

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V
&
THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR

Thursday, the 24th day of September 2026 / 2nd Aswina, 1948
WP(C) NO. 15090 OF 2020(S)

PETITIONER:

CLEMANCE THOTTAPPILLY, AGED 50 YEARS, S/O.ANTO,
 THOTTAPPILLY HOUSE, CHALAKUDY P.O., CHALAKUDY,
 THRISSUR DISTRICT.

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY ITS CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. SECRETARY, HOME DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
3. SECRETARY, TRANSPORT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
4. SECRETARY, PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
5. SECRETARY, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
6. SECRETARY, GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
7. SECRETARY, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, NEW DELHI - 110 011.
8. SECRETARY, HOME DEPARTMENT, GOVERNMENT OF INDIA, PARLIAMENT BHAVAN, NEW DELHI - 110 011.
9. NATIONAL HIGHWAY AUTHORITY OF INDIA, G-586, SECTOR 10, DWARAKA, NEW DELHI - 110 075, REPRESENTED BY ITS CHAIRMAN.
10. THE PROJECT ENGINEER, NATIONAL HIGHWAY AUTHORITY OF INDIA, PIU PALAKKAD, NO.8/1187, ARUMUGHAN COLONY, CHANDRANAGAR, PALAKKAD - 678 007.
11. REGIONAL OFFICER/ENGINEER, MINISTRY OF ROAD, TRANSPORT AND HIGHWAYS, PUBLIC OFFICE BUILDING, KERALA, TRIVANDRUM - 695 033.
12. ROAD SAFETY COMMISSIONER, KERALA ROAD SAFETY AUTHORITY, TRANS TOWER, VAZHUTHACAUD, TRIVANDRUM - 695 014.
13. TRANSPORT COMMISSIONER, TRANS TOWER, VAZHUTHACAUD, TRIVANDRUM - 695 014.
14. CHIEF ENGINEER, NATIONAL HIGHWAY, PUBLIC OFFICE, TRIVANDRUM - 695 034.
15. DIRECTOR GENERAL OF POLICE AND STATE POLICE CHIEF, POLICE HEADQUARTERS, TRIVANDRUM - 695 010.

P.T.O.

ADDITIONAL R16 IMPEADED

**16. NATIONAL TRANSPORTATION PLANNING AND RESEARCH CENTRE (NATPAC),
K.KARUNAKARAN TRANSPARK, ULLOOR – AKKULAM ROAD, AKKULAM
THURUVIKKAL P.O, THIRUVANANTHAPURAM, PIN - 695 011.
ADDL. R16 IS IMPEADED AS PER ORDER DATED 04/07/2025
IN WP(C) 15090/2020**

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents 1 to 5 to take immediate steps to prevent road accidents and to take an immediate steps to study the issues relating traffic and causes of accidents in Kerala.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 01/04/2026 and upon hearing the arguments of M/S. M.BINDUDAS, R.T.PRADEEP & NIRANJAN T. PRADEEP, Advocates for the petitioner, STATE ATTORNEY & SENIOR GOVERNMENT PLEADER for R1 to R6 & R12 to R15, SRI.P.L.VENUKUMAR, CENTRAL GOVERNMENT COUNSEL for R7, R8 & R11, SRI. SALIL NARAYANAN, STANDING COUNSEL for R9 & R10, SRI. RIJI RAJENDRAN, STANDING COUNSEL for R16 and of SRI. PREM KAMATH D., AMICUS CURIAE, the court passed the following:

P.T.0

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**RAJA VIJAYARAGHAVAN V.,
&
K.V. JAYAKUMAR, JJ.**

W.P.(C) No. 15090 of 2020

Dated this the 24th day of September, 2026

O R D E R

Raja Vijayaraghavan V, J.

Short facts:

The petitioner in W.P.(C) No.15090 of 2020 states that he is an Advocate by profession. The grievance raised by him concerns the alleged failure of the State and its authorities to put in place effective measures for the prevention of road accidents and for ensuring road safety in the State. According to the petitioner, road accidents continue to cause significant loss of life and serious injuries to persons using the roads in the State. The contentions raised by him in this writ petition are matters of considerable public importance.

2. In support of the aforesaid contentions, the petitioner has produced a statement containing details of road accidents in the State. The petitioner relies upon these figures to highlight the magnitude of the problem and to contend that the issue of road safety requires sustained institutional attention and effective preventive measures from the State and its authorities.

3. It is further contended that the State has not been making the requisite contributions to the Kerala Road Safety Fund and that such failure has impeded the implementation of effective measures for the prevention of road accidents and the promotion of road safety. The petitioner asserts that the Fund was constituted for a specific public purpose and that the amounts credited to the Fund ought to be utilised effectively and exclusively for achieving the objectives for which it was established.

4. The petitioner also seeks the implementation of Section 136A of the Motor Vehicles Act, 1988, which provides for electronic monitoring and enforcement of road safety measures. According to the petitioner, effective implementation of the statutory provision is essential to strengthen enforcement, improve compliance with traffic regulations and reduce road accidents. He further points out the alleged failure of the authorities to ensure compliance with the standards relating to the design, construction and maintenance of roads as contemplated under Section 198A of the Motor Vehicles Act. According to him, adherence to such statutory standards is of fundamental importance in ensuring that roads are designed, constructed and maintained in a manner that adequately safeguards the lives and safety of road users.

5. It is in the backdrop of these assertions, and highlighting the need for a comprehensive and effective institutional mechanism for road safety in the State, that the petitioner has approached this Court seeking, inter alia, the following reliefs:

- (i) a writ of mandamus directing the respondents to appoint a team of PWD Engineers to study issues relating to road accidents in Kerala;
- (ii) a direction to utilise the Road Safety Fund only for the purpose of road safety;
- (iii) a direction to implement Section 136A of the Motor Vehicles Act;
- (iv) a direction to implement Section 198A of the Motor Vehicles Act; and
- (v) a direction to the State Government to contribute 50% of the compounding fee collected under Section 200 of the Motor Vehicles Act, 1988, to the Road Safety Fund, with accrued arrears since 2022.

Contentions of the State and NATPAC:

6. In the statement filed by the Additional Secretary to the Government, it is stated that numerous road safety programmes have been initiated to reduce accidents and fatalities in Kerala, which were funded by the Kerala Road Safety Authority. It is stated that the total number of reported accidents in Kerala increased from 24,318 in the first half of 2023 to 25,193 in the first half of 2024 and further to 25,060 in the first half of 2025. It is further stated that road deaths have decreased from 2,182 in the first half of 2023 to 2,065 in the first half of 2024 and further to 1,866 in the first half of 2025.

7. It is also stated that a total sum of ₹22.13 crore remains in the account of the Kerala Road Safety Authority. A proposal received from the Road Safety Commissioner to release an amount of ₹999.2638 crore is stated to be under examination by the Finance Department.

8. A counter affidavit has been filed by the Director, Kerala State Council for Science, Technology and Environment (KSCSTE), National Transportation Planning and Research Centre (NATPAC). It is stated that insofar as Ernakulam District is concerned, as per the records obtained from the State Crime Records Bureau, the number of road crashes reported in Ernakulam District has increased from 5,727 in the year 2016 to 7,567 in the year 2025. It is further stated that a total of 53,454 crashes were recorded in Ernakulam District during the last nine years, resulting in 4,090 fatalities and 40,846 grievous injuries. The total number of crashes has shown an upward trend in recent years, increasing from 6,479 in the year 2022 to 7,527 in the year 2024.

9. It is further stated that road safety studies have been conducted in Ernakulam District by NATPAC during the period from 2016 to 2025 and various road safety studies, road safety inspections, road safety audits, accident investigation reports, pedestrian safety studies and black spot identification studies have been submitted to different Government Departments and authorities.

10. We appointed an Amicus Curiae to assist this Court in resolving the issues. The Amicus Curiae has also filed a detailed statement before this Court.

11. We have carefully considered the submissions advanced.

12. From the affidavit filed by the respondent, it appears that the stand taken by the State is that the number of accidents in the State of Kerala is

showing a downward trend and all possible measures are being taken. We would like to state that the aforesaid assertion cannot be taken at face value.

In Re: Phalodi Accident

13. The Hon'ble Supreme Court in **In Re: Phalodi Accident v. National Highways Authority of India**¹ took suo motu cognizance of the systemic negligence and catastrophic infrastructure failures that led to the avoidable casualties following the tragic loss of 34 lives in successive road accidents on November 2nd and 3rd, 2025, in Rajasthan and Telangana. It was observed as follows in paragraph 5 of the order:

"It is seen that National Highways constitute approximately 2% of India's total road length but account for nearly 30% of all road fatalities. A road, particularly a high-speed Expressway, must not become a corridor of peril due to administrative lethargy or infrastructural gaps. The loss of even a single life to avoidable hazards like illegal parking or blackspots etc., represents a failure of the State's protective umbrella. The 'Right to Life' enshrined under Article 21 of the Constitution of India is not merely a guarantee against the unlawful taking of life, but a positive mandate upon the State to ensure a safe environment where human life is preserved and valued."

14. The Hon'ble Court proceeded to issue the following directions for immediate compliance and the same are being monitored:

4We have considered the said suggestions and recommendations as jointly made by the learned Amicus Curiae and the learned Solicitor General. We find the same to be practical in nature and

¹ [2026 SCC OnLine SC 646]

necessary to be issued. Accordingly, the following interim directions are issued:

a) Prohibition on Authorized Parking - No heavy or commercial vehicle shall park/stop on any National Highway carriageway or paved shoulder except at a designated bay, lay-bye, or Wayside Amenity; enforcement shall be effected through the Advanced Traffic Management System - ATMS real-time alerts to State Police, GPS - timestamped photographic evidence, and integrated eChallan generation.

These directions must be complied with by the officials and personnel of National Highway Authority of India, State Police, State Transport Department. The District Magistrates of the concerned districts shall set-up a standard operating procedure for this purpose as regards periodical inspections and patrolling by all these authorities. These directions must be complied within 60 days from the date of this order.

b) Inspection, Survey and Citizen Grievance - The Highway Administration, NHAI, NHIDCL, and State PWDs shall, within 30 days, file before this Court a consolidated report on-

(i) Composition and schedule of dedicated inspection teams for each highway stretch;

(ii) State-wise encroachments identified, notices issued under Section 26 of the Control of National Highways (Land and Traffic) Act, 2002 - CNH Act and structures demolished, and

(iii) Status of compliance with the directions issued in Gyan Prakash v. Union of India⁴. NHAI shall simultaneously confirm full operationalisation of the Rajmargyatra encroachment complaint module (with geo-tagged uploads, grievance tracking, and appeal mechanism), activation of toll-free number 1033 for encroachment complaints, and dissemination of both across highway signage, toll plazas, and media. Drone-based aerial surveys (DRAMS Policy Circular, 05.09.2025) shall be

conducted at least twice annually, with six-monthly reports filed before this Court.

c) Encroachment Prohibition and Removal - Construction/operation of any new dhaba, eatery, or commercial structure within the Right of Way (ROW) of any National Highway is prohibited with immediate effect. District Magistrates shall enforce demolition/removal of all new or existing unauthorised structures within 60 days, in terms of the CNH Act procedure and SOP dated 07.08.2025.

d) Grant and Renewal of License, NOC or Trade Approval - No department, authority, or local body shall grant or renew any licence, NOC, or trade approval for any site within Highway safety zones without prior NHAI/PWD clearance; all such existing licences for such sites shall be reviewed within 30 days.

e) District Highway Safety Task Force - In every district wherever the National Highway passes through, the concerned District Magistrate within 15 days of this order constitute a District Highway Safety Task Force in every district across India within 7 days of this order, comprising officers of the District Administration, Police, NHAI (or concerned land-owning agency), PWD, and local bodies. The District Collector and Commissioner of Police/Superintendent of Police shall bear joint responsibility for timely encroachment removal. The Task Force shall hold fortnightly review meetings and maintain minutes. State Governments shall further issue notifications within 60 days prohibiting change of land use within 40 metres (residential) and 75 metres (commercial) from the mid-point of any National Highway, consistent with IRC norms; MoRTH shall facilitate uniform notifications across all States within the same period.

f) Surveillance, Patrolling and Illegal Parking - Dedicated Highway Surveillance Teams of State Police and Transport Department personnel shall be constituted within 30 days for regular National Highway patrolling, supplementing NHAI's 24 × 7 route patrolling Vehicles at intervals not exceeding 50 km. All such vehicles shall necessarily be equipped with Vehicle Tracking Devices.

g) Operationalisation of ATMS - NHAI shall operationalise its ATMS comprising TMCC cameras, VSDS speed detectors, VIDS cameras, Variable Message Signboards, and Emergency Call Boxes across all 4/6-lane highways and expressways in terms of the Policy Circular dated 10.10.2023 and shall file an affidavit within 60 days of compliance, further certifying operational status of each component. Any non-operational units shall be made functional within 60 days.

h) Emergency Response and Wayside Amenities - NHAI is directed to deploy within a period of 60 days BLS ambulances and recovery cranes which can be deployed immediately at intervals not exceeding 75 km on every National Highway stretch, at toll plazas, Wayside Amenities, or dedicated posts, in affirmance towards the State's positive obligation under Article 21 of the Constitution of India to ensure prompt and timely emergency medical response.

i) Construction of Truck Lay-Bye Facilities - NHAI and MoRTH shall ensure construction of truck lay-bye facilities at intervals of every 75 km on all National Highways, with priority to the Amritsar-Jamnagar Highway, and shall operationalise the Wayside Amenities Policy dated 29.12.2025 strictly in accordance with its stipulated timelines; all WSAs shall include, at minimum, rest areas, food services, washrooms, safe parking, first-aid facilities, and retro-reflective signage visible from 500 metres, in full compliance with FSSAI standards.

j) NHAI/MoRTH may also consider providing for more or extra truck lay-bye facilities, wherever possible on the stretch of National Highway, as the drivers of heavy transport vehicles which are continuously being driven could be provided resting facilities.

k) Accident Blackspots and Lighting - MoRTH/NHAI are directed to identify accident blackspots and critical areas and publish a comprehensive list of Accident blackspots on National Highways within 45 days. NHAI shall issue a Policy Framework mandating installation of high intensity LED/high-mast lighting, speed enforcement cameras, retro-reflective warning signs, and transverse bar markings at every

blackspot; full installation shall be completed within 4 months of the Policy Framework.

l) Institutional Co-ordination, Reporting and Road Safety Committee - MoRTH shall, within 60 days, place before this Court a report on the constitution of an Inter-State Highway Safety Coordination Committee for standardising enforcement protocols including uniform driving-hour limits, surveillance standards, parking enforcement, and penalty regimes across State boundaries.

m) Compliance Report - It is further directed that all implementing agencies (NHAI, NHIDCL, State PWD, BRO) shall be jointly and severally responsible for compliance within their respective jurisdictions. MoRTH upon securing the consolidated district-wise and agency-wise compliance report shall file the same in a tabular form before this Court within 75 days from the date of uploading of this order.

15. Recognising the lapses by the authority as grave infringement on the right to safe passage and a dereliction of statutory duty by the authorities the Hon'ble Court issued comprehensive interim directions to State and National authorities covering, inter alia, prohibition of unauthorised parking on National Highway carriageways, encroachment identification and removal, constitution of District Highway Safety Task Forces, highway surveillance and patrolling, operationalisation of Advanced Traffic Management Systems on 4/6-lane highways and expressways, deployment of BLS ambulances and recovery cranes at 75 km intervals, construction of truck lay-bye facilities, identification of accident black spots and installation of lighting, and constitution of an Inter-State Highway Safety Coordination Committee.

16. We are of the view that those aspects which are covered by the directions in **In Re: Phalodi Accident** (supra), insofar as they relate to National Highways, are not required to be duplicated. However, several matters require specific attention in the context of the road network and institutional framework of the State of Kerala, particularly with regard to State Highways, PWD roads, local body roads, private bus operations, the Kerala Road Safety Fund, and the coordination of multiple State agencies.

The Human and Social Cost of Road Accidents:

17. We have noticed, from the materials placed before us, that on 04.05.2026, late at night, a speeding car carrying eight young engineering students travelling from Dindigul, Tamil Nadu, collided with the rear of a truck which was parked on the carriageway of an under-construction stretch. All eight students died in the accident. The National Highways Authority of India (NHAI) appears to have attributed the accident to excessive speed and maintained that adequate signage had been provided. However, the news report brought to our notice by the learned amicus curiae indicates that three heavy vehicles were parked in the middle of the road without lights or warning boards near a construction diversion. There were also reported concerns regarding poor lighting, absence of speed breakers and improperly placed direction boards on a stretch which had witnessed fatal accidents earlier.

18. Since the circumstances relating to the said accident are presently under investigation, we do not deem it appropriate to express any further opinion

on the individual aspects of that occurrence. The incident, however, once again brings into focus the need for a comprehensive approach to road safety, in which responsibility cannot be confined exclusively to the conduct of the driver. The condition and design of the road, construction practices, lighting, signage, traffic diversion arrangements, parking of heavy vehicles, maintenance, enforcement and emergency response are all factors which may have a bearing on the occurrence and severity of road accidents.

19. We have also perused the records relating to the vehicle population in the State. It appears that nearly 1.89 crore vehicles were registered in Kerala by the end of 2025 and that the State has a vehicle density of approximately 425 vehicles per 1,000 population. Kerala is consequently among the States having a very high vehicle density. At the same time, the capacity of the road network has not kept pace with the growth in the number of vehicles.

20. We have perused the records relating to road traffic accidents in the State. It appears that Kerala recorded 49,889 accidents, 3,733 deaths and 56,922 injuries in the year 2025 alone. Overspeeding is reported to be one of the leading causes of accidents. **The materials further indicate that persons between the ages of 18 and 45 accounted for approximately 60.5% of road accident deaths in Kerala. These figures are of considerable concern, particularly because the loss of life in road accidents disproportionately affects the younger and economically active population.** By July 2026, a further 2,319 persons had lost their lives and 36,116

persons had suffered injuries. Thus, in a period of about nineteen months, more than 6,000 persons have lost their lives on the roads of the State. These are not mere numbers in a statistical table. Behind every death there is a family which loses a parent, child, spouse or earning member; behind every serious injury there is often a prolonged period of treatment, loss of employment, loss of income, permanent disability and a lifetime of dependence. The consequences are particularly grave when the victims are young persons in the most productive years of their lives.

Systemic Deficiencies & International Safety Metrics:

21. We have also gone through the Report of the Comptroller and Auditor General of India on State Revenue for the period ended March 2024 ² which states about the road safety in the State and has identified systemic deficiencies in licensing, vehicle registration, vehicle fitness testing, enforcement and infrastructure management. **The audit found that, during 2022–23, 45,397 road accidents, 4,260 deaths and 35,924 grievous injuries were recorded in the State, with driver related factors accounting for 78.49 per cent of the accidents.** The audit also found deficiencies in the conduct of driving tests and road safety awareness classes, non-functioning of Automated Testing Stations, deficiencies in manual vehicle fitness testing and significant enforcement gaps. As many as 48,059 active transport vehicles were found in the VAHAN database with expired Certificates of Fitness, of which 197 subsequently

² Comptroller and Auditor General of India, Report of the Comptroller and Auditor General of India on State Revenues for the period ended March 2024: Government of Kerala (Audit Report, 17 September 2026) <https://cag.gov.in/en/audit-report/details/125387> accessed 23 September 2026.

met with accidents, including 19 fatalities. The audit further identified vehicles operating with expired registration certificates, vehicles operating without valid permits, non-enforcement of expired fitness and registration requirements, irregular compounding of offences relating to hazardous goods and deficiencies in enforcement against overloading. The CAG ultimately concluded that systemic deficiencies in licensing, registration, fitness testing, enforcement and infrastructure management were affecting the functioning of the Motor Vehicles Department and contributing to road safety concerns.

22. The scale of the problem becomes even more apparent when viewed against international road safety experience. WHO identifies road traffic injuries as a major global public health and economic concern. Approximately 1.16 million people die each year in road crashes, with 20–50 million more suffering non-fatal injuries, many resulting in disability. Road traffic injuries are the leading cause of death among children and young adults aged 5–29 years, while about two thirds of fatalities occur among people of working age (18–59 years)³. More than half of those killed are vulnerable road users such as pedestrians, cyclists and motorcyclists, and road crashes cost most countries around 3% of GDP. The WHO's Safe System approach emphasises that road safety requires simultaneous attention to safe roads and roadsides, safe speeds, safe vehicles and safe road users, recognising that human error is inevitable and that the transport system must be designed to minimise its consequences. The WHO makes clear that road

³ World Health Organization, 'Road Traffic Injuries' (World Health Organization, 20 July 2026) <https://www.who.int/news-room/fact-sheets/detail/road-traffic-injuries> accessed 23 September 2026.

safety is not solely a matter of individual driver behaviour. Road design, speed management, vehicle safety, enforcement and timely emergency care are all integral to preventing deaths and serious injuries. In particular, properly designed pedestrian facilities, cycle lanes, safe crossings and traffic-calming measures can substantially reduce risks to vulnerable road users.

23. The WHO estimated road traffic fatality rate for India at 14.6 deaths per 100,000 population in 2021, whereas the corresponding rates were 2.4 in the United Kingdom and 2.7 in Japan⁴. While differences in geography, population, vehicle ownership, road conditions and methods of reporting must necessarily be taken into account, the comparison nevertheless demonstrates the seriousness of the road safety burden in India and the imperative for sustained preventive action. The global experience also establishes that road deaths and serious injuries are not an unavoidable price that society must pay for mobility. Countries have demonstrated that substantial reductions are possible through safer road infrastructure, effective speed management, enforcement, safer vehicles, responsible driver behaviour and prompt post-crash response.

24. The economic and social consequences of these accidents are equally debilitating. A family may lose its principal breadwinner in a moment, while a person who survives with grievous or permanent injuries may require years of medical treatment, rehabilitation and assistance and may never return to the employment or livelihood which sustained the family. The situation becomes more

⁴ World Health Organization, 'Road traffic mortality rate (per 100 000 population)' (WHO Data) <https://data.who.int/indicators/i/B9D9E6A/D6176E2> accessed 23 September 2026

difficult where compensation proceedings arising from motor accidents remain pending for years on account of contest, evidentiary requirements and the enormous volume of cases before the courts. Compensation, even when ultimately awarded, cannot restore a life that has been lost or fully compensate a young person for permanent disability and loss of future opportunity. The legal remedy is therefore necessarily a remedy after the event. The constitutional obligation of the State must extend to preventing the accident from occurring in the first place, shifting the focus from post-facto liability to systemic prevention.

25. The nature of the modern motor vehicle has also undergone a fundamental transformation. Motorcycles and cars are increasingly being designed and marketed with greater engine capacity, higher acceleration and the ability to attain speeds of 100 km/h within a matter of seconds. Such technological advancement is not, by itself, objectionable. The difficulty arises when vehicles with these features run on roads which were not designed for high-speed traffic which are also shared by pedestrians, cyclists, two-wheelers, buses, goods vehicles and other road users. Roads in many parts of the State were historically designed and developed for substantially lower speeds and lower traffic volumes. They are now, in practice, being used as race tracks by some motorists. The mismatch between the capability of modern vehicles and the capacity, geometry and safety features of the roads creates a serious public safety concern. Speed, therefore, cannot be regulated merely by prescribing a number on a signboard. The speed environment of the road, its design, visibility, junctions, pedestrian

movement, roadside development, enforcement and the actual behaviour of road users must all be taken into account.

26. The disturbing fact is that the consequences of these accidents are borne by persons who have no control over the manner in which others drive. Pedestrians, school and college students, women, elderly persons, cyclists and two-wheeler riders remain exposed to the consequences of reckless and excessive speed. The recurring reports of young students and women being struck and crushed under the wheels of vehicles are a painful reminder that an unsafe road is not merely an inconvenience to the motorist; it can become a place where an ordinary journey to school, college, work or home ends in death or permanent disability.

Urban Infrastructure and Quality of Life:

27. We are also of the view that road safety cannot be considered in isolation from the quality of the urban infrastructure. Safe, well-designed and properly maintained roads, scientifically planned junctions, adequate pedestrian facilities, proper lane markings, effective traffic management, appropriate parking facilities, well-maintained footpaths and timely removal of road obstructions are all essential components of a liveable city. Improvement of urban road infrastructure and prevention of road accidents would, therefore, have an impact extending far beyond the mere reduction of fatalities and injuries. It would substantially improve

the daily experience of persons using the roads and, in turn, enhance their quality of life by several notches.

28. The CAG audit on Road Safety 2026 has also brought out the direct relationship between inadequate ancillary infrastructure and road safety. Drainage forms an integral part of a road, yet waterlogging and damage to the road surface resulting from absence or improper construction of drainage facilities were noticed in 18 road reaches. In one instance, inadequate drainage resulted in waterlogging and potholes which reduced the effective width of the carriageway on NH 66. In another, the absence of a proper side drain prevented access to a bus waiting shed. Inadequately maintained shoulders and incorrect shoulder gradients were also found to obstruct the flow of rainwater and create dangerous drops at the edges of roads. These findings illustrate that road safety cannot be secured merely by maintaining the paved surface. Drainage, shoulders, pedestrian facilities and other elements forming part of the road environment must be treated as integral components of road safety infrastructure.

29. Poorly maintained roads, congestion, inadequate road space, unscientific traffic arrangements, encroachments and prolonged delays often create considerable frustration and stress among road users. Such conditions can aggravate impatience, aggressive driving and disputes between motorists and other road users. In congested and poorly managed traffic conditions, even minor incidents can escalate into arguments, confrontations and dangerous manoeuvres, thereby increasing the possibility of accidents. Road infrastructure must, therefore,

be planned and maintained not merely with the object of facilitating the movement of vehicles, but with the larger objective of creating a safe, orderly and less stressful public environment. Investment in road infrastructure and effective traffic management is consequently an investment in public safety, civic harmony and the overall quality of life of the people.

Role of the State:

30. The State, therefore, cannot be content with recording accidents after they occur, prosecuting offenders after lives have been lost, or awarding compensation after families have suffered irreversible harm. The object of a comprehensive road safety policy must be to identify the conditions which make an accident likely, remove those conditions contributing to road traffic fatalities, regulate the speed and conduct of road users and to ensure accountability at every level and make the road environment inherently safer. A reduction in fatalities and serious injuries would not merely improve traffic statistics but would also protect the productive years of young people, reduce the enormous economic burden arising from death and disability and, most importantly, make the ordinary act of travelling on the roads of Kerala a safer and less stressful part of everyday life.

31. We find that a substantial portion of the road network in Kerala is maintained by local bodies and the Public Works Department. The PWD (Roads and Bridges) maintains approximately 31,800 kilometres of roads, including about 4,340 kilometres of State Highways and approximately 27,470 kilometres of district

and other roads. The National Highways Authority of India is responsible for approximately 1,780 kilometres of National Highways. The extent and distribution of responsibility among different agencies itself emphasises the need for effective coordination between the State Government, local authorities, the PWD, the Motor Vehicles Department, the Police, NHAI and other agencies concerned with road construction, utilities and emergency response.

32. We have also perused the Kerala Road Safety Action Plan for the period 2025 to 2030, prepared with the assistance of NATPAC. The said Action Plan has identified more than 2,200 kilometres of National and State Highways as high risk, comprising 250 Priority 1 locations and 124 Priority 2 locations, of which 227 locations are situated on National Highways. The identification of such stretches demonstrates that road safety requires a systematic process of identification of hazards, prioritisation of interventions and time-bound rectification, rather than measures being taken only after a fatal accident has occurred.

Statutory and Institutional Framework:

33. The Hon'ble Supreme Court, in **S. Rajaseekaran v. Union of India**⁵, has recognised that the right to safe roads is a facet of the right to life guaranteed under Article 21 of the Constitution of India and has issued directions concerning the formulation of rules under Sections 138(1A) and 210D of the Motor Vehicles Act governing pedestrian and non-motorised vehicle access and standards

⁵ [(2026) 2 SCC 207]

relating to the design and maintenance of roads. In **C.A. Xavier v. State of Kerala**⁶, a Division Bench of this Court held that the right of every citizen to a safe road is an intrinsic and non-negotiable facet of the right to life under Article 21 and the freedom of movement under Article 19(1)(d) of the Constitution of India. The Court emphasised the need for the Central, State and local authorities responsible for road safety to coordinate their functions effectively and to address road hazards without bureaucratic delay.

The Motor Vehicles Act, 1988 and the Bharatiya Nyaya Sanhita, 2023:

34. The statutory framework already contains several provisions intended to address these concerns. The Motor Vehicles Act, 1988, contains provisions relating to disqualification from holding a driving licence upon conviction for specified offences under Section 20; fixation and observance of speed limits under Sections 112 to 115; speeding under Section 183; dangerous driving under Section 184; driving under the influence of alcohol under Section 185; racing and trials of speed under Section 189; and driving a vehicle beyond the permissible weight under Section 194. Section 136A provides for electronic monitoring and enforcement of road safety on National Highways, State Highways and specified urban roads. Section 72(2) empowers the Regional Transport Authority to attach conditions to stage carriage permits, including conditions as to the route, the time-table and the running time. Section 215B provides for the National Road Safety Board. The Bharatiya Nyaya Sanhita, 2023, also contains

⁶ [2021:KER:17613]

penal provisions relating to causing death by a rash or negligent act, including the enhanced punishment provided under Section 106.

Indian Road Congress (IRC) Standards:

35. Road engineering standards also assume considerable importance. IRC:35-2015 prescribes the Code of Practice for Road Markings, including centre lines, edge lines, lane lines and pedestrian crossings, with appropriate requirements relating to visibility and retro-reflectivity. IRC:67-2012 prescribes the Code of Practice for Road Signs. IRC:116-2014 prescribes the specifications for ready-made bituminous pothole patching mix. MoRTH Circular No. 604.35 dated 07.09.2016 provides for road signs, markings, crash barriers and treatment of roadside hazards on National Highways. The MoRTH Protocol dated 28.10.2015 is for Identification and Rectification of Road Accident Black Spots defines a black spot on National Highway as a 500-metre stretch recording five or more fatal or grievous injury accidents, or ten or more fatalities, during a rolling three-year period.

The Kerala PWD Manual:

36. The Kerala PWD Manual, Revised Edition, 2021, Section 101.1 provides that the Public Works Department (PWD) is the statutory authority responsible for the designing, planning, monitoring, construction and maintenance of public works of the State Government, irrespective of the source of funds. Section 104 provides that the Roads and Bridges Wing is responsible for the

planning, project preparation and maintenance of State Highways, Major District Roads and bridges. Section 107 assigns responsibility for the planning, project preparation, construction and maintenance of National Highways and their bridges to the National Highway Wing.

37. Section 2601.1 deals with the allocation of maintenance responsibility. The maintenance of State Highways and Major District Roads is the responsibility of the PWD, while the State Government acts as the agent of the Union Government for the maintenance of National Highways. Roads falling within the jurisdiction of Corporations, Municipalities and Panchayats are generally to be maintained by the respective local bodies, except such roads as may specifically be ordered to be maintained by the PWD.

38. Section 2602 provides for the establishment of a Road Maintenance Unit in each Division under the control of the Divisional Officer/Executive Engineer. The Road Maintenance Unit is responsible for maintaining a register of all road assets, which is required to be periodically updated. Section 2602.1 deals with maintenance planning and envisages that the Executive Engineer shall prepare an Annual Maintenance Plan and forward the same to the Chief Engineer. Section 2602.2 prescribes mandatory road inspections: every road under the control of the PWD shall be inspected at least once every month by the jurisdictional Assistant Engineer, with more frequent inspections during monsoon periods and calamities.

39. Section 2602.4.1 defines the scope of ordinary repairs, which includes filling potholes, patching black-topped surfaces, clearing side drains and culverts, opening outlets, and maintaining road markings. Section 2602.4.3 provides for the contractor's continuing maintenance obligation and, in usual cases, prescribes a defect liability and maintenance period of three years. Section 2602.7 identifies the maintenance of traffic signs and road markings as mandatory maintenance activities.

40. Sections 901 to 909 deal with the Road Maintenance Management System (RMMS). The principal objectives of establishing a computerised RMMS are to optimise the use of limited resources available for maintenance works, adopt a systematic approach to the planning and preparation of road maintenance work programmes, and reduce overall transportation costs through proper and timely maintenance. Under Section 401, the PWD operates the Web-based Information and Governance System (WINGS), GIS-based Road Information System (RIMS), RMMS and Financial Management System (FMS). Section 801 records that the PWD has developed a Geographical Information System mapping all roads in the State of Kerala, including bridges, junctions, culverts and other objects of interest. Section 1006 establishes the Central Road Safety Cell under the Chief Engineer, Administration and Design, for coordinating the road safety activities of the PWD, including road safety audits, black spot identification, and interdepartmental cooperation.

41. In other words, there are extensive provisions as well as vesting of powers in the authorities to ensure that the roads are maintained in a proper condition and that there shall not be any compromise on road safety. However, it does not appear to us, after considering the spate of accidents and loss of human life, that these provisions have been effectively implemented. The existing statutory framework is adequate; what is required is effective implementation, coordination and strict accountability.

Identified Causes and Systematic Failures:

42. Having considered the materials placed before us, including the assertions in the writ petition, the statement filed by NATPAC, the stand taken by the State Government and the National Highway Authority of India, and the statement filed by the learned Amicus Curiae, and the various statutory provisions and the PWD Manual, it appears that the recurring causes contributing to fatal accidents on the National Highways and other roads in Kerala can be prevented in a great measure by implementing the provisions of the Act, MoRTH guidelines and by ensuring that the authorities upon whom such powers have been conferred discharge their statutory responsibilities effectively.

43. One of the issues that has come to our notice is that though there are enough provisions in the various enactments and the guidelines issued by MoRTH, NHAI and the various authorities, since there is no coordination and no fixation of liability on the officers, no action is being taken. Even if a thousand complaints are received by the concerned Engineer or authority, no action is taken,

and the user of the road is left to suffer. **There is no accountability, and no one is held responsible. For instance, if potholes, black spots or accident-prone or accident-causing stretches are pointed out, no action is taken.**

44. Another aspect requiring particular attention is with regard to private buses. The transport authority in Kerala follows an antiquated timing system. In Kochi and Kozhikode, where the situation is particularly serious, the running time from one point to another is fixed abysmally low and, because of the poor and narrow road conditions and the huge density of heavy vehicles, two-wheelers and cars, a large number of accidents and deaths occur. With minimum running time, drivers who have no regard to human life drive rashly, leading to racing, road rage, physical clashes between bus employees and other vehicle owners, and fatalities among pedestrians and other road users.

45. Section 72(2) of the Motor Vehicles Act, 1988, empowers the Regional Transport Authority to attach to any permit conditions relating to the route on which and the areas in which a vehicle may be used, the maximum and minimum number of daily trips, the time-table (including the running time) and the number of passengers. Rule 153 of the Kerala Motor Vehicles Rules, 1989, empowers the Regional Transport Officer to take action against operators who violate permit conditions. The power to fix scientifically viable running times already exists. However, in many routes, particularly in Ernakulam and Kozhikode, the prescribed timings have not been revised for nearly two decades and bear no

relation to the actual road conditions, traffic density or the physical distance to be covered at a safe speed.

46. The recurring causes contributing to fatal accidents may broadly be grouped as follows:

- (a) overspeeding;
- (b) dangerous driving and indiscipline in lane changing and overtaking;
- (c) overloading of heavy and goods vehicles;
- (d) illegal parking, roadside vending and encroachment upon National Highway land;
- (e) defects and delays in highway construction, including ongoing six-laning projects;
- (f) damage to newly constructed carriageways on account of pipeline and other utility works undertaken by the Kerala Water Authority, KSEB and other utility agencies;
- (g) inadequate driver profiling of persons employed in public transport, including heavy vehicle drivers, private bus drivers and school bus drivers;
- (h) deficient dividers and medians;
- (i) inadequate or improper lane markings;
- (j) hazards arising from KSEB overhead lines and electrical installations;
- (k) absence of time-bound rectification of identified black spots;
- (l) inadequate post-crash trauma response;

- (m) non-compliance with road construction standards prescribed by the Indian Roads Congress;
- (n) inadequate insistence upon quality in road construction;
- (o) unscientific timing of private bus operations leading to racing and overspeeding;
- (p) unscientific speed humps and hazardous bus stop locations; and
- (q) absence of a unified, technology-enabled monitoring mechanism to ensure accountability and coordination among the multiple authorities responsible for road safety.

47. We note that the responsibility for road safety is distributed among several authorities and agencies, and the absence of effective coordination between them can itself become a contributing factor. The directions issued by the Apex Court in **Phalodi** (supra) address several of these causes insofar as National Highways are concerned. The directions that follow address the aspects that fall within the jurisdiction and responsibility of the State Government, its departments, statutory authorities and local bodies, or that require Kerala-specific attention beyond the scope of the directions of the Hon'ble Supreme Court.

48. We are also of the view that what is urgently required is an Integrated Road Safety Monitoring Platform — a State-wide, GIS-enabled, interoperable and technology-driven system — which can serve not merely as an information repository, but as an end-to-end mechanism for identification of road safety risks, assignment of responsibility, initiation of remedial action, monitoring of compliance and verification of rectification. Such a Platform would integrate the

existing systems of the PWD (RMMS, GIS, WINGS, RIMS, FMS), the Motor Vehicles Department (VAHAN, SARATHI), the Kerala Police (e-challan, ANPR) and other agencies into a unified command and monitoring framework accessible to the authorities, the public and this Court. The specific directions for the development and operationalisation of such a Platform are set out under Head XIII below.

Registration of Suo Motu Case and Arraying of Respondents :

49. Having regard to the magnitude of the problem, the continuing loss of human life on the roads of the State, the systemic failures identified above, we are of the view that hundreds of lives could be saved and the roads in the State can be made safe if a concerted effort is taken with proper coordination among all stakeholders. We are of the view that the time has come for this Court to issue comprehensive, coordinated and time-bound directions to the concerned authorities and agencies.

50. We have identified the main issues which require correction. It would only be proper to frame the issues and obtain instructions from the concerned respondents and agencies so that the deficiencies which have been identified by this Court can be addressed.

51. **We are of the view that a suo motu case is required to be registered, styled as "In Re: Road Safety in Kerala", arising out of W.P.(C) No. 15090 of 2020.**

52. The following authorities shall be arrayed as respondents in the suo motu case:

1. The Chief Secretary, Government of Kerala, Secretariat Building, Thiruvananthapuram — 695 001.
2. The Principal Secretary, Department of Transport, Government of Kerala, Secretariat Building, Thiruvananthapuram — 695 001.
3. The Secretary, Department of Public Works, Government Secretariat, Thiruvananthapuram — 695 001.
4. The Secretary, Home Department, Government Secretariat, Thiruvananthapuram — 695 001.
5. The Secretary, Health and Family Welfare Department, Government Secretariat, Thiruvananthapuram — 695 001.
6. The Secretary, Department of Finance, Government Secretariat, Thiruvananthapuram — 695 001.
7. The Secretary, General Education Department, Government Secretariat, Thiruvananthapuram — 695 001.
8. The Principal Secretary, Local Self-Government Department, Government Secretariat, Thiruvananthapuram — 695 001.
9. The Road Safety Commissioner, Kerala Road Safety Authority, Trans Towers, Vazhuthacaud, Thiruvananthapuram — 695 014.
10. The Transport Commissioner, Motor Vehicles Department, Transport Commissionerate, 2nd Floor, Trans Towers, Thiruvananthapuram — 695 001.
11. The Director General of Police and State Police Chief, Police Headquarters, Thiruvananthapuram — 695 010.
12. The Chief Engineer (Roads, Bridges and Administration), PWD, Thiruvananthapuram — 695 001.

13. The Chief Engineer, National Highway Wing, PWD, Thiruvananthapuram — 695 034.
14. The Secretary, Ministry of Road Transport and Highways, Government of India, New Delhi — 110 011.
15. The National Highways Authority of India, represented by its Chairman, G-586, Sector 10, Dwarka, New Delhi — 110 075.
16. The Regional Officer/Engineer, NHAI / Ministry of Road Transport and Highways, Public Office Building, Thiruvananthapuram — 695 033.
17. The Chairman and Managing Director, Kerala State Electricity Board Ltd., Vidyuthi Bhavanam, Pattom, Thiruvananthapuram — 695 004.
18. The Managing Director, Kerala Water Authority, Jalabhavan, Thiruvananthapuram — 695 033.
19. The Director, NATPAC (National Transportation Planning and Research Centre), Thiruvananthapuram.
20. The Chairman and Managing Director, KSRTC, Transport Bhavan, Fort, Thiruvananthapuram — 695 023.
21. Kerala State Electronics Development Corporation Ltd. (KELTRON), Corporate Office, Keltron House, Vellayambalam, Thiruvananthapuram — 695 033.
22. Any individual, Organisations, Associations, which are able to provide inputs can also be permitted to get themselves impleaded in this matter.

53. The Amicus Curiae appointed in W.P.(C) No. 15090 of 2020 shall continue to assist this Court in the suo motu case.

Proposed Operative Directions for implementation

54. **We deem it appropriate to frame the broad issues that need immediate redressal and set out the operative directions that can be issued under different heads, identifying the authorities responsible for implementation under each head.**

I. State Highways and PWD Road Maintenance:

55. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are the Secretary, PWD; the Chief Engineer, PWD (Roads and Bridges); and the concerned Superintending Engineers, Executive Engineers and Assistant Engineers.

56. The CAG audit of the State's road infrastructure had identified serious deficiencies in the construction, quality control and maintenance of roads. Out of 282 road works examined, 119 works costing ₹366.09 crore had not undergone any of the mandatory first-tier quality control tests, while deficiencies were also noticed in second-tier testing. The audit found instances of bleeding of bitumen, inadequate consolidation, sinking of road surfaces and improper execution of works. None of the six selected quality control laboratories had facilities to test important road safety items such as road marking paints, sign boards, retro-reflective sign boards, crash barriers, road studs and delineators, and the required first tier tests for such items had not been conducted in 55 completed works. The audit also found absence of qualified engineering personnel in eight of

nine ongoing works inspected. These findings demonstrate that road safety must begin at the stage of design, construction and quality control itself and cannot be treated as an issue arising only after a road is opened to traffic.

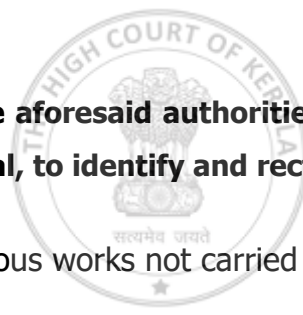
57. The audit has recorded that the basic objectives of road maintenance are to ensure riding comfort, convenience and safety to the public and to minimise road distress. Yet, road charts were not maintained in three of the four selected Roads Divisions, routine road inspections were not evidenced in the selected divisions and minor defects such as cracks were consequently allowed to develop into potholes. Physical verification of 77 road reaches revealed cracks in 12 reaches and potholes or stripping of the road surface in 29 reaches. The audit also found instances where unsuitable maintenance methods and materials made roads accident prone, including loose aggregates which were reportedly associated with recurrent two-wheeler accidents due to skidding. These findings reinforce the necessity of treating road maintenance as a continuing road safety obligation and not merely as a periodic resurfacing exercise.

58. PWD shall ensure that all resurfacing and bituminous works comply with the Kerala PWD Manual, applicable MoRTH Specifications and IRC standards. Defective pavement shall first be assessed and necessary underlying defects rectified. The prescribed requirements relating to pavement composition, materials, layer thickness, Job Mix Formula, prime and tack coats, laying, compaction, surface finish and quality control shall be strictly followed.

59. The Executive Engineer shall maintain complete records of the design, materials, Job Mix Formula, testing, laying, compaction, thickness, density and other quality control measures. No work shall be certified as completed unless the prescribed quality requirements are satisfied.

60. Recurring potholes, rutting, settlement, cracking and other pavement defects shall be investigated and their underlying causes rectified before resurfacing. Resurfacing shall not be used merely to conceal pavement failures, and the basis for selecting the treatment shall be recorded by the competent authority.

A. It is the duty of the aforesaid authorities, under the relevant enactments and the PWD Manual, to identify and rectify:

- 
- (a) bituminous works not carried out as per specifications
 - (b) potholes and carriageway distress;
 - (c) inadequate or faded road markings;
 - (d) defective or absent road signs;
 - (e) dangerous curves and junctions;
 - (f) inadequate lighting;
 - (g) defective or absent medians and crash barriers;
 - (h) unsafe road shoulders;
 - (i) unauthorised median openings;

- (j) waterlogging and drainage deficiencies;
- (k) roadside obstructions and encroachments; and
- (l) stretches requiring immediate maintenance or reconstruction.

As per the PWD Manual, the PWD is required to have the Road Maintenance Management System (RMMS). It needs to be ensured that such management systems are currently being maintained and effectively used by the PWD.

B. Soft copies of the following records shall be produced:

- (i) The mandatory monthly inspection reports prescribed under Section 2602.2 of the Kerala PWD Manual (Revised Edition, 2021), maintained in the format prescribed by the Manual, for verification.
- (ii) The updated register of all road assets maintained by the Road Maintenance Unit established under Section 2602.
- (iii) A report stating whether the Road Maintenance Management System (RMMS) under Sections 901 to 909 and the GIS under Section 801 of the PWD Manual have been operationalised and is being utilised for identifying maintenance requirements, prioritising roads and preparing maintenance programmes, as mandated by the Manual.
- (iv) The Standard Operating Procedure (SOP), if any, formulated for utility coordination, ensuring that all utility agencies (Kerala Water Authority,

KSEB, BSNL, gas agencies) obtain prior written permission before cutting, trenching or otherwise interfering with any State Highway or PWD road.

- (v) A report on the feasibility of setting up a centralised utility coordination portal recording all permissions granted, the timeline for restoration, and the current status of each utility work, accessible to the road authority, the utility agency and the public.

II. Local Body Roads:

61. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are the Principal Secretary, LSGD; the District Collectors; and the concerned Municipal Corporations, Municipalities and Grama Panchayats.

- (i) The concerned local body shall be responsible for road maintenance, removal of roadside obstructions, correction of potholes, drainage, lighting and other road safety measures falling within its jurisdiction.
- (ii) The District Collector shall coordinate inter-departmental action where a road safety issue requires intervention by more than one authority or where the concerned local body fails to take timely action.
- (iii) Each local body shall, within 60 days, prepare an inventory of roads under its control, identifying the condition of each road and the safety-related defects requiring rectification.

- (iv) Pothole repairs on local body roads shall also conform to IRC:116-2014 and shall not be carried out using loose or improper materials.

III. Speed Control, Electronic Enforcement and Dangerous Driving:

62. Insofar as the directions under this head are concerned, the authorities responsible for their implementation are the Transport Commissioner, the Kerala Police (Traffic Wing), the Kerala Road Safety Authority, the NHAI and the PWD (road engineering and signage).

63. In the CAG Report on Road Safety, 2026, the CAG examined the implementation of the Camera Surveillance System and identified shortcomings in its implementation. The audit noted that electronic monitoring and enforcement through technologies such as speed cameras, CCTV cameras, speed guns and body-worn cameras form part of the prescribed road safety enforcement framework. The existence of such technology, however, can achieve its intended purpose only when the systems are fully operational, properly integrated and supported by effective follow-up enforcement.

- (i) Necessary directions shall be issued to operationalise Section 136A of the Motor Vehicles Act, providing for electronic monitoring and enforcement of road safety, on all State Highways and identified high-risk urban roads within 6 months. The Safe Kerala AI-enabled camera enforcement project shall be

extended to cover all identified black spots and accident-prone stretches on State Highways.

- (ii) Speed limits and hazard warnings shall be prominently displayed at appropriate locations and at every significant change in the permissible speed. Variable Message Signboards shall be installed on major State Highway corridors.
- (iii) The Transport Department and Kerala Police shall ensure effective enforcement of the statutory provisions relating to speed limits (Sections 112-115 and 183), dangerous driving (Section 184), driving under the influence of alcohol (Section 185), racing and trials of speed (Section 189), and overloading (Section 194) of the Motor Vehicles Act. The Transport Department and the Kerala Police shall devise modalities to initiate proceedings as per law against repeat offenders.

IV. Lane Discipline, Road Markings, Signs and Dividers:

64. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are the NHAI/concessionaire for National Highways, the PWD (Roads and Bridges) for State Highways and PWD roads, and the concerned local body for local roads. Enforcement shall be carried out by the Kerala Police and the MVD.

- (i) All State-Highways and major district roads shall be surveyed within 60 days to identify faded, absent or defective lane markings, centre lines, edge lines, pedestrian crossings and other mandatory markings, and shall be brought into conformity with IRC:35-2015 and IRC:67-2012 within 120 days.
- (ii) Unsafe or unauthorised median openings shall be identified and rectified. Median vegetation or other obstructions affecting sight distance shall be removed.
- (iii) Crash barriers and median barriers shall be provided wherever required by the applicable road safety standards, particularly on undivided roads and stretches where there is a significant risk of head-on or cross-traffic collisions.

V. Overloading of Heavy and Goods Vehicles:

65. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are the Transport Commissioner, the MVD, the Kerala Police and the NHAI (weigh-in-motion on National Highways).

66. The CAG report on Road Safety, 2026 also highlights the need to give immediate attention in relation to transport and heavy vehicles. The audit found that 48,059 active transport vehicles had expired Certificates of Fitness without being presented for inspection or reported as non-use, and that 197 such vehicles subsequently met with accidents, including 19 fatalities. It further found 147 vehicles with expired Registration Certificates which subsequently met with

accidents involving 13 fatalities. Instances were also found of vehicles operating without valid permits and of expired fitness and registration requirements not being effectively enforced. The audit examined 27,889 challans relating to excess loading and emphasised the need for strict enforcement of the prescribed penalties. These findings demonstrate that ensuring that every transport vehicle operating on public roads has a valid fitness certificate, registration and permit, and that repeated violations result in effective statutory action, is an essential component of road safety.

- (i) In **P.B Satheesh v. Union of India**⁷, this Court had directed the State of Kerala and the NHAI to formulate a detailed and enforceable Standard Operating Procedure (SOP) for enforcement against overloading of goods vehicles on National Highways. A Standard Operating Procedure, laying down a uniform and structured mechanism for the detection, verification and enforcement of overloading of goods vehicles through the use of Weigh-in-Motion (WIM) systems and Static Weigh Bridges (SWB), was framed in accordance with the Motor Vehicles Act, 1988 and the Central Motor Vehicles Rules, 1989. This Court had also directed the State to take all necessary administrative and supervisory measures to ensure that the SOP is implemented strictly and in its true letter and spirit.

⁷ 2026: KER: 16313

- (ii) There is a need to monitor and ensure that the Weigh-in-Motion systems have been installed and operationalised at appropriate entry corridors and other strategic locations.
- (iii) The MVD and the Police shall undertake recorded and continuing enforcement of the provisions relating to overloading, including maintenance of monthly enforcement data and identification of repeat offenders.

VI. Private Bus Timing, Structural Reform Of Public Transport Operations And Public Transport Safety:

67. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are the Transport Commissioner, the Joint/Regional Transport Officers, NATPAC, the Kerala Police (Traffic Wing), KSRTC and the Secretary, Transport Department. Before passing directions, the Private Bus Owners Association is also required to be heard.

- (i) The Transport Commissioner shall, within 60 days, convene a meeting with all stakeholders, including the Association of Private Bus Owners, Kochi Metro Rail, Regional Transport Officers and any other competent technical body, to devise a technologically feasible and safe regulatory schedule for private buses. GPS-based time-and-motion studies shall be conducted on all major private bus routes in the State, commencing with Ernakulam and Kozhikode, to determine the scientifically viable running time for each route segment,

having regard to the actual road width, traffic density, the number of stops, speed limits and road geometry.

- (ii) Based on the aforesaid study, the concerned Regional Transport Authorities shall, within 120 days, revise the running times and timetables attached to stage carriage permits under Section 72(2) of the Motor Vehicles Act, 1988, so as to ensure that the prescribed timings do not create an institutional incentive to overspeed. No running time shall be fixed which requires a bus to travel at a speed exceeding the posted speed limit for the relevant road in order to complete the trip within the prescribed schedule.
- (iii) A minimum headway, namely, the time gap between successive departures on the same route, shall be prescribed to reduce competition-driven racing between private buses.
- (iv) ANPR cameras and GPS-based speed monitoring shall be deployed to implement point-to-point speed enforcement on identified high-risk private bus routes. Where point-to-point analysis reveals that a bus has covered a route segment at an average speed exceeding the speed limit, an automated challan shall be generated.
- (v) The Regional Transport Officers shall take action under Rule 153 of the Kerala Motor Vehicles Rules, 1989, against permit holders whose buses are found to be habitually overspeeding or whose drivers are repeatedly involved in dangerous driving. A graded enforcement framework shall be implemented, consisting of a warning to the permit holder for first offence, a show-cause

notice for second offence and suspension of the permit for the relevant trip or route for a specified period for third offence, subject to the principles of natural justice.

- (vi) All stage carriage buses, including private buses, shall be equipped with GPS-based vehicle tracking devices within six months. The GPS data shall be accessible to the Transport Department and shall be used for monitoring compliance with prescribed running times and speed limits.

The dire need to devise alternative methods:

- (vii) The root cause of the prevailing pattern of reckless and dangerous driving by private bus operators lies in the structure of the private bus industry itself. Under the existing system, private bus operators derive their revenue directly from fare collection, with each operator retaining the fare collected on the bus. This creates a direct economic incentive for each bus to carry as many passengers as possible in as many trips as possible, which, in turn, creates an institutional compulsion to overspeed, to race competing buses to the next bus stop and to minimise time at stops, all at grave risk to the safety of passengers, pedestrians and other road users. The experience of several jurisdictions that have successfully reformed their urban and inter-city bus operations demonstrates that an effective intervention may involve structural reform which severs the link between the operator's revenue and the number of passengers carried, so that speed ceases to be an economic incentive.

(viii) The Transport Commissioner shall, within 90 days, constitute an Expert Committee to study and recommend the adoption of a reformed operational model for private bus services in the State, drawing upon international models like the Gross-Cost Contracting Model prevalent in Singapore, Route Franchising and Quality Incentive Contracts as adopted by Transport for London, United Kingdom, Semi-Public Operation Model as adopted in Seoul, Republic of Korea, and Kilometre-Based Payment and BRT Models as adopted in Bogotá, Colombia. The Expert Committee shall also study the Intelligent Transport System (ITS) implemented by the Bengaluru Metropolitan Transport Corporation (BMTCL), Karnataka, which includes GPS-based real-time vehicle tracking, automated schedule adherence monitoring, driver behaviour analytics, including harsh braking, sudden acceleration and speeding events, and a centralised command-and-control centre. Similar telematics-based systems adopted by other State Road Transport Undertakings shall also be examined to assess their applicability to the private bus sector in Kerala.

(ix) The Expert Committee referred to in sub-paragraph (viii) above shall comprise: (a) the Transport Commissioner, who shall be the Chairperson; (b) the Director, NATPAC; (c) a representative of the Kerala State Road Transport Corporation (KSRTC); (d) a representative of the Kochi Metropolitan Transport Authority (KMTA) or Kochi Metro Rail Ltd.; (e) a nominee of the Indian Institute of Management, Kozhikode, or the Centre for Development Studies, Thiruvananthapuram, with expertise in transport economics or public

policy; (f) a representative of the Association of Private Bus Owners; and (g) the Road Safety Commissioner, Kerala Road Safety Authority. The Committee shall be at liberty to co-opt domain experts and to commission such studies as may be necessary.

- (x) The Expert Committee shall, within 180 days of its constitution, submit to the State Government and to this Court a detailed report containing: (a) an assessment of the existing revenue model and its causal relationship with unsafe driving practices; (b) a comparative analysis of the models referred to in sub-paragraph (viii) above and their adaptability to the conditions prevailing in Kerala, having regard to the ownership structure, route network, fleet size, fare levels and passenger volumes; (c) a recommended model or combination of models for phased implementation, with specific attention to ensuring revenue neutrality for operators during the transition so that the reform does not result in economic hardship for the private bus industry; (d) the legislative, regulatory and institutional changes required for implementation, including any amendments to the Motor Vehicles Act, the Kerala Motor Vehicles Rules, the permit conditions under Section 72(2), and the institutional framework of the Regional Transport Authorities; (e) a proposed timeline for phased implementation, commencing with a pilot project in one or two districts; and (f) the estimated cost of implementation and the proposed sources of funding, including the Kerala Road Safety Fund.

- (xi) Pending the submission of the Expert Committee's report and the implementation of structural reforms, the directions contained in sub-paragraphs (i) to (vi) above, relating to the revision of running times, prescription of minimum headways, point-to-point speed enforcement, graded enforcement under Rule 153 and mandatory GPS tracking, shall be implemented within the timelines prescribed therein as interim measures to address the immediate safety concerns arising from the existing system.
- (xii) The State Government shall, upon receipt of the Expert Committee's report, place the same before this Court together with a time-bound action plan for its implementation. This Court shall consider the report and pass further orders, as may be necessary, to ensure that any structural reform of public transport operations is carried out in a manner that prioritises the safety of all road users while maintaining adequate and affordable public transport services.

VII. Construction, Six-Lane and Work Zone Safety:

68. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are the NHAI (for National Highway projects), the PWD (for State and PWD roads), the concerned concessionaire or contractor, and the jurisdictional Project Director or Executive Engineer.

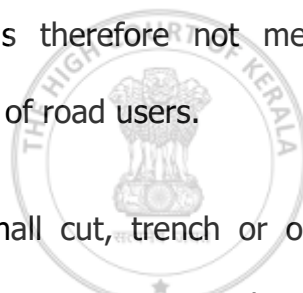
- (i) Every active construction stretch shall have a specifically identified officer responsible for road-user safety. The name, designation and contact number of such officers shall be displayed on signage at the commencement of the construction zone.
- (ii) No construction or six-laning work shall be permitted to continue without adequate barricading, warning signs, lighting, diversion arrangements and other necessary safety measures.
- (iii) Before any newly widened or reconstructed stretch is opened to traffic, an independent inspection shall be conducted by the competent authority.
- (iv) Where defects are not rectified within the defect liability period prescribed under Section 2602.4.3 of the PWD Manual (three years), the competent authority shall invoke the relevant contract conditions and take action against the contractor or concessionaire.

VIII. Utility, Pipeline And Road Cutting Coordination:

69. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are the PWD or the concerned Highway Authority, the Kerala Water Authority, KSEB, BSNL, gas and other utility agencies, and the District Collector or PWD as the coordinating authority.

70. The CAG Report 2026 has identified serious deficiencies in the manner in which roads were being cut by utility agencies and thereafter restored. Delays and improper restoration were noticed in several road reaches, including

settlement of restored portions and formation of potholes due to unattended pipe leakage. The audit recorded instances where road cutting was undertaken without the requisite permission, where different wings of the PWD granted permissions without adequate inter-departmental consultation, and where restoration was delayed or carried out using materials and methods contrary to the prescribed specifications. The audit also noticed restoration with non-compacted aggregates instead of the prescribed bituminous overlay, improper restoration resulting in settlement and potholes and unattended leakage from pipelines. The need for a coordinated system for granting permissions, monitoring road cutting and ensuring time-bound restoration is therefore not merely administrative; it is directly connected with the safety of road users.

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- (i) No utility agency shall cut, trench or otherwise interfere with a National Highway, State Highway or PWD road without prior written permission from the competent road authority.
 - (ii) The permission shall specify the location, nature and extent of the work, the material to be used for restoration, the manner of reinstatement and the date by which restoration shall be completed. Restoration charges and security deposits shall be remitted in advance.
 - (iii) The restored portion shall be inspected jointly by the road authority and the utility agency before the work order is closed.

- (iv) The centralised utility coordination portal directed under Head I(B)(v) above shall record all utility permissions and restoration status, accessible to the road authority, the utility agency and the public.

IX. KSEB Installations and Electrical Hazards:

71. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are KSEB Ltd., the NHAI or PWD as applicable, and the concerned local authority.

- (i) The KSEB shall, within six months, undertake a time-bound survey of all overhead electrical lines crossing or running along roads, particularly National Highways, major State roads and roads within urban areas. The survey shall identify locations where electricity poles obstruct the carriageway or otherwise impede the free movement of traffic, particularly on roads having limited width. At such locations, KSEB, in consultation with the concerned local authority, shall examine the feasibility of shifting the poles and laying the electrical lines underground, wherever technically feasible. The situation presently prevailing in several busy roads in Ernakulam, where electricity poles placed close to the carriageway restrict the free movement of vehicles and contribute to traffic hazards, may be taken as an example requiring such examination. The survey shall also identify locations where the prescribed vertical clearance is inadequate, or where electrical lines are sagging,

damaged or otherwise pose a danger to road users, and such defects shall be rectified on a priority basis within a time-bound manner.

- (ii) A time-bound response mechanism shall be established for complaints concerning sagging, snapped or damaged lines in the vicinity of roads.
- (iii) Before commencement of road widening, KSEB and the concerned road authority shall jointly inspect the alignment and identify installations requiring relocation or raising.

X. Black Spot Identification and Time Bound Rectification:

72. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are the NHAI (for National Highways), the PWD (for State and PWD roads), NATPAC, the Kerala Road Safety Authority and the District Collectors.

- (i) Every identified black spot shall have: (a) a designated nodal officer; (b) identification of the precise cause or causes of accidents; (c) interim safety measures implemented within 30 days; (d) a permanent engineering solution with a prescribed completion date; and (e) periodic reporting until the defect is finally rectified.
- (ii) NATPAC and the Central Road Safety Cell of the PWD under Section 1006 of the PWD Manual shall jointly prepare a comprehensive, geo-referenced list of

all accident black spots on National Highways, State Highways and major district roads in the State within 60 days.

- (iii) High-intensity LED/high-mast lighting, speed enforcement cameras, retro-reflective warning signs and transverse bar markings shall be installed at every identified black spot within 4 months.
- (iv) A publicly accessible dashboard shall be maintained showing the location of each black spot, the authority responsible, the remedial measures proposed, the date fixed for completion and the present status. This dashboard shall form part of the Integrated Road Safety Monitoring Platform directed under Head XIII.

XI. Driver Discipline, Vehicle Conspicuity and Emergency Response:

73. Insofar as the directions under this Head are concerned, the authorities responsible for their implementation are the Transport Commissioner, the MVD, the Kerala Police, the Health and Family Welfare Department and the NHAI or PWD as applicable.

- (i) The MVD shall establish a centralised driver profiling mechanism recording driving history and relevant offence history. The graded enforcement framework under Head VI(v) shall also apply to drivers of all categories of heavy transport vehicles and public service vehicles

- (ii) Heavy and commercial vehicles shall be subjected to appropriate fitness checks concerning retro-reflective conspicuity markings and functioning hazard lamps in compliance with MoRTH specifications.
- (iii) A coordinated emergency response mechanism shall be established for identified high-risk highway corridors. The availability of trauma care facilities, ambulances, emergency communication and timely medical intervention shall be reviewed with particular emphasis on the "Golden Hour".
- (iv) Basic Life Support (BLS) ambulances shall be stationed at intervals not exceeding 30 km on all State Highway corridors, at or near Wayside Amenities, toll plazas or dedicated posts, in affirmation of the State's positive obligation under Article 21 of the Constitution of India to ensure prompt and timely emergency medical response.

XII Public and Heavy Vehicle Driver Profiling, Safety and Accountability:

74. Insofar as the safety and discipline of drivers of private buses, school buses, ambulances, contract carriages, goods vehicles and other heavy or public service vehicles are concerned, we are of the view that there is an urgent need to establish a comprehensive and centralised driver profiling system. Such an exercise has already commenced at Ernakulam insofar as drivers of private buses are concerned. Directions are required to be issued to the Transport Department to create and maintain a State-wide Public and Heavy Vehicle Driver Registry

containing, subject to the requirements of law relating to privacy and data protection, the identity and driving licence particulars of every person employed or engaged to drive a private bus, school bus, stage carriage, contract carriage, heavy goods vehicle or other prescribed heavy or public service vehicle. This can, at the next stage, be extended to other classes of vehicles as well. The profile shall contain the person's driving history, relevant criminal antecedents where lawfully accessible, history of traffic violations, challans issued, prosecutions, licence suspensions or cancellations, accidents in which the driver was involved, findings relating to dangerous or reckless driving, and any previous action taken by the competent authority. No person whose driving licence is suspended, cancelled or otherwise rendered invalid under law shall be permitted to drive such vehicles. The competent authority shall also examine, in accordance with law, whether persons having relevant criminal antecedents or a demonstrated history of dangerous driving are fit to be entrusted with the responsibility of driving vehicles carrying passengers or operating on public roads.

75. The profiling system shall not, however, operate merely as a record-keeping mechanism. It shall function as a continuing safety and accountability system. Where a driver is repeatedly found violating traffic laws, is involved in multiple accidents, is proceeded against for dangerous or reckless driving, or accumulates a prescribed number of serious or repeated traffic violations or challans, the driver's profile shall be automatically flagged for review by the competent authority. As an interim safety measure, and subject to the procedure prescribed by law, such driver may be required to undergo counselling,

road safety training, medical or other appropriate assessment and such further evaluation as may be prescribed before being permitted to resume driving public or heavy vehicles. Where the number or nature of violations, accidents or other adverse incidents demonstrates a continuing pattern of unsafe driving, the competent authority shall initiate appropriate proceedings under the Motor Vehicles Act, 1988 and the applicable Rules, including suspension or cancellation of the driving licence or such other statutory action as may be warranted. Similarly, where a particular private bus, school bus, heavy goods vehicle or other public service vehicle is repeatedly involved in serious traffic violations or accidents, the enforcement authorities shall examine whether action is warranted against the vehicle owner, permit holder or operator, including suspension or cancellation of the permit, fitness certificate or other statutory authorisation, in accordance with law.

76. We are also of the view that the driver profiling mechanism must address the structural circumstances which contribute to unsafe driving by private bus operators. The present system of prescribing fixed running times between two points can, where such timings do not reflect the actual condition of the road, traffic density, number of stops and applicable speed limits, create an incentive for drivers to compensate for delays by overspeeding, dangerous overtaking and racing with other buses. A driver should not be placed in a position where compliance with an unrealistic timetable requires the vehicle to be driven at a speed or in a manner inconsistent with road safety. The Transport Department shall therefore ensure that the driver profiling system is integrated with the GPS

and the time-and-motion monitoring mechanism directed above, so that repeated instances of overspeeding, deviation from prescribed routes, excessive acceleration, harsh braking, racing between buses and other unsafe driving patterns can be identified and attributed to the concerned driver and vehicle. The system shall generate alerts where a driver or vehicle crosses the prescribed safety thresholds and shall automatically place the matter before the competent authority for review.

77. In respect of school buses and other vehicles carrying children, the standards shall be applied with greater rigour. Every person engaged to drive a school bus shall be subject to verification of the validity of the driving licence, prescribed experience and other statutory requirements, together with verification of relevant antecedents to the extent permissible in law. The driver and vehicle profile shall be periodically reviewed, and any serious or repeated traffic violation, dangerous driving incident or accident shall immediately be brought to the notice of the competent authority and the educational institution concerned. No person shall be permitted to continue driving a school bus where the driver's licence has been suspended or cancelled or where such continued operation is prohibited under law.

78. The Transport Department shall prescribe, within a period of 90 days, the parameters for driver profiling, the threshold number and nature of violations requiring automatic review, the procedure for counselling and training, the circumstances warranting temporary suspension from driving public or heavy

vehicles, and the procedure for initiating action against repeat offenders and vehicle owners or permit holders. The system shall provide for due notice and an opportunity of being heard wherever such procedure is required by law. The driver profile shall be integrated, to the extent legally permissible, with VAHAN, SARATHI, e-challan, accident records, GPS-based monitoring and the Integrated Road Safety Monitoring Platform so that the enforcement authorities have a consolidated and current picture of the safety record of every driver and vehicle operating in the public space. The object of the system shall be preventive rather than merely punitive: a person who demonstrates a continuing pattern of unsafe driving must be identified before such conduct results in the loss of another human life.

79. We make it abundantly clear that the driver profiling database shall not be a publicly accessible database or a general information repository. In view of the sensitive nature of the information contained therein, access to the detailed driver profile shall be strictly restricted and governed by law. The system shall incorporate role-based and need-based access controls, audit trails and appropriate safeguards against unauthorised access, disclosure, copying or misuse of the information. The detailed profiles shall be accessible only to duly authorised senior officers of the Transport Department, Police and other law enforcement authorities, for legitimate enforcement, licensing, road safety and regulatory purposes. The access architecture may be modelled on the restricted-access principle followed for sensitive law enforcement databases maintained by the National Crime Records Bureau, with different levels of access for different categories of authorised officers. No private employer, vehicle owner or member of

the public shall have access to the complete driver profile, except to the limited extent specifically authorised by law or necessary for a lawful verification.

80. The object of the system shall be preventive rather than merely punitive. A person who demonstrates a continuing pattern of unsafe driving must be identified before such conduct results in the loss of another human life.

XIII. Integrated Road Safety Monitoring Platform:

81. We are of the view that the directions issued under the preceding heads will have limited effectiveness unless there is a mechanism through which their implementation can be continuously monitored. The existing systems maintained by different departments cannot remain isolated from one another. There must be a common system through which a road safety defect can be identified, assigned to the authority responsible, acted upon within a prescribed period and monitored until its actual rectification.

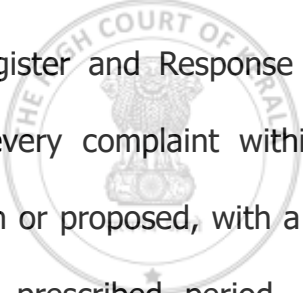
82. The Kerala Road Safety Authority shall be the nodal agency for the development and operationalisation of the Integrated Road Safety Monitoring Platform ("the Platform"). A Steering Committee shall be constituted within 15 days from the date of this order, comprising the Transport Commissioner or his nominee; the Director, Information Kerala Mission (IKM), who shall be the Convenor; a nominee of the Digital University, Kerala; the Head of the State e-Governance Division or his nominee; the Chief Engineer, PWD (Roads and Bridges), representing the Electronics Wing and RMMS/GIS systems; and the Road

Safety Commissioner, Kerala Road Safety Authority. The Steering Committee shall finalise the functional and technical requirements of the Platform within 45 days and shall submit quarterly progress reports to the Chief Secretary and this Court. The Platform shall be developed on an open-source, secure, scalable and interoperable architecture, with bilingual functionality in Malayalam and English. It shall, wherever technically feasible and legally permissible, integrate with VAHAN, SARATHI, the e-challan system, the PWD Geographical Information System (GIS), Road Maintenance Management System (RMMS), Web-based Information and Governance System (WINGS), Road Information Management System (RIMS) and Financial Management System (FMS) as may be necessary for effective road safety monitoring.

83. Directions are to be issued to develop the Platform and operationalise it within six months. It shall function as a unified, technology-enabled system for citizen reporting, identification and tracking of road safety defects, monitoring of remedial measures, road safety audits, enforcement and compliance monitoring, and Court monitoring of the implementation of the directions issued herein. The Platform shall comprise, at a minimum, the following modules:

- (a) Citizens' Hazard Reporting Module: A mobile application and web portal enabling any citizen to report road defects and other road safety hazards, including potholes, damaged road furniture, faded road markings, missing road signs, encroachments, illegal parking, construction zone hazards,

dangerous bus stops, unscientific speed humps, fallen trees and any other condition posing a risk to road users. Every complaint shall, as far as practicable, be accompanied by geo-tagged photographs, GPS coordinates and a timestamp. Each complaint shall generate a unique tracking number and shall be automatically routed to the officer or authority having jurisdiction. The citizen application shall provide for authenticated login, including Aadhaar or mobile-linked authentication, as may be technically and legally permissible. The road safety complaint mechanism shall also be linked to the existing toll-free number 1033.

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- (b) Authority Defect Register and Response Module: The jurisdictional officer shall acknowledge every complaint within 24 hours and shall record the remedial action taken or proposed, with a definite timeline. Where no action is taken within the prescribed period, the complaint shall automatically escalate to the next higher authority. The escalation mechanism shall ordinarily operate in the following order: Assistant Engineer - Executive Engineer - Superintending Engineer - Chief Engineer - District Road Safety Monitoring Committee - this Court.
- (c) Utility Coordination Portal: A centralised record of all permissions granted to utility agencies, including the Kerala Water Authority, KSEB, BSNL, gas agencies and other agencies authorised to undertake works within or adjacent to road corridors, for road cutting, trenching and other works

affecting roads, recording the authority, location, nature of work, period permitted, restoration timeline, agency responsible and present status.

- (d) Black Spot Tracker: A geo-referenced and publicly accessible module showing all identified accident black spots, the nature of the hazard, the authority responsible, the remedial measures proposed, the timeline for completion, the present status of implementation and the date and manner in which rectification was verified.
- (e) Safety Audit Module: A central repository of all road safety audits conducted by the Central Road Safety Cell under Section 1006 of the PWD Manual and by NATPAC, and of inspection reports and remedial measures recommended by other competent authorities, recording findings, recommendations, timelines and compliance status.
- (f) Automatic Number Plate Recognition (ANPR) and Electronic Enforcement Integration Module: Integration, wherever legally permissible, with ANPR cameras, the Safe Kerala AI-enabled cameras, speed detection systems, red light and other electronic enforcement devices, Weigh-in-Motion systems, Static Weigh Bridges and other authorised intelligent transport systems deployed under the relevant heads of this order. The module shall display violation data, challan status, enforcement trends and shall facilitate identification of repeat offenders and corridor-wise and vehicle category-wise enforcement analytics.

- (g) RMMS and GIS Integration Module: The Platform shall draw upon and integrate the Road Maintenance Management System (RMMS) under Sections 901 to 909 and the GIS under Section 801 of the PWD Manual, together with WINGS, RIMS and FMS. Road inventory, pavement condition, traffic data, maintenance history and work history shall be overlaid with citizen complaints, accident data, black spot data and enforcement data so as to provide a unified, geo-referenced view of road conditions and road safety across the State.
- (h) Engineer Accountability Module: Every PWD officer from the level of Assistant Engineer upwards shall be mapped to the road stretches under his or her jurisdiction. The Platform shall generate officer-wise performance and compliance metrics, including defects reported, average response time, complaints escalated, compliance with mandatory monthly inspections under Section 2602.2 of the PWD Manual, and the status of the Annual Maintenance Plan under Section 2602.1. The module shall record complaints received, action taken, response time, escalation and pending matters against the concerned officer. Persistent or repeated non-compliance shall be brought to the notice of the competent supervisory authority for appropriate departmental action in accordance with law.
- (i) Compliance Dashboard: A real-time or near real-time dashboard showing, for every direction contained in this order, the authority responsible, the timeline, the action taken and the status of compliance. The dashboard shall be

accessible to this Court, the Amicus Curiae, the Chief Secretary and other competent authorities. It shall clearly identify critical and overdue matters, high-risk road stretches, unresolved black spots, recurring violations, pending road repairs, unauthorised or delayed utility works, enforcement gaps and other matters requiring immediate intervention.

- (j) Analytical and Reporting Module: The Platform shall incorporate analytical and, wherever technically appropriate, predictive capabilities, including the use of artificial intelligence and machine learning, to analyse historical accident, traffic, enforcement, road condition and infrastructure data and identify emerging high-risk locations and recurring causes of accidents. Such technological tools shall, however, operate as decision-support mechanisms and shall not substitute the statutory responsibilities of the competent authorities. The Platform shall generate monthly, quarterly and annual reports identifying, among other matters, the number of hazards identified, action initiated, action completed, actions pending, actions overdue, black spots rectified, repeat violations detected, road inspections conducted, maintenance deficiencies identified and rectified, utility works pending, enforcement undertaken, emergency response performance and the authorities or officers responsible for unresolved matters. The reports shall specifically distinguish between identification of a problem and actual rectification of the problem.

84. The Platform shall also provide real-time analytical dashboards accessible to the public, showing complaint status, black spot rectification progress, accident trends by road, district and cause, enforcement data, RMMS road condition indices and officer response times. Such information shall serve the purpose of transparency, fixing responsibility and ensuring accountability at every level. Appropriate public-facing information may be made available, subject to privacy, security and other legal requirements. The Platform shall be accessible to the public through both the mobile application and the web portal.

85. The Platform shall also provide role-based dashboards for the PWD, Transport Department, Kerala Police, NHAI, local authorities, KSEB, KWA, Health Department and other participating agencies, with access restricted according to their respective statutory functions and responsibilities. The District Road Safety Monitoring Committees shall monitor the road safety issues within their respective jurisdictions, monitor pending interventions, review black spots and accident data, and record decisions and compliance. A State-level dashboard shall consolidate the information received from all districts and provide the Kerala Road Safety Authority, the Government and other competent authorities with a real-time or near-real-time view of the overall road safety position in the State.

86. No road safety complaint or identified hazard shall be treated as closed merely on the basis of an administrative report or response. The Platform shall, wherever appropriate, require geo-tagged photographs, inspection records, field verification and certification by the competent authority before closure, with

provision for independent verification by the Kerala Road Safety Authority or such other authority as may be prescribed. Every action, modification, approval and closure shall be recorded so that a complete, tamper-evident and immutable audit trail is available, and the history of every road safety issue, from its first identification to its final closure, can be independently examined.

87. The initial development of the Platform shall be funded jointly from the Kerala Road Safety Fund and a dedicated State budget allocation. The Finance Department shall release adequate funds for its development and operationalisation within 30 days from the date of this order. The recurring expenditure for maintenance, hosting, updating, technical support, integration and continued operation shall be met from the Road Safety Fund on a continuing basis, subject to the applicable statutory provisions.

88. The Platform shall be designed to permit integration with additional Government systems and sensors in the future without requiring fundamental redevelopment. Appropriate data governance, privacy, cybersecurity and data-retention policies shall be prescribed before operationalisation. The Platform shall incorporate appropriate encryption, role-based access control, multi-factor authentication, data backup and disaster recovery mechanisms.

89. The Platform shall not be treated merely as a complaint portal or an information dashboard. It shall function as a continuing road safety and accountability mechanism through which the concerned authorities are required to

identify hazards, assign responsibility, undertake remedial measures and demonstrate actual compliance. Every identified road safety deficiency shall have a designated authority, a designated officer, a prescribed remedial action and a definite time limit. The concerned departments and authorities shall be required to use the Platform as the primary mechanism for recording, monitoring and reporting road safety compliance. The objective shall be to move from a system of fragmented departmental action and post-accident response to a continuous system of prevention, early detection, coordinated intervention, enforcement and measurable accountability. In view of the continuing loss of human lives and serious injuries resulting from road accidents in the State, the development and operationalisation of the Platform shall be treated as a matter of urgency and shall be monitored at the highest level of the Government. The Steering Committee shall periodically review its functioning and place before this Court quarterly reports regarding its implementation, pending complaints, unresolved deficiencies and compliance with the directions contained in this order.

XIV. District Road Safety Monitoring Committees:

90. Insofar as District-level coordination is concerned, the authorities responsible for implementing the same are the District Collectors, District Police Chiefs, Executive Engineers of the PWD, Regional Transport Officers, District Medical Officers and, wherever applicable, the Project Directors of NHAI, together with representatives of KSEB, KWA and the concerned local bodies.

91. In every district, the District Collector shall, within 15 days, constitute a District Road Safety Monitoring Committee, if no such committee has been constituted so far. The Committee shall meet at least once every month and shall review:

- (a) pending road safety complaints;
- (b) black spot rectification;
- (c) inter-agency action concerning utility works, encroachments and construction zones;
- (d) enforcement data relating to overspeeding, dangerous driving, overloading and private bus violations; and
- (e) compliance with the directions issued by this Court.

The minutes of every meeting shall be uploaded to the Integrated Road Safety Monitoring Platform, as and when it becomes operational. Unresolved matters shall be escalated to the State level coordination mechanism.

XV. Road Safety Fund And CSR Contributions:

92. Insofar as the Road Safety Fund and CSR contributions are concerned, the authorities responsible for implementing the measures are the Kerala Road Safety Authority, Transport Department, Finance Department and the Chief Secretary. The Kerala Road Safety Fund shall be utilised strictly for the purposes for which it is constituted under the Kerala Road Safety Authority Act, 2007, including road safety programmes, projects, equipment, research, trauma

care and the development and operationalisation of the Integrated Road Safety Monitoring Platform.

93. The State Government shall ensure compliance with the statutory requirement relating to crediting the prescribed share of the compounding fee collected under Section 200 of the Motor Vehicles Act to the Road Safety Fund, including the accrued arrears, in accordance with law.

94. The Finance Department shall place before this Court, within 45 days, a time-bound plan for release and utilisation of the amount proposed by the Road Safety Commissioner, stated in the Government affidavit to be ₹999.2638 crore.

95. The Kerala Road Safety Authority shall also explore the utilisation of CSR contributions for road safety infrastructure, technology, the Integrated Road Safety Monitoring Platform and safety equipment and shall formulate an appropriate framework within 60 days. Transparent accounts of amounts credited to and expended from the Fund shall be maintained and periodic statements shall be placed before this Court.

XVI. Research, Behavioural Science and Road Safety Planning:

96. Insofar as research and behavioural aspects of road safety are concerned, the authorities responsible for implementing the same are the Kerala Road Safety Authority, Transport Department, NATPAC, Health Department and appropriate academic institutions.

97. An interdisciplinary Road Safety Research Committee shall be constituted within 60 days, comprising traffic psychologists, behavioural scientists, engineers, public health experts, enforcement officials and policy specialists, to study behavioural factors contributing to road accidents, including speeding, aggressive overtaking, aggressive behaviour, road rage incidents, mobile phone use, fatigue, risk perception and compliance with traffic regulations.

98. The purpose of such research shall be to ensure that road safety interventions are evidence-based and evaluated for their actual effectiveness. The Committee shall submit an annual report to the Kerala Road Safety Authority and this Court containing its findings and recommendations.

XVII. Overall Coordination, Stretch-Wise Responsibility and Compliance Reporting:

99. The material placed before this Court, read with the findings of the Comptroller and Auditor General, leaves little doubt that the State does not suffer from an absence of statutory provisions, technical standards or administrative mechanisms relating to road safety. The difficulty lies substantially in their effective implementation. The deficiencies identified extend across the entire road safety chain: licensing and testing of drivers, road safety education, vehicle fitness, registration and permits, enforcement of traffic violations, overloading, construction quality, maintenance, drainage, road markings and safety installations, utility-related road cutting and restoration, electronic surveillance and inter-departmental coordination. The CAG findings are significant in this regard

because they demonstrate that these are not isolated incidents but recurring deficiencies noticed during audit. What is therefore required is not the creation of another layer of rules, but a system by which existing obligations are continuously monitored, responsibility is clearly assigned, defaults are detected in time and corrective action is made measurable and accountable.

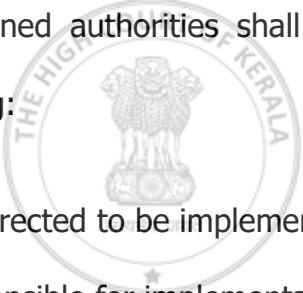
100. In view of the magnitude of the issue and its importance, we are of the view that the overall coordination and compliance monitoring will have to be carried out by the Chief Secretary, Government of Kerala, who shall act as the nodal authority for coordination among the Transport Department, PWD, Police, Health Department, Kerala Road Safety Authority, KSEB, Kerala Water Authority, local self-government institutions and District Collectors. In respect of National Highways, coordination shall also be undertaken with the Ministry of Road Transport and Highways and NHAI.

101. The Chief Secretary shall not take over the statutory functions of the specialised authorities. The purpose of the coordination mechanism is to ensure that the existence of multiple authorities does not result in responsibility being passed from one department to another without the necessary remedial action being taken. In respect of every National Highway, State Highway and PWD road, the competent authority shall identify and record the authority having administrative control, the executing or maintenance agency, the concessionaire or contractor wherever applicable, the Project Director or equivalent officer, the jurisdictional engineering officer, the officer responsible for traffic enforcement, the

officer responsible for utility coordination and the authority responsible for emergency response. The name and designation of the concerned officers shall be recorded in the Integrated Road Safety Monitoring Platform as and when it becomes operational.

102. Where a defect or hazard is brought to the notice of the concerned authority, the system shall enable immediate identification of the officer responsible for detecting the defect, the officer responsible for rectification and the officer responsible for supervising such rectification.

103. The concerned authorities shall file quarterly compliance reports before this Court indicating:

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- (a) the measures directed to be implemented by the authorities;
 - (b) the officer responsible for implementation;
 - (c) the action taken during the preceding quarter;
 - (d) the defects or black spots identified;
 - (e) the defects rectified;
 - (f) the works remaining pending;
 - (g) the reason for any delay;
 - (h) the amount sanctioned and expended;
 - (i) the contractor or concessionaire responsible, wherever applicable; and
 - (j) the time within which the remaining work will be completed.

The first consolidated compliance report shall be filed within 75 days of this order. The Chief Secretary shall file a consolidated report in tabular form, collating the reports received from all concerned agencies.

Review of Timelines and Conclusion of the Order:

104. All implementing agencies, including NHAI, PWD (Roads and Bridges), PWD (National Highway Wing), Kerala Police, Transport Department, Kerala Road Safety Authority, KSEB, Kerala Water Authority, NATPAC, KSRTC, District Collectors and local self-government institutions, shall be responsible for compliance with the directions falling within their respective jurisdictions and statutory functions.

105. Where a direction remains unimplemented without sufficient justification, the supervisory authority shall be required to explain the reasons for such non-compliance and identify the officer or agency responsible. The object of these directions is not to create another layer of administration, but to ensure that the statutory responsibilities already entrusted to the various authorities are effectively discharged, that responsibility is clearly identified, that remedial action is taken within a definite time and that such action is capable of independent verification.

106. The Integrated Road Safety Monitoring Platform, as and when it becomes operational, shall constitute the principal mechanism for recording, tracking and monitoring compliance with these directions. The existence of the

Platform shall not, however, absolve any authority or officer of the statutory responsibility independently imposed upon such authority or officer by law. The matter shall then be listed for reporting compliance after 75 days.

107. Accordingly, we direct the Registry to place this matter before the Hon'ble the Chief Justice to consider registration of a suo motu case as "**In Re: Road Safety in Kerala**", arising out of W.P.(C) No. 15090 of 2020. It would also be appropriate that W.P.(C) No. 15090 of 2020 be tagged with and heard along with the suo motu case, if the same is ordered to be registered.

A copy of this order shall be forwarded to the Chief Secretary, Government of Kerala, the Secretary, Ministry of Road Transport and Highways, Government of India, the Chairman, NHAI, the Transport Commissioner, the Director General of Police, the Chief Engineer (Roads and Bridges), PWD, and all other respondents arrayed in paragraph No. 52 of the order.

sd/-

**RAJA VIJAYARAGHAVAN V,
JUDGE**

sd/-

**K.V. JAYAKUMAR,
JUDGE**

PS/APM/22/09/26