

Seminar on the “Role of Corporates in Road Safety”
Thursday, 15th May 2014
The Auditorium, India International Centre, New Delhi

PROCEEDINGS

(i) INAUGURAL SESSION

The Seminar began with a ceremonial Lighting of the Lamp by the dignitaries on the dais.

Welcoming all Delegates to the Seminar, **Mr. Sanjay Bandopadhyay, Joint Secretary, MoRT&H** highlighted that Road Safety is a major concern in the country with serious accidents taking place every day. Over 1.38 lakhs lives are lost every year due to road accidents. However, since 2011, there has been a declining trend in deaths due to road accidents. The data for the year 2013 is still in the process of being collected and one cannot state conclusively if the efforts that are being put in by the Ministry to bring down the number of road accidents are showing results in the form of a declining trend. The efforts and results in different States, he pointed out, are widely divergent. Some States such as Kerala have fared extremely well, while other States have not performed so well. A lot of effort needs to be put in to ensure improvement in the situation. He stressed that the trauma caused to families due to accidental deaths is enormous and needs to be addressed. The Seminar is being organized by the Ministry, jointly with IRF, to sensitize the Corporate Sector for encouraging them to increase their role in Road Safety activities under CSR.

He informed the gathering about the activities of the Ministry for road safety. The Ministry has been conducting several awareness and training programmes on the subject of Road Safety. Every year, a Road Safety Week is observed in early January. In 2014, Road Safety Walk was organized during the Road Safety week, in which car manufacturing companies and other Corporates were associated. The Ministry annually prepares a Calendar of Road Safety activities for the year on the basis of inputs from the car manufacturing companies and SIAM, which has a dedicated wing to take up the issue of Road safety.

Mr. Bandopadhyay concluded by warmly welcoming all the Participants, particularly those from the Corporate sector, to the Seminar. He sought from the participants greater supportive efforts for tackling the issue of accidental injuries and fatalities, which is a serious concern in the country.

Mr. K.K. Kapila, Chairman, IRF GPC, introducing the topic of the Seminar gave a brief scenario of road accidents in the World, and in particular India. Nearly 1.2 million people die every year and 20 to 50 million are injured globally in road accidents. The economic loss of these injuries and fatalities accounts for over USD 1.2 trillion. In India, approximately, 150 thousand deaths and 500 to 600 thousand injuries due to road accidents occur every year, resulting in an economic loss of anywhere between Rupees 1,50,000 crores to Rupees 2,00,000 crores (USD 25 to 30 billion). The UN Decade of Action targets a 50% reduction in the fatalities by 2020.

Road safety is, he said, a function of 4Es – Education, Engineering measures, Enforcement and Emergency care. He mentioned that in order to improve road safety, there is need to work on all four Pillars for effectively tackling the problem. In 2010, MoRT&H issued a circular, based on the IRF recommendations for forgiving roads, to build only forgiving roads in the country, not only for the National Highways but also for other roads. He said that MoRT&H has made a provision of 10% in its Annual Budget exclusively for Road Safety Activities. He regretted that these budgets in most States do not get spent and the funds allocated for this purpose lapse. He advised that State PWDs must act more consciously to spend this amount budgeted for road safety by getting Road Safety Programmes approved timely thereby ensuring that the budget does not lapse.

Speaking about “Education”, he mentioned that IRF, in association with Institute of Road Traffic Education (IRTE), has prepared a Road Safety curriculum for school children of Classes VI – X, to ingrain in them the road safety culture. This is being adopted by NCERT and he was confident that this would be introduced in the Curriculum from the next year onwards. The introduction of the subject of road safety through various existing subjects being taught (such as Hindi, English, Science, Social Science and Mathematics) would ensure that there is no increase in the existing syllabus.

He mentioned other measures being taken for awareness and education such as Mass awareness through short films screened on TV, Cinema halls, Promos on Television, Road Safety Messages at important locations such as Bus Stops, Railway stations, etc.

He suggested that emergency care must be ensured through provision of ambulances and training to all heavy duty vehicles drivers on First Aid Trauma Care. Such training must be an essential ingredient before granting licenses to heavy duty vehicle drivers. This single act will help more than any other effort because one or other heavy duty vehicle is likely to pass an accident site and this will help in saving lives. He suggested that Training on First Aid Trauma Care to villagers along the highways etc. must also be given.

Enforcement must be ensured by using ITS, by increasing the fines payable under Motor Vehicle Act. He suggested that repeat defaulters should be stripped of their licences. These are some initiatives to inculcate strict discipline on roads, he said.

While the Government and NGOs are relentlessly working for the cause of Road Safety, he called upon the Corporates to also come forward and contribute their might for road safety.

Elaborating upon the provisions of the CSR Section of the Companies Act, Mr. Kapila said that the Ministry of Corporate Affairs has notified Section 135 and Schedule VII of the Companies Act 2013 as well as the provisions of the Companies (Corporate Social Responsibility Policy) Rules, 2014, which has come into effect from April 1, 2014.

Accordingly, every company, private or public, which either has a net worth of Rs 500 crore or a turnover of Rs 1,000 crore or net profit of Rs 5 crore, needs to spend at least 2% of its average net profit of the immediately preceding three financial years on corporate social responsibility (CSR) activities. The CSR activities must be with respect to any of the activities mentioned in Schedule VII of the 2013 Act.

He said that the notification also mentions that the report of the Board of Directors attached to the financial statements of the Company would also need to include an annual report on the CSR activities of the company in the prescribed format. Where a company has a website, the CSR policy of the company would need to be disclosed on such website.

He mentioned that the Schedule VII, without any ambiguity, specifies distinct heads under which CSR activities can be undertaken by Corporates. He suggested that two such heads under which Road Safety works can be undertaken are Education (of civic responsibilities including Road safety) and Social Business Projects (treatment of accident victims, assistance in getting them compensation etc.)

He stressed that Road Safety in India should not just be a concern of select stakeholders but needs to be adopted as an important social cause, if a difference has to be made to the current situation. For instance, education of Road Safety needs to be undertaken on a sustained basis starting from school to build in young children a culture of following road rules and regulations, dos and don'ts while on the road and behaving responsibly. Integrating Road Safety education as a part of school curriculum, compulsory screening of road safety films in TV, cinema theatres etc. on a sustained basis, educating drivers in first aid trauma care, holding of poetry and essay competitions, street plays to bring about awareness in the road users over a period of time are some important measures for increasing Road Safety.

He pleaded for elucidation by the Government with regard to Schedule VII which brings out what he had mentioned about the current CSR provisions and said that this would go a long way in helping the cause. The CSR activities would also become sustainable and strategized, with the outcomes monitored annually.

This is exactly what the social cause of Road Safety requires – implementation and monitoring of programmes undertaken with tangible results. This is what the Corporate sector expects – to know the outcomes for the monies spent.

He mentioned that recognising Road Safety as a social cause worthy of being included by Corporates in their CSR strategy is the need of the hour. A place of prominence in the CSR

budgets of Corporates and planning dedicated activities will help save precious lives and humanity at large.

He further mentioned that with the untiring support received from MoRT&H, one of the major achievement is coverage of Road Safety in MPLAD. So, the annual funds which elected Representatives get for development in their Constituencies can be spent on Road Safety. He also took the opportunity to call on the Citizens of India, to seek assistance from these Representatives to provide footpaths, underpasses, etc. in their Constituencies. This, besides provisioning of facility, will sensitize them towards Road Safety. He declared that the Parliamentarian who shows maximum concern with regard to Road Safety will be honoured by IRF every year during the Road Safety week. It is with the help of these Parliamentarians that the scope of CSR can be enlarged to cover Road Safety issues in a more holistic way.

He, particularly, called upon the Insurance Companies, who are direct beneficiaries of Road safety measures, to come forward and work for this cause, he requested the car manufacturers to provide all road safety gadgets in their car models and strengthen car bodies to ensure that they pass the crash test, for which facilities are now being created in India. He thanked Mr. Rohit Baluja for championing the cause.

He mentioned that donations towards CSR on Road Safety enjoys 50% tax exemption under Section 80G of the IT Act. He informed that IRF is closely working with MoRT&H to get 100% exemption for donations/amount spent on Road Safety under 80GGA.

Finally, he appealed to all delegates to work in perfect synergy to achieve the target of “Decade of Action Plan 2020”. He was convinced that this is doable and he called upon the Corporates to resolve to work tirelessly and to work tirelessly towards this goal.

Mr. Vijay Chhibber, Secretary, MoRT&H stated that the Agenda of the Ministry over the past few years has been overly focused on the physical infrastructure aspect, while Road Safety as a concern has been underplayed. Before proceeding with the subject, he placed on record his appreciation of the special efforts of IRF and IRTE. He emphasized that when dealing with the Road Sector, the positives are fewer than the negatives and that in the Government architecture, the focus is lost in the larger ambit. There is a lot of ground to cover and time is running out. India has the maximum number of fatal road accidents and accounts for 10% of the total 1.3 million road accident fatalities worldwide, despite having only 1% of the world’s vehicle population.

Looking at the programme of the Seminar, he appreciated that the legal perspective would also be covered in the Seminar, which would be very educative.

He mentioned that the earlier Speakers had highlighted the successes and failures of the Road Safety sector, which is a mixed bag. Personally, he was of the opinion that the positives are less than the negatives and that we need to get our act together. Looking at the Public Safety Issues, he mentioned that the epidemic of accidents on a day-to-day basis is alarming. It is

necessary to get through to the decision makers not only in the political space but also in the bureaucratic space as well as Civil society the kind of momentum it should have. He was concerned that we should not miss the target with regard to the UN Decade of Action, which the Global community has so carefully articulated and put together as a goal. An accident a minute, a loss of life every 4 minutes is not something which can be wished away. There are several impacts of the financial loss of such a tragedy but more than the financial loss is the trauma to the family. One cannot put a Dollar value to the trauma faced by families. It is immense and leads to other consequences such as morbidity, inefficiencies in our daily lives, which is huge. Instead of focusing on this, we need to focus on what can be done. Efforts in other geographies show that action can lead to change. China, a few years ago, was at par with India but since then has made progress. It's road lengths have increased manifold. It is possible to make an impact, this has been demonstrated again and again in other geographies. So what prevents us from organizing a comprehensive architecture for addressing the problem that can make a difference.

The eco-system is basically related to infrastructure, enforcement, traffic management systems, vehicles in terms of quality and last but not the least, road users. Road users are a problem particularly, their behaviour. So the eco-system is obviously lacking and does not allow achievement of set targets.

Road accidents can cause huge losses. Safety is not anti-thetical to productivity. The fewer accidents, there are, the less will be the financial loss. However, human beings are prone to mistakes and which is why we need to concentrate on Road Safety.

Coming to the Role of Corporates, it is very relevant. The Corporate Sector has been increasingly the driving force of current growth of the economy. The Corporates in the Road Sector, can basically be divided into two broad segments. Those, which are involved with physical road construction, vehicle manufacture, etc., Safety should be the first concern as far as vehicle manufacture is concerned but the USP is how many kilometers one gets out of one's car. In the International arena, the USP is safety. Recently all kinds of issues regarding Safety were discussed and one of the parties in the election had a by-line on road safety. However, as a family concerned with Road Safety, India has failed to make it the DNA.

The Secretary appealed to Corporates to take a serious look at Safety features as a more important element in the technological element of inputs, marketing, etc. He mentioned that recently while deliberating on the introduction of ABS system in two-wheelers, it was dismaying to find that the move was shunned by the two-wheeler manufacturers, asking for a couple of more years to introduce it. He also said that implementing basic safety features like making helmet mandatory for lady pillion riders is a difficulty.

He narrated his recent experience in Australia. The driver of the bus, they were travelling in, refused to move until everyone had fastened their seat belts. This is the law. The driver not only obeyed the law but felt morally obliged to take on the responsibility of ensuring that it is adhered to.

In this context, he drew attention to a recent report in the newspapers that Delhi Government would try to ensure that Seat Belts are used in the front seats. There appears to be an obvious problem since seat belts are mandatory for both the front and rear seats. It appears that those

involved in the basic problem of saving lives are not aware of the rules. He mentioned that half the population of Delhi is not required to wear a helmet.

According to him the Corporates involved in manufacturing could be provide safer vehicles, sensitize the population, train their own employees, etc. In fact, in a recent Seminar, it was brought to their Notice that our Vehicles are not comparable with International Standards of Safety, which is very mortifying and needs to be addressed. Awards for Corporates Promoting Road Safety are also being considered.

In Australia, he had the opportunity of visiting the largest logistics company, Linfox, Melbourne. It is a very large company with a large infrastructure. From the perimeter to the Corridors, to the Conference Halls, and even the washrooms, safety is projected repeatedly. They have a dedicated Safety logo for the company. Safety is a part of the thinking process and it is projected again and again. In their Presentation to Visitors, the Company is not talking about productivity or the online delivery of goods but concentrating on Safety, across the board. It is a part of the DNA of the Company.

Coming back to the Corporates, not directly involved with roads, he suggested that they should look at Safety in an aggressive manner and as a part of their thought process.

He spoke of the recent Government initiatives, but somehow, these initiatives have not meshed together. Coordination needs to be better. Some of these initiatives are Model Driving Centres, Model Automated Vehicle Inspection Centres, Safety Audit of Roads, Identification of Black Spots and Addressing Problems, Advocacy Campaign through Print & Electronic Media, etc.

Some efforts have been made in Schools and intensive dialogue held with IRF and NCERT. It is encouraging that the inputs provided by IRF are likely to be introduced in School Syllabi in the next Session. He complimented IRF on its Cycle Safety initiative. The Delhi Police has played a very positive role in this effort.

Some other initiatives which are on the anvil are exemption from IT, ITS Operated Systems, Toll Free Helpline Across the Nation for Accident Victims, Cashless Treatment for Accident Victims to be expanded, NCAP – which the Corporates need to take a little more seriously.

He mentioned two features in the New Legislation for seeking CSR spending which had also been mentioned by Mr. Kapila – Education & Social Safety Projects. However, there is a gap in the Ministry's perception and that of the Corporate Affairs Ministry, which needs to be sorted out in a more defined manner.

He concluded his address stating that the canvas of road safety is large and needs a national level movement. It needs everyone to put their heads and energies together. There are 5 more years for UN Decade of Action to be played out and togetherness can help make a dent.

Mr. B.K. Chaturvedi, Member, Planning Commission, in his address as Chief Guest, mentioned about the UN Decade of Action. He said that it was only appropriate that the level of road safety in the next 5 years must be critically examined. He complimented Mr. Kapila on the fact

that IRF has been sensitizing people. He, however, suggested that this needs to be enhanced and should be achieved in at a faster pace.

He suggested that at the time of drivers' licensing, the consciousness of road safety needs to be enhanced. This could be through a five minute sensitization, wherein a Video of Road Safety could perhaps be shown to them. The idea is to generally create an ecosystem / environment where the responsibility and importance of Road Safety is inculcated in the driver. Organizations with a large number of vehicles should do this regularly from time to time for their drivers. Drivers are on the road for a long time and they need to be sensitized and this is where the role of education comes in.

Education, according to him, is a process in which all must associate. He was not sure why a question had arisen about whether training in Road Safety is a part of the CSR head of Education, since education is a comprehensive term and covers many aspects. Road Safety is a social responsibility and must be covered. The two Ministries should sort out their differences and if the need arises, he was sure that Planning Commission along with other institutions would provide the necessary support.

He advised that Corporates must put in more resources into CSR for these activities. Those Corporates, who are involved in building roads and maintenance activities must certainly do it as they are responsible. However, Corporates, not involved directly in road building must also take up this responsibility. The programme for educating school children in road safety, undertaken by IRF is a good initiative. He was also of the opinion that areas more prone to accidents must be targeted. Programmes should be held in such areas from time to time to sensitize the local population as to how to use roads. Roads should not get breached and sensitization on this aspect is necessary.

He stressed that Trauma Care Centres need to be set up. These have two aspects:

- (1) Medical facilities
- (2) Sensitization

Often, people are worried as to the consequences of their helping an accident victim. It is important to sensitize them and ensure that they discharge this responsibility. If the police and other vehicle users are also sensitized, then trauma victims would get much better care.

He mentioned that at the International Transport Conference held at Leipzig, Germany, every year, the focus is always on Walkways and Cyclists. However, this is not our focus, as either we are not sensitive to this class of users or Indian roads are so congested that it is not possible to provide space for such separate corridors. However, India is in its infancy and is expanding. Presently, only 30% is urbanized. When new infrastructure comes up, we must take care of these users.

He mentioned that as stated by Mr. Kapila, IRF would hold two Seminars every year and one Seminar on different aspects of Road Safety every month. This would be a good initiative but it needs to be expanded all over the country. Referring to Mr. Chhibber's experience in Australia where at every place, safety, was a major concern, he said that awareness for road safety must be enhanced. In India, the percentage of voting in elections has increased overtime due to

awareness. Similarly, creating an ecosystem through discussions and media, TV, Radio, which is a very powerful media, etc. would bring about increased awareness of Road Safety.

He observed that vehicular speed in other countries is much faster than in India, but fewer accidents take place on the roads. This is because the sensitivity to Rules and Regulations in these countries is far more stringent.

He hoped that the deliberations of the Seminar would result in better sensitization. Corporates must expand the ecosystem and carry out sensitization across the country. He expressed the conviction that India has progressed in many areas and the same will be done in the area of Road Safety as well.

VOTE OF THANKS

Mr. N.K. Sinha, Chairman, IRF IC proposed a vote of thanks on the occasion.

(ii) TECHNICAL SESSION – VISION OF CORPORATE LEADERS

Mr. Mahesh Rajoria, General Manager, Driver Training & Loyalty Programme, Maruti Suzuki India Ltd., and Director IDTR, spoke on the “Role of Training in Improving Road Safety”. He highlighted the growth and issues of the Road sector, Human factor in road safety, driver training by Maruti Suzuki and the role of training.

Mentioning that road safety is a national concern, he highlighted the parameters of India’s road sector. It has the second largest road network in the world and 1% of World’s vehicle population. Disproportionately, it accounts for 6% of World’s accidents and 10% of World’s road fatalities. 1.38 lakh road deaths every year of which 12% are pedestrians, 47% light vehicle users (LMV) and 33% heavy vehicle users (HMV) lead to a Rupees 100 thousand crores annual loss, which has an environment perspective, a safety perspective and a people perspective.

The largest accidents are accounted for by LMV and intervention is needed at this level for ensuring safety.

MoRT&H has identified the four Es of Road Safety to enhance Road Safety by focusing on them. Education, which is a primary MSIL - CSR concern.

Talking about the Road Transport Sector, he mentioned that Indian roads carry 85% of passenger traffic and 73% of freight traffic. Investment in roads and road transport is increasing at a rapid pace and has a huge potential for employment generation. As against the currently available 3 million truck drivers, 7 million will be required by 2022. 10% of transport vehicles today are standing just for the lack of a driver. Drivers have driving skill but lack knowledge

about driving because most of their learning has been informally acquired. Their ignorance of traffic rules compromises the safety of other road users. Wrong driving creates mass followers as other drivers follow blindly. Today, we are dependent on the environment for giving us our drivers. What is needed is to create drivers with skill, knowledge and aptitude.

He further talked about the Maruti Suzuki Driver Training Infrastructure. Focusing upon the need for creating capacity for high quality driving, Maruti has set up a network of driving schools in which they train Trainers of driving schools. Over the last 14 years, the company has established a robust training infrastructure across India. 6 Institutes of Driving & Traffic Research (IDTR) have been set up in partnership with State governments, and 322 Maruti Driving Schools (MDS) with Maruti Suzuki Dealer network have trained over 1.5 million people, so far. The IDTR network is located at Wazirabad Road, Delhi, Rohtak, Haryana, Vadodara, Gujarat, Sarai Kale Khan, New Delhi, Bahadurgarh, Haryana and Dehradun, Uttarakhand.

The IDTR infrastructure has scientifically engineered tracks for the following.

- Standard formations for rigorous training / testing.
- Hill track
- Separate testing areas for HMV, LMV and 3 wheelers.
- Provision to run more than 50 vehicles in various categories on the tracks simultaneously

Over 90% of trainees at IDTR are Commercial Drivers.

The MDS have a well researched and structured Training Curriculum. They offer Driver Training solutions to Individual and Corporate customers, 80% of the trainees of which are novice drivers. They implement CSR Programmes of MSIL and Government Agencies, particularly targeting youth from under privileged backgrounds.

The features of the training regime include a Standards Based Approach (SBA), Content Development and Improvement, Progress Recording & Feedback and use of Modern Technology for Effective Learning. Driving Simulators create a virtual reality environment and simulate rain, fog, night, variable traffic density, which helps improve operational skills and remove apprehensions.

The training programmes are aimed at novices, upgraders, existing drivers and other road users. MSIL has developed a robust driver evaluation system which incorporates skill, knowledge and attitude as attributes. The system is being successfully used for recruitment of drivers by Corporates and licensing of commercial drivers.

An ASDC Certification for Drivers is also available.

MSIL assessment of the role of training in improving road safety has been that training leads to a better understanding of the vehicle and environment by drivers, improves efficiency through enhanced skills and knowledge of rules and regulations. Most importantly, awareness about safety enhances respect for other road users.

Concluding his presentation, Mr. Rajoria pointed out that the new CSR Provisions do not recognize Road Safety as CSR. This needs to be addressed. He also highlighted the fact that the issue of untrained LMV Commercial Drivers needs to be addressed. Driving Schools licensed to train LMV – NT should also be allowed to train LMV Commercial Drivers, who can then be tested by Government recognized Institutions.

Mr. K. Ramchand, Managing Director, IL&FS emphasized that Road Safety is a very major concern of the IL&FS. He mentioned that the company had started an Infrastructure Initiative in the 1990s. It was then not called CSR but was titled as Environment and Social Policy. Displacement of local population in areas surrounding Infrastructure Projects, not only as a result of land acquisition but other reasons as well, led to this Initiative which focuses on Skill, Education, Employment Generation including Computer Aided Training. Road Safety is only one of the aspects of CSR covered in IL&FS Road Sector. Over the last few years, around 10,000 schools and nearly one million population have been covered with some form of activities under CSR.

As far as Road Safety is concerned, IL&FS have put in place 3 or 4 levels of Safety Institutional Mechanisms. The first is a Sub-Committee of the Board of Directors of IL&FS, which consists of 3 Independent Directors to look at the Safety Records of all IL&FS Project sites. The second is an Independent Site Safety Mechanism, which covers and analyzes Standard Statistics and reports to the Corporate office. He mentioned that IL&FS is also covered under ISO 18000:2007.

IL&FS has changed the ways in which safety is analyzed. Normally, when an accident takes place, a crowd assembles and speaks to a guy who doesn't really know much about the accident. This, then becomes the basis of Information on the Accident. The format of reporting has since been changed and a much more objective format has been developed by IL&FS. For instance, when a truck driver is driving for a 1,000 kms, the driving is monotonous. One has to find methods to keep drivers awake and tuned to the risk of a possible accident. This is being done through the method of Cognitive Behaviour Analysis. For instance, when one climbs a staircase, one just keeps climbing without much thought. In the same way, truck drivers keep driving without much thought about the road. They may have lunch when driving like motorcyclists use a mobile phone when driving. The reason is that they think they know everything about the road. What is needed is a behavior / mindset change. IL&FS is doing this through innovative methods such as introducing different road signs from those being currently universally used. For instance, the road sign for a restaurant is a Plate with a Spoon and a Fork. This is being changed to indicate that a rest area is coming up, showing a Sardarji sleeping on a charpoy. The driver associates with this image and knows that a rest area is coming up soon within another 5 kms, if he stays awake. Similarly, changed signages for Pedestrian Crossings other than the Black & White stripes are being introduced. These new signages would have a

Stop sign with a Child, which gets bigger and bigger as the pedestrian crossing is approached. IL&FS has found that this has led to drivers slowing down. Similarly, IL&FS is experimenting with Colour and Optical Illusions. Besides this, it does all the standard stuff such as observing the Road Safety Week, using Breath Analyzers, Speed breakers, etc.

Mr. Ramchand was strongly of the view that Concessionaires should be given the power to stop drunken drivers or rash drivers. Currently, all that they can do is to call a Policeman who 99 times out of 100 does not respond. If the Concessionaire is given this power, many accidents can be prevented.

Mr. Nigel Wirtz, Head of Environment, Health and Safety (EHS) for L&T, chartered member of the Institute of Safety and Health and a member of the British Institute of Advanced Motorists, mentioned that he is currently working on the Western Dedicated Freight Corridor Project to build 626 kms of new railway line alongside the existing Indian Railway. The project involves many thousands of engineers and workers who need to travel large distances by road and track to reach the many construction sites. The project also includes a huge logistics chain to shift material, tools and plant all along the route. Road Safety is therefore a significant concern for his company.

Having now lived in India for almost 3 months, he has had the opportunity to experience the roads and the driving habits, which are very different to what he is used to in the UK. His role as Head of EHS is for making the workplace a safe place to be and for many that workplace is in a vehicle travelling around on Indian roads with all the hazards and risks that this involves.

Focusing on "Role of Corporates in Road Safety", he raised the question as to why Corporates should consider Road Safety. He observed:

- Many road crashes involves a vehicle being driven for work.
- Nationally every week, hundreds of road deaths and serious injuries involve someone at work.
- Nearly all of these deaths and injuries are preventable.
- For the majority of people, the most dangerous thing they do while at work is drive on the roads.
- Managing driving for work is a legal requirement - An employer is liable for journeys being carried out safely on behalf of his business. This includes journeys to be carried out by sub-contractors, freelancers and agency drivers.
- Management and employees can be prosecuted for road traffic crashes involving work related journeys.
- Managing a driving for work policy can save business money.

Costs include Damage and Loss of Vehicles – including recovery from remote places, Injuries and fatalities, Insurance premiums, Loss of Time & productivity, Loss of material, Reputation and customer satisfaction

- Companies have a social and moral responsibility to look after their employees & the public. Everyone has a right not to expect to be injured or be killed at work.

He deliberated upon what Corporates can do. He felt that Organizations should aspire to ensure that everyone lives injury-free every day and takes the necessary steps to try and achieve this. This would begin with having driving policies because the employers are legally responsible for employees who drive whilst at work.

- Assign a senior manager with specific responsibility for managing driving at work.
- Incorporate a driving for work policy ideally within existing Health and Safety policy.
- Where possible include legal compliance for non-work related road use such as helmets must be worn on motorcycles traveling to and from the place of work to help improve national standards
- Routinely undertake, record and act on the findings of risk assessments dealing with all aspects of driving at work including driver safety, vehicle safety and journey planning.
- Ensure that every accident and incident involving any vehicle driven on behalf of the company is investigated thoroughly. That it is recorded and that collective information is regularly analysed for action taken to reduce recurrence.
☑ Consider sharing this information with other companies and authorities to help make improvements everywhere.

On Driver Safety, he said:

- Ensure that all employees driving on behalf of the company are initially vetted, trained and regularly assessed, to establish that they are properly licensed, competent, suitably trained and medically fit to do so.
- Provide a driver's handbook that includes road safety guidance and sets out individual driver responsibilities, in support of the company's policies and procedures, e.g. dos and don'ts and what to do in the event of an incident.

Ensure drivers are competent and capable of doing their work in a way that is safe for them.

Driver Standards must look at:

- Driver Fitness Standards (eye sight, hearing and physical fitness etc)
- Driver Selection – drivers with a history of driving offenses and accidents – what can be done to train these drivers?
- Training including defensive driving techniques, Video, Interactive Computerized Training, Posters etc.

- Company Driving Induction including familiarization with the vehicles that the company utilize because not all vehicles are the same.
- Driver Handbook produced to communicate policy, rules, process and guidance
- Personal Safety Procedures such as inspecting vehicles before use

Personal Factors must also be kept in mind, such as Illness (symptoms that might affect concentration), Stress & Distractions, Fatigue, Drugs & Alcohol use, Thrill of Speed (behavioural), Using Mobile Phones.

Safer Driver Award Schemes must be instituted to encourage good driving skills. This can be done through schemes to encourage good driving behaviour with awards and reward, themed driver safety days as part of annual safety training and awareness.

Vehicle safety is an important aspect to be kept in mind. The responsibility of an employer of someone who drives a vehicle for work is to ensure that the vehicle fits the purpose for which it is used. It is important that the vehicle is safe and in fit condition and that there is required safety equipment properly fitted and maintained. These basic requirements, along with others mentioned below, will help reduce the risk to employees, driving as part of their job.

- Ensure that when choosing vehicles to be used on behalf of the company, that they are entirely suitable for their intended purpose and that utmost importance is placed on safety features.
- Ensure that all vehicles used on behalf of the company are regularly inspected and strictly maintained using the manufacturer's recommended service schedules.
- Daily & Weekly Vehicle Safety Checks
- Reporting Vehicle Defects
- Provision of Basic First Aid & Additional Vehicle Equipment such as firefighting equipment (with training to use the equipment).
- Seat Belts including seat belts for the passengers in the rear of the vehicle
- Arrangements for carriage of Passengers and Goods
- Arrangements for carriage of Substances Hazardous to Health (if required)
- Arrangements for loading and Towing Vehicles (if required)

He talked about the Accountability aspect. The employer is liable for journeys being carried out safely on behalf of his business. This includes journeys to be carried out by sub-contractors, freelancers and agency drivers.

Communication with staff from all levels of the company, should particularly stress the risks of Observation of road hazards, Inappropriate use of speed, Overtaking and positioning on roads, Driving whilst being unfit to drive (e.g. through fatigue, (over-the-counter) drugs, illness), Not

wearing seatbelts. (Ensure all passengers wear seat belts as well), Inappropriate use of cell phones while driving, Breaking distances and observation.

Performance Monitoring is important. The results of such monitoring must be fed back into the system to ensure continuous improvement. The investigation of causes of accidents and incidents through reactive monitoring must be undertaken to identify why substandard performance was not prevented.

Data so collected must be regularly analyzed for trends and patterns with emphasis in training on how to recognise, analyze and learn from such events.

In conclusion, he made the following points:

1. Assess the cost and potential cost to business
2. Assess the risks to your employees and business
3. Implement a driving policy
4. Select and train drivers
5. Make plans to reduce the risks identified
6. Inspect, Check and review arrangements regularly
7. Include Road Safety into management review process

The Role of Corporates is to help improve national driving standards by introducing company safe driving rules and also ensuring drivers comply with all the legal motoring requirements.

Corporates such as L&T can help authorities by embedding good driving practice and compliance to road safety laws as well as setting a good example for the public to follow.

Mr. Ajay Sud, eminent Lawyer and expert on CSR Law, spoke on the “provisions of CSR with respect to road safety”. Pointing out that pursuant to Section 135 of Companies Act 2014, CSR is now a legal obligation, he mentioned that CSR Rules have been notified and have been in force since 1st April 2014. As notified, the CSR Rules are aligned with Principle 8 (inclusive development) of the National Voluntary Guidelines (NVGs) issued by the Ministry of Corporate Affairs in June 2011 for social, environmental and economic responsibilities of business.

He mentioned that there are several contentious issues with the CSR Rules. He questioned as to whether CSR obligations can be legally mandated. He pointed out that the company’s primary responsibility is to do business ‘responsibly’ i.e. in compliance with applicable law and regulation. Companies, however, may voluntarily over-comply the standards prescribed. Another issue is whether the ‘spending’ model is appropriate or should it be linked by public policy to other domains such as eligibility for participation in public procurement. We also need

to examine the adequacy of 2% of profits for CSR purposes and if the focus on this 2% leads to a dilution of the attention and action on how the total profits are earned in the first place.

He informed the audience about the coverage of the CSR Rules which mandates that CSR Expenditure must be at least two per cent of the average net profit, made during the three immediately preceding financial years. It covers all companies in India meeting any one or more of the following conditions:

- Turnover of INR 1,000 crores or more
- Networth of INR 500 crores or more
- Net Profit of INR 5 crores or more

He elaborated upon the Management and Reporting System that needs to be put in place.

- (a) Setting up of a Three Member CSR Committee of the Board of Directors - including one Independent Director (not required for private and unlisted companies).
- (b) The CSR Committee would formulate CSR policy, CSR Strategy, Evaluate and Recommend CSR initiatives and ensure efficiency and effectiveness of CSR expenditure.
- (c) The Directors Report must mandatorily include the Report on CSR and disclose reasons for failure to spend the prescribed amount of 2% of average net profits.

With regard to the Implementation, the following aspects would need to be taken care of.

- CSR policy, strategy and plan must indicate the CSR activities to be undertaken by the company in accordance with activities specified in Schedule VII.
- In conducting CSR activities preference may be given to the local area and areas contiguous to where the company operates.

He elaborated on other aspects related to CSR implementation:

- CSR expenditure is to exclude expenditure incurred in the normal course of business.
- Group CSR projects, joint CSR projects, CSR fund pooling is permitted as per the Rules.
- CSR expenditure can be undertaken on projects or activities in India only.
- Foreign companies with operations in India as well as project and branch offices of foreign companies in India are covered under CSR provisions.
- Capacity building costs of own personnel or those of implementation agencies would qualify as CSR expenditure. However, this would be subject to a cap of 5% of total CSR expenditure.

On the Item of Road Safety in Schedule VII, he mentioned that Sr. No. 2, which reads as follows is the only line item that may include Road Safety Education

“Promoting education; including special education and employment enhancing vocation skills especially among children, women, elderly and the differently abled and livelihood enhancement projects.”

He pointed out that the term “Education” has not been defined in Companies Act and elaborated on other interpretations such as Income Tax Act – Section 2(15). The Hon’ble Supreme Court has interpreted education in the following narrow term “Process of training and developing knowledge, skill, mind and character of students by normal schooling”. Tax officers strictly interpret education as being provided by institutions approved by Regulatory bodies such as State Directorate of Education/AICTE/UGC. Madras High Court has however, held that even raising artistic taste by public performances – dramatic, musical is educational purpose.

In view of the above, he pointed to the need to engage with the Government for clarification of the term “education” and to keep it as wide as possible with a harmonized definition adopted under different laws.

He also pointed out that notified Schedule VII has omitted many of the line items earlier proposed for notification and has significantly omitted the power to add other earlier included areas such as “Such other matters as may be prescribed”. However, the power to frame and amend rules is inherent under Section 469 of the Act, which permits Central Government to frame and amend rules and this possibility must be taken advantage of.

On future course of action, he reiterated the need to engage with the Government for appropriate clarification of the term “education” to include road safety training and skill building of drivers and other road management players. Also to include road safety interventions such as training, skill building, adding to road safety design and infrastructure, installing road safety equipment etc. as an eligible spend under Schedule VII through amendment of the CSR Rules.

(iii) QUESTION ANSWER SESSION

Questions/views were invited from the audience. The interactive session was largely focused on the legal aspects of CSR and methods to promote safety, with enthusiastic participation.

(iv) CONCLUDING SESSION

Summing up, Mr. K.K. Kapila, Chairman, IRF GPC said that we need to see how to go ahead. A number of good suggestions and areas of concern had been highlighted in the course of the discussions.

Mr. Ramchand had made a recommendation about giving powers to Concessionaires to stop drunken vehicular drivers till the effect of drinks has worn off. This is a very good suggestion and would be taken up with MoRT&H to see how it can be included and operationalized.

The other suggestion by Mr. Kapila was to take up two issues with the Department of Corporate Affairs to promote Road Safety through CSR.

1. Under Schedule VII (ii) Promotion of Education, “Educating the Masses and Promotion of Road Safety awareness through print, audio and visual media by the Corporates” should be included.
2. Under Schedule VII (viii) Social Business Projects, “giving medical aid, treatment to road accident victims by the Corporates” should be included.

Mr. Kapila invited the delegates to give their suggestions and to send them across through internet / website connection. Many worthwhile suggestions are likely to come from actual road users and even if they don't strike now but strike later, these should be communicated.

Concluding the Seminar, Mr. Kapila thanked everyone for participating in the Seminar and in particular, expressed special thanks to the Speakers.