, dismissal, of course, is the result. The Ombudsmen can mediate and record their recommendation on the dispute, if the insurer and the complainant agree for such mediation. The Ombudsman has to make the recommendation within a period of one month from the receipt of the complaint. Where mediation is not resorted to, the Ombudsman makes an award. The limitation is that the quantum of the award should not exceed the loss suffered by the complainant as a direct consequence of the insured peril or Rs.20 lakhs, whichever is lower. The Ombudsman has the power to award payment of ex gratia in suitable cases. The award or order allowing ex gratia has to be made in writing and it has to be a speaking order. The order has to be passed within a period of three months from the receipt of the complaint.

The Ombudsman’s recommendation upon mediation or award or order granting ex gratia is binding on the insurer if the complainant accepts the same. If the complainant does not accept, the recommendation or award or order granting ex gratia has no effect and the insurer does not have to implement the same. The complainant’s legal remedies are unaffected by non-acceptance of the Ombudsman’s recommendation or award or order granting ex gratia.

The ombudsmen do not normally find fault with the insurer. Rather, their role is confined to adjudication of the complaint filed by a consumer, which they stick to. They are aware that Insurance is a business like any other business and do not expect the insurer to be charitable.. The ombudsmen hear the parties to the dispute and decide the complaints in favour of

the complainants if they are of the view that the insurer’s decision is perverse or unreasonable or untenable. They, however, avoid the pitfall of rewriting the policy for the insured. If the ombudsmen direct the insurers to pay compensation where there exists no liability, they would be harming the business model of the insurer. A complainant cannot approach the Ombudsman straightway without exhausting the internal grievance redressal mechanism of the insurer. In other words, a complainant has to first make a written representation to the insurer. If the complainant is not satisfied with the reply of the insurer or if no reply has been received within one month from the insurer, only then can a person make a complaint to the Ombudsman. The monetary limit for an award or ex gratia under the Rules is Rs.20 lakhs. The Ombudsman also cannot award compensation for mental agony,

suffering and so on. An inherent limitation is that the Ombudsman cannot rewrite a policy (contract) in order to suit the interest of either party. Instead, the policy is treated as sacrosanct, the terms of which bind the parties and this premise is not disturbed by the Ombudsman.

The procedure for filing a complaint before the Ombudsman is simple. Paper work is kept to the minimum. There is no fee. The complainant does not require the assistance of professionals while filing the complaint. The hearing is conducted in an informal manner where procedure is kept to the bare minimum. Here again, professional assistance is not required. The decision on the complaint is rendered quickly. After obtaining the decision of the Ombudsman, the consumers have the choice to accept the decision or reject it. If the complainant rejects the

**Table 3: Number of Cases reported to Ombudsman in Motor Insurance business in India**

YEAR	out standing	reported	total	Resolved	%
2006-07	2177	4756	6933	4752	68.54
2007-08	2181	5300	7481	5615	75.06
2008-09	1866	5640	7506	5831	77.68
2009-10	1675	7097	8772	6554	74.72
2010-11	2218	10048	12266	7688	62.68
2011-12	4578	9987	14565	9335	64.09
2012-13	5230	9071	14301	8684	60.72
2013-14	5617	8803	14420	9627	66.76
2014-15#	4793	13974	18767	12172	64.86
TOTAL	30335	74676	105011	70258	
MEAN	6067	14935.2	21002.2	14051.6	68.34576
MAX	5617	13974	18767	12172	77.68
MIN	1675	4756	6933	4752	60.72
SD	1538.11	2769.39	3934.36	2238.46	5.73

source:IRDA HAND BOOK 2013-14

# provisional and data being drawn from Consumer Affair 2015

decision, other legal remedies are not affected. But once the complainant accepts the decision, the insurer has to implement the decision within 15 days of receipt of the complainant's acceptance of the decision. The decision of the Ombudsman is binding on the insurer and has to be implemented within 15 days if the complainant accepts the verdict<sup>7</sup>. Those who have not satisfied with the settlement of insurers, than they can represent their case to Ombudsman. Therefore, the number of cases outstanding reported in particular year and resolved presented in Table 3.

Table 3 indicates that the maximum numbered of insured (13,974) reported their cases to ombudsman in 2014-15, followed by 10,048 insured persons in 2010-11. However, minimum number of cases (4756) reported in 2006-07. Correspondingly, maximum number of cases ( 12,172) in 2014-15 resolved by the Ombudsman. On average 68.76% cases cleared by the ombudsman during 2006-07 to 2014-15. And Maximum 77.68% of the cases in 2008-09 and minimum 60.72 % cases in 2012-13 However, inconsistency is noticed ( SD is 5.73%) in addressing the critical or complicated cases by the Ombudsman in aforesaid period. In case, insured is unconvinced with the directions of Ombudsman, they are free to approach the Lokayukthas/ Lokpal or Courts.

### ROOT CAUSES FOR VEHICLE ACCIDENTS<sup>8</sup>

Road accident is most unwanted thing to happen to a road user, though they happen quite often. The most unfortunate thing is that we don't learn from our mistakes on road. Most of the road users are quite well aware of the general rules and safety measures while using roads but it is only the laxity on part of road users, which cause accidents and crashes. Main cause of accidents and crashes are as follow:

- 1) Speeding beyond the allowable and posted limit set based on the traffic conditions.
- 2) Inappropriate or too much lane changing.
- 3) Driving with influence of alcohol or any illegal substances.
- 4) Tailgating
- 5) Rubbernecking
- 6) Unnecessary operation of stereo system.
- 7) Too much conversation with passengers
- 8) Improper use of cellphone
- 9) Failure to abide by the road signs and warnings.
- 10) Defective motor vehicle and poorly maintained roads and traffic control malfunction.

### REASONS FOR REJECTING THE CLAIMS

A car accident is always distressful situation for the car owner. Not only is there the risk of physical injury and the inevitable damage to your car, but the possibility of the insurance company rejecting your claim is also a cause of aggravation. It is common for insurance companies to reject claims, but in most situations they have genuine reasons to reject the claim. In this paper, discuss the reasons for insurance companies to reject motor insurance claims.

- 1) Get the car repaired after accident on own and then intimate the insurance company about the settlement.
- 2) Installing a CNG/LPG kit and which are not covered the kit while buying the policy.
- 3) The driver driving the insured car at the time of accident should not have a valid driving license.
- 4) Registered a car as private vehicle and is used for commercial purpose.
- 5) Need to notify the claim within specified time. Usually it is 48 hours to 72 hours.
- 6) Specific cases like car parked in a no parking zone or loaded with passenger more than seating capacity,

- 7) Any consequential damage claims are liable for rejection.
- 8) The driver was under the influence of intoxicants like alcohol or drugs.
- 9) The insurance company may reject your claim, if an accident or theft happened beyond a single day after expiry of the policy.
- 10) The insurer may reject your claim related to the theft of the vehicle or items within, if it determines that driver was largely at fault with regards to the failure to prevent the theft. Furthermore, the insurance company may reject your claims of theft of items from your vehicle, if you are unable to provide receipts to backup your claims.
- 11) The insurance company may reject your claim if the accident occurs outside the geographical area as defined in the policy. There two geographical zones for automobile insurance, as defined by the IRDAI. Zone A, which covers the metro cities, like Delhi, Mumbai, Kolkata and Chennai, and Zone B, which covers the rest of India. Normally, automobile insurance is applicable throughout the country. Yet, insured should verify the same in your car insurance policy.

### FRAUDS IN MOTOR INSURANCE

It is a myth that insurance fraud is a victimless crime. Any kind of insurance fraud impacts policy holders and insurer or both. Primary policy holders as Claim delay, Increased premium, Harassment in proceeding of payouts, free look cancellation. And the insurer will also effect as Increased costs, Decline in competitive advantage, Erosion of profit margin, Reputation loss, Jeopardized customer relations, Loss of business and Regulatory issues. Hence the most reputed frauds are listed as below<sup>10</sup>.

#### 1) Non Claim Bonus (NCB)concealed:

Policy holders intentionally concealing the information or not providing form. For example, while switching from one insurer to another, if a customer does not disclose details of a claim made previously and attempts to avail NCB, discounts etc., are considered as fraud.

#### 2) Number plate replacement:

There are instances where the uninsured vehicle meets with an accident causing loss to the owner. However, the policy is availed after the loss on a vehicle of similar make and model by replacing the number plate.

#### 3) Fake Documents:

Fake documents frauds at the underwriting stage may also arise when insured submits fabricated documents or false information to avail a policy. For example, fabricated policy from previous insurer and fake reports in collusion with third parties.

#### 4) Fake License:

There have been many incidents where the insured produces a fake driving license while making claim. The insured gives to this practice in case his license has expired which could result in repudiation of claim.

#### 5) Driver Swapping:

In this case while intimating a claim the insured provides wrong information on the person who was driving the vehicle at the time accident.

#### 6) Staged accident/thefts

Many a times claimant's stage thefts or accidents in order to avail claim. Occasionally, although the insured vehicle does not suffer any accidental loss/ damage, loss is claimed by fabricating the accident and damage.

#### 7) Claims padding

It is also referred to as "legalized frauds". This is basically mean increasing the damages to a vehicle

in order to overstate the claim. This is usually done in collusion with motor dealers or garages.

### 8) Multiple claims

Motor insurance is generally an exclusive contract. If the insured take the multiple policies for the same vehicle and makes multiple claims for the vehicle for the same damage amounts.

### 9) Misrepresentation of facts:

The claimant misrepresentations the facts while claiming for an otherwise genuine loss like changing the spot of accident and the cause of loss.

### 10) False claims:

Often false claims of bodily injuries are made due to an accident. False reports and fake documents are presented in collusion with police, transport and other officials.

### 11) Cover note frauds:

These are amongst the most prevalent types of motor insurance frauds which involve issuing of backdated cover notes on already damaged vehicles. Cover note frauds also entail issuance of cover notes changing the details of the vehicles to give undue benefit to the customer or utilizing expired cover notes to issue policy.

### 12) Medical document related frauds:

Some of the most common types of medical frauds are those related to exaggerated injuries or disabilities, injuries being converted as death, cases of inflated or exaggerated medical bills, and soon.

### 13) Fake income certificates

Fake proof of income being submitted, often assisted by employees who provide customers with blank templates.

### 14) Motor vehicle related frauds

These types of frauds can usually be further segregated in to 3 sub-categories. i.e Vehicle related frauds, vehicle document related frauds, driver swapping related frauds.

The augmentation of these frauds is highly supported by syndicate consisting of authorities such as insurance companies agents/ employees, police, and medical/ hospital authorities.

15) To get over indemnification from another wise genuine loss by submitting escalated claim values.

16) Non-producing the documents, delay in notification, non-cooperation of the policy holder.

### SUGGESTIONS

- 1) Fraud analytical and predictive modeling should be developed to predictive fraudulent claim and to hasten the process of paying the legitimate one.
- 2) Screening of policy holders from a consolidated database.
- 3) Due diligence for appointing new intermediaries/agents
- 4) Whistle blowing mechanism
- 5) Identifying the anomalies and processing the level of deficiencies using independent business intelligence and fraud scenario.
- 6) Developing and creating efficient communication and reporting channels to escalate issues on a timely basis.
- 7) Train the employees and make them accountable for frauds and maintaining zero tolerance environments to frauds.
- 8) Industry bodies and the insurance industry regulator need to take the lead in mandating reporting and sharing the information.
- 9) Constituting in house investigation team which should work dedicatedly towards checking the flow of frauds.



- 10) Utilizing of RTI Act at the maximum for collection of vital information which is necessary to derive at any action on the claims filed.
- 11) Reconciliation of every cover note book issued must be done every month before issuance of further indent.
- 12) Outsider must not have direct access to any claim file of the office even if he/she is company advocate/surveyor and spouse of the claim settlement officer must be posted in other sections.
- 13) Competition amongst insurer is one of the possible reasons for committing errors, therefore they should follow laid down procedures and standards while clearing the claims policies at any stage.
- 14) The traditional age old methods should be blended with innovative and technology driven tools such as SNA -Social Networking Analysis, predictive analysis and data mining.
- 15) Multiple techniques working in concert together offers best chance of detection of fraud. As majority of the frauds go undetected as the cost of detection of the fraudulent claim far exceeds the cost of the claim.
- 16) Establishment of Fraud Bureau and education of policyholders is the road ahead. The bureau should be focal point for dissemination of all fraud related information.
- 17) Companies should invest in educating the policyholders to beware and vigilant in all their dealings.
- 18) All companies should be mandated to share their suspicious and fraudulent activities on periodic basis. This information should be used to create knowledge bank and should be disseminated to all members of the bureau and public at large.

#### CONCLUSION

Motor insurance can be the insured party, the insured vehicle, third parties. Under Form B/ Own Damage category and form A/ third party coverage premium has grown at a Compound Annual Growth Rate (CAGR) of 14.2% and 24.2% over the period from 2006-07 to 2014-15. It is significant to note that general insurance companies drastically reduced the claims rate by adopting innovative controlling methods.

It indicates private insurers are more consistently settling the grievance than that of public sector insurers. On average 68.76% cases cleared by the ombudsman and still,

inconsistency is noticed in addressing the critical or complicated cases by the ombudsman.

Majority of the frauds are like Vehicle related frauds, vehicle document related frauds, driver swapping and the augmentation of these frauds is highly supported by syndicate consisting of authorities such as insurance companies agents/ employees, police, and medical/ hospital authorities.

It is suggest to accelerate the motor insurance business in India is reconciliation of every cover note book issued must be done every month before issuance of further indent and the traditional age old methods should be blended with innovative and technology driven tools such as SNA -Social Networking Analysis, predictive analysis and data mining. All companies should be mandated to share their suspicious and fraudulent activities on periodic basis. This information should be used to create knowledge bank and should be disseminated to all members of the bureau and public at large.

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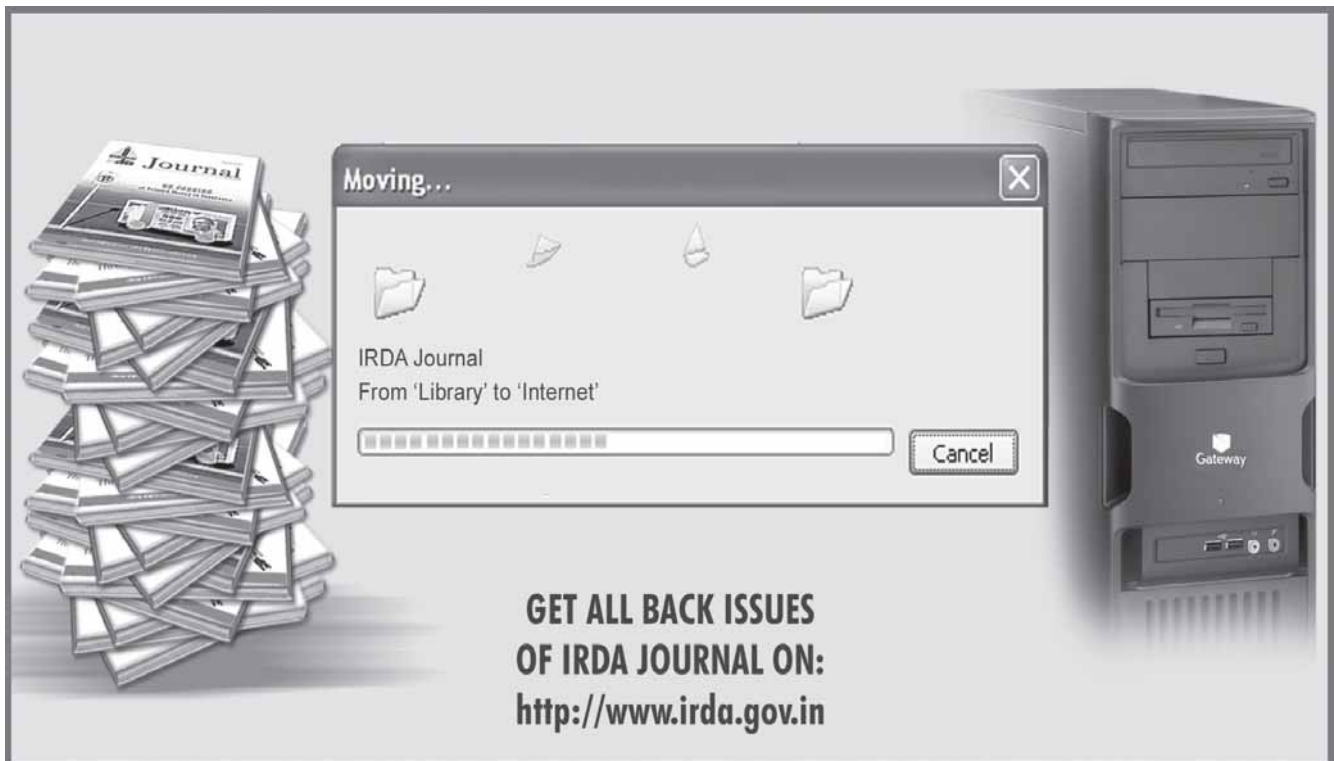
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# Ensuring Road Safety

- Bhargavi Ramadugu

The country is facing an escalating road safety crisis and this would increase further with rapid growth of automobile and transportation sector. It is inevitable that growth of road transportation fuels economic growth. But there is an urgent need to address the issue of road safety. The number of lives lost in road accidents is appalling. According to WHO Global report on

Road Safety 2103, in the past decade, 1.2 million Indians have died on the country's roads. It is estimated that 377 people, the highest in the world, die on Indian roads every day. Road traffic injuries are the leading cause of death among young people aged 15-29 years and cost countries 1-3% of GDP. The seriousness of road safety can be understood from the road accident statistics (Figure no.1).

The dismal state of road safety can be attributed to deadliest roads, inadequate law enforcement, irresponsible drivers and defective vehicles. Ministry of road transport and highways has been working towards strengthening road safety. Few initiatives taken by government in this regard are:

- The Ministry of Road Transport and Highways launched a pilot project in 2013 in association with ICICI Lombard general insurance company and IFCO Tokyo general insurance

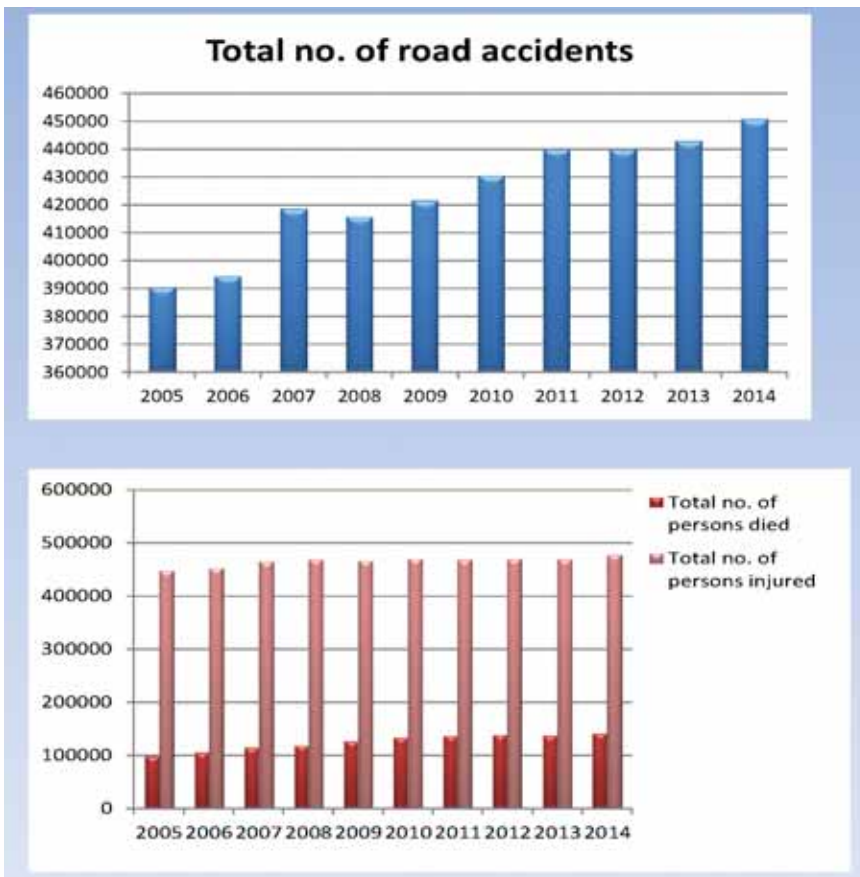


Figure1

company for cashless treatment of road accident victims in few stretches of two national highways (Appendix 1). Data from the Pilot Project would be used for formulating a pan-India scheme for cashless treatment of road accident victims.

- Under section 35AC of the Income Tax Act 1961, programs for promoting road safety, prevention of accidents and traffic awareness are exempt under income tax.
- Government adopted National Road Safety Policy. During the 12th Five Year Plan, emphasis has been given for implementation on 6 Es -namely education, enforcement, engineering (roads), engineering (vehicles), emergency care and enactment.

The involvement of huge financial as well as human lives losses in accidents makes relief measures as important as preventive measures. This makes the role of insurance companies very crucial in helping the victims.

### Significance of Motor Insurance

Motor vehicle insurance typically covers loss incurred by the owner or operator of a car through damage to property or persons as the result of an accident. The most common forms are Comprehensive Package policy and Liability only policy. The Comprehensive Package policy pays

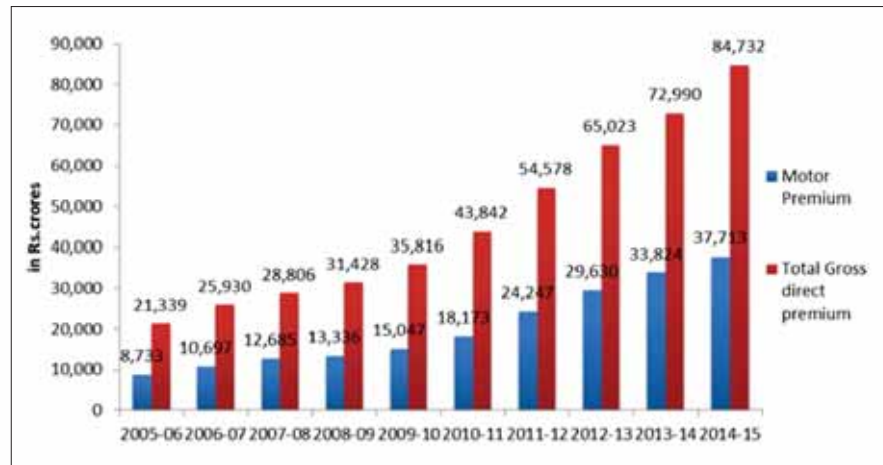


Figure2. Year-wise motor and total premium

for damage to the insured vehicle resulting from fire or theft or many other causes accidents, fire, lightning, self-ignition, external explosion, burglary/theft or other malicious acts. The Liability only policy covers liability for third-party (people other than the users of the vehicle causing damage) injury/death, third-party property damage and liability to a hired driver.

In many jurisdictions, vehicle insurance is mandatory to use a vehicle in public places. In India, motor vehicle insurance covering third party liabilities is compulsory for all vehicle owners as per Motor Vehicles Act (1988). Because of the implications of damages that can be caused due to road accidents, motor vehicle insurance is more than a personal/commercial insurance policy. The objective of making vehicle insurance compulsory is to ensure fair compensation of financial losses incurred by third parties.

### From a business perspective

Motor insurance has been a key line of business in Indian non-life insurance industry. Other than life insurance policy, vehicle insurance and health insurance policies form a majority of personal insurance products purchased by individuals. Motor insurance business grew at 11-12% in India as against 5% globally. In a period of nine years, Motor insurance premium grew by 287%, slightly more than the total non-life insurance premium which grew by 242% (Figure 2). Projected increase in sales of automobiles and increasing affordability of private vehicles provide motor insurance business with further growth prospects.

The total Motor premium comprises of OD premium and TP premium. Insurers are free to price OD premium as per their risk classification. But TP premium is regulated by IRDAI. Though the share of TP premium is lesser than

OD premium the claim ratio (>200% on average) is adverse for TP segment. Especially commercial vehicles are the undesirable ones for insurers. To address the problem of skewed risk sharing IRDAI has directed insurance companies to participate in a pooling arrangement in 2007. Indian Motor Third Party Insurance Pool (IMTPIP) was formed as an arrangement among General Insurance Corporation of India (GIC) and all General Insurers. According to this arrangement, companies shared losses or profits in the proportionate to their overall market share. Since the four public sector companies had major market share they had to bear the extra burden of heavy losses. To relieve companies from heavy losses, the pool has been replaced by Declined Risk Pool in 2011. This allowed insurers to refuse underwriting risky businesses. These declined risks could be transferred to a pool administered by GIC. For long time insurers have been pressing IRDAI for dismantling of the Declined Risk Pool.

### Current Challenges

While the industry offers great



growth potential, insurers currently face challenges in delivering service and making profits.

### Challenges faced by insurers

Underwriting Liability only policies is the biggest challenge for insurers. While own damage is a profitable portfolio for insurance companies, third-party insurance is highly unprofitable as the liability for insurers is unlimited. The compensation for damage of own vehicle depends on the cost of repair/replacement subject to a maximum of the value of the vehicle insured. In case of an accident that causes bodily injury or loss of life, the third party cover is unlimited. In case of damage to property, the liability is limited to Rs.7.5 lakh. In addition to the quantum of loss, the operating procedure takes great toll. Usually third-party cases that involve loss of life or injury are taken to the Motor Accident Claims Tribunal (MACT). As court proceedings usually take longer time, the settlement of third-party claims through MACT has been highly unsatisfactory to both insurance companies and affected parties. The inadvertent delays lead to accumulation of huge interests on the liability to be paid.

### Scope for improvement

Road safety control being a broader problem, role of insurance companies is predominantly in mitigating the financial distress. For



several reasons as mentioned in the previous sections the stakeholders are affected badly. Both the parties and companies could be benefitted if the following four parameters can be improved.

### Pricing

The premium rates are regulated by IRDAI to ensure that vehicles attached with higher risks are not denied coverage. The premium is rated based on class of the vehicle. These rates depend on the following

- Cost of inflation index for the previous year
- Average claim amount, frequency and expenses of servicing Third Party business for that year

One size fits all approach cannot be used to price products of diverse risks. Risk-based pricing will allow insurers to manage their portfolio better. To avoid adverse selection, IRDAI can set minimum amount of premium to be charged and maximum loading that can be charged by companies. This would encourage companies to underwrite more risks.



### Coverage

Government's cashless treatment for road victims' project is a highly commendable initiative. More victims can be reached out to by bringing more locations and more companies under the project purview.

### Distribution

Currently IRDAI does not allow payment of commission on Third Party premiums. Agents/brokers need to be incentivized to achieve higher volume of policies. In spite of third party liability policies being mandatory, the market is underserved. Strengthening distribution channel will help in covering more risks.

### Claims management

Companies pay claims only after the Motor Accident Claims Tribunal issues award. To avoid inadvertent delays companies and parties do seek out-of-court settlement. This

route can be adopted in more cases depending on the criticality of the situation. Improving claims management needs initiative from government too. By imposing time limit on claims settlement timely relief can be provided to the victims.

### Recent developments

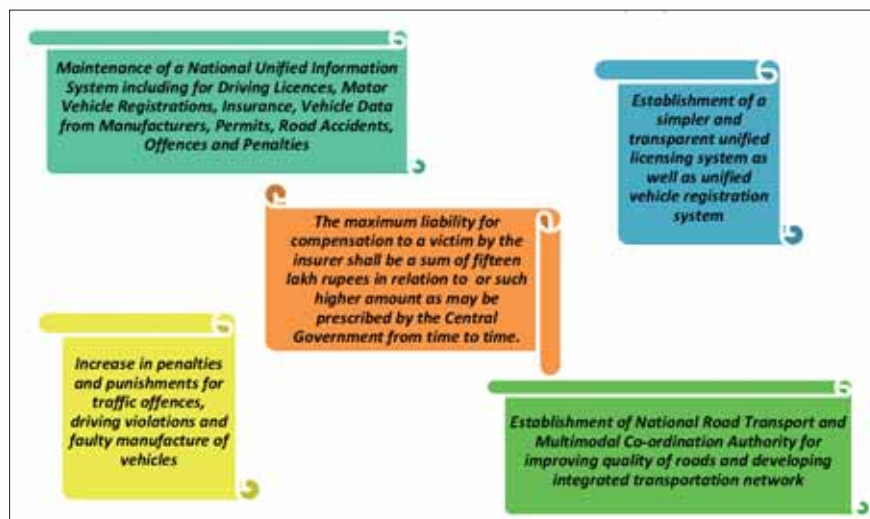
The most notable development in ensuring road safety is the proposed Road Transport and Safety Bill, 2015. It has been drafted in sync with the best practices followed by advanced nations and is supposed to replace the Motor Vehicles Act (1988). The bill aims at providing safer road transportation network. The salient features of the bill as per the draft are:

Currently the compensation under third party liability claims is decided by Motor Accident Claims Tribunal on a case to case basis. As per the proposed draft, the liability of insurance companies in cases of

accident or demise shall be limited to Rs.15 lakhs. This limit of indemnity is for a minimum premium prescribed by the Central Government. Those seeking a higher liability cover would have to pay a hefty premium to the general insurance companies. Any amount of liability exceeding the policy indemnity limits shall be borne by the insured. This is welcomed by general insurance companies as it gives them some respite from humongous losses due to Motor Third Party insurance claims. It would seem to be insensitive and unfair to accident victims to limit the compensation, especially when the insured cannot pay huge amounts. But it would impose heavy responsibility on drivers and owners. With other holistic provisions, the bill is likely to decrease accidents and increase revenues for motor insurance companies.

### In a nutshell

Citizens, government and insurance companies are all stakeholders of road safety. The reduction in road accidents is possible only through strict enforcement of traffic laws, better infrastructure quality and responsibility of citizens. Insurance industry should head towards sustainable Motor insurance portfolio and an efficient distribution system. Betterment of road safety and transparent grievance redressal needs consistent efforts of government, insurance companies and users.



## APPENDIX

The objective of the project is to save lives of accident victims by providing prompt and appropriate medical care during 'Golden Hour', and thereby reduce fatalities and disabilities due to road accidents. The project envisages transport of accident victims from the accident scene to hospital and, where required, from one hospital to another for treatment at a public or private hospital for the first 48 hours or Rs. 30,000/-, whichever is earlier. A 24x7 Call Centre with toll free number 1033 has been activated on these stretches to receive reports of accidents, deploy nearest ambulance and alert local police authorities, hospital and Road Safety Volunteers. 3. At present the Ministry launched a pilot project for cashless treatment of road accident victims on following stretches:- (i) Gurgaon-laipur stretch of National Highway (NH) No.8. (launched in 2013 -14) (ii) Vadodara - Mumbai stretch of NH No.8 (launched in 2014 -15) (iii) Ranchi - Rargaon - Mahulia stretch of NH No. 33. (launched in 2014 - 15) The pilot project at Gurgaon - [aipur stretch and Ranchi - Rargaon - Mahulia stretch are being implemented in association with ICICI Lombard General Insurance Company whereas IFFCO- Tokio General Insurance Company Limited is executing at Vadodara - Mumbai stretch. A Memorandum of Understanding (MoU) has been

signed with ICICILombard General Insurance Company and IFFCO - Tokio General Insurance Company for executing the pilot project. 4. For Gurgaon - [aipur stretch of NH No.8, the Ministry has released Rs. 20 Crore to ICICILombard General Insurance Company during 2013 -14. However, the amount is to be utilized based on actual expenditure. In case of other two stretches, executing agencies have been shortlisted through competitive bidding. ICICI Lombard has quoted a premium of Rs. 3,00,61,977/- for Ranchi - Rargaon - Mahulia and IFFCO TOKIO has quoted a premium of 7,00,32,864/- for Vadodara - Mumbai stretch.

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# Factor Affecting Renewal of Motor Insurance Policies in India: An Empirical Analysis

- Pooja Kansra

## Abstract

**M**otor insurance is a mandatory requirement for any vehicle, which protect us against the various hazards, perils and acts of God. Understanding the factors which influence the renewal decisions of motor insurance is imperative for the future growth and development of the motor insurance sector. Thereby the present paper explores the factors which affect the renewal of motor insurance policies in India. The study was based on the primary data. For the analysis of data Probit regression was employed. The results shows that age, education, amount of premium, comprehensive coverage, perceived quality of the services, trust in the insurer, agent visit about the renewal of insurance policy and experience of the existing insurer were the significant factors to influence the renewal of motor insurance policies. In order to sustain in the competitive environment the public and private insurers should consider these factors and try to develop motor

insurance policies as per the actual need of the customers. Understanding of these factors will help the motor insurance companies to retain the existing customers, design appropriate and customized products, determine pricing correctly and increase their profitability.

Keywords: Motor Insurance, Renewal, Probit Regression, Factors.

## 1. Introduction

Owning a vehicle is no longer a 'neighbor's envy, owner's pride' anymore in India. It has become a basic necessity in life. Motor insurance is a mandatory requirement for any vehicle, which facilitates us protect us against the various hazards, perils and acts of God. Motor insurance is a combination of two words i.e. motor insurance, motor under the motor vehicle act is a self-propelled vehicle insurance we already know is protection against any unforeseen risk the unforeseen risk is an incident which can't be foreseen i.e. which may or may not happen.

It may result in to either creation of liabilities or will result in to financial losses injuries or death to person(s) and damage to property liabilities damage to the vehicle itself and theft of parts or the theft of the vehicle itself. Motor insurance is thus protection against the risks explained earlier in order to cover come the liabilities and the financial losses associated with the accidents (Dara and Dhanraj, 2014).

Motor insurance commands a large slice of miscellaneous insurance business in India. Unfortunately it also has the highest claim ratio due to third party liability, predominately due to commercial vehicles. The advent of private insurers saw a skewed development in the motor portfolio. The more profitable private car and two wheeler business was targeted by the private insurers and the commercial vehicles was targeted to the public sector insurers, who could not refuse to insure against TP risks as they were mandated to insure in terms of the MV Act (Jawaharlal, 2005).

**Motor Insurance covers:**

- i. Accident caused by external means.
- ii. Manmade calamities, such as Explosion, Burglary, Theft, Riots & Strikes, Malicious Acts, Terrorism, etc.
- iii. Natural calamities like Earthquakes, Fire, Floods, Typhoons, Hurricanes, Storms, Cyclones, Lightning, etc.
- iv. While in Transit by rail/road, air or waterway.
- v. Third party legal liability.
- vi. Cover for an owner driver in case of death.

**Growth of Gross Direct Premium of Motor Insurance in India:**

From the Table I, it was observed that gross direct premium of motor insurance increased from 2005-06 to 2013-14 from ₹8733 crore to ₹33824 crore. Whereas, in this segment the maximum growth was recorded of 33.37 percent in 2011-12 and minimum growth was of 5.13 percent in 2008-09. This shows a number of opportunities available in the motor insurance which dominates the non-life insurance segment of India.

To keep the momentum of growth of motor insurance high, it is required to identify the factors which influence the consumers to

renew their motor insurance policies. Therefore in the present paper an attempt has been made to identify the factors which affect the renewal of motor insurance policies. This study will be helpful to the motor insurers to retain the existing customers. This paper is divided in four sections. In the second section, the research methodology applied for the present study was discussed. Section three describes the findings of the present study. Section four concludes the whole discussion along with policy implications.

**II. Research Methodology**

**i. Questionnaire Design, Sample Selection and Data Collection**

The study is based upon primary data collected from Jalandhar, an urban district of Punjab, India. For the collection of data, a structured questionnaire was prepared. First part of the questionnaire consists of the basic information about the respondents such as gender, age, occupation and monthly income and second part of the questionnaire consists of the factors which influence the customers to renew their motor insurance policies. A sample of 200 respondents, who have been insured their vehicles were surveyed. The respondents have been selected according to convenience sampling.

**ii. Statistical Analysis**

There are many important research topics for which the dependent variable is "limited" (discrete not continuous). Researchers often want to analyze whether some event occurred or not, such as voting, participation in a public program, business success or failure, morbidity, mortality, a hurricane and etc. Probit regression is a type of regression analysis where the dependent variable is a dummy variable (coded as 0, and 1). Therefore, in the present study, Probit regression was applied to identify the factor which affects the renewal decisions of motor insurance. The dependent variable for the Probit regression was willing to renew motor insurance and measured as: 1= willing to renew motor insurance policies, whereas 0= not willing to renew the motor insurance policies.

**III. Empirical Analysis**

**i. Demographic Profile of the Respondents**

The following data shows the demographic profile of the respondents. Out of 200 respondents, 65 percent were male and 35 percent were female. Five percent of the respondents were under 20 years, thirty one percent were between 20-30 years, thirty one percent of them were between 30-40 years , twenty four percent of them falls in age bracket of 40-

**Table: I**  
**Gross Direct Premium of Motor Insurance in India**

Year	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Gross Direct Premium (in ₹crore)	8733	10697 (22.48)	12685 (18.58)	13336 (5.13)	15047 (12.83)	18173 (20.77)	24239 (33.37)	29630 (22.24)	33824 (14.15)

Source: Author's calculations based on secondary data obtained from IRDAI

Notes: Figures in parenthesis shows the annual growth rate of gross direct premium of motor insurance.

50 years and only nine percent were 50 and above.

Table: II  
Demographic Profile of Respondents

Variables	Frequency (N=200)	Percentage (%)
<b>Gender</b>		
Male	131	65.5
Female	69	34.5
<b>Age</b>		
Below 20	10	5.0
20-30	62	31.0
30-40	61	30.5
40-50	49	24.5
50 above	18	9.0
<b>Occupation</b>		
Self-employed	82	41.0
Student	30	15.0
Service	42	21.0
Housewives	45	23.0
<b>Monthly income</b>		
Less than ₹10,000	5	2.5
₹10,001-₹20,000	22	11.0
₹20,001-₹30,000	30	15.0
₹30,001-₹40,000	79	39.5
More than ₹40,000	64	32.0

Source: Author's Calculations Based on Primary Survey

Majority of the respondents were self-employed, followed by housewives, service and students. About 40 percent of them have a monthly household income of ₹30000- ₹40000, 32 percent has an income of more than ₹40000, 15 percent of them falls under income bracket of ₹20000-₹30000 and only 2 percent had monthly income of less than ₹10000.

## ii. Factor Affecting Renewal of Motor Insurance Policies in India

To estimate the factors affecting the renewal of motor insurance a Probit

model was employed reporting both the coefficients and marginal effects. The regression model which gave the highest Pseudo R2 value is reported in Table III. The Pseudo R2 value is 0.3830 and thus indicates a goodness of fit.

### Demographic Variables:

Out of the six demographic variables, two were statistically significant and on the basis of the Probit regression coefficient, it was found that age ( $p < 0.05$ ) and

education ( $p < 0.10$ ) were significant to renew their policies. On the basis of the regression coefficient it can be concluded that younger people are more likely to renew the health insurance and on the basis of the coefficient of education it was found that respondents with higher education were more likely to participate in the renew their policies. This shows that motor insurers should target the less educated and elders in order to increase the growth of the policies.

Table: III  
Factor Affecting Renewal of Motor Insurance Policies in India

Variable	Coefficient (Std. Error)	Marginal Effects
<b>Demographic Variables</b>		
Gender	0.453 (0.395)	0.072
Age	-0.635 (0.311)**	-0.101
Income	0.153 (0.344)	0.025
Marital Status	-0.065 (0.142)	-0.010
Location	1.150 (1.006)	0.184
Education	0.519 (0.534)*	0.083
<b>Insurance Variables</b>		
Amount of premium	-0.019 (0.259)**	-0.003
Quality of care	0.430 (0.230)	0.069
Distance to service provider	-0.209 (0.245)	-0.033
Type of insurer (private)	0.0658 (0.236)	0.010
Comprehensive coverage	0.625 (0.262)**	0.100
Perceived quality of the services	0.0038 (0.258)*	0.006
Trust in the insurer	0.175 (0.178)**	0.028
Agent visit about renewal of insurance policy	0.159 (0.180)*	0.025
Utilization of services	0.504 (0.215)	0.080
Experience from insurer	0.710 (0.226)***	-0.113
Constant	2.835 (2.063)	
<b>Model Summary</b>		
Log pseudo likelihood	-56.14	
Number of obs	199.0	
Wald chi2 (24)	69.70	
Prob > chi2	0.0000	
Pseudo R2	0.3830	

Source: Author's Calculations Based on Primary Survey

\*\*\*: Significant at 1%, \*\*: Significant at 5%, \*: Significant at 10%

### Insurance Variables:

Out of the ten insurance related variables, six were statistically significant. The result of Probit regression shows that the probability to renew the policy was negatively associated with the amount of premium ( $p < 0.05$ ); if the premium is high the probability to renew will decrease. Another factor which significantly influences the renewal of motor insurance was the comprehensive coverage ( $p < 0.05$ ). This shows that people while renewing their motor policies preferred comprehensive coverage. It may be due to the fact that comprehensive coverage provides 'own damage' and legal liability of third party. Comprehensive coverage covers the risk of theft or damage caused due to unforeseen perils like cyclone, earthquake, fire explosion etc. Hence the need of the hour is that the motor insurers should provide comprehensive coverage to the insured. Perceived quality ( $p < 0.10$ ) of the services positively affects the renewal of the motor insurance policies. This indicates that if the consumer perceives that motor insurance plans/policies are providing good coverage then the chances of renewal of motor insurance policies increases. Trust ( $p < 0.05$ ) towards the insurers was also found significant. Insurance policies require the highest level of trust as compared to other financial products. Those who have trust with insurance products and insurers were more likely to renew their policies than others. Agent visit ( $p < 0.10$ ) about the renewal of insurance policy positively affects the renewal of the policies. We also noticed that if the customer's

satisfaction level from insurer is high and his experience from insurer ( $p < 0.10$ ) was good then probability to renew the policy was high. The experiences pertaining to provision of services and handling of the problems during the service delivery affects the renewal decisions effectively. Out of all the insurance variables, experience of the services/ insurers was the most important factor. Therefore it is suggested that the motor insurers should consider these factors in order to sustain in the competitive environment.

### IV. Conclusion

Motor insurance policies are required to be renewed regularly. Customer satisfaction is the vital component for the development of motor insurance segment. For the sustained growth and development of motor insurance, it is important for the public and private insurer to understand the factors which influence the decision to renew their motor insurance policies. The study has important implications for the motor insurers because they need to market the product and choose target customers in a manner to ensure the long-term continuity of their policyholders. This study is an exploratory attempt to understand the factors, which affect renewal decision of motor insurance market. Understanding the customer better will allow these insurance companies to design appropriate and customized products, determine pricing correctly and increase the profitability.

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# Need to refuel your Car?? Come with Third Party Insurance

- Anas Rafe, ALMI

## Abstract

This paper is timely and of interest to Indian Insurance Industry which is struggling with huge count of uninsured vehicle. Also it demonstrates the detailed information about current trends of third party liability in context of Indian market along with Global variation in practice of third party liability insurance. It talks about some of the strategies to curb down high claim ratio, high percentage of uninsured vehicle plying on the road with the help of technology. It also explains how a closer partnership between business and IT can make those strategies successful.

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## Introduction

The evolution of Motor Third Party Liability can be sketched to enactment of the Fatal Accidents Act in 1855. The Act entitled relatives of the deceased (Wife, Husband, Parent, Children) to file claim for compensation. Before the enactment of this Act, apart from onus of proof on the claimant to prove driver at fault, only victim can file for claim compensation. And the connotation of victim was restricted to the person actually hurt in the accident. If an individual died in an accident, his/her dependent were not treated to be a victim of

accident and were therefore not allowed to file a claim. Fatal Accidents Act, 1855 brought the much needed relief to the victims of road accidents.

With the start of Industrial economy and commencement of motorized vehicle in India it became necessary to offer for a more comprehensive arrangement of faster relief to Accident victims. It was also felt that economic loss to the injured victims in most cases is unjust because of inadvertence of law to compensate for the loss of property. To address such concerns The Motor Vehicle act passed in India in 1939 and amended several times.

Provisions were made to ensure all vehicles on a public thoroughfare have Third Party Liability Insurance. Provision incorporated in the act in 1988 to make third party liability mandatory. So in case of an accident, Victim should not suffer if Owner of the offending vehicle had no means to pay to the injured party. The main concern of the regulator today is to make sure each vehicle on public streets carry third-



party Liability Insurance to smoothen the recovery of financial damages.

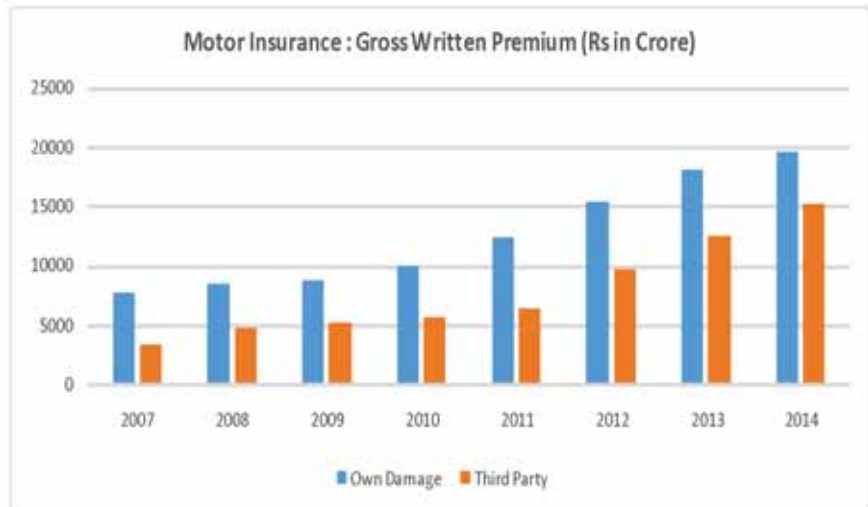
**Motor insurance has 2 components**

- Own Damage (OD) which covers damage to the vehicle and;
- Third party (TP) liability Act 1988, which covers legal liability or damage done to the third party or third party property.

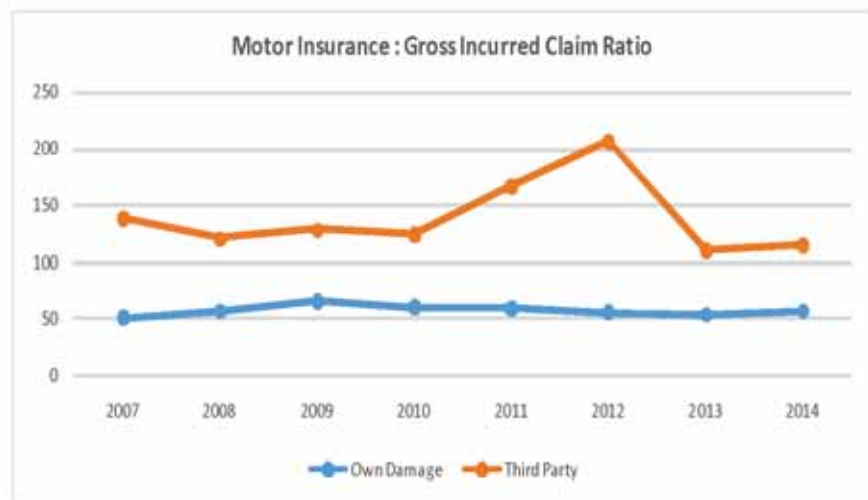
There a lot of cases after a hit and run, driver flee the accident scene. And identity of the vehicle causing the accidents cannot be established. Injured/Victim cannot proceed against either the owner of the vehicle or the insurance company which had insured the vehicle As a result, the victim has no choice to go for legal remedy. Relief was given in the year 1982, with the introduction of new concept of providing compensation on “No fault” basis to those persons who expire by hit and run accidents, where the offending vehicles are not identified.

**Motor Insurance: INDIA**

Motor insurance continued to be the largest segment in non-life insurance segment in India contributing around 47.9% (Rs.33, 824cr) total premium underwritten in the country (2013-14). The incurred claim ratio of motor insurance has decreased to 79.5% in 2013-14 from previous year’s ratio of 88.63 %. It is also one of the fastest growing Line of Business (LOB) for non-life insurance in India. Motor OD has grown at a CAGR 14.2% and Motor TP at CAGR 24.2% for the



Source: GI Council Database



Source: GI Council Database



Source: GI Council Database



### Motor Data of Indian Insurer - 2012-13 (No. Of Policies and Premium)

Category	Comprehensive (No. of Policy)	TP Only (No. Of Policy)	Total (Policy)	Percentage of total vehicle	Premium (Cr)	Claim (Cr)
Private Car	1,33,71,791	27,51,767	1,61,23,558	74.75%	12,277.56	7,506.18
Two Wheeler	2,92,26,417	68,82,703	3,61,09,120	31.28%	2,811.69	1,376.78
Goods Carrying Vehicles	48,66,565	1,25,6812	61,23,377	79.95%	8,984.45	5,626.65
Passenger Carrying Vehicles	25,27,187	6,11,097	31,38,284	57.25%	3,127.40	1,989.86
Miscellaneous	15,85,358	5,99,628	21,84,986	24.64%	1259.2	1089.97
Grand Total	5,15,77,318	1,21,02,007	6,36,79,325	40.05%	28,460.28	17,589.44

Source: Insurance Information Bureau/IRDAI

period 2006-2013 (GIC Council Database).

As per the provision of Motor vehicle act 1988, Motor third party insurance is mandatory for each vehicle plying on the road. According to estimates (IRDAI/2014), 70% of the vehicle running in India are 2 wheeler and nearly 75% of are not having mandatory third party insurance cover.

#### Low ratio of insured vehicle to total vehicle population!!

Data from Insurance Information Bureau (IIB) estimates that approximately 60% of the vehicle plying on Indian road is un-insured. Ministry of Statistical and Programme Implementation has

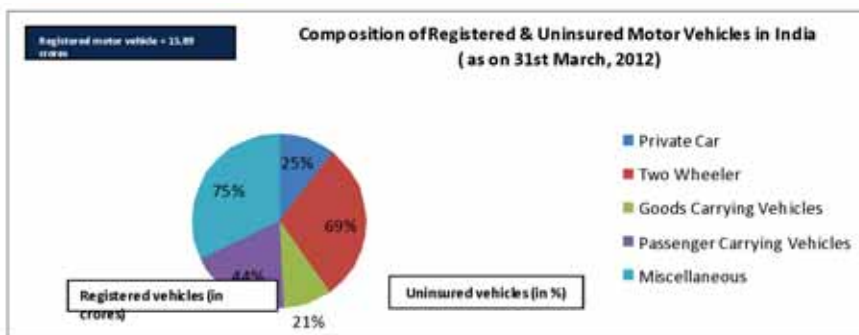
reported more than 14 Crore vehicle registered in India during 2012-13. Out of 15.89 Crore (14 cr + 1.84cr addition in 2012-13), only 6.36 Crore reported having liability Insurance which represent 39.9% of vehicle population. Slight increase in percentage of insured vehicle from last year from 39.4% with around 14.18 Crore. But, still very low as compared to other developed countries like UK with 3.5% uninsured vehicle on road.

The share of two wheelers in total registered motor vehicles in India stood at 72.4% followed by Private Car (cars, jeeps and taxis) 13.5%, goods carrying vehicles 4.8%, Miscellaneous (Omni Buses, tractor, and others) 5.8% and Passenger

carrying vehicles 3.5%. Out of total 9.53 Crores uninsured vehicle in India two wheelers accounted for the largest share with 83% (7.93Cr) of the total uninsured registered motor vehicle in the country in 2012 followed by Miscellaneous 7%(.66Cr), Private cars 6%(.54Cr), Passenger carrying vehicles 2%(.23Cr) and Goods carrying vehicles 2% (.15Cr). It is clearly a challenge to society as victims of accidents caused by these vehicles do not get adequate compensation.

With addition of 1.84 Crore more vehicle in 2013 and 1.97 Crore in 2014-15(SIAM), vehicle population in India rose to 19.71Crore (approx.). This has increase more risk to the general insurance industry which is already bleeding with high claim ratio in third party liability insurance segment.

Also we should not forget “insurance policy is always sold and never bought” and this mindset is difficult to change. During 2011-12 vehicle population in India elevated by 1.78 Crore while liability insurance of motor vehicle increased by mere 77.2 lakhs. Out of 5.59 Crore



Source: Ministry of Road Transport & Highways/IIB

insurance, 1.78 Crore belongs to New Business (Strict rule being followed at showroom for liability insurance). Renewal happens for 3.81 Crore vehicle which represent 27% of old vehicle population. So, renewal business should be the focus area of IRDAI to improve penetration of third party liability insurance. Insurance penetration is measured as the percentage of total insurance premium to gross domestic product of a country.

Third party cover is mandatory but, the implementation was less effective because of the low visibility element (Special number plate to spot the vehicle without Insurance). It could be the approach also that we are presently using to insure/price the third party risk.

#### Traffic accidents and its economic cost in India

Accidents rate in India is amongst the highest in the world. As per the report submitted by National Crime Records Bureau (NCRB) in 2014, a total of 4, 50,898 traffic accident cases were reported in India involving 141,526 deaths (Road Accidents only. Excl. Rail-Road and other rail accidents) and around 4, 77,731 injured.

WHO has estimated the cost of Road crash at 1% of Country GDP for Low Income countries and 1.5% for Middle and 2% of GDP for High Income countries. The government is yet to come out with the latest figure but a senior official of the Road Ministry said: "It continues to be the highest in the world and is still estimated to be at 3 per cent of the GDP". As per the report of the International Road Federation (IRF) road accidents cost India \$20 Billion annually. This figure includes expenses associated with the accident victim, property damage and administration expenses. As per Insurance Information Bureau of India, Indian Insurance companies paid 9177.32 Crore for Motor third party claim in the year 2012. The remaining amount which is around 90% of the total \$20billion loss is being paid from the "Solatium Fund Scheme" or from Owners (vehicle) pocket.

Solatium fund is a scheme formed by Central government with effect from 1st October, 1982. It comprises 30% contributions from Central and State Governments and 70% from General Insurance industry to provide compensations to the victims of "Hit & Run" motor

Accidents. The amount of compensation is fixed i.e. Rs. 25,000 in the event of death and Rs. 12,500 for grievous hurt.

#### Global Variation in Third Party Liability Insurance Practices

As per the report of Insurance Research Council (IRC) 1 in 7 US Drivers are Uninsured. UK has the highest level of uninsured driving in Western Europe as per MIB report. Several countries have experimented with "Petrol Tax" to address the issue of uninsured motorist and other countries have adopted techniques like "Deposit money" or "Annual Fee" to tackle this issue. In many countries it is compulsory to have vehicle Insurance while some give a choice to pay annual fee to the state instead.

Some parts of Australia like Victoria and Southern and Western Australia have Third party Liability Insurance issued by Government agencies like Transport Accident Commission (TAC) and Motor Accident Commissions through a levy in License registration fee.

In New Zealand, Accident Compensation Corporation (ACC) provides Personal Injury cover nationwide to all New Zealanders and visitors and they collect the money through levy on vehicle fuel and vehicle licensing fee. In New Zealand there is a limit on liability payment under different cover.

In Ireland and UK, government is giving an alternative option to vehicle owner to deposit some money with the High Court/

Year	Road Accidents (In '000)	Person Injured (In '000)	Person Killed (In Number)
2010	430.6	470.6	133938
2011	440.1	468.8	136834
2012	444.0	469.9	139041
2013	443.0	469.9	137423
2014	450.9	477.7	141526

Source: National Crime Records Bureau (NCRB)

Country	TP cover mandatory?	Focus	Coverage Liability	Limit on
Australia	Yes	<ul style="list-style-type: none"> <li>Levy on Registration Fee/ Registration Fee</li> </ul>	Bodily Injury only.	Yes
Canada	Yes	<ul style="list-style-type: none"> <li>All drivers must have third party liability Insurance.</li> <li>Require drivers to have insurance coverage for their own medical expense/Loss of income.</li> </ul>	Bodily Injury & Property Damage.	Yes
Ireland	Yes	<ul style="list-style-type: none"> <li>Deposit money with the High court as a guarantee.</li> <li>Display insurance certificate on their vehicle windscreen.</li> </ul>	Bodily Injury & Property Damage.	Yes
New Zealand	Yes	<ul style="list-style-type: none"> <li>Accident Compensation Corporation (ACC) provides nationwide “No-Fault” personal injury insurance.</li> <li>Contributions are collected through levies on petrol and through vehicle licensing fee.</li> <li>All New Zealanders and visitors to New Zealand are covered for personal injury.</li> </ul>	Bodily Injury only.	No
South Africa	Yes	<ul style="list-style-type: none"> <li>Insurance premium are collected by the Road Accident Fund (RAF, State Insurer) through a levy on motor vehicle fuel.</li> <li>Provide insurance cover to all drivers of motor vehicles in respect of liability incurred.</li> <li>South African Revenue Service (SARS) administer the collection of fuel levy and pays it to the RAF.</li> </ul>	Bodily Injury only.	Yes
UK	Yes	<ul style="list-style-type: none"> <li>Get insured or deposit money with Accountant General of the Supreme Court.</li> <li>Display vehicle excise license (Insurance Certificate) on your vehicle all the time.</li> </ul>	Bodily Injury only.	Yes
US	Yes	<ul style="list-style-type: none"> <li>Owner of the un-insured vehicle can pay Fee to the state (Virginia) or post cash bonds.</li> <li>“Non-Owner” policy available to cover driver on vehicles belong to someone else.</li> <li>North Carolina requires a driver to hold liability insurance before license can be issued.</li> </ul>	Bodily Injury & Property Damage.	Yes
INDIA	Yes	<ul style="list-style-type: none"> <li>Third party liability insurance is mandatory under the statute.</li> <li>Registered general insurance companies are providing insurance coverage.</li> <li>Premium fixed by IRDAI.</li> <li>3 year liability policy for two wheeler vehicles. For others, its 1 year policy only.</li> </ul>	Bodily Injury & Property Damage.	Only on Property Damage

Supreme Court as a guarantee against their liability for injuries and other person's property damage. In UK, government has "No Insurance, No Petrol for You" instruction to prevent uninsured drivers from refueling their cars. In Virginia (US), Owner can pay annual fee per vehicle to the state if they don't want to buy Liability Insurance.

### **Initiative by IRDAI to control the count of uninsured vehicle**

#### **The Pilot Initiative**

The Pilot Initiative taken by IRDAI in Telangana state to send challans to the owners of vehicles without an insurance policy is a key move to administer the provision of Motor Vehicle Act. Pilot initiative is one of the positive signs that show the regulator is keen in addressing these problems. This will improve the awareness and understanding of the law as well as its consequences.

The Cost to the economy and society in terms of accidents related to uninsured vehicle is too high that the figures speak for it. The activity must continue in conjunction with additional measure to make it tougher for the uninsured driver to hide from prosecution. At the same time Regulator need to put some punitive penalty on un-insured driver as well custodial sentences for repeat offenders.

#### **Increase in the term of Coverage**

As per the recent study published by IRDAI, they are planning to revise the third party insurance policy in-force term to 3-5 years from 1 year

term (at present) thereby increasing the period of the in-force term and thereby facilitating the rigor process of the renewing the term.

Even if regulator(s) try to reduce the validity of registration of vehicle from 15 years to 1-3 years with an anticipation of renewing the policy when owner coming in to renew his / her vehicle registration. But it could be uncertain when it comes to the renewal of the registration of the vehicle as mentioned in the above perspective. It could prove to be another giant which will be difficult to confront. So all in all the watchdog has to come up with the amalgamated status quo which proves to be a success for the customer and the insurers.

#### **Ways to increase Insurance Penetration in General Insurance**

- **Tax incentives (Life vs. General)**

3.6 Crore of people paid tax on their income for FY 2012-13 which also showcased a boom in the sale figures of the life insurance products. When observed the main reason that popped out from the study was that a lot of people bought life insurance in the last quarter just to save tax under section 80C of INCOME TAX ACT. An Individual/HUF is allowed to show certain investments and expenditure, which include Life Insurance and Health Insurance Premium, to be deducted from their taxable income up to maximum of 1,50,000.

In the similar context the tax incentive can act as to boost for the

sale of General Insurance product, especially for Motor Third Party INSURANCE (if introduced). Let it be on the prehistoric famous barter system mode i.e. "**Penny for a Penny**" form means you invest 1000 Rupees in Third Party Insurance and save 1000 Rupees Tax.

- **Third Party Insurance at Individual Level**

The main objective behind mandatory Third Party Liability cover is every vehicle should have Liability Cover because un-insured vehicle poses serious threat on road. Like Motor own damage (OD) policy, third party liability insurance cover is tied to vehicle. Anyone other than the insured person (i.e. on the name vehicle is insured) gets automatically covered for any liability arising out of any accident.

The other way is to give Third Party Liability on individual basis rather tying to the motor vehicle "**Pay for what all you drive comprehensive cover**". So that every time a person purchases a new vehicle she/he doesn't have to go for separate Third Party Insurance. And with the increase in the disposable income, most of the people are buying multiple cars. For every new car they have to go Third party insurer cover out of which only one or two vehicles (say for instance) are not been used. If this approach is put into practice then it will proportionately decrease the number of the un- insured vehicles thereby proving to be a win - win situation for everyone.



**• Contribution for Insurance along with Petrol/Diesel**

As per the report submitted to The Ministry of Petroleum and Natural Gas, Transport sector in India accounts for 70% of Diesel and 99.6% of Petrol. Consumption of Petrol in Two-wheeler is highest at 61.42% of the total petrol sales followed by cars which account for 34.33%. These figures speak for itself in a way that if a small share of this money is contributed in the motor third party pool will be relief for the industry which is bleeding with high claim ratios.

For instance, let's assume every vehicle will go for at least 1 liter Petrol or Diesel/day.

1 liter = 1 rupee  
 18 Crore vehicle = 18 Crore liter/day  
 Income for 1 day = 18 Crore  
 Income for 365 day = 18 X 365 = 6,570 Crore

Some heavy motor vehicles consume more than 1 liter diesel/petrol per day. Assuming 2 litre consumption of petrol/diesel per/day, can collect 13,740 Crore which is total TP premium underwritten by general insurer in 2012. This strategy can be proved to be a huge success as petrol is an inevitable commodity.

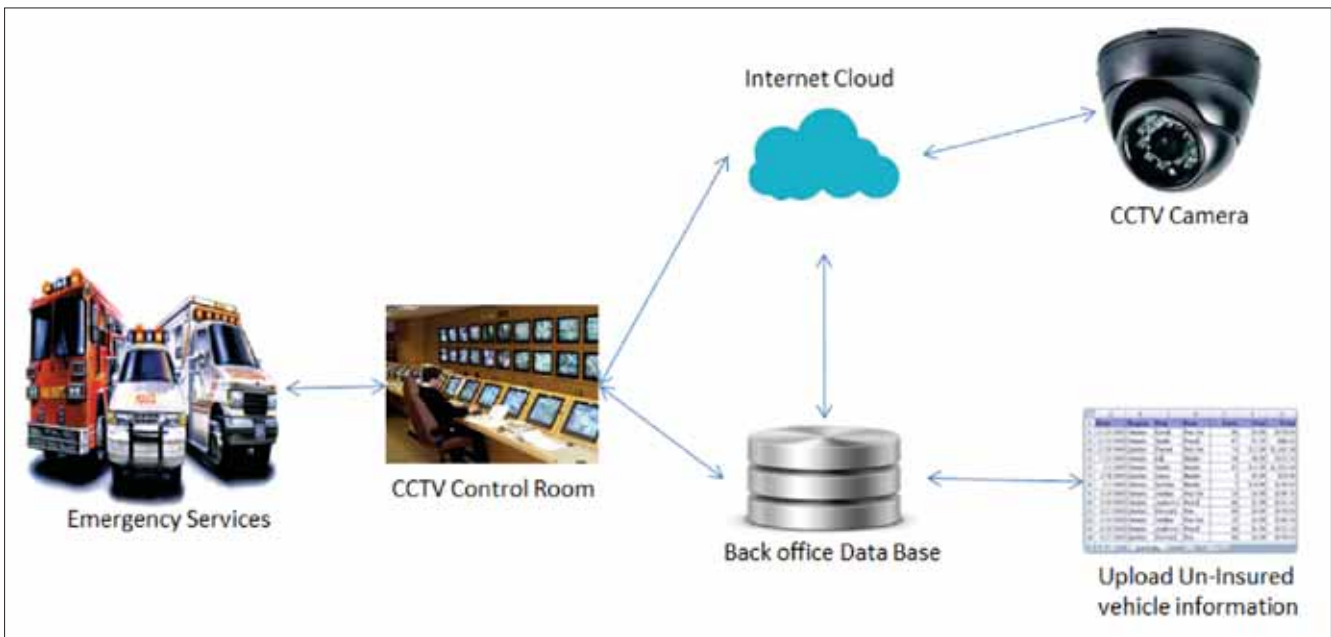
**• Automatic Number Plate Recognition (ANPR)**

Automatic Number Plate Recognition (ANPR) technique allows the recognition of the number plate in image and text format of the vehicle. The technique can be used with existing CCTV Camera or some hand handled device built for this purpose only to track the movement of vehicle round the clock. Many developed countries are using ANPR technology for electronic toll collection and monitoring the movements of traffic or individuals. In UK, government has installed thousands of licensed plate

recognition cameras at gas station to prevent the uninsured vehicle from refueling.

IRDAI and IIB have built Data repository of Motor Insurance for all the vehicles plying on road. In the year 2012 they launched a web-based service to track Insurance policy details and claim status of motor vehicle. With the help this technology insurers can cross check the vehicle insurance detail on real time basis (Build by IRDAI & IIB) when it comes to Petroleum bunk for petrol. ANPR will not store any new Data except for Non-Insured vehicle with date time location stamp. So when next time vehicle goes for refueling, it has to be with proper insurance else it will not be re filled.

ANPR technology when used with CCTV cameras at Traffic signal can help track the movement vehicle in real time. It can reduce the claim made under "hit & run" case to a



*Process overview using live data transmission*

great extent and can increase the quality of road incident factual evidence and can also improve emergency services response time.

• **Risk based pricing using advance technology**

Pricing plays an important role which dominates the buying behavior of the customer. So it's very important to decide the pricing of the product which can affect the business of any insurer. Motor Insurance third party business is tariffed by IRDAI. These rates are revised every year by IRDAI based on the claim experience and engine of vehicle (in terms CC). For all other business including Motor Own Damage cover, insurance company is free to set their own price i.e. market is still de tariffed.

US and other developed countries are using advance technology to write motor insurance business. Be it **GPS based system** used by insurance company to track the driving behavior and report the result to the company via cell phone and insured will get additional discount. Or **"Snapshot"**, a usage based insurance program that gives individual personalized rate based on his/her driving. It works on a telematics device connected to car's On-Board Diagnostic port and transmits speed, time of day and number of miles the car is driven. The better you drive, the more you can save i.e. **'PAY AS YOU DRIVE.'**

• **Limit on Statutory Liability**

In India, third Party liability is another space which insurers are

continuously concerned about as it is putting insurance company to high risk exposure. Countries like Canada, New Zealand also have mandatory third party liability with limited liability or covering only Third party personal accident so that insurance companies are not exposed too much of risk. Talking about the other countries in Asian market motor third party insurance is mandatory and with limited liability only. Some have unlimited liability also but insurance companies load the premiums accordingly. Limited liability will help insurer pricing the risk appropriately because they know their limit

**Conclusion**

Insurance penetration measure the level of development of country's insurance sector. With penetration in General insurance is still below 1% (0.78% approx.), penetration of Insurance in India is 3.96% of GDP which is much below the global average of 6.5%. With other industries are growing in India but, the growth of Insurance business is still dismal. So the vehicles count which are uninsured accounts for 60% of the total vehicle population. Government need to take initiatives as mentioned above to address this gap. The huge GEN Y population, combined with the current high rate of automobile sale, growth in infrastructures, and high rate of personal savings, points towards the signs that there are ample opportunities for the general insurance market.

Technology can be one of the pillars that can help increase the penetration of Liability Insurance in such a way that all the stakeholders from Government, Insurers will be benefited. And in turn it also helps in financial security of people of low and average income levels. In other words a WIN-WIN situation for everyone involved.

In context to ANPR technology Indian Government has also shown some positive sign by issuing the High security Number plates for the vehicles. Though it's still in its initial stage but has ample of concealed potential in this space for insurance. Increasing the term of coverage will definitely improve the situation of Indian insurers who are bleeding with high claim ratio. Tax incentive can be another tactic that can prove to be a triumph in this journey. Adding to it, Insurance telematics is another sleeping giant that can play a key role in pricing motor insurance business in India. It can also be used to tackle fraudulent activities in liability insurance segment.

On the whole, the overall objectives must align towards establishment of such a nation by:

- Single payment authority for victims of accident.
- Fair reimbursement to the victims in accidents.
- Tracking on real time basis of vehicles.
- Limiting the liability of an insurer in third party.



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## Insurance Regulatory and Development Authority of India Curtain Raiser for October 2015 Issue

Protecting the interest of Citizens, Consumers or Clients in whatever name we may call has been the hallmark of governance in any form of Government since time immemorial. With advent of Democratic welfare States, it is rightly said "**Consumer is the King**" which in this era of **Liberalization, Privatization & Globalization** ( LPG ) has led to increased choice for the beneficiaries & resultant growing competition faced by service providers to sell their products. Towards protecting the interest of Consumers in view of complaints of deficiencies in services, both Central & State Governments including public dealing institutions have come up with "**Right To Timely Delivery Of Services**" Acts/ Charters - setting time limit for availability and delivery of services failing which the person concerned can approach competent authority to redress his/ her grievance.

Taking the twin objectives of the Regulator to protect the interest of Policy holders & ensuring orderly growth of insurance sector in the country, Focus for October 2015 issue of the journal will be "**Right to Timely Delivery of Services in Insurance Business**"

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## Road Safety: Need and Creation

- *Peeyush Agarwal  
and Paritosh Agarwal*

There are lakhs of automobiles, other vehicles and pedestrians, who use the roads every day carrying one single aim of reaching their destination safely on time. This aim of safety without any untoward incident is road safety in other words. There are number of factors, which impact this aim. Some positive and some negative.

Positives are the measures taken by various government authorities for regulating the traffic like red lights, zebra crossings, speed breakers, footpaths and foot over bridges or subways etc. Besides government has enacted number of laws to ensure penalties for those, who ignore such regulations.

Negatives are negligent or reckless behaviour of drivers or pedestrian's faults or ignorance. Tendency of racing or show off while riding of generation Y. Drunken driving assuming that one is in full senses.

Whatever the case may be, accidents do happen. It is virtually

impossible to eliminate road accidents completely. That's why motor insurance came into existence. Similarly faults of machine may cause accidents as well e.g. sudden breakdown, brake fail or tyre burst etc.

Nobody wants accidents or fatalities. Everyone takes precautions to keep movements in control. Yet at times few forget that they are equally prone to mistakes. A small mistake can take somebody's life including own. Overlooking any small thing may causes accidents. To consider this aspect and creating awareness about the importance of these small matters is another angle to road safety.

Road accidents and deaths are a tragedy for all while injuries can cause suffering, economic loss and life changing misfortune; such road accidents also have an impact on the economy. Much of the harm and cost is avoidable and some inevitable expenses could be managed well in advance to provide a cushion to the situation.

Road safety isn't just about following some rules while driving a vehicle but also about better education to children, pedestrians and inexperienced drivers. It includes better roads, signals & signage and other road furniture. In addition, it concerns remedial education for the defaulters and strict actions against those who deliberately ride dangerously.

A report by the Indian Transport Portal in September, 2012 states that road accidents since 2006 have been increasing at a steady pace. This clearly highlights the need of safety measures and education in the concerned area. To top it, many driving schools in various parts of the country were functioning without proper licenses. It surely adds to overall misery of road safety rules and regulations. The drivers coming out of such schools are naturally incompetent and not learned to follow even basic road safety measures adding to the tragic accidents.

The report also mentioned that about 80% of road accidents are down to drivers' fault and around 350 people die due to this negligent behaviour causing accidents in India, on a daily basis. Without surprise, overloaded cargo lorries, which can surely be regarded as wilful fault, were listed as one of the biggest defaulters in road fatalities. This wouldn't stop only at human deaths but also add to infrastructure damage and in many cases, injuring nature and animals.

Motor vehicle insurance, to the extent of basic third party insurance, is mandatory in India. However, as estimation, more than 50% vehicles ply without such insurance. In the recent past, it is observed that people, especially young generations, are getting more curious about how to safe guard their vehicles against accidents, damage and theft and themselves against potential liabilities due to these accidents.

Motor insurance is seen as a tool to transfer the risk of unforeseen financial losses. Whereas insurance is not only a tool to assess these losses and making these good, but also an effective mechanism to create awareness for better management of risks. Insurers cannot avoid their liability once it arises. They cannot avoid the quantum of liability in light of increasing cost of repairs, medical treatments and rising lifestyle. They

can definitely take effective steps to reduce such occurrences.

Insurers have to play a wider role by helping public en-mass to understand underlying risks and take the issue heads on for better management. This is where road safety becomes an integral part of insurance domain. Industry has the responsibility of examining the flaws in road safety and investing in promoting awareness in this direction.

Rapid urbanization, high growth rate in vehicle sales, improved highways for faster traffic, fast change in earnings and lifestyles of middle and upper middle class has added to the woes of insurers with ever increasing cost of claims and is fast attracting the attention towards importance of road safety.

Although, authorities are becoming stricter day by day, yet violations of even basic rules like using high beam, not following lane driving, jumping red lights, driving under influence of alcohol are some areas which are witnessed every day. Huge penalties are charged for such violations.

While India struggles for road safety and spreading awareness to the masses, Insurance companies are putting in efforts to keep the right thing rolling and the economy on its toes. Road safety and health of motor business are correlated. Absence of road safety norms or

adherence increases the accidents & deaths/injuries resulting in high losses for insurance companies. It is therefore important for insurance industry to spend a part of their premium income for promoting awareness towards road safety. As discussed earlier, road safety isn't only for the drivers but also incorporates general awareness and education to pedestrians and amateur drivers.

In line of this idea, it is equally necessitated that all kinds of frauds of motor insurance to be caught and eliminated from the economy. Such frauds not only increase the burden of insurance industry but also help promoting the violations of road safety. Insurance companies should come forward in cooperation with law enforcement authorities to track and fight potential frauds resulting from non-adherence of road safety.

One such example is driving by unlicensed minors but declaring some other driver after the accident. Coming together with authorities will support the industry in bringing general awareness as a social cause and also providing better standards of service while dealing with alert systems. Similarly drunken driving is a big contributor to road accidents but difficult to prove at the time of settlement of claims. Even if insurance companies are in a position to prove, it is difficult to carry on with the legal battle after the refusal of claim.

In case of third party claim, considering the pain and suffering of the victim/beneficiary, courts will normally award the compensation against the insurance companies and not the owner. Whilst this is according to the provisions of law and common justice, insurance companies are rarely able to recover this amount from the owner due to overloaded, cumbersome, lengthy and cost consuming judiciary processes.

In addition, it is believed that if insurance companies spend a fraction of their income on spreading awareness and educating the masses about road safety, rules and regulations, then it will reduce the number of claims made. There may be an insurance levy imposed on this account.

The underlying principle of insurance states that insured has to behave as if he is uninsured at all times. As such any irresponsible behaviour of the insured should ideally be treated as wilful negligence. Any loss as a result of

such an action should certainly be out of the purview of the insurance policy. However, in the absence of evidences or past behaviour data in consolidated form, it becomes highly difficult for an insurance company to prove and ultimately they have no option but to settle the loss.

The comprehensive driver data and drivers' behaviour, e.g. challans or tickets, is yet not available in India. Project 'Saarthi' may prove to be a good initiative in this direction. However, it is far away, when it can be used in real sense for road safety adherence and minimizing fatalities/losses. With this another long awaited issue may see the light of the day i.e. insurance of driver and not only vehicle.

Insurance initiative like 'Pay as you drive' may be another good tool to establish such kind of database. This will allow benefitting good drivers and penalizing bad ones. Any expense on this front must be seen by the industry as funding or investing for better tomorrow instead of mere cost for today. This

may be a next good thing to promote road safety in a big way.

All these actions towards road safety and initiatives by insurance industry shall provide a win-win situation for all. For economy this means lesser number of accidents and fatalities, lesser destruction of roads and public properties. For insurers this shall result into lesser claims outgo not only for motor but other segments as well e.g. accident, health, transit and property. Last but not the least for public in the form of reduced premium and lower tax rates.

Note: Views expressed in the article are personal.

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## The Art of Driving- How safe are our Roads?

- R. Venugopal

**R**oad Safety & Motor Insurance is the theme of the current issue of the IRDAI Journal. While I am not an expert to talk about the different aspects of the Motor Insurance, being a Life Insurance man basically, I thought I should discuss about the traffic jams in our country, leading us to the thought as to how far Indian roads are safe for driving, safe for pedestrian walking and safe for our children and the senior citizens.

The first thought that came to my mind was one of the latest addresses by our Respected Prime Minister of India who mentioned that in India every 4 minutes one person dies in a road accident. There are a lot of statistics showing as to the number of people dying, maimed or disabled or hospitalized due to road accidents in this country. Instead of giving long lectures about road safety and careful driving, suffice it to recall an old hoarding in a busy city main road which copy simply showed a young lady and two smiling children standing at the doorstep of their residence and looking eagerly at the

road- the copy said “ Please remember, they are WAITING for you!”. There were no instructions like ‘ Drive carefully’, ‘ Observe the traffic rules’ etc.

Similarly I thought I would also describe conditions in our roads humorously but at the same time realistically so that the message sticks, instead of explaining various safety precautions. Hence I have divided my article into 2 parts, the first one dealing with the Art of Driving in the city of Bengaluru, since I live here- the conditions are more or less similar in other Metros too- and the second part on how to observe road safety.

### The Art of Driving

The Art of Living is a well known concept in India as founded by a famous, renowned Guruji based at Bangalore. But how many of us know about the idea called the Art of Driving? By this I mean the art of car driving. This has become a ‘must’ in our country in all cities, especially Bangalore in view of the utterly chaotic road traffic here. More particularly for retired people

like me, this is highly important as my reflexes have become slow due to ageing.

Let me deal with each ‘road-block’ separately, one by one:

### The Auto-rickshaw Menace

Here both the driver and passenger take over the ‘hand-signal’ duty.

In a busy road, I am driving my car, following an auto-rickshaw. While approaching a signal light, the driver shows his right hand, indicating his intention to turn right. I adjust my position accordingly. Now suddenly, another hand-that of the passenger, sprouts out showing the left turn-I am now confused as to whether the auto is turning left or right and I am wondering how I can save my vehicle but lo...the auto goes straight ultimately- neither left nor right. I follow the auto; now worrying what will happen at the next signal....whether the auto can do the reverse and hit my car...

By chance, if an accident takes place with an auto-rickshaw, more than the damage to the car, the



scene created by the auto-driver drives me mad. He starts his diatribe in such a high-decibel that all other people on the road immediately surround you-often I wonder how in Indian roads only, there are so many 'unemployed persons' on the road at any given point of time, whether it is mid-day or mid-night. (Whereas in USA where I had gone recently, hardly I had seen any pedestrians or side-walkers.) The auto-driver raises the pitch further on seeing the crowd and tries to extract more amount for an invisible damage to his vehicle. Again the Policeman appears on the scene, as usual, only after the deal is struck as we see in films where the Police jeep arrives only after the hero has smashed the villain and his gang thoroughly and of course in the process broken umpteen glasses and a good number of vehicles- but now after visiting the Corning Glass Factory at Corning, USA, I know no glass really breaks, only such an appearance is made without actually breaking into innumerable pieces!

The noise pollution created by autos having a two-stroke engine is so high that these autos have removed their horns as there is no necessity for the same. The order of the Government to convert these machines into four-stroke engines have fallen on deaf ears, deafened, may be, due to the loud noise created by the two-stroke engines!

But one good thing about auto-drivers is that they make the passengers pray to God all the time for reaching their destination safely.

I recall an anecdote where both a Priest and an auto-driver die due to an accident-naturally due to the rash driving of the driver. However the Priest is sent to the Hell and the auto-driver to the Heaven. Naturally the Priest is aggrieved and asks for the reason for this discriminatory treatment. God replied "While the auto-driver made people pray all the time sincerely while driving but you made the people sleep whenever you addressed them in the Church"!

### **The Water-Tankers**

With water problem becoming perennial in many Metros, the Water-tankers have become a regular feature on the roads. The way these are driven makes you wonder whether they are carrying water for drinking purposes or they are rushing for dousing the fire on some building. I am afraid whether I am giving an idea to these water-tankers to them- they may install a fire-engine bell to drive further faster!

The golden rule under our 'art of driving' is to immediately give way for the water-tankers as we give for ambulances. (Now-a-days, even for ambulances, many vehicles don't give way after some enterprising news reporter published the story of an ambulance driver rushing to meet his girl-friend misusing the siren! ) Anyways, for followers of my Theory, the best way to save you and your car is to allow the water-tanker pass you peacefully. The water-tanker driver may even sneer at you mock fully, pl. ignore him.

### **The Cyclists**

I wonder often at the driving skills of a cyclist in India-how he beautifully enters the small gap between two cars without creating any scratch, navigates among the thick of vehicles, from right to left and turns wherever he wants to turn. As soon as I see a cyclist on the road, I immediately slow down my car and say a prayer to God as that's only thing I could do. I simply allow him to overtake me even my wife says that I may enter the Guinness Book of World Records in being the only person, allowing a cycle to overtake a car!

### **The Two Wheelers**

I have come to the most crucial aspect of city car driving, especially in the Southern cities like Chennai and Bengaluru where the no. of two-wheelers has increased manifold.

In Bengaluru, being the IT Capital of India, the two-wheelers have taken over the pavements meant for pedestrians too by riding on these road platforms. They only want a small gap between two cars, they will go through it, causing scratches on the front and back portions of the cars-there is no car in Bengaluru without these 'scars'. They drive so close to the vehicle in front with the result if there is any sudden brake applied by the earlier vehicle, there is a bang on the back- the motor cycle hitting the car, the following vehicle hitting the motor cycle and so on.

Once a lady driving a scooter went so near my car that her vehicle removed my side-mirror and took it with her. When I parked my car near her subsequently and asked her to return my car's side-mirror, she returned it with a sheepish smile.

The less I talk about the two-wheelers overtaking you by your left side instead of the mandatory right side, the better. The beauty is that all these things are done by highly educated and qualified persons in the society.

### **The Safety Measures**

The mandates of the Government for the two-wheelers to wear safety helmets have no much effect-either the rule is not observed or an apology head-gear in the name of a helmet is worn.

Many people think that wearing helmet is for complying with a rule-they never think that it is for their own safety and welfare. Despite knowing that fatal accidents take place in the absence of helmet-India is leading in the no. of road accidents in the entire world-still there is reluctance in following these safety rules.

Recently even a film celebrity in his TV program talked of this danger and a few parents who lost their children in such road accidents spoke with tears in their eyes. Let me hope that people who saw this program would try to persuade themselves and others to follow this helmet principle.

The same attitude is shown towards wearing seat belts in the cars. While it is compulsory in a few foreign countries to wear the seat belts for all the passengers-not only the driver of the car and the person sitting in the front rule-in India, only in some cities the safety belt seat rule has come, first for the driver. When this rule will come for others, God only knows. Similarly for children, in foreign countries, there are separate seats with belts in the cars in the rear-side, with the child facing backwards and it is compulsory to use them. There is even a board informing the other car drivers that there are children travelling in the car so that proper precautionary steps are taken by the other drivers.

But often I hear only one argument in India is that our roads are so ill-maintained, how can you go fast and get into an accident and hence where is the necessity for seat-belts. My only answer is-Prevention is better than Cure.

Often we wear the seat-belts only to avoid the penalty from the Police authorities. Even we feel we need not wear it during night times, because the Policeman can't see it in the darkness but when an accident happens, who suffers? Wearing seat-belts is only for our safety and welfare.

### **Lady Drivers**

Although I am not a male chauvinistic pig, still some women driving the cars drive me nuts.

Sometimes I get a feeling whether the steering will fly from their hands, because they appear to hold it so tightly. Again, this is only in a few cases- there are a good number of ladies, who drive two-wheelers and cars so excellently and effortlessly. May be, after a few years, the situation will change and women will become better drivers than men, as they are excelling in so many other fields.

For the time being, my safety rule is either you overtake a lady driver and go away from the scene or allow her to overtake you and you stay behind! The choice is yours.

### **The Stray Animals on the Road**

We are great experts in peaceful co-existence that many foreigners often wonder how cars, cows, buffaloes and dogs can happily go together in Indian roads.

Some of these animals are natural speed-breakers, apart from the man-made ones. Some of the speed-breakers are so high and irregular that they can be 'Back-breakers'.

There is a belief in Southern cities that if a pregnant lady is delayed in being taken to the hospital for delivery, she should be transported in an auto-rickshaw so that there will be an automatic safe delivery of the child enroute itself in view of the speed-breakers and rash driving.

Whatever it may be, we have to be careful that we don't hit a goat, cow or hen while driving. The moment

it is hit, immediately there will be huge mob and the owner of the animal will claim that the particular goat/ hen was being grown for sacrificing to Goddess and it was a great sin that the animal was hit and naturally the compensation amount would soar high.

I recall an incident when such an owner demanded Rs.5000 for his injured goat saying that it would have lived for so many years and fetched him so much income at the end of five years. The driver of the car could not win over this argument and quietly gave a cheque for Rs.5000 but only with the date of five years hence- a post-dated cheque. Don't ask me whether it was accepted by the goat-owner!

### The GPS

This is a device used in USA to guide the driver on the road-there is nobody on the road freely available for asking for directions unlike in India-this is called the GPS-Global Positioning System-showing the map to the destination and giving instructions.

I pray we should get such a system in India too at least for major cities so that the driver can reach the destination easily. Here the moment the front vehicle goes slow, you can be sure that he does not know the route and he/she wants to elicit information from some passers-by and accordingly you have to drive your car slowly behind the earlier driver, without losing patience.

But the problem is even when you lose your cool and shout at the other driver, he/she can not hear as both the vehicles are air-conditioned and the window glasses are down, so only your wife sitting next to you, hears all your 'gallies'!

But my own fear is even when you have an UPS- I understand some Smart phones are having this GPS Facility in India too- that instrument too can't guide you correctly and properly as there are so many diversions and one-ways made every day by the Police authorities that the Smart phone will only guide you back to your residence!

### The Ultimate Solution-Prayers

Whatever guidelines I give you under the Art of Driving, ultimately what will save you is only a prayer.

Install a Deity's idol or picture in the car- it is there in almost all the vehicles- and say a minute's prayer before leaving. You may feel peaceful and confident.

Recall BABA's words- Start Early, Drive Safely & Reach Peacefully.

### Tailpiece

Once a man was caught driving the car rashly-the Policeman stopped him and asked for driving license. The man replied that he was learning. The Policeman asked "Where is the Instructor? He should be by your side." The man replied "I am learning on line from my wife"!

### What are our Precautions?

We have now come to the more serious II Part of my article.

- The problem begins from the stage of giving driving licenses to the people. The Regional Transport Office is supposed to be a den of corruption. The Break-Inspectors operate through 'Middle-men or Agents'. There are even some tariff rates for allotting the driving licenses.
- The Car Driving Learning Institutes are another haven for making money. You need not go for Learning classes or show your 'driving skill' to the Authority or draw 8. Your driving license will come home.
- The mandatory eye-testing for certain people and senior citizens- this includes me too- is not done properly or done perfunctorily so that people with deficient eye-sight or who are color-blind are running the vehicles even during night time.
- The position is even more pathetic as far as Heavy vehicle drivers- Lorries & Trucks- a majority of them are already illiterate or semi-literate. The Cleaners only drive the lorries at night times, as the drivers want to take rest. The Shift-duty rule- the driver to be changed after every 8 or 12 hours- is not followed by the majority of the Truck owners. This rule is applicable for bus drivers also- but followed by only some

Government Corporations and not all- and not at all by the Private Operators.

- The Traffic Police and other law enforcing authorities are interested in only earning more 'money' by extractions. They don't issue challans to the erring drivers but collect money and leave the culprit. Thus even the latest Amended Traffic Rules have not deterred the erring drivers nor they have brought more revenue to the Government coffers. Instead the 'Tariff Rates' have increased for traffic offences to be collected illegally.
- There is mandatory Motor Insurance only for the vehicles in India. Even here the General Insurance companies data say that two-thirds of the vehicles on the roads have not renewed their insurance.
- To talk of life insurance or accident insurance is only a matter of shame. A majority of our Lorry and Bus drivers are without any insurance.
- The latest Prime Minister's Suraksha Bima Yojana- PMSBY- is an answer in this direction. For a mere Rs 12 per year, the person between age 18 to 70 gets an accident cover of Rs 2 lacs. The death due to accident and the Disability due to accident are covered under this scheme. All the truck owners are requested to insure all their drivers and

cleaners under this scheme.

- If a person can afford a little more, he/she can go for the Prime Minister's Jeevan Jyoti Bima Yojana- PMJJBY- where for an annual premium of Rs 330, you get a cover of Rs 2 lacs for all kinds of death or disabilities including natural death.
- There should be regular eye-check up for all the heavy-vehicle drivers as they drive during nights too.
- Drunken Driving is prohibited in this country. But is it followed either by the drivers or checked regularly by the Police authorities? Even the educated people don't follow this simple rule with the result how many young lives are lost every day? This is a common occurrence during the New Year Eve and other festival nights.
- I have given the dangers of not wearing helmets while driving two wheelers and not wearing seat belts while driving cars, overtaking on the wrong side, changing lanes without proper indication, crossing red-traffic lights, driving very close to the vehicle in front etc in my first part of my article- The Art of Driving.
- Speed Thrills But Kills, 7 kms next Petrol Station, 5 kms next Police Station, 3 kms next Hospital but 1 km is the CEMETERY, Drinking & Driving don't go together, Being Late is better than being

Mr. Late are some of the interesting road signs I have seen.

- Road safety is every one's concern- not only of the Police authorities. How many of us have noted the vehicle number of the erring driver and informed the Police? How many of us have clicked the wrong doing acts of the drivers in our mobiles and given to the law enforcing authorities? How many of us have stopped to help the victims in an accident spot? The most important 'Golden Hour' may save many a life. How many of us have moved to the left and given room to the siren-blaring ambulance immediately? How many of us have stopped at the automatic red signal even at the mid-night, even when the Policeman is not around?
- If your answer is 'YES' to these queries, Road Safety is our nearer destination.

*-R. Venugopal is a Retired Executive Director, LIC and Retired Professor, NIA, Pune.*



ISSUE FOCUS

# Time to curb the Highest Road fatality rate

- Jagendra Kumar

Indian roads were at their deadliest in 2014 claiming more than 16 lives every hour on an average. Over 1.41 lakh people died in accidents, 3% more than the number of fatalities in 2013. The numbers of crashes and of people left injured -at 4.5 lakh and 4.8 lakh -were also at the highest levels since the recording of such data started in India. According to the latest data released by the National Crime Records Bureau (NCRB), speeding and dangerous driving were the biggest reasons for road fatalities. Accidents involving two-wheelers and Lorries accounted for nearly half of the lives lost in road crashes.

Among 53 mega cities, Delhi registered the highest number of fatalities at 2,199. It was followed by Chennai (1,046), Bhopal (1,015) and Jaipur (844). While 13,787 two-wheeler drivers were killed in crashes, 23,529 other people were killed in accidents involving these vehicles, while close to 1.4 lakh people were left injured. Speeding accounted for about 1.7 lakh crashes and nearly 49,000 deaths. Dangerous careless driving or overtaking claimed other 42,000-plus lives in 1.4 lakh crashes. Almost half of those who die in road traffic crashes are pedestrians' cyclists or users of motorized two wheeled


vehicles - collectively known as "vulnerable road users" - this proportion is higher in the poorer economies of the world.

Motor insurance contributes more than one third of the premium income for the non-life industry. At present, due to the high claims ratio of around 140% from third-party motor insurance, insurance companies provide cover from a common declined pool instead of from their own books. Also, it has been experiencing losses and has a high ratio of claims payment. But shifting its failures to the shoulders of the policyholders by charging

**37% ACCIDENTS DUE TO SPEEDING**

**IN 2014**      **4.5L** ROAD ACCIDENTS      **1.4L** DEAD      **4.8L** INJURED

- > **3% rise in fatalities** in 2014 over 2013 (1,37,423 deaths). **Highest jump in Ghaziabad, Allahabad, Bhopal and Ranchi**
- > **26.4% of deaths** caused by 2-wheelers. Most of these accidents were in Tamil Nadu and Maharashtra
- > Maximum accidents reported from **Tamil Nadu, Maharashtra, Karnataka, Madhya Pradesh & Kerala**
- > Maximum deaths in **UP, Tamil Nadu and Maharashtra**
- > **Speeding caused 37% of accidents; claimed 48,654 lives**



**DRIVERS ARRESTED**

Year	Fatal Accident		Simple Accident	
	Men	Women	Men	Women
2008	1,165	13	4,580	90
2009	1,236	8	3,843	82
2010	1,139	8	3,524	56
2011*	724	12	2,524	53

\*Up to September 15, 2011



them with an increased premium and restricting them is not the way to boost itself. Insurance companies are working towards enhancing and improving its underwriting standards and research methods rather than putting the burden of their losses on the innocent customer, who already pays high premium rates. Section 145 to 164 of the Act provides for mandatory third party insurance, which is compulsory for a vehicle owner. Section 146(1) of the Act prohibits a vehicle owner from using the vehicle in a public place without undertaking an insurance policy in compliance with the Act. Further, the Act provides for unlimited liability and limited defence of the insurance companies. Several court judgments passed by the Supreme Court have restricted the legal defence strategies put forward by various insurance companies. Also, the liability to prove the limited defences rests on the insurance companies. Third-party insurance, which is mandatory for every vehicle in India, is highly unprofitable as the liability for

insurers is unlimited and the premium is fixed by the insurance regulator.

#### KILLER ROADS:

Chances of getting killed in a road accident are the highest in Amritsar and in the country's Mercedes capital Ludhiana. Latest data on road fatalities shows that at least six people died in every 10 road crashes in these two cities in 2012 against only three in Delhi, which recorded maximum fatalities in 2012. Though Mumbai recorded the highest number of accidents among 50 million-plus cities, the fatality rate was only 2%. The 'Road Accidents in India' report prepared by the transport research wing of the road ministry also shows that roads in Punjab are proving to be fatal for commuters. The severity of accident - deaths per 100 mishaps - in the state has been increasing in the past four years. While it was 65.9% in 2009, this increased to 76% in 2012. Ludhiana and Amritsar are the worst examples. But the state as a whole is also losing over 4,800 lives in road accidents. The industrial city of

Ludhiana has around 1.4 million vehicles for its 3.5 million people, of whom 20-30% are migrant labourers. Traffic coming from six districts passed through the city and almost 23 km of the under-expansion Panipat-Jalandhar highway runs through the urban area. On top of this, annually around 35 crore bottles of liquor are sold in the state that has a population of only 2.7 crore. Out of this, around 1.49 crore are women. So, we can make out how many times and how many people drive in a drunken state.

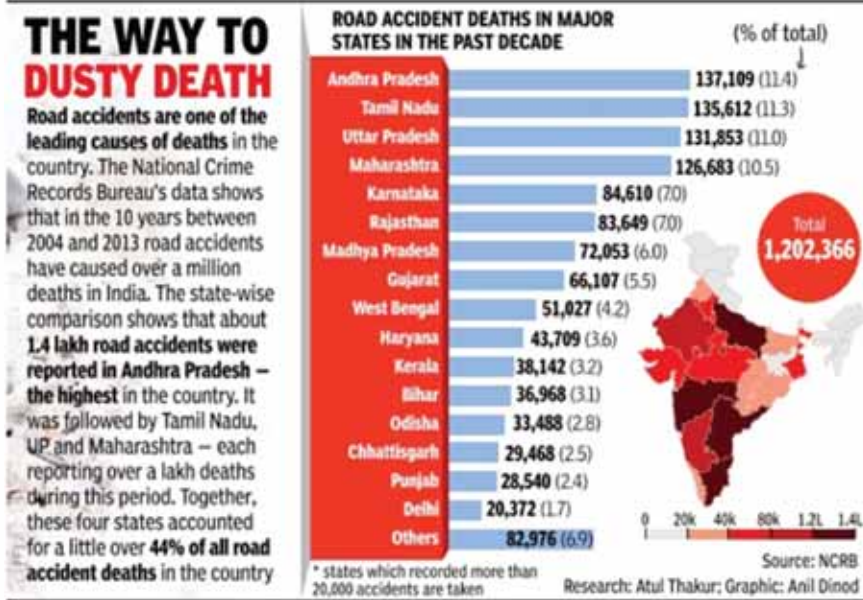
#### PEAK PERIOD:

The monsoon might mean waterlogged roads, flooding of low-lying areas, overflowing of gutters and ditches -complete traffic chaos in a nutshell. An analysis of NCRB data on traffic accidents in the past ten years shows the positive side of this turmoil. At the all-India level, July, August and September witness the lowest number of accidents. May, on the other hand, is the month that sees the most accidents. Experts link this to clear weather during the month in most of the country and the fact that truckers' working hours increase also because goods are being transported before the rains make it more difficult to do so. Because engines tend to heat up during the day in the summer, commercial transport seeks to maximize the night. With visibility also good, average speeds tend to rise too, hence the larger number of accidents in May. The monsoon,

### KILLER ROADS

Total fatalities across the country		Toll in 50 cities		
138,258		16,995		
City	Accidents	Killed	Injured	Severity*
Amritsar	152	95	71	62.5
Ludhiana	430	262	250	60.9
Jodhpur	533	313	436	58.7
Varanasi	379	216	160	57
Delhi	6,937	1,866	6,633	26.9
Chennai	9,663	1,401	8,628	14.5
Mumbai	24,592	488	4,543	2

\*Deaths per 100 accidents All figures of 2012



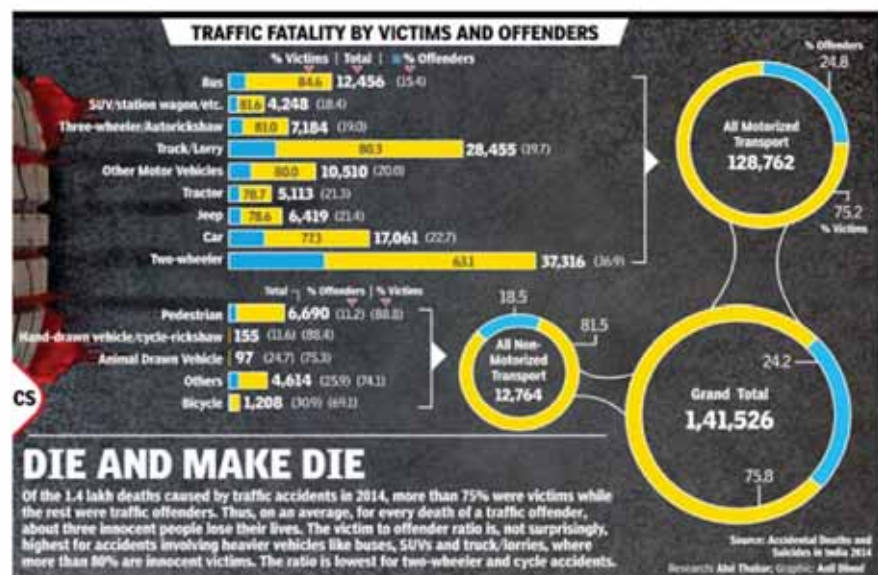
in contrast, increases caution and reduces speed and volume of traffic. A state-wise analysis shows variations from this all-India trend. But these can also be linked to the local climate and terrain. For instance, accidents spike in Delhi, Punjab, Haryana and Uttar Pradesh during the winters, perhaps due to the dense fog often seen in these months.

their legal heirs. This Act entitles the legal heirs of a deceased accident victim to claim compensation from the person who committed negligence. Indian law on accident claims is relevant due to the higher rates of accidents leading to loss of life and property across the country. In 1988, the Government of India introduced the Motor Vehicle Act, to make the

Indian laws on accident claims more effective. The Act provides for compulsory third party insurance and procedure of adjudication, to ensure relief to victims of accident cases. Also, the Act stipulates for establishment of Motor Accident Claims Tribunal to address the accident claim cases. Government of India is also proposing a separate Motor Vehicle Insurance and Compensation Legislation regarding the increase of third party premium, fixing the third party claim, obligatory underwriting of third party risk, delay in claims, compensation amount, fraudulent claims etc. The Motor Vehicles Act does not prescribe any claim limit for motor accidents, whereas the Motor Vehicles (Amendment) Bill suggests a cap of a maximum compensation of Rs. 10 lacs by the insurance company. Anything more will have to be paid by the owner. Indian law on accident claims pertain mostly to the Motor Vehicle Act. Section 140 to 144 of the Act

### INDIAN LAWS ON ACCIDENT CLAIMS:

Indian laws on accident claims are quite stringent. The laws were formulated by prioritizing the best interests of the victims and those who are liable to disburse the compensation, such as insurance companies. Indian laws on motor vehicle accident claims are strict but beneficial for victims in claiming their legal rights in a court of law. The Fatal Accidents Act, 1885 was enacted in India to protect the legal rights of the accident victims and





provides for No Fault Basis, which ensures relief to the families of victims who are killed in hit and run accidents, and where the killer vehicle is not identified.

### FINANCIAL AID TO VICTIM:

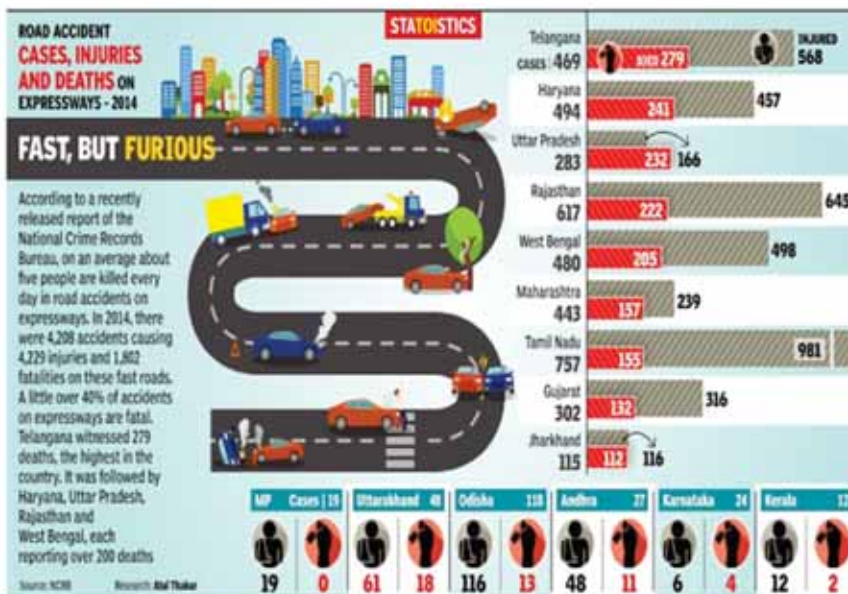
A bench of Justices Aftab Alam and R M Lodha said, “We are constrained to observe that a suit for damages for a murder of a person, like the present one, is filed under the Fatal Accidents Act, 1855. As the year of enactment shows, the Act dates back to the period when the greater part of the country was under the control of East India Company with the last Mughal ‘Emperor’, Bahadur Shah Zafar, as the ineffective, though titular monarch on the throne at Delhi.” The Supreme Court asked the Centre to immediately commence work to draft a new law to replace the archaic legislation. It expressed serious concerns over the extreme inadequacies in the law governing suits for damage filed by

relatives to claim compensation for death due to rash and negligent act, including drunken driving cases. It rapped the government for not taking note of a 20-year-old apex court judgment recommending drastic change in the 1855 law or a new legislation to meet the present-day challenges. The Act was enacted to provide compensation to families for loss occasioned by the death of a person caused by actionable wrong. It is a matter of grave concern that such sensitive matters like payment of compensation and damages for death resulting from a wrongful or negligent act are governed by a law which is more than one and a half centuries old. The Fatal Accidents Act, on account of its limited and restrictive application, is hardly suited to meet such challenge. It is unfortunate that the observations of the SC have so far gone completely unheeded. If death is caused by rash and negligent driving and the driver is

unable to pay adequate compensation to the victim’s family because of his poor financial status, the state government must step in and pay the amount, the Supreme Court has ruled. “We are of the view that where the accused is unable to pay adequate compensation, the court ought to have awarded compensation under Section 357A from the funds available under the Victim Compensation Scheme framed under the said section.”

### UNINSURED VEHICLES ON ROADS:

Although, at present, vehicle insurance is mandatory, many people violate the regulation. A study by state-run general insurer New India Assurance shows that nearly 70% of motorcycles and scooters on the road are not insured. About a third of the cars and trucks are uninsured as well. A draft Bill to amend the motor vehicle law has attracted wide attention because of its proposals for big increases in penalties on vehicle owners who fail to buy insurance and traffic offences such as drunken driving and an accident in which a child is killed. The Road Transport & Safety Bill proposes that if a motorcyclist is caught riding without an insurance policy, the penalty will be INR10,000 (US\$163) while owners of light motor vehicles and auto rickshaws will have to cough up INR25,000. For any car or truck driver caught driving without an insurance policy, the penalty is as high as INR75,000. This compares to a fine of just INR1,000 for all



vehicles under the law currently in place which is the Motors Vehicles Act, 1988.

According to traffic officials, 70% of road mishaps occur due to negligence, while 10% occur because of snags. India thus perhaps has the highest road fatality rate in the world. The need to tackle this issue expeditiously couldn't have been more pronounced. Keeping in view the urgency to address this problem, Bosch and WABCO being one of the major providers of vehicle safety solutions to the market, have taken the initiative to collaborate with the automobile industry to discuss possible measures in this direction. It is crucial that critical safety features become a mandatory aspect of any vehicle that plies on Indian roads. The problems and fatalities on Indian roads are very real and it is imperative to use available technology and global best practices to make the vehicles safer. And in

this endeavour these providers look forward the support of OEMs, the government, industry players and the end users themselves. With the rapid growth in traffic volumes and transportation routes, India is facing an alarming growth in the number and severity of road accidents.

UP's ambitious 'No Accidents Day' saw something close to a miracle. No road mishaps in three of its biggest cities -Meerut, Agra and Bareilly -were reported on July 1, 2015. To make the campaign successful, police was deployed at high-accident 'grey' and 'black' spots across the state. At many places they conducted eye check-ups. The state reported 16,287 deaths from traffic accidents and 22,337 injuries in 2014. 'Safety Drive 2013' initiative with Bosch offers a powerful platform to highlight the positive and proven impact that established vehicle safety technologies, including ABS (Anti-Lock Braking System) and ESC

(Electronic Stability Control), can have on reducing the number of accidents on India's roads today.

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# Road Safety and Motor Insurance

- *S.Subashini, Dr. R.Vel murugan  
and Dr. M. Ashok Kumar*

## NEED FOR THE STUDY:

In India, the motor vehicle population is growing at a faster rate than the economic and population growth. The statistics on road accidents in our country are increasing day by day. According to the World Health Organization (WHO), road traffic injuries are the sixth leading cause of death in India with a greater share of hospitalization, deaths, disabilities and socio-economic losses in the young and middle-aged population. The government is taking huge efforts to reduce accidents and deaths. Prime Minister Narendra Modi, will soon implement the National Road Safety Policy and cashless treatment for road accident victims. Accordingly, in cities like Gurgaon, Jaipur, Vadodara, Mumbai and Ranchi among others, cashless treatment facility would be initiated for road accident victims for the first 50 hours after a mishap. Young people aged between 15 and 25 years lose their lives in nearly one-third of all road accidents. The government would soon introduce a Road

Transport and Safety Bill in parliament and work to implement the National Road Safety Policy and a Road Safety Action Plan. The provisions in the Road Transport and Safety Bill includes Transparent, centralised and efficient driver's licensing system mandatory safe driving training for all, strict regulation of Heavy Motor Vehicles (HMV's) such as trucks, buses and lorries, stringent punishment for drunk-driving, over-speeding and dangerous driving, stringent punishment for violation of helmet and seat-belt laws, establishment of an independent and empowered lead agency for road safety. This study evaluates development in the motor insurance industry, its growth, reasons for road accidents, Government efforts towards road safety, Existing Laws prevailing, Legal issues and Recommendations to reduce the road accidents.

Keywords: Heavy Motor Vehicles, National Road Safety, Legal issues

## AIM OF THE STUDY:

To understand the importance of road safety measures in India and

need of the motor insurance.

## STATEMENT OF THE PROBLEM:

The problem prevailing in India is during 2014, 16 Indians died in road accidents every hour. Total death count in India 1,41,526 ( Source- NCRB) which includes the top three states U.P- 16,284, Tamilnadu- 15,190 and Maharashtra- 13,529. All these states account for a third of all traffic accidents death in the country. Two wheeler drivers comprise a quarter of the total deaths. Tamilnadu, particularly Chennai, has high levels of road fatalities. The National Crime Records Bureau's Accidental Deaths and Suicides in India report for 2014 show a slight increase in traffic accidents and a slight decline in suicides.

Over 1.4 lakh people died in road accidents in 2014, a slight increase over the previous year. Close to 75 percent of two-wheelers are not insured in India. These vehicles pose a threat to the lives of those people who get into an accident with them. Despite 1.2 million deaths in the past decade and close to 400 every



single day which is equivalent to a jumbo jet crashing every day, road safety in India is at serious risk of being ignored and compromised again. If Preventive measures are not taken now, India may never be able to stop the epidemic of road accident deaths and injuries and road traffic crashes are predicted to result in the deaths of around 1.9 million people annually by 2020.

The reason for the study is to analyse the reasons for road fatalities, to find out the number of lives lost in road crashes?

To know the common forms of distraction leading up to a crash ?

To analyse the distribution of road accidents among state wise data?

To understand the Government efforts regarding road safety?

To suggests certain recommendations to reduce the fatalities caused by road accidents?

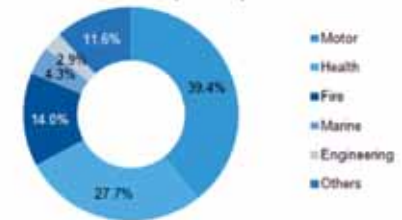
## OVERVIEW OF LITERATURE:

### INTRODUCTION:

The Motor insurance industry had grown by 13 per cent in FY 2014 to Rs 77,540 crore, according to the General Insurance Council data. A Road Traffic Accident (RTA) can be defined as, 'An event that occurs on a way or street open to public traffic; resulting in one or more persons being injured or killed, where at least one moving vehicle is involved. During 2008, Road Traffic Injuries (RTI) ranked fourth among the leading causes of death in the world. Nearly 1.3 million people die every year on the world's roads and 20 to 50 million people suffer non-fatal injuries, with many sustaining a disability as a result of their injury. Road traffic injuries are the leading cause of death among young people aged 15-29 years and cost countries 1-3percent of the gross domestic product (GDP). Ninety-one percent of the world's

fatalities on the roads occur in low-income and middle-income countries, even though these countries have approximately half of the world's vehicles. Half of those dying on the world's roads are 'vulnerable road users' like Pedestrians, cyclists, and motorcyclists. Only 28 countries, representing 416 million people 7percent of the world's population, have adequate laws that address all five behavioural risk factors speed, drink-driving, helmets, seat-belts, and child restraints.

Break-up of non-life insurance market in India (FY16\*)



(Source: IRDAI Annual Report 2014)

### STATISTICS:

- State wise data: During the calendar year 2012, Tamil Nadu has reported the maximum number of road accidents (67,757) accounting for 15.4percent of such accidents in the country.
- Around 82percent of vehicles in India are privately owned and a majority of these are two-wheelers.
- Maharashtra had the highest number of registered vehicles in the country.
- The highest number of deaths due to road accidents during the

Year	Number of accidents		Number of persons		Accident severity*
	Total	Fatal	Killed	Injured	
2002	40,7497	73,650 (18.1)	84,674	4,08,711	20.8
2003	406726	73,589 (18.1)	85,998	4,35,122	21.1
2004	429910	79,357 (18.5)	92,618	4,64,521	21.5
2005	439255	83,491 (19.0)	94,968	4,65,282	21.6
2006	460920	93,917 (20.4)	1,05,749	4,96,481	22.9
2007	479216	1,01,161 (21.1)	1,14,444	5,13,340	23.9
2008	484704	1,06,591 (22.0)	1,19,860	5,23,193	24.7
2009	486384	1,10,993 (22.8)	1,25,660	5,15,458	25.8
2010	499628	1,19,558 (23.9)	1,34,513	5,27,512	26.9
2011(P)	497686	1,21,618 (24.4)	1,42,485	5,11,394	28.6

P: Provisional. Source: Information supplied by States/UTs (Police Departments). Figures within parentheses indicate share of fatal accidents to total accidents \*Accident Severity: No. of Persons killed per 100 accidents

(Source: Information supplies by states/UTs)

years were reported in Tamil Nadu (11.6percent) followed by Uttar Pradesh (10.9percent), Andhra Pradesh (10.8percent) and Maharashtra (10.0percent).

- The highest cases of 'mega city' road accidents were reported in Chennai (9,663), which resulted into 8,628 injuries and 1,401 deaths, followed by Delhi (city) (5,865 cases, 5,563 injuries and 1,527 deaths) and Bangalore (5,508 cases, 4,527 injuries and 725 deaths), among the 53 mega cities.
- Classification of Roads: National Highways accounted for 30.1percent of the total road accidents and 37.1percent of the total number of persons killed in 2011.
- State Highways accounted for 24.6percent of the total accidents and a share of 27.4 percent of the total number of persons killed in road accidents in 2011.
- Area wise data: In 2011, the total number of accidents that occurred in rural areas (53.5percent) was more than

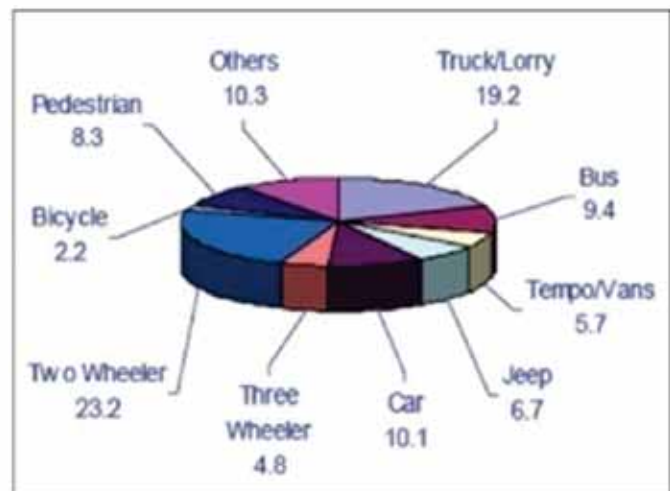
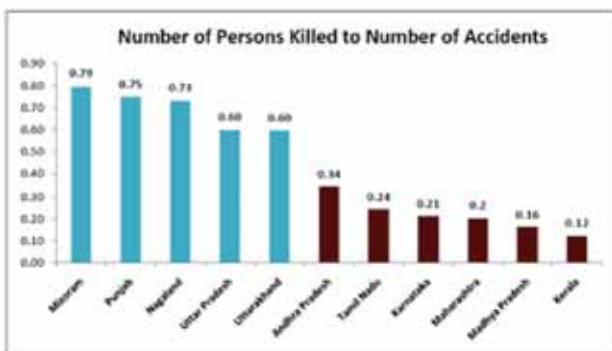
that in the urban areas (46.5percent).

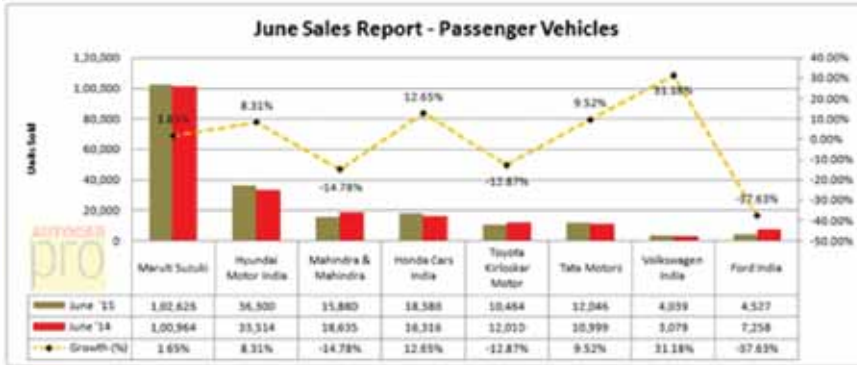
- Area wise data :Rural areas had more fatalities (63.4percent) than urban areas (36.6 percent). The number of persons injured was also more in rural areas (59.4 percent), as compared to urban areas (40.6 percent).
- Age group wise data: The detailed age profile of accident victims other than the drivers, for the year 2011, revealed that the age group between 25 and 65 years accounted for the largest share, 51.9percent, of total road accident casualties, followed by the age group between 15 and 24 years, with a share of 30.3percent.
- Female ratio: Only 15percent of the road accident victims were females during the calendar year 2012.
- Mode of Transport: 23.2percent of the victims of road accidents were occupants of 'two wheelers' during 2014.

- Drunk n Drive: In 2014, Traffic police prosecuted 28,059 motorists for driving drunk against 26,633 in 2013. In 2014, there was an 83.3 per cent increase in cases in which people were awarded a jail term for driving drunk – 6,653 people were sent to jail last year against 3,628 people in 2013.
- Time of occurrence: In 2012, 16.7percent of the cases of road accidents were reported to have occurred between 1500 hours and 1800 hours (day), followed by 16.6percent between 1800 hours and 2100 hours (night) and 6.3percent between 0000 hours to and 0300 hours.

#### REASONS FOR ROAD ACCIDENTS:

- Increase in number of vehicles produced: The industry produced a total of 23,366,246 vehicles including passenger vehicles, commercial vehicles, three wheelers and two wheelers in April-March 2015. The sales of Passenger Vehicles grew by 3.90 percent in April-March 2015 over



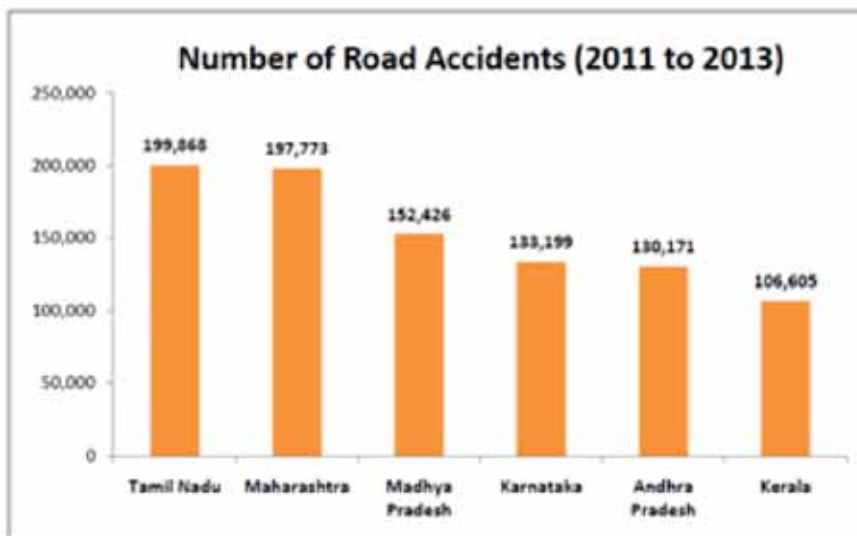


the same period last year. Within the Passenger Vehicles segment, Passenger Cars and Utility Vehicles grew by 4.99 percent and 5.30 percent respectively. Three Wheelers sales grew by 10.80 percent in April-March 2015 over the same period last year. Passenger Carriers and Goods Carriers grew by 12.16 percent and 5.27 percent respectively in April-March 2015 over April-March 2014.

- Uninsured of vehicles is a major problem: Close to 75 percent of two-wheelers are not insured in India. These vehicles pose a threat to the lives of those

people who get into an accident with them.

- Mode of Transport: Two-wheelers are said to be considered as the most dangerous means of travelling all over the world. It is not just those people riding on two-wheelers who are at risk, but so are pedestrians and cyclists as well.
- Problems in rural areas: The number of two-wheelers have increased exponentially specifically in rural areas in the past few years. It is in these areas that insurance is often ignored by the respective enforcement agencies.



- Increase of population: Expansion in the road network, a surge in motorization and the rising population in the country contribute toward the increasing numbers of road accidents, road accident injuries and road accident fatalities.

- The road network in India, the numbers of registered motor vehicles in the country and the country's population have increased at a compound annual growth rate (CAGR) of 3.4percent, 9.9percent and 1.6percent respectively, during the decade 2001 to 2011. During the same period, the number of road accidents in the country increased at a CAGR of 2.1percent.

- Distraction was a factor in nearly 6 out of 10 moderate-to-severe teen crashes. Like interacting with one or more passengers: 15 percent of crashes, cell phone use: 12 percent of crashes, looking at something in the vehicle: 10 percent of crashes, looking at something outside the vehicle: 9 percent of crashes, singing/moving to music: 8 percent of crashes, grooming: 6 percent of crashes reaching for an object: 6 percent of crashes.

- Speeding and dangerous driving were the biggest reasons for road fatalities. Over-speeding accounted for about 1.7lakh crashes and nearly 49,000 deaths and dangerous/careless driving or overtaking claimed another

42,000 plus lives in 1.4 lakh crashes.

- Fatigue, Speeding, Unsecured Objects, Driving with mobile phones, Improper driving skills and training, Long distance travelling and driving at night, driving on wet roads, poor climatic conditions, Driving near bush fires, Drunk and Drive, Failure of vehicle safety check, Stray animals and Pedestrians crossing, Use of earphones while driving, Unsealed roads, Break downs in vehicles, Failure to adopt safety measures like not putting seat belt in case of four wheeler and not using helmet in case of 2 wheelers, heavy loading on the vehicles, Improper signals in the road, vision problem of the driver, merging lines in the roads, absence of police and emergency vehicles are the other reasons for increase in road accidents.

**GOVERNMENT EFFORTS TOWARDS ROAD SAFETY:**

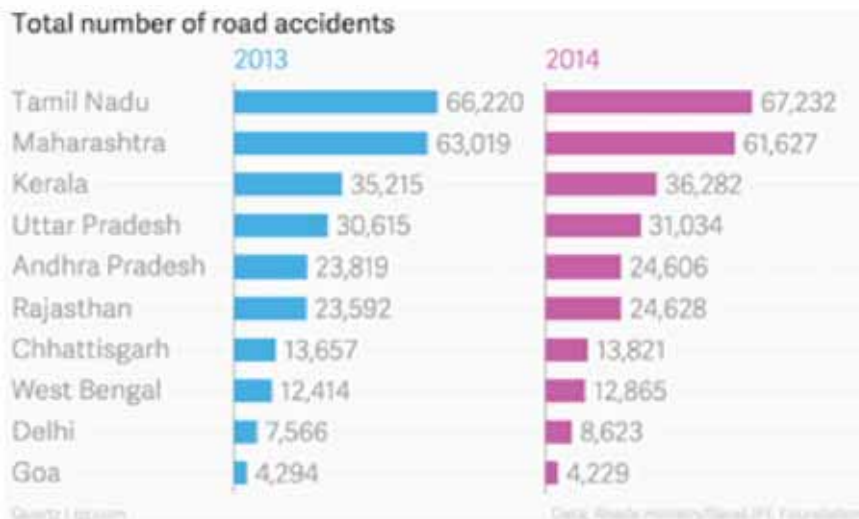
The Insurance Regulatory Development Authority (IRDAI) has made the Supreme Court aware of this situation and has asked an appointed committee to take the matter to the transport ministry and work out a method for identifying such uninsured vehicles within a time-span of three months, while also submitting a report. IRDAI analysed that most two-wheelers do not have insurance because of the fact that there is little enforcement in our country. A road transport ministry official had flagged this issue to IRDAI and asked to integrate data of vehicles without third party insurance. The Road Safety and Transport Bill proposes very high penalty- impounding of uninsured vehicle and imprisonment of its owner.

Prime Minister Narendra Modi, said that the government will soon implement the National Road Safety

Policy and cashless treatment for road accident victims. Cashless treatment facility would be initiated for road accident victims for the first 50 hours after a mishap.

**PROBLEMS AT PRESENT:**

- There are several thousand such cases pending in several courts. Motor accident claim cases constitute a big part of the backlog at all high courts. In the Punjab and Haryana High Court, 40,000 of 2.3 lakh old cases are related to motor accident claims, some of them pending since 1985.
- Most of the two wheelers either have no insurance or their insurance has lapsed.
- Gathering accident details is a group effort.
- Close to 75 percent of two-wheelers are not insured in India.
- In most of the cases the drivers are found to be inexperienced, risk takers, impulsive, aggressive, casual and unaware of the road signals.
- Limitations of the available statistics details of traffic crashes are not available at the national level.
- Underreporting of Road Traffic Injuries (RTIs) is a serious and global problem.
- Improper road facilities especially in rural areas.





- Absence of legislation and strict punishment enforcements.
- A few deaths and a majority of injuries are not reported to the police due to several reasons.
- Many companies have found fake motor insurance policies in circulation.

#### RECOMMENDATIONS:

- Running an uninsured vehicle should be considered as a criminal act with the harshest of punishment because people cannot be careless regarding the safety of their fellow citizens.
- Ban sale of alcohol along the national and state highways.
- Holding workshops with insurance company, police and lower court officials to train them on safety and precautions of the road accidents.
- Increase in number of traffic police, implementation of cameras in highly traffic areas, and available of hospitals and medical facilities in remote areas.

- Strengthening and undertaking research on the public health burden and impact, understanding the risk factors, characteristics of trauma, and measuring the impact of interventions through well-designed public health and clinical research methods.

- The Society of Automobile Manufacturers, the National Highway Builders Federation, and the General Insurance Council—industries, public together can support as a team to reduce the accidents.

- Vehicles should have the best safety ratings possible. At a minimum, that means good ratings in the IIHS moderate overlap front test, acceptable ratings in the IIHS side crash test and four or five stars from the National Highway Traffic Safety Administration (NHTSA).

#### CONCLUSION

Learning about distraction while driving would be very helpful. Uninsured vehicles is a problem in motor insurance. Nearly 70percent two-wheelers and 30-35percent of

four wheelers are uninsured. It is challenge to society as victims of accidents caused by these vehicles do not get adequate compensation. In that situations long-term insurance policies for some segments of vehicles, which may be filed with the regulator is a solution to the problem. We have to improve driver skills, knowledge and attitudes through campaigns. Many foreign countries had best road safety records in the world. Our Indian government has to implement those world class infrastructures in the nere future to avoid road accidents.

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## प्रकाशक का संदेश

### सड़क सुरक्षा और मोटर बीमा

बारहवीं पंचवर्षीय योजना के दस्तावेज में यह उल्लेख है कि भारत के पास विश्व के वाहनों का 1% उपलब्ध है, परंतु सड़क दुर्घटनाओं के कारण विश्व में मारे जानेवाले सभी लोगों के 10% से भी अधिक व्यक्ति भारत में है। दसवीं पंचवर्षीय योजना में यह अनुमान किया गया कि वर्ष 1999-2000 में भारत ने सड़क यातायात दुर्घटनाओं के कारण अपनी जीडीपी का लगभग 3% खो दिया है। इसके अलावा, “भारत में सड़क दुर्घटनाएँ 2014” पर सड़क पविहन मंत्रालय की रिपोर्ट के अनुसार 2014 के दौरान सड़क दुर्घटनाओं में 1,40,000 से भी अधिक लोग मारे गये थे। सड़क दुर्घटनाओं के कारण भारत में प्रत्येक घंटे में लगभग 16 लोग मर जाते हैं और 56 लोग घायल होते हैं। उपर्युक्त आंकड़े बीमा न किये गये वाहनों की संख्या के साथ देखने पर, जो 31 मार्च 2015 की स्थिति के अनुसार 59% है, एक चिंताजनक तस्वीर पेश करते हैं।



ये आंकड़े मोटर अन्य पक्ष देयता बीमारक्षा की सांविधिक अपेक्षा को लागू करने में सभी संबंधितों द्वारा और अधिक प्रयास करने की आवश्यकता को चित्रित करते हैं। जबकि मुख्य प्रवर्तन प्राधिकरण संबंधित राज्य सरकारों होती हैं, मुझे विश्वास है कि केंद्र सरकार, राज्य सरकार की एजेंसियों, बीमाकर्ताओं और सभी अन्य संबंधित हितधारकों द्वारा समक्रमिक प्रसास के मोटर वाहन अधिनियम के उपबंधों का अत्यावश्यक अनुपालन साकार होगा। सैबराबाद की पहल का अनुभव (जिसके लिए तेलंगाना सरकार के सहयोग में भारतीय बीमा सूचना ब्यूरो द्वारा पथ-प्रदर्शन किया गया) जहाँ सभी हितधारकों की सहकारिता के साथ एक विशेष अभियान संचालित किया गया, हमें दर्शाता है कि सभी संबंधितों द्वारा किये गये संगठित प्रयास से कई अबीमित वाहनों को बीमे के दायरे में लाना संभव होगा।

वर्तमान में यह एक सुविदित तथ्य है कि सभी बीमाकर्ता मोटर खंड में, विशेष रूप से सांविधिक बीमारक्षा में भारी हानि उठाते हैं। साथ ही, चूँकि सांविधिक बीमारक्षाएँ पूर्व-निर्धारित प्रशुल्क (टैरिफ) द्वारा नियंत्रित होती हैं, अतः अक्सर यह महसूस किया गया है कि हानियों को कम करने की बहुत की कम गुंजाइश शेष रह गई है।

एक ओर जहाँ मोटर बीमा व्यापन को बढ़ाने की दिशा में प्रयास प्रभावित पीड़ित व्यक्तियों और उनके परिवारों को बहुत आवश्यक राहत पहुँचाएँगे, वहीं दूसरी ओर अच्छी सड़कों का रखरखाव, वाहनों की उपयुक्तता पर बल, चालकों का उचित प्रशिक्षण... ये सब अपेक्षाकृत कम संख्या में दुर्घटनाओं के लिए मार्ग प्रशस्त करेंगे। ये दोहरे प्रयास बीमाकर्ताओं के लिए भी लाभकारी होंगे - प्रीमियम की प्राप्ति को विस्तृत बनाने में तथा दावों के कारण होने वाले व्यय को घटाने में।

हाल में अनेक मंचों से माँगें की गई हैं, जैसे बीमारक्षा को वाहनों की नियमित सर्विसिंग, प्रदूषण नियंत्रण प्रमाणपत्र, चालक के कार्यनिष्पादन रिकार्ड, ड्राइविंग लाइसेंस के नवीकरण आदि प्राप्त करने के साथ संबद्ध करने की। मुझे यकीन है, बीमाकर्ता पहले से ही इन माँगों से अवगत हैं तथा वे भविष्य में आवश्यकतानुरूप समाधान प्रस्तुत करेंगे जो न केवल परस्पर लाभदायक होंगे, बल्कि भारतीय सड़कों को अधिक सुरक्षित बनाने की दिशा में भी योगदान करेंगे।

मुझे यह देखकर प्रसन्नता है कि जर्नल के प्रस्तुत अंक में प्रकाशित आलेखों में सड़क सुरक्षा और मोटर बीमा के विभिन्न पहलुओं को सम्मिलित किया गया है। पॉलिसीधारकों को समय पर सेवाओं के वितरण के महत्व को ध्यान में रखते हुए जर्नल के अगले अंक का फोकस “बीमा व्यवसाय में समय पर सेवाओं के वितरण का अधिकार” पर रहेगा।

*टी.एस. विजयन*  
टी.एस. विजयन  
अध्यक्ष

## बेहद आवश्यक है सड़क सुरक्षा

स्वेता राणा

सड़क हादसे की घटनाएं हमें चौकाती जरूर हैं लेकिन ऐसे हादसे हमारे देश में बेहद आम हैं। आंकड़ों के मुताबिक हमारे देश में हर मिनट में 1 रोड़ एक्सिडेंट होता है और हर 4 मिनट में सड़क दुर्घटना में एक जान जाती है। दुनिया में सबसे ज्यादा सड़क हादसे भारत में होते हैं। 10 में से एक दुर्घटना भारत में होती है। बिना गाड़ी वाले भी महफूज नहीं हैं। रोड़ एक्सिडेंट में मरने वाले 38 फीसदी वो लोग होते हैं जो पैदल चल रहे होते हैं। जबकि 30 फीसदी साइकिल या मोटर साइकिल सवार होते हैं। पिछले 10 सालों में दोपहिया वाहनों की संख्या दोगुनी हो चुकी है लेकिन क्या हमारी सड़कें ट्रैफिक के इस बढ़े बोझ को सह पाने के लिए तैयार हैं। क्यों सरकार इस दिशा में नहीं सोचती? भारत में सड़क सुरक्षा सवालियों के घेरे में है क्योंकि दुनिया में सबसे ज्यादा सड़क हादसे भारत में होते हैं। कानून की कमी या जागरूकता की कमी कौनसा कारक ज्यादा है इस पर अभी सवाल है। क्या सड़कों पर दबाव अब काफी ज्यादा है और सड़क हादसों में घायल होने वालों को समय पर आपात

स्वास्थ्य सेवा क्यों नहीं मिलती है, इस दिशा में अभी काफी काम करना बाकी है। क्या सड़कों पर दबाव अब काफी ज्यादा है और सड़क हादसों में घायल होने वालों को समय पर आपात स्वास्थ्य सेवा क्यों नहीं मिलती है, इस दिशा में अभी काफी काम करना बाकी है। भारत में रोज 1300 से ज्यादा सड़क हादसे होते हैं और हर दिन सड़क हादसे में करीब 400 मौतें होती हैं। सड़क हादसों में सालाना करीब 20 अरब डॉलर का नुकसान होता है और दुनियाभर में कुल सड़क हादसों का 10 फीसदी अकेले भारत में होते हैं। सुप्रीम कोर्ट ने रोड़ सेफ्टी के नियम लागू करने के लिए कमेटी बनाई है। हाइवे मिनिस्ट्री का 10 फीसदी खर्च अकेले रोड़ सेफ्टी पर होता है। भारत में 12 करोड़ से ज्यादा वाहन हैं और इनके चलने के लिए पर्याप्त सड़क इंफ्रास्ट्रक्चर होना जरूरी है।

आखिर भारत में सड़क दुर्घटनाओं में हर साल करीब 1.5 लाख लोगों की क्यों जान जाती है। क्यों यहां होने वाला लागभग हर हादसा जानलेवा

बन जाता है। क्या एक्सिडेंट के बाद घायलों को सही इलाज मिलने का इंतजाम नहीं है। क्या हमारी सड़कें खराब हैं या हम ट्रैफिक के नियम नहीं जानते ना ही उसे नहीं मानते हैं और सरकार ऐसे हादसों को रोकने के लिए क्या कर रही है। सवाल बहुत है। इंटरनेशनल रोड़ फेडरेशन के मुताबिक 90 फीसदी हादसे ड्राइवर की गलती की वजह से होते हैं। सवाल उठने लाजिमी है। क्या ड्राइविंग लाइसेंस देते वक्त कायदे से जांच परख की जाती है? क्या सुरक्षा मानकों पर गाड़ियों की कड़ी जांच-पड़ताल होती है। ट्रैफिक नियम तोड़ने वालों पर क्या और सख्ती नहीं होनी चाहिए। रोड़ सेफ्टी बिल अभी लोकसभा में लटका हुआ है। इस बिल में ट्रैफिक नियम तोड़ने पर भारी जुर्माने का प्रावधान है। सवाल ये भी बड़ा है कि लोगों की जिंदगी से जुड़े कानून सरकारों के एजेंडे में ऊपर क्यों नहीं होते हैं? इन्हीं सब सवालियों को उठाया है अपनी इस खास मुहिम में जो रोड़ एक्सिडेंट के खिलाफ है ताकि हमारा आपका सबका सफर सुरक्षित रहे।

## सड़क परिवहन:

सड़क परिवार एवं राजमार्ग मंत्रालय, भारत सरकार का एक मंत्रालय है। यह, नियमों विनियमों और सड़क परिवहन से संबंधित कानूनों, राष्ट्रीय राजमार्गों और परिवहन अनुसंधान के निर्माण और प्रशासन के लिए शीर्ष निकाय है। सड़क परिवहन देश के आर्थिक विकास के लिए एक महत्वपूर्ण बुनियादी ढांचा है। यह गति, संरचना और विकास के प्रतिरूप को प्रभावित करती है। भारत में कुल माल का 60 प्रतिशत और यात्री यातायात के 65 प्रतिशत, सड़कों पर ले जाया जाता है। इसलिए, इस क्षेत्र का विकास भारत के लिए सबसे ज्यादा महत्वपूर्ण है और बजट में एक महत्वपूर्ण भाग बनाता है। भारत दुनिया में सबसे बड़ी सड़क नेटवर्कों में से एक है। कुल निर्माण लंबाई 4850000 कि.मी. है। यह होते है:

भारत की कुल सड़कों की लंबाई 60 साल में 11 गुना हुई है और पक्के सड़कों की लंबाई 16 गुना से भी ज्यादा बढ़ी है। पक्के सड़कों की वजह से भारत की छोटी जगहों से भी संपर्क संभव हुआ है। देश में सड़कों के विकास के लिए सरकार केन्द्रीय सड़क निधि के अंतर्गत वर्ष 2013-14 के लिये रु. 19,423.88 करोड़ रुपये का

आवंटन किया है। सरकार सड़कों के क्षेत्र में निजी और विदेशी क्षेत्र के निवेश के लिए विभिन्न प्रोत्साहन प्रदान की गई है। प्रधान बंत्री ग्राम सड़क योजना भारत में ग्रामीण सड़कों के विकास के लिए एक योजना है। ग्रामीण सड़कों के निर्माण परियोजना ग्रामीण विकास पर केंद्रित एक और पहल है।

## भारत में इन 10 मुख्य वजहों से होते है सड़क हादसे:

हाल ही में नेशनल क्राइम रिपोर्ट ब्यूरो (एनसीआरबी) ने देश में होने वाले सड़क हादसों के बारे में एक रिपोर्ट पेश की है। जिसे देखने के बाद यह साफ हो गया है कि भारत सड़क हादसों के मामले में सबसे अक्वल है। इतना ही नहीं, देश का सबसे बड़ा राज्य उत्तर प्रदेश सड़क हादसों के मामले में नंबर 1 की पोजिशन पर है। इस रिपोर्ट के अनुसार पिछले वर्ष 2014 में भारत में प्रतिघंटा 16 लोगों की मौत सड़क दुर्घटना में हुई है। इतना ही नहीं पिछले वर्ष देश में कुल 1.41 लाख लोग सड़क हादसे के कारण मौत के मुंह में चले गये। काफी पड़ताल के बाद हमारे सामने ये 10 ऐसे मुख्य कारण आये जिनकी वजह से रोजाना न जाने कितने लोग हादसों के शिकार बन रहे हैं।

- 1. मोबाईल फोन का प्रयोग:** निश्चय ही आज के समय में मोबाईल फोन हमारी दिनचर्या का एक अभिन्न अंग हो गया है। लेकिन यही मोबाईल देश में सड़क हादसों का मुख्य कारण बनता जा रहा है। आये दिन सड़क पर वाहन चलाने सयम मोबाईल का प्रयोग करने के कारण कई लोग हादसों का शिकार होते है।
- 2. ओवर स्पीडिंग:** भारत में ओवरस्पीडिंग यानी की तेज गति से वाहन चलाना भी एक पैशन बनता नजर आ रहा है। जिस प्रकार देश में एक से बढ़कर एक हाई स्पीड वाहन आये है ठिक वैसे ही इनके प्रयोग से ओवरस्पीडिंग के चलते हादसों की संख्या भी बढ़ी है। तेज गति के चलते बहुत से लोगों ने सड़क पर दम तोड़ा है।
- 3. ड्रंक एंड ड्राइव:** देश में होने वाले सड़क हादसों का सबसे मुख्य कारण 'ड्रंक एंड ड्राइव' ही है। जी हां, इसका प्रचलन युवाओं में तेजी से बढ़ रहा है और थोड़े से एडवेंचर के चक्कर में न जाने कितने लोग नशे में सड़क पर मौत के खेल को अंजाम दे रहे है।

सड़क	लंबाई	प्रकार	अनुदान
राष्ट्रीय राजमार्ग द्रुतगामी मार्ग	92,851 किमी	राज्य सड़क के लिए राज्य सरकारों और केन्द्र शासित प्रदेशों को अनुदान	रु. 2,659.91 करोड़
राज्य राजमार्ग	1,52,687 किमी	अन्तर्राज्य कनेक्टिविटी और राष्ट्रीय महत्व की सड़कों को अनुदान	रु. 262.22 करोड़
अन्य सड़क	46,49,462 किमी	राष्ट्रीय राजमार्ग	रु. 9,881.95 करोड़
कुल.	45,85,000 किमी	ग्रामीण सड़क	रु. 5,827.20 करोड़

4. **चालक का भ्रमित होना:** सड़क पर वाहन चलाते समय चालक ज्यादातर भ्रमित होते हैं, उनका ध्यान इधर-उधर की बेवजह की बातों पर ज्यादा होता है। समलन वाहन में चलता तेज संगीत, बातूनी सहायत्री आदि। इस कारण से भी देश में बहुत से हादसे हुये हैं।

5. **रेड लाइट जंपिंग:** जल्दी तो आज के समय देश मे हर किसी को है। बेवजह सभी को जल्दी है और इसी के चलते हर कोई सड़क पर रेड लाइट क्रॉसिंग को तोड़ने में अपनी सफलता समझता है और दूसरे वाहनों के बारे में सोचना भूल जाता है।

6. **सेफ्टी फीचर्स को नजरअंदाज:** जो स्टैंडर्ड फिचर्स है जैसे सीट बेल्ट आदि जो आज के समय में हर गाडी में मौजूद है उनका प्रयोग करने में भी लोग लापरवाही दिखाते है। शायत यही वजह है कि हादसों में मौत का ग्राफ तेजी से बढ़ रहा है।

7. **ओवरटेकिंग:** ओवरटेक करना गलत नहीं है लेकिन गलत तरीके से ओवरटेक करना कतई सही नहीं है। इससे न केवल आपकी जान खतरे में होती है बल्कि सड़क पर मौजूद दूसरों की जिंदगी को भी आप खतरे में डालते हैं।

8. **सड़क पर जानवर:** ये एक बड़ी समस्या बनती जा रही है, जिस तरह हम जंगलों को काट कंक्रिट के जंगल बढा रहे है उसके चलते ये होना लाज़मी था। कई बार सड़क पर जानवरों के आ जाने से हादसे होते है, और लोगों को अपनी जान तक से हाथ धोना पड़ता है।

9. **सड़क के नियमों की अनदेखी:** ये बात दावे के साथ कही जा सकती है कि सड़क के नियमों के बारे में भारत मे लगभग 75 प्रतिशत लोगों को जानकारी नहीं होती है। इसका मुख्य कारण गलत तरीके से लोगों को ड्राइविंग लाइसेंस का मिल जाना भी है। सड़क पर नियमों के पालन न करने के चलते ही बहुत सारे हादसे होते है।

10. **इन्फ्रास्ट्रक्चर की कमी:** जहां एक तरफ हम देश को आगामी 2020 तक ऑटो हब बनाने का सपना देख रहे है वहीं देश के रोड इन्फ्रास्ट्रक्चर पर हमारा कोई ध्यान नहीं है। देश में 350 किलोमीटर प्रतिघंटा की रफ्तार से दौड़ने वाले वाहन तो मौजूद है लेकिन 40 किलोमीटर प्रतिघंटा की रफ्तार से भी वाहन चलाने वाले सड़क मौजूद नहीं है। सड़कों की खस्ता हालत भी देश में सड़क हादसों का मुख्य कारण है।

#### सड़क सुरक्षा व बीमा:

मोटर व्हीकल एक्ट 1988 के अनुसार भारत में हर वाहन का इश्योरेंस यानी की बीमा होना आवश्यक है। यहां दो प्रकार के इश्योरेंस एक थर्ड पार्टी इश्योरेंस और दूसरा कम्प्रीहेंसिव इश्योरेंस होता है। दोनों ही तरह के इश्योरेंस में पॉलिसी और उनकी विधायें अलग-अलग होती है। 1- थर्ड पार्टी इश्योरेंस में किसी भी प्रकार के दुर्घटना आदि के दौरान आपकी दुर्घटना जिस वाहन आदि से होती है, तो यदि उसे कोई नुकसान चोट या फिर उसकी मृत्यु होती है तो उक्त कंपनी उसकी भरपाई करती है। इसके अलावा तीसरे पक्ष के वाहन में होने वाले नुकसान की भी रक्षा करती है। कानून के अनुसार थर्ड पार्टी इश्योरेंस रखना जरूरी होता है। इस इश्योरेंस में कंपनी आपके

नुकसान को कवर नहीं करती है। 2-कम्प्रीहेंसिव इश्योरेंस व्यापक होता है।, इसमें इश्योरेंस धारक को दुर्घटना के दौरान पूरा क्लेम मिलता है। इसमें चालक-सहचालक और साथ ही थर्ड पार्टी यानी की जिससे आपका वाहन दुर्घनाग्रस्त होता है। कंपनी दोनों का खर्च वहन करती है। यह काफी बेहतर होता है, इस इश्योरेंस में दोनों के नुकसान की भरपाई कंपनी करती है।

दुर्घटना होने पर आपके सामने कई प्रकार की परेशानियां आ सकती है। अगर आप ऐसी जगह पर रहते है जहां चोरियां बहुत होती है, तो आपको रिटर्न टू इनवॉयस एंड ऑन जरूर लेना चाहिये। अगर आप पूरे साल तक कोई क्लेम नहीं लेते है, तो अगले साल के लिये पॉलिसी रिन्युवल करवाने पर नो क्लेम बोनस (एनसीबी) मिलता है। हर साल नो क्लेम बोनस लेने पर आपकी बड़ी बचत हो सकती है। नई कारों के लिये यह विकल्प जरूर चुनना चाहिये। इस पर जीरो डेप्रिसिएशन होता है साधारण पॉलिसी में इश्योरेंस कंपनियां इंजन को कवर नहीं करती है। यानी अगर इंजन में कोई डैमेज होता है, तो उसका कोई क्लेम तब तक नहीं देती जब तक एक बड़ी दुर्घटना में इंजन क्षतिग्रस्त न हुआ हो। इसलिये बेहतर होगा कि इंजन के रिपेयर की कीमत बहुत ज्यादा होगी। आपको प्रीमियम इंजन पर होने वाले खर्च के 10 प्रतिशत से भी कम देना होगा।

#### नये मोटर सुरक्षा कानून में कड़ी सजा का प्रावधान:

भारत सरकार ने मोटल वाहन अधिनियम में नये कानूनों और दण्ड राशि में संशोधन किया है। सरकार की मंशा सड़क सुरक्षा को और पुख्ता करने की है। सरकार का मानना है कि इन नये नियमों के लागू होने के बाद आने वाले पांच



वर्षों में दो लाख जानें बचायी जा सकेंगी। फिलहाल भारत में हर साल पांच लाख सड़क दुर्घटनाएँ होती हैं। जिनमें करीब 1.4 लाख अपनी जान गंवाते हैं। नये बिल के मुताबिक अगर सड़क दुर्घटना में किसी बच्चे की मौत होती है तो सजा के तौर पर तीन लाख रुपये तक का जुर्माना और कम से कम सात वर्ष की कैद हो सकती है। इसके साथ ही अगर वाहन का डिजाइन मानकों के अनुरूप नहीं होता तो पांच लाख रुपये का जुर्माना भी किया जा सकता है। खतरनाक तरीके से ड्राइविंग करने पर एक लाख रुपये का जुर्माना और छह महीने की कैद का भी प्रावधान है। और अगर वाहन असुरक्षित माहौल में चलाया जा रहा होता, तो इसमें जुर्माने की राशि को एक लाख रुपये तक किया जा सकता है या फिर जुर्माना और सजा दोनों भी दिये जा सकते हैं।

शराब पीकर गाड़ी चलाने पर 25 हजार रुपये का जुर्माना या अधिकतम तीन महीने की सजा अथवा दोनों हो सकते हैं। इसके साथ ही छह महीने तक लाइसेंस जब्त किये जाने का भी प्रावधान है। अगर अपराध तीन वर्षों में दोहराया जाए, तो जुर्माने की राशि बढ़कर 50 हजार रुपये या एक वर्ष की सजा अथवा दोनों हो सकते हैं। इसके साथ ही एक वर्ष तक लाइसेंस भी जब्त किया जा सकता है। और तीसरी बार यही अपराध करने पर लाइसेंस कैसिल कर दिया जाएगा और वाहन को जब्त कर लिया जाएगा। अगर किसी स्कूल बस का ड्राइवर ड्यूटी पर शराब पिया हुआ मिलता है, तो उस पर 50 हजार रुपये का अर्थ दण्ड लगाया जा सकता है। इसके साथ ही उसे तीन वर्ष का कारागार हो सकता है। और इसके साथ ही अगर उसकी उम्र 18 से 24 वर्ष के बीच हो तो उसका लाइसेंस भी कैसिल कर दिया जाएगा। नये बिल के मुताबिक तीन बार से ज्यादा मामूली सिगनल तोड़ने पर भी 15 हजार रुपये का दण्ड हो सकता है।

विश्व स्वास्थ्य संगठन की वैश्विक सड़क सुरक्षा रिपोर्ट 2013 की रिपोर्ट भारतीयों के लिए चौंकाने वाली है। इस रिपोर्ट के मुताबिक भारत में हर बरस 2 लाख 31 हजार लोग सड़क दुर्घटनाओं में अपनी जान गंवाते हैं। यदि हमने इन बिगडते हालातों के बारे में कुछ नहीं किया, तो दुर्घटनाओं की संख्या में लगातार होता इजाफा जल्द ही नियंत्रण से बाहर हो जाएगा। हम युद्ध स्तर की स्थिति तक पहुंच जाएंगे। लाइसेंस प्रणाली को बेहतर बनाने और सड़क कानूनों को गंभीरता से लागू करने के साथ ही वक्त आ गया है कि स्कूलों में सड़क सुरक्षा के विषय को शामिल किया जाए। दुनिया के कई मुल्कों में पहले से ही स्कूलों में इस तरह के विषय पढ़ाये जा रहे हैं। नयी पीढ़ी अपने 'अनुभवों' के आधार पर सीखती है। जैसे ही कोई व्यक्ति सड़क पर वाहन लेकर उतरता है, वह इस प्रक्रिया का हिस्सा बन जाता है। कोई भी न तो निजी क्षेत्र और न ही कोई सरकारी संस्थान इस चिंताजनक परिस्थिति को सुधारने के लिए गंभीरता से कुछ करता नजर आ रहा है।

सड़क सुरक्षा के 10 नियमों का पालन करना काफी जरूरी है और इन्हें जानना जरूरी है। गाड़ी चलाने समय सीट बेल्ट का इस्तेमाल करें, ड्राइविंग के नियमों का पालन करें, स्पीड लिमिट का ध्यान रखें, गाड़ी के टायरों और एयर प्रेशर की नियमित जांच कराएं, नशे की हालत में ड्राइविंग ना करें, बच्चों को सीट बेल्ट जरूर लगाएं, गाड़ी चलाने वक्त मोबाइल पर बात न करें, थके होने और नींद आने पर ड्राइव न करें, टू व्हीलर चलाने वक्त हेलमेट जरूर पहने और गाड़ी चलाने समय दूसरों का ख्याल रखें जैसे नियमों का पालन करने पर हम स्वयं भी सुरक्षित रह सकते हैं और अपने वाहनों को भी सुरक्षित रख सकते हैं। हालांकि सरकार रोड़ सेफ्टी के प्रयास कर रही है और इसके लिए कदम उठा रही है। सीबीएसई कोर्स में सड़क सुरक्षा के नियम

शामिल किए हैं। राज्य बोर्ड को भी सड़क सुरक्षा नियम शामिल करने की सलाह दी गई है। सड़क हादसे में 48 घंटे तक 30,000 रुपये के कैशलेस इलाज की सुविधा दी गई है। एनएच 8 के गुडगांव-जयपुर सेक्शन में कैशलेस इलाज का पायलट प्रोजेक्ट शुरी हो चुका है। 13 राज्यों के टॉप 25 ब्लैक स्पॉट की पहचान की गई है, जहां 90 फीसदी हादसे होते हैं। बार-बार हादसे वाली जगह को ब्लैक स्पॉट कहा जाता है। सबसे ज्यादा हादसों वाले राज्य-उत्तर प्रदेश, तमिलनाडु, पश्चिम बंगाल, कर्नाटक, महाराष्ट्र, राजस्थान, हरियाणा, मध्य प्रदेश है और इन राज्यों में सड़क सुरक्षा के लिए खास नियम बनाए जा रहे हैं। इमरजेंसी सुविधा के साथ एंबुलेंस सेवा को मुहैया कराने के लिए प्रयास किए जा रहे हैं। साथ ही ट्रकों में कैपेसिटी से ज्यादा सामान लोड करना गैरकानूनी घोषित किया गया है क्योंकि इनसे भी दुर्घटनाएं होती हैं। सड़क पर होने वाली दुर्घटनाओं पर नियंत्रण के लिए समाज में जागरूकता लाना बेहद आवश्यक है।

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स्वेता राणा, बी.टेक(आईटी), क्वालिटी एनलिस्ट, निरवाना सोल्युशनस् इंडिया प्रा.ली.



## सड़क दुर्घटना पर नियंत्रण कैसे?

- डॉ. अजय कुमार मिश्रा

### सड़क, सुरक्षा और बीमा:

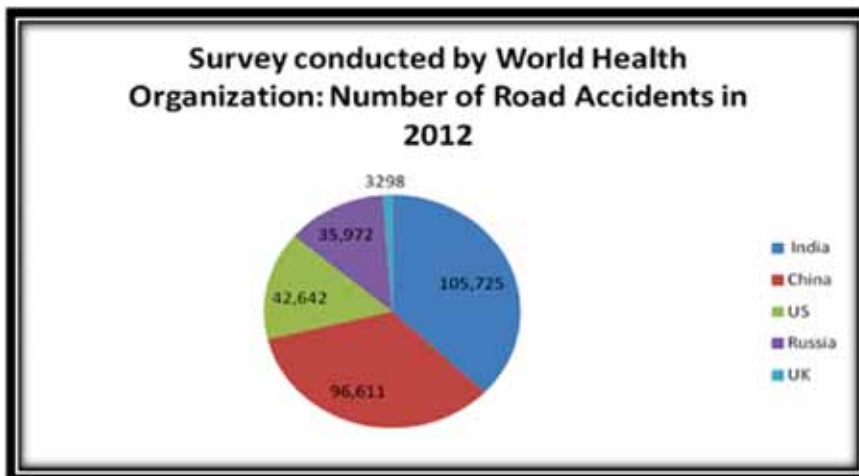
व्यक्ति के जीवन चक्र में तरह-तरह के जोखिम विद्यमान है और समस्त जोखिमों में से एक महत्वपूर्ण जोखिम है सड़क दुर्घटना, जो की हम सब से सम्बंधित है। सड़क दुर्घटना से सुरक्षा जोखिम को कम करने के दो ही उपाय है पहला सड़क सुरक्षा सम्बन्धी नियम और कानूनों का शत-प्रतिशत पालन किया जा साथ ही अपने आस-पास लोगों में जागरूकता फैलाई जाय। समस्त लोगों के जागरूक हो जाने के पश्चात् भी सड़क दुर्घटना को शत-प्रतिशत समाप्त नहीं किया जा सकता यानी की सड़क दुर्घटनाओं में मात्र कभी लायी जा सकती है। दूसरा उपाय है कि सड़क पर चलने वाले वाहनों का अनिवार्य रूप

से बीमा कराया जाय, परन्तु अनिवार्य रूप से बीमा हो जाने पर भी शत-प्रतिशत सड़क दुर्घटना को रोका नहीं जा सकता। यानी की सड़क दुर्घटना को नियंत्रित करने के लिये दोनों पहलुओं को व्यवहार में लाना होगा और उसका शत-प्रतिशत आम जनता से पालन करवाना होगा। मोटर बीमा की देश में अनिवार्यता होने पर भी कभी-कभी प्रमुख खबरे ऐसी आती है जो सड़क दुर्घटना के बारे में नये सिरे से सोचने पर मजबूर कर देती है। इकोनोमिक्स टाइम्स के 23 मई 2015 के प्रकाशन में यह प्रमुखता से प्रकाशित किया गया था की भारत में 75 प्रतिशत दो पहिया वाहनों का बीमा नहीं है। यह इस लिये भी आश्चर्य चकित करे देने वाली सूचना है की सड़क पर चलने वाले वाहनों का बीमा होना देश में कानूनन अनिवार्य

है। यदि दूसरे पहलु को देखा जाय तो, क्या आप जानते है लगभग 4 लाख लोग प्रत्येक माह सड़क दुर्घटना के शिकार होते हैं? विश्व स्वास्थ्य संगठन के एक सर्वेक्षण के अनुसार "वर्ष 2012" में भारत में सड़क दुर्घटना से होने वाली मौतों की संख्या विश्व में सबसे ज्यादा दर्ज की गयी थी। ये आकड़े आपने आप में यह बयां करते है की यातायात के नियमों के पालन के साथ-साथ भारत में मोटर बीमा अत्यंत ही महत्वपूर्ण है। नीचे दिए गए ग्राफ से स्पष्ट रूप से बीमा की आवश्यकता को समझा जा सकता है।

**मोटर बीमा:** मोटर बीमा, एक कवरेज है जो सड़कों पर चलती, कारों, ट्रकों और अन्य वाहनों के लिए खरीदा जाता है। इसका मुख्य उद्देश्य प्राकृतिक और मानव निर्मित आपदाओं से शारीरिक क्षति या हानि के खिलाफ पूरी सुरक्षा देना होता है। भारत में मोटर बीमा सड़क पर चलने वाले वाहनों के लिये करवाना कानूनन अनिवार्य है। मोटर बीमा में प्रीमियम का निर्धारण, व्यक्ति की उम्र, ड्राइविंग इतिहास, वाहन के निर्माण का वर्ष, व्यक्ति के पेशे, भौगोलिक स्थान के आधार पर होता है साथ ही मोटर बीमा में, दंगा और हड़ताल, आग और चोरी, आतंकवाद, भूकंप, लैंड स्लाइड, बाढ़, तूफान, और चक्रवात को कवर किया जाता है। मोटर बीमा के अंतर्गत आते है:

ग्राफ-1



कार बीमा  
दुपहिया वाहन बीमा  
वाणिज्यिक वाहन बीमा

**सड़क दुर्घटना से सुरक्षा को कैसे अत्यधिक मजबूत बनाया जाय:** सड़क सुरक्षा के लिये सरकारें तो समय-समय पर नियम और कानूनों को लाती रहती है, और आम लोगों में जागरूकता बढ़ाती रहती है। सड़क दुर्घटना से सुरक्षा के लिये देश के प्रत्येक नागरिक को अब जागरूक होना पड़ेगा, जिससे न केवल दुर्घटना में कभी आएगी बल्कि लोग दूसरों की मदद को आगे आयेंगे। व्यक्ति का ज्ञान और सावधानी ही सड़क दुर्घटना से सुरक्षा की कुंजी हो सकते हैं। निम्न लिखित कुछ महत्वपूर्ण सुझाव और चित्र हैं जिसे अमल में लाकर सड़क दुर्घटना में कमी लायी जा सकती है। सड़क दुर्घटना से बचाव के लिये जागरूकता अत्यधिक आवश्यक है एक व्यक्ति के इस विषय पर जागरूक होने से न केवल दुर्घटना को कम किया जा सकता है बल्कि सड़क पर चलने वाले अन्य वाहनों और लोगों को सुरक्षित किया जा सकता है। आज की भागम भाग की जिंदगी में यह अत्यंत आवश्यक भी है क्योंकि प्रत्येक व्यक्ति का प्रतिदिन का कुछ क्षण तो सड़क पर व्यतीत होता ही है। जानकारी होने से सड़क पर व्यतीत होने वाले क्षण को दुर्घटना रहित बनाया जा सकता है।

यात्री और चालक दोनों को चाहिए की यातायात के नियमों का पालन करें।

यदि व्यक्ति कार चला रहा है तो सीट बेल्ट का जरूर उपयोग करें।

यह सुनिश्चित करें की उसकी कार में एयरबैग हो।

अनावश्यक प्रकाश और प्रतिक्षेपक से बचना चाहिए।

ड्राइवर के असिस्टेंस के रूप में इलेक्ट्रॉनिक स्थिरता नियंत्रण की व्यवस्था का होना

यदि आप गाड़ी चला रहे हैं और टायर फट जाता है तो वाहन को नियंत्रित करने का लगातार प्रयास करना चाहिये।

अपनी गाड़ी की साइड प्रकाश को अँधेरे या कम प्रकाश में चालू रखें।

यदि आपको सड़क लेन परिवर्तित करना हो तो स्पष्ट रूप से सिग्नल के साथ धीरे धीरे सावधानी पूर्वक लेन परिवर्तित करें।

आप के आसपास यातायात पर नजर रखें।

किसी अप्रिय घटना होने पर यातायात पुलिस या 100 पर पुलिस नियंत्रण कक्ष के वाहन को सूचित करें।

नजदीकी पुलिस थाने से जरूरत पर मदद ली जा सकती है।

अपनी सुरक्षा और दूसरों की सुरक्षा आपकी प्राथमिकता होनी चाहिए।

सही उपकरण होने पर ही टायर परिवर्तित करें।

दुपहिया वाहन चलाते समय हेलमेट का उपयोग अवश्य करें। याद रखें सबसे ज्यादा सड़क दुर्घटना दुपहिया वाहन से होती है।

हाईवे पर गाड़ी चलाते समय अत्यधिक सतर्क रहें।

किसी तरह की दुर्घटना होने पर ट्रैफिक पुलिस या नजदीकी पुलिस थाने को सूचित करें एवं आस पास लोगों की मदद करें।

**सड़क दुर्घटना से सुरक्षा और मोटर बीमा:** सड़क दुर्घटना से सुरक्षा और मोटर बीमा एक ही सिक्के के दो पहलू हैं और सड़क दुर्घटना में कभी लाने के लिये दोनों तरह के उपायों का पूर्ण उपयोग करना होगा। पहला सड़क सुरक्षा सम्बन्धी समस्त नियमों का न केवल पालन करना होगा बल्कि



ड्राइविंग के समय विशेष सतर्कता बरतनी होगी। साथ ही सड़क दुर्घटना होने पर, दुर्घटना से होने वाले नुकसान से बचने के लिये बीमा का होना अत्यंत ही आवश्यक है। इसके लिये यह नितांत आवश्यक है की शत-प्रतिशत गाड़ियों का बीमा हो। इकोनामिक्स टाइम्स की रिपोर्ट से यह प्रदर्शित होता है कि देश में नियम कानून सिर्फ किताबों तक ही सीमित है, इसे न केवल व्यवहार में लाना होगा बल्कि कठोरता से इसका पालन भी आम जनता से करवाना होगा जो न केवल देश हित के लिये आवश्यक है बल्कि उनके व्यक्तिगत हित के लिये भी अत्यंत आवश्यक है। राज्य सरकारों

और केंद्र सरकार मिलजुल कर इस विषय पर जागरूकता अभियान चलाये और लोगों को जागरूक करें। आज भी देश के सड़कों का बुरा हाल है और उन बदहाल सड़कों को दुरस्त कराया जाएँ। देश में सड़क दुर्घटना की संख्या इस लिये भी ज्यादा है कि देश में सड़कों की स्थिति अत्यंत ही दयनीय है। कार्यरत ठेकेदार सरकार से तो पूरा पैसा वसूलते है परन्तु कार्य दूसरे दर्जे का करते है जिसके परिणाम स्वरूप सड़कों के स्थिति कुछ समय पश्चात् जस की तस हो जाती है। और आम जनता को अपनी जान देकर उसकी पूर्ति करनी पडती है। अतः यह स्पष्ट है की

जागरूकता और बीमा दोनों के संयुक्त प्रयास से सड़क दुर्घटना में कभी लायी जा सकती है साथ ही मोटर बीमा सम्बन्धी कानूनों को अनिवार्य रूप से व्यवहार में लाने के लिये सरकार को भी इस क्षेत्र में विशेष ध्यान देना होगा। जिंदगी अमूल्य है और दुर्घटना से सुरक्षा बीमा तो नहीं दे सकता पर कुछ हद तक उत्पन्न वित्तीय संकट से निकलने में सहयोग करता है, शायद इसीलिए बीमा बेमिसाल है।

डॉ. अजय कुमार मिश्रा, सहारा इंडिया जीवन बीमा कंपनी लिमिटेड, लखनउ, विचार लेखक के व्यक्तिगत हैं।

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## अमूल्य जीवन सड़क सुपुर्द क्यों?

- गोपी चन्द बिश्नोई

विपत्ति कभी कहकर नहीं आती, या कहें कि जीवन क्षण भंगुर है। कब कौन सा कष्ट झेलना पड़ जाये, कब मृत्यु हमें आगोश में भर ले सब कुछ संयोग पर निर्भर है। वज्रपात, पेड़ टूटकर गिरना, बाढ़, सूखा, जमीन घँसना, भूकंप आदि घटनाएँ प्राकृतिक दुर्घटनाएं हैं, जबकि मानवीय या मशीनी त्रुटिवश दुर्घटनाएं आम हैं। देश में यातायात का भार चहुँ ओर वृद्धि पर है। वायुयान, रेलगाड़ी, बस, ट्रक हर किसी साधन पर गत दशकों की अपेक्षा वर्तमान में तीन गुणा या उससे भी अधिक भार बढ़ चुका है। वाहनों के कारण सड़के संकरी प्रतीत होती हैं। यातायात दबाव के अनन्तर दुर्घटनाओं का ग्राफ भी देजी से बढ़ा है।

भारतीय रेल ने सन् 1853 में मुम्बई से थाणे के मध्य प्रथम प्रयास से अपनी यात्रा का प्रारम्भ किया, आज वही रेल देश भर में 7172 स्टेशनों में प्रतिदिन 1,15,000 किमी दौड़ती है जिसके द्वारा 83970 खरब यात्रियों तथा 10501.8 लाख टन माल वर्ष भर में गन्तव्य पर पहुँचाया

जा रहा है। इतने बड़े नेटवर्क में दुर्घटनाएं होना स्वाभाविक है। प्रारम्भिकदौर में गाड़ियों के पटरी से उतर जाने की दुर्घटनाएं आम थी। उदाहरणार्थ कुछ अप्रिय घटनाओं को लेते हैं -5 नवम्बर, 1891 को नागपुर के पास गाड़ी के पटरी से उतर जाने के कारण दुर्घटना में 10 मरे तथा 35 घायल हुए। 22 सितम्बर 1947 को 4500 यात्रियों को पाकिस्तान ले जा रही रेगाडी पर अमृतसर के प्रतिशोध स्वरूप आक्रमण कर दिया गया जिसमें 3418 या तो मारे गये या गुम हो गये - 1328 बुरी तरह घायल हो गये। गत् 5 वर्षों की दुर्घटनाओं पर नजर डाले तो 1 अक्टूबर, 2014 मंगलवार रात्रि 11 बजे गोरखपुर के निकट कृषक एकप्रेस और बरौनी एकप्रेस के परस्पर टकराने के कारण 12 मरे 50 घायल हो गये। 26 मई 2014 को खलीलाबाद (उ.प्र.) में गोरखपुर धाम एक्सप्रेस दुर्घटना में 40 मरे तथा 100 घायल हुए।

वायुयान यात्रा सुगम तथा संक्षिप्त तो अवश्य होती है परन्तु यात्रा जोखिम भी बहुत अधिक होता है। विमान उतरते समय प्राय दुर्घटनाएं हो जाती हैं जिससे जान माल की भारी क्षति उठानी पड़ती है। नमूने के तौर पर आकाश में विमान टकराने से दिल्ली के निकट चरखी दादरी गाँव में 12 नवम्बर, 1996 को विमान दुर्घटना में दोनो विमानों के समस्त 349 यात्री काल का ग्रास बन गये। सउदीअरबियन एयरलाइन्स फ्लाइट 763 के दिल्ली से कूच करने तथा कजाखिस्तान एयरलाइन्स फ्लाइट 1907 के दिल्ली हवाई उड़े पर पहुँचते समय यह हादसा हुआ। मार्च 1974 में टर्किश एयरलाइन्स फ्लाइट 981 पेरिस के निकट विमान मे तकनीकी खराबी आ जाने के कारण दुर्घटना ग्रस्त हो गया जिसमें सभी 346 यात्री मारे गये। अगस्त 1980 में सउदि अरेबियन फ्लाइट 163 में उड़ान भरते ही विमान में आग लग गई जिस कारण समस्त 287 यात्री काल कलवित हो गये। 27 मार्च 1977 को ग्रान

केनारिया हवाई अड्डे पर बम विस्फोट हो जाने के कारण केएलएम 4805 और पेन एम फ्लाइट 1736 को दूसरे हवाई अड्डे लांस रेडियोज हवाई अड्डे हेतु दिशानिर्देशित कर दिया गया जहाँ कोहरा तथा रडार के न होने कारण दोनों बोईंग 747 रनवे पर ही धराशयी हो गये। 12 अगस्त, 1985 को जापान एयर लाइन्स फ्लाइट 123 में टोक्यों छोड़ते ही तकनीकी खराबी आ गई और वह तकमगहरा पहाड़ की चोटियों से टकरा गया जिसमें 509 में से 505 यात्री तथा चालक दल के सभी 15 सदस्य मारे गये। इसके अतिरिक्त विमान अपहरण के अनेक मामले हो चुके हैं जिसमें अनेक यात्रियों को जान से हाथ धोने पड़े हैं। दो बार आन्ध्र प्रदेश के मुख्यमंत्री रहे श्री वाई.एस. राजशेखर रेड्डी की सन् 2009 में उनके हैलीकाप्टर के रुद्रकोण्डा पहाड़ के टकराने के कारण मृत्यु हो गई। वरिष्ठ कांग्रेसी नेता श्री माधवराव सिन्धिया की मृत्यु भी 30 सितम्बर, 2001 को अपने निजी वायुयान के दुर्घटनाग्रस्त होने के कारण हुई। प्रधानमंत्री श्रीमती इन्दिरा गांधी के सुपुत्र श्री संजय गांधी की मृत्यु भी 23 जून, 1980 को सफदरजंग हवाई अड्डे के निकट वायुयान क्षतिग्रस्त होने के कारण हुई।

सड़क मार्ग अन्य सभी की तुलना में सर्वाधिक दुर्घटना आशंकित क्षेत्र है भारी भरकम ट्रक, ट्राले, बस, लारी, कार, मोटर साइकिल, स्कूटर ऊँटगाड़ी, बैल गाड़ी, ताँगे कब दुर्घटना कर दे, कुछ नहीं कहा जा सकता। पैदल यात्रियों के लिए साइकिल, रिक्शा भी दुर्घटना का कारण बन जाते हैं। सड़क यातायात को व्यवस्थित तथा नियन्त्रित करने हेतु अनेक विधियाँ बनी हैं परन्तु

फिर भी सड़क दुर्घटनाओं को रोकना तो दूर, कम करना भी कठिन हो रहा है। सड़क दुर्घटना के प्रमुख कारण हैं - चालकों का उतावलापन, नशा, अनिद्रा, अगे निकलने की होड़, नियमों के प्रति प्रतिद्ध न होना, न्यून वेतन, पूर्ण प्रशिक्षित न होना, सड़कों का सँकरा होना, सड़कों पर गड़ढे होना, पथ प्रकाश व्यवस्था उचित न होना, मार्ग संकेतक न होना।

सड़क विकास के प्रथम प्रमाण 4000 ई.प. हिन्दी घाटी सभ्यता के डडप्पा तथा मोहनजोदड़ो के प्राचीन नगरों से प्राप्त होते हैं। सत्तासीन शासनक लखोरी ईंटों से नगरों के मार्गों का निर्माण कराते रहे हैं। इसमें एक मार्ग ग्रान्ड ट्रंक रोड से विख्यात है, जिसका निर्माण 1540 से 1545 के मध्य मुगलबादशाह शेर शाहसूरी ने कराया। ग्रान्ड ट्रंक रोड ढाका (बंगलादेश) के निकट सोनारगाँव से वाया कोलकाता, अमृतसर होते हुए पाकिस्तान के पेशावर तक बनाई गई। मार्ग को कई नगरों से जोड़ा गया जैसे पटना, वाराणसी, कानपुर, आगरा, दिल्ली, पानीपत, पीपली, अम्बाला, रजपुरा, लुधियाना, और जालन्धर। इस मार्ग का उपयोग ब्रिटिश ब्रिगेडियर जनरल जॉन निकोल्स ने सन् 1857 के विद्रोह को कुचलने हेतु सैन्य दस्तों को शीघ्र पहुँचाने में बखूबी किया। स्वतन्त्रता प्राप्ति के समय 1947 और 1988 के मध्य भारत में सड़क रखरखाव/निर्माण नगण्य या दयनीत स्थिति में रहा। स्वाशासित संस्था राष्ट्रीय हाइवे प्राधिकरण 15 जून 1989 से अस्तित्व में आया। सन् 1995 से मई 2014 तक प्राधिकरण ने 92851 किमी राष्ट्रीय राजमार्ग जिसमें 22757 किमी 4 लेन राष्ट्र को समर्पित

किये। भारत का सड़क नेटवर्क 65% माल तथा 85% यात्री यातायात वहन कर रहा है। राज्यों द्वारा 163898 किमी राज्य हाइवे बनाये गये हैं, साथ ही 1705706 किमी स्थानीय निकायों द्वारा तथा 2749805 किमी पंचायतों द्वारा ग्रामीण सड़कों का निर्माण कराया गया है। साथ ही राष्ट्र के विकास हेतु 1208 किमी एक्सप्रेस वे बनाये गये। सनमें प्रमुख है ग्रेटर नोएडा से आगरा 6 लेन यमुना एक्सप्रेस वे (165 किमी) अहमदाबाद वडोदरा एक्सप्रेस वे (95 किमी.), मुम्बई पणे एक्सप्रेस वे (93 किमी), जयपुर किशनगढ़ एक्सप्रेस वे (90 किमी), इलाहाबाद बाईपास एक्सप्रेस वे (86 किमी), दुर्गापुर एक्सप्रेस वे (65 किमी), अम्बाला चन्डीगढ़ एक्सप्रेस वे (35 किमी), मुम्बई नासिक एक्सप्रेस वे (150 किमी)।

औसतन सड़क दुर्घटना में 4 मिनट पर एक मृत्यु तथा 55 लाख गम्भीर घायल होते हैं। पिछले दशक में 12 लाख लोग कार दुर्घटना में मारे गये। ज्ञात हो कि फिर भी वर्ष में 20 लाख कार विक्रय हो जाती है। दिल्ली में लन्दन से 4 गुणा दुर्घटनाएं होती हैं। ध्यान देने योग्य बात है कि दोपहर तथा सायं-काल में सबसे अधिक दुर्घटनाएं होती हैं।

यदि हम सड़क दुर्घटनाओं के कारणों पर दृष्टिपात करें तो पायेंगे चालकों का नशा करके वाहन चलाना, चालकों को मोबाईल पर बात करते हुए वाहन चलाना, तेजगति में वाहन चलाना, वाहनों का रखरखाव उचित न होना, सड़क निर्देशों को तथा नियमों को उल्लंघन करना, दूसरे वाहनों



को ओवरटेक करना, साथ चल रहे वाहनों से प्रतिस्पर्धा करना, चालकों का प्रतिक्षित न होना, मार्गों में गढ़े होना, अन्धे मोड का संज्ञान न होना, वाहनों का अतिभारित होना, मौसम का प्रतिकूल होना यथा धुंध, कोहरा, बर्फवारी, वर्षों, भीषण गर्मी होना, पैदल, साइकिल/मोटर साइकिल सवार या पशु का अचानक वाहन के सामने आ जाना, वाहन टेड़ा-मेढ़ा चलाना, वाहनों में तेज आवा में संगीत बजाना, रात में डिपर का प्रयोग न करना, सीट बेल्ट व हेलमेट का प्रयोग न करना, चालकों की नजर कमजोर होना चालकों को कम सुनाई देना।

अचानक असहज घटना होना, वाहनों के टायर घिसे हुए होना, गलत दिशा में वाहन चलाना, सड़कों पर प्रकाश व्यवस्था का न होना या सही न होना मार्गों पर भारी भीड़ का होना, वाहनों को बीच सड़क पर रोकना, वाहन को मोड़ते समय चालकों का मुडने का संकेत न देना, चालको द्वारा वाहन को उल्टी दिशा में चलाना, सड़क सुरक्षा कानूनों का अपर्याप्त होना, न्यून सजा का प्रावधान होना, सड़क नियमों को तोड़ने पर सरलता से छूट जाना, दूसरे वाहन से उचित दूरी पर न रहना, जेबरा क्रांसिंग कूद जाना आदि-आदि।

स्वतन्त्रता प्राप्ति के पश्चात सड़क दुर्घटनाओं को रोकने के लिए जिस विधि का निर्माण किया गया उसे रोड ट्रांसपोर्ट कापर्रेशन एक्ट 1950 कहा गया। समय के साथ-साथ उपरोक्त विधि कम प्रभावी हो गई और प्रभावशाली विधि की आवश्यकता अनुभव की गई। नशे में चालक दर्जनों हत्याएं कर देते है। परन्तु उसकी जमानत

आसानी से हो जाना, मुकदमों में तारीख पर तारीख लगते रहना और यदि सजा या दण्ड भी होता है बहुत कम या न के बराबर, शहरी क्षेत्रों में वाहनों का अत्यधिक प्रयोग किया जाने से सड़कों का सँकरा हो जाना, अत्याधिक यातायात भार, यातायात नियमों का उल्लंघन, प्रभावी इन्जियरिंग की कमी, अत्यधिक दुर्घटनाएँ इन सबको दृष्टिगत रखते हुए 13 सितम्बर 2014 को रोड ट्रांसपोर्ट एण्ड सेफ्टी बिल 2014 का मसौदा प्रस्तुत किया गया इसके अन्तर्गत प्रथम 5 वर्षों में दुर्घटना जनित मौतों में 2 लाख लोगों का जीवन बचाकर दुर्घटना मृत्यु में कमी लाना, यातायात क्षेत्र मे कार्य दक्षता तथा सुरक्षात्मक नियमों को लाकर जी.डी.पी. में 4 प्रतिशत की बढ़ोतरी करना। यातायात क्षेत्र में विनियोग में वृद्धि कर 10 लाख रोजगार बढ़ाना, इसका मुख्य लक्ष्य रखा गया है।

मोटर व्हीकल विनियमों के अन्तर्गत चालक अनुज्ञप्ति व्यवस्था में एकरूपता लाना प्रमुख प्रावधान है। डिजिटल इंडिया में आवेदन व्यवस्था का सरलीकरण, बायोमैट्रिक सिस्टम, चालन टैस्ट हेतु आधुनिक तकनीक का प्रयोग, वाहन की एकरूप पंजीयन व्यवस्था के अन्तर्गत निर्माणकर्ता, स्वामी, वाहन प्राधिकरण, बीमाकर्ता, सभी को इको सिस्टम के अन्तर्गत लाना। वाहन फिटनेस केन्द्रों को निजी क्षेत्र के सहयोग से चालित करना। नये प्रस्तावित मोटर कानून में आधुनिक सुरक्षा तकनीक को लागू करने का प्रावधान रखा गया है। साथ ही पीड़ितों को सांकेतिक राहत प्रदान करने हेतु मोटर दुर्घटना निधि की स्थापना, स्कूली बच्चों तथा महिलाओं

की सुरक्षा पर विशेष ध्यान देने का प्रावधान है। दुर्घटना करने वाले चालक पर दण्ड की सीमा बढ़ाने का प्रस्ताव है। - दुर्घटना में बच्चे की मृत्यु पर 3 लाख तथा न्यूनतम 7 वर्ष की सजा ड्रम्स तथा देशी शराब पीकर वाहन चलाने पर 50,000 जुर्माना तथा 6 माह से 1 वर्ष तक का कारवास अथवा दोनों। बेतरकीबी से वाहन चलाने पर लाइसेंस निरस्त। असुरक्षित दशा में वाहन चलाने पर एक लाख तथा 1 वर्ष की सजा। वाहन निर्माण दोष पर 5 लाख प्रति वाहन, शराब पीकर वाहन चलाने पर 6 माह के लिए अनुज्ञप्ति निलम्बित 25,000 जुर्माना या 3 माह की जेल अथवा दोनों। मोबाईल पर बातें करते हुए वाहन चलाने पर 10000 अर्थदण्ड तथा लाइसेंस निरस्थ तथा रिफ्रेशर कोर्स। 3 बार यातायात सिग्नल उल्लंघन पर 15000 दण्ड तथा 1 माह लाइसेंस निरस्त तत्पश्चात अनिवार्य रिफ्रेशर प्रशिक्षण।

सड़क दुर्घटना का इतिहास जानने पर ज्ञात होता है कि पहली सड़क दुर्घटना यूनाइटेड किंगडम में 44 वर्षीय गृहणी श्रीमती ड्रिस्कांल के साथ 17 अगस्त, 1896 में हुई, कार की टक्कर से उनकी मृत्यु कुछ मिनटों में ही हो गई। वह पैदल जा रही थी तथा कार की गति भी काफी कम थी। प्रसिद्ध विभूतियों की बात करें तो 30 सितम्बर, 1955 को 24 वर्षीय अमेरिकन अभिनेता जेम्स डियन की कैलिफोर्निया में उनकी नई पोस्चे 550 स्पाइडर कार के तेज गति में टकराने के फलस्वरूप दर्दनाक मृत्यु हो गई। 29 जून, 1967 को युवा दिलों की धड़कन हालीवुड अभिनेत्री जायने मैन्सफील्ड की उनकी कार के अँधेरे में ट्रैक्टर

ट्रेलर से टकराने से असामायिक मृत्यु हो गई। सन् 1982 में मोनाको की राजकुमारी की ग्रेस काले में सड़ दुर्घटना में मृत्यु हो गई। विश्व अचंभित रह गया जब 31 अगस्त, 1997 को वेल्स (ब्रिटिश) राजकुमारी डायना स्पेन्सर की मर्सिडीज कार पेरिस में भूमिगत सुरंग में तेज गति के कारण दुर्घटना ग्रस्त हो गई। जिसमें राजकुमारी सहित 6 लोग काल का ग्रास बन गये।

दिल्ली के पूर्व मुख्यमंत्री तथा पूर्व केन्द्रीय श्रम मंत्री श्री साहब सिंह वर्मा 30 जून, 2007 को शाहजहाँपुर के निकट जयपुर दिल्ली हाईवे पर उनकी कार के ट्रक से टकराने के कारण मृत्यु को प्राप्त हुए। पूर्व केन्द्रीय मंत्री श्री राजेश पायलेट जून, 2000 में दौसा (राजस्थान) के निकट एक भीषण सड़क दुर्घटना में काल का ग्रास बने। गत वर्ष 3 जून, 2014 मंगलवार की प्रातः दिल्ली में केन्द्रीय ग्रामीण विकास मंत्री श्री गोपीनाथ पांडुरंग मुण्डे की एक सड़क दुर्घटना में दर्दनाक मौत हो गई। दिल्ली हवाई अड्डे जाते समय एक कार ने उनकी कार को जोरदार टक्कर मार दी। श्री मुण्डे की इस प्रकार सड़क दुर्घटना में मृत्यु होने पर केन्द्रीय सरकार ने सड़क सुरक्षा पर गम्भीरता से विचार किया तथा प्रस्तावित सड़क सुरक्षा बिल, 2014 सदन में प्रस्तुत किया।

प्रस्तावित सड़क बिल में अनेक कठोर कदम उठाये गये हैं, जिसके विरोध स्वरूप 2 सितम्बर, 2015 को कुछ संगठनों ने हड़ताल भी की है। 17 सितम्बर को चालक दिवस मनाया जाता है। बिल में चालकों को अनुशासित व नियंत्रित करने

का प्रयत्न अवश्य किया गया है। परन्तु सड़क सुरक्षा की यदि हम बात करें तो यह कदम काफी पहले ही उठाया जाना चाहिए था। ज्ञात हो कि सन् 2013 में सड़क दुर्घटना में मरने वालों की संख्या 1,37,000 थी जो समस्त विश्व युद्धों में मृतकों की संख्या से भी अधिक है। 16 बच्चों भारतीय सड़कों पर प्रतिदिन दुर्घटना में मारे जा रहे हैं। भारत में औसतन 1214 सड़क दुर्घटनाएं प्रतिदिन हो रही हैं। उत्तर प्रदेश की ही बात करें तो हर घण्टे दो लोगों की मृत्यु होती है। देश में राजधानी दिल्ली में सर्वाधिक सड़क दुर्घटनाएं हो रही हैं। कारण स्पष्ट है सन् 1950 का कानून मजाक बनकर रह गया है। 28 सितम्बर, 2002 को फिल्म अभिनेता ने नशे की दशा में अपनी कार से बान्द्रा में बाहर सोये 5 लोगों को कुचल दिया जिसमें एक मर गया तथा अन्य चार गम्भीर रूप से घायल हो गये। एक लम्बी अवधि व जद्दोजहद के बाद मात्र 5 वर्ष की सजा की घोषणा की गई परन्तु सजा तो दूर, नित नई-नई अटकलें लगाकर सजा का अनुपालन रोका जा रहा है। इसी प्रकार अप्रैल 2006 में अभिनेता जॉन अब्राहम ने अपनी सुजुकी मोटर साइकिल चढ़ा कर 2 लोगों को घायल कर दिया। 6 वर्ष पश्चात बान्द्रा की एक अदालत ने लापरवाही से वाहन चलाने पर 15 दिन की सजा की घोषणा की जिसमें बोम्बे उच्च न्यायालय ने जमानत दे दी तथा सजा का अनुपालन स्थगित रहा। बालीवुड के महान कलाकार राजकुमार के सुपुत्र अभिनेता पुरु राजकुमार ने शराब पीकर अपनी कार सोते हुए 8 लोगों पर चढ़ा दी जिसमें 3 लोग मर गये तथा 2 गम्भी रूप से घायल हो गये। अभिनेता

दोषी पाया गया परन्तु प्रत्येक पीड़ित पक्षकार को 30 हजार रुपये की अल्प धनराशि में प्रस्तावित सड़क सुरक्षा अधिनियम अति वांछनीय है। अतः दलगत राजनीति से ऊपर उठकर सभी राष्ट्र भक्तों को इस लागू करने में सरकार का भरपूर सहयोग व समर्थ करना चाहिए ताकि हम सड़क पर बिना भय के चल सकें।

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## भारतीय बीमा विनियामक और विकास प्राधिकरण हैदराबाद में हिन्दी सप्ताह 2015 का आयोजन

भारतीय बीमा विनियामक और विकास प्राधिकरण में प्रत्येक वर्ष की भाँति इस वर्ष भी 14 से 19 सितंबर, 2015 तक हिन्दी सप्ताह का आयोजन किया गया। इस समारोह का शुभारंभ प्राधिकरण के अध्यक्ष श्री टी.एस. विजयन द्वारा किया गया। उन्होंने अपने अभिभाषण में प्राधिकरण में हिन्दी के प्रयोग को बढ़ावा देने के लिये जोर दिया और सभी विभागाध्यक्षों को सुझाव दिया कि सभी विभागों की अधिकाधिक बैठकों आदि में हिन्दी भाषा का प्रयोग करें।

प्राधिकरण के सदस्य (जीवन) श्री नीलेश साठे ने राजभाषा विभाग को हिन्दी सप्ताह के आयोजन में नवीनता लाने के लिये विभिन्न उन्नत सुझाव दिये ताकि प्राधिकरण के अधिकाधिक हिन्दी भाषी व गैर-हिन्दी भाषी अधिकारियों/कर्मचारियों को इस सप्ताह की विभिन्न प्रतियोगिताओं जैसे निबंधलेखन, आशुभाषण, अंताक्षरी में भाग लेने के लिये प्रोत्साहित किया जा सके/सभी प्रतियोगिताओं में प्राधिकरण के अधिकारियों ने होर्षउल्लास से भाग लिया। इस वर्ष श्री अनुराग वाजपेयी, कनिष्ठ अधिकारी ने प्रतियोगिताओं में सर्वाधिक इनाम जीते।

राजभाषा विभागाध्यक्ष श्री संजीव कुमार जैन, संयुक्त निदेशक व श्री कमल चौला, वरिष्ठ



सहायक निदेशकने सभी विभागों के प्रतिनिधियों सहित हिन्दी सप्ताह समारोह कार्यान्वयन समिति का गठन किया और सफलता पूर्वक हिन्दी सप्ताह के सभी कार्यक्रमों का आयोजन किया। इस आयोजन का समापन समारोह दिनांक 19 सितंबर, 2015 को एलआईसी के क्षेत्रीय प्रशिक्षण केंद्र में किया गया। जिसमें मुख्य अतिथि के रूप में श्री दिनेश बाहेती, राजभाषा विभागाध्यक्ष व प्रबंध, नेशनल इंश्योरेंस, हैदराबाद को आमंत्रित किया गया।

समारोह का शुभारंभ श्री गणेश वंदना से किया गया जिसे श्रीमति एन.सी. पदमजा, ओएसडी ने प्रस्तुत किया। समारोह में सभी प्रतियोगिताओं के विजेताओं को मुख्य अतिथि श्री दिनेश बाहेती, श्री नीलेश साठे व श्री सुरेश माथुर, वरिष्ठ संयुक्त निदेशक के करकमलों द्वारा पुरस्कर

वितरित किये गये। समारोह में श्री नीलेश साठे ने राजभाषा विभाग की कर्तव्य निष्ठा की सराहना की जिनके अथक प्रयासों से हिन्दी सप्ताह का सफल आयोजन किया गया। उन्होंने अपने अभिभाषण में प्राधिकरण के अधिकारियों को सरकारी काम काज में अधिकाधिक हिन्दी भाषा के प्रयोग के लिये प्रोत्साहित किया। श्री बाहेती ने अपने अभिभाषण में हमारे देश में हिन्दी की व्यापकता और महत्वता के संदर्भ में अपने विचार प्रस्तुत किये। समारोह के अंत में श्री संजीव कुमार जैन ने धन्यवाद प्रस्ताव रखा।

- राजभाषा विभाग द्वारा संग्रहित

## Snapshot of Life Insurance Industry as at 31.07.2015

The Life Insurance Sector procured Rs. 36888.11 crore First Year Premium with a growth of 13.55% as at the end of 31st July, 2015. LIC procured Rs 26849.23 Cr with a growth of 9.58% where as Private Sector procured Rs 10038.88 Cr posting a growth of 25.73%. Private sector experienced a growth in both Individual NB and Group NB where as LIC shown a growth in Group NB and decline in Individual NB. The number of individual policies has shown a growth of 22.55% by public sector and 5.86% by private sector and a overall growth of 18.42% at the industry level. The number of lives covered under Group policies has shown a growth by 40.76% at the industry level.

ULIP business has shown a growth of 64.04% up to the period ended 31st July, 2015 compared to the corresponding previous period. The Life Insurance Industry has procured Linked Premium of Rs.3984.93 crore as at 31st July, 2015 as against Rs. 2429.22 crore for the same corresponding period of previous year. This entire growth may be attributed to the Private Sector (growth of 64.04%) while LIC has a decline of 100% in ULIP business.

The share of Annuity (6.35%), Pension (35.78%) and Health (0.14%) segments has shown growth where as Life (57.73%) segment has shown a decline when compared to last year's performance. The individual pension business shows substantial decline both in terms of number of policies and premium. Group Pension premium has a growth of 39.08% for private sector and 25.44% for LIC. However, the share of individual pension premium out of the total pension premium remains at just around 1.99%.

The number of individual agents\* in life insurance sector stood at 20,47,533 with a net reduction of 20,303 (1.0%) for the period. The net reduction is 16292 (1.8%) in private sector which has ended up with a total of 8,87,940 agents while the net reduction is 4,011 (0.3%) in case of LIC which closed the month of July 2015 with a total of 11,59,593 individual agents.

(\* Source data is from Life Council's MIS for the month of July, 2015)

### Analysis of ULIP business:

The Life Insurance Industry has procured Linked Premium of Rs.3984.93 crore as at 31st July, 2015 as against Rs.2429.22 crore for the same corresponding period of previous year. It shows an increase of 64.04%.

LIC's Premium is Rs.0.00 crore (PY Rs.0.53 crore), a decrease of 100%.

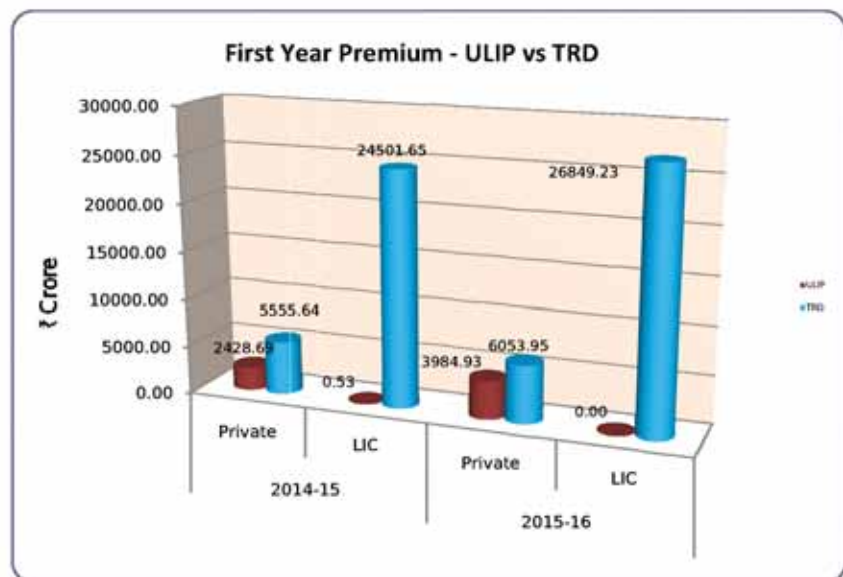
Private players have collected linked Premium of Rs.3984.93 crore (PY Rs.2428.69 crore), an increase of 64.07%.

### Analysis of Traditional Business:

The Life Insurance Industry has procured Non-Linked Premium of Rs.32903.18 crore as at 31st July, 2015 as against Rs.30057.29 crore for the same corresponding period of previous year. It shows a growth of 14.19%.

LIC's Premium is Rs.26849.23 crore (PY Rs. 24501.65 crore), a growth of 9.58%.

Private players have collected Non-linked Premium of Rs.6053.95 crore (PY Rs.5555.64 crore), an increase of 8.97%.



Compiled by Life Dept., IRDAI





## IRDA of India Does Not Sell Insurance!

The public are hereby cautioned regarding the following:

- There are certain telephone calls by persons claiming to be employees of Insurance Regulatory and Development Authority of India (IRDA of India), trying to sell insurance policies or offer 'benefits'.
- IRDA of India does not sell or promote any insurance product or offer any benefit.
- If any person approaches you claiming to be IRDA of India employee for sale of insurance products or offering any 'benefit', please report it to the nearest police station.

**IRDA of India regulates the activities of insurance companies to protect the interests of the general public and insurance policyholders**



[www.irda.gov.in](http://www.irda.gov.in)

You may contact IRDA of India Call Centre at 155255 or Lon on to [www.igms.irda.gov.in](http://www.igms.irda.gov.in)  
If your grievance has not been attended to by the insurance company.

## STATISTICS NON-LIFE INSURANCE

# Report Card : General

Gross Premium underwritten for and up to the month of July, 2015

(₹ in Crores)

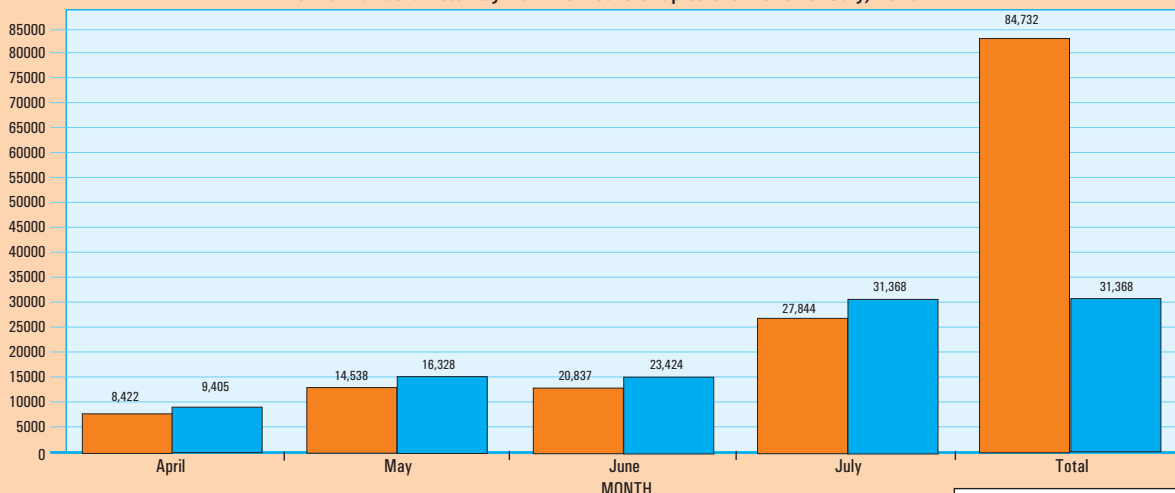
(%)

INSURER	JULY		APRIL-JULY		GROWTH OVER THE CORRESPONDENCE PREVIOUS YEAR
	2015-16	2014-15*	2015-16	2014-15*	
Royal Sundaram	130.02	121.05	546.21	529.19	3.22
Tata-AIG	255.79	226.21	1,107.97	930.19	19.11
Reliance General	227.07	217.47	1,059.54	999.68	5.99
IFFCO-Tokio	297.27	271.18	1,217.60	1,094.30	11.27
ICICI-lombard	716.59	540.83	2,763.95	2,326.34	18.81
Bajaj Allianz	473.37	453.87	1,766.96	1,611.72	9.63
HDFC ERGO General	252.92	249.31	1,063.94	1,010.05	5.34
Cholamandalam	203.49	189.61	682.04	635.21	7.37
Future Generali	116.88	112.75	541.38	476.71	13.56
Universal Sampo	50.16	46.24	264.42	214.54	23.25
Shriram General	142.92	129.77	520.30	471.13	10.44
Bharti AXA General	113.31	115.98	452.04	551.43	-18.02
Raheja QBE	1.81	1.71	9.23	7.65	20.59
SBI General	133.60	108.33	528.27	415.26	27.22
L&T General	27.79	21.35	140.42	95.95	46.35
Magma HDI	36.36	33.26	131.55	138.08	-4.73
Liberty	36.70	20.43	148.47	87.72	69.26
Star Health & Allied Insurance	146.51	110.19	521.46	392.48	32.86
Apollo MUNICH	64.91	45.96	226.90	184.14	23.22
Max BUPA	36.86	28.53	137.46	101.40	35.56
Religare	35.78	17.36	159.73	70.69	125.95
Cigna TTK	6.47	0.38	21.14	1.70	1141.74
<b>New India</b>	<b>1,331.27</b>	<b>1,116.70</b>	<b>5,288.55</b>	<b>4,590.15</b>	<b>15.22</b>
<b>National</b>	<b>998.75</b>	<b>961.70</b>	<b>4,113.34</b>	<b>3,738.16</b>	<b>10.04</b>
<b>United India</b>	<b>1108.93</b>	<b>1022.43</b>	<b>4290.09</b>	<b>3833.15</b>	<b>11.92</b>
<b>Oriental</b>	<b>694.09</b>	<b>616.79</b>	<b>2869.68</b>	<b>2659.72</b>	<b>7.89</b>
<b>ECGC</b>	<b>115.37</b>	<b>110.01</b>	<b>430.65</b>	<b>421.61</b>	<b>2.14</b>
<b>AIC</b>	<b>199.94</b>	<b>117.01</b>	<b>364.32</b>	<b>255.59</b>	<b>42.54</b>
<b>PRIVATE TOTAL</b>	<b>3,506.59</b>	<b>3,061.77</b>	<b>14,010.98</b>	<b>12,345.56</b>	<b>13.49</b>
<b>PUBLIC TOTAL</b>	<b>4,448.35</b>	<b>3,944.64</b>	<b>17,356.62</b>	<b>15,498.39</b>	<b>11.99</b>
<b>GRAND TOTAL</b>	<b>7,954.93</b>	<b>7,006.41</b>	<b>31,367.61</b>	<b>27,843.95</b>	<b>12.66</b>

Note: Compiled on the basis of data submitted by the Insurance companies

\* Figures revised by insurance companies

Premium underwritten by non-life insurers up to the month of July, 2015



\* Compiled on the basis of data submitted by the Insurance companies

The total bar in the above chart represents the business figures of the entire financial year

2014-15 2015-16

# PUBLIC NOTICE



## IRDA CAUTIONS PUBLIC AGAINST SPURIOUS CALLS AND FICTITIOUS OFFERS

Insurance Regulatory and Development Authority (IRDA) has been receiving complaints, through email/letters and in its Integrated Grievance Management System, from members of public informing the Authority that they are receiving spurious calls from unidentified persons:

- Claiming to be representatives of IRDA and offering insurance policies of different insurance companies with various benefits.
- Claiming that IRDA is distributing bonus to insurance policyholders out of the funds invested by insurance companies with IRDA.
- Claiming that the policyholder would receive bonuses being distributed by IRDA if they purchase an insurance policy and wait for a few months after which the bonus would be released by IRDA.
- Advising customers to subscribe to fresh policy after surrender of the existing policy and wait for a few months after which the fresh policy would be entitled for additional enhanced returns / benefits.
- Informing that 'Survival Benefit or Maturity Proceeds or Bonus' is due under their existing policy and investing in a new insurance policy is mandatory to receive the amounts which are due.
- Advising public to invest in insurance policies to avail gifts, promotional offers, interest free loans, or setting up of Telecom towers or other such offers.

The general public is hereby informed that IRDA is a regulatory body established by an Act of Parliament, i.e. the Insurance Regulatory and Development Authority Act 1999, to protect the interests of the policyholders, to regulate, promote and ensure orderly growth of the insurance industry and for matters connected therewith or incidental thereto. Further, IRDA informs the members of public that:

- IRDA does not involve directly or through any representative in sale of any kind of insurance or financial products.
- IRDA does not invest the premium received by insurance companies.
- IRDA does not announce any bonus for policyholders or insurers.
- Any person making any kind of transaction with such individuals/agents will be doing the same at his own risk.

IRDA hereby urges the public to remain alert and not to fall prey to frauds or scams perpetrated by miscreants who impersonate to be employees / officers of IRDA or other insurance companies.

If any member of the public notices such instances, he or she may lodge a police complaint, along with the details of the caller and telephone number from which the call was received, in the local police station

A public awareness initiative by



भारतीय बीमा विनियामक और विकास प्राधिकरण  
INSURANCE REGULATORY AND  
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## BEWARE OF FAKE TELEPHONE CALLS

**IRDAI Kisi Bhi Tarah Ki  
Telephone Calls Nahi Karta, Aise Fraud Calls Se  
Raho Hoshiyaar, Police Mein Karo F.I.R.**



### **I.R.D.A of India:**

- Never sells any insurance or financial products
- Never invests the premium of insurance companies
- Never endorse any bonuses

***Report the name, phone number and other details of such callers to your nearest Police Station.***

A public awareness initiative by



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