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# The Gujarat Government Gazette

## EXTRAORDINARY

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#### PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations  
made by the Governor

#### PORTS AND TRANSPORT DEPARTMENT

Sachiyalaya, Gandhinagar, Dated the 3<sup>rd</sup> October, 2017.

#### GUJARAT ORDINANCE NO. 2 OF 2017.

#### AN ORDINANCE

*to provide for the constitution of a Road Safety Authority for the implementation of road safety programmes in the State and to act as a lead agency for road safety; for the establishment of road safety fund and for matters connected therewith and incidental thereto.*

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to provide for the constitution of a Road Safety Authority for the implementation of road safety programmes in the State and to act as a lead agency for road safety and for the establishment of road safety fund;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. **Short title and commencement.**- (1) This Ordinance may be called the Gujarat Road Safety Authority Ordinance, 2017.

(2) It shall come into force at once.

2. **Definition.**- (1) In this Ordinance, unless the context otherwise requires,-

- (a) "accident" means any incident wherein on account of the use of a motor vehicle on a public road, death, bodily injury or damage is caused to any person or property, as the case may be;
- (b) "Authority" means the Gujarat Road Safety Authority constituted under section 3;
- (c) "Chairman" means the Chairman of the Authority or of the Executive Committee, as the case may be;
- (d) "Enforcement officer" means the Enforcement Officer appointed under this Ordinance and includes the Chief Enforcement Officer or, as the case may be, the Deputy Enforcement Officer;
- (e) "Executive Committee" means the Executive Committee of the Authority constituted under section 8;
- (f) "Fund" means the Gujarat Road Safety Fund constituted under section 10;
- (g) "Local authority" means,-
- (i) a Municipal Corporation constituted under the Gujarat Provincial Municipal Corporations Act, 1949;
  - (ii) a Municipality constituted under the Gujarat Municipalities Act, 1963;
  - (iii) a Panchayat constituted under the Gujarat Panchayats Act, 1993;
- (h) "public road" shall include any road to which public have excess; and also the traffic island medians and footpath;
- (i) "prescribed" means prescribed by rules made under this Ordinance;
- (j) "regulations" means the regulations made under section 34;
- (k) "Road Safety Commissioner" means any officer appointed by the State Government to perform the functions of the Commissioner of Road Safety under this Ordinance and the rules made thereunder and includes a Joint Road Safety Commissioner and the Deputy Road Safety Commissioner;
- (l) "State, District or City Road Safety Committee" means the State, District or, as the case may be, the City Road Safety Council or Committee constituted under section 215 of the Motor Vehicles Act, 1988;
- (m) "vehicle" means vehicles or motor vehicles as defined in the Motor Vehicles Act, 1988 and includes any device used or capable of being used for the carriage of movement of human beings, animals or goods;
- (n) "victim" means a victim of an accident.

Bom. LIX  
of 1949.

Guj. 34  
of 1964.

Guj. 18  
of 1993.

59 of 1988.

59 of 1988.

59 of 1988.

Bom. 65 of  
1958.

(2) Words and expressions used but not defined in this Ordinance shall have meanings respectively assigned to them in the Motor Vehicles Act, 1988 and the Gujarat Motor Vehicles Tax Act, 1958.

**3. Constitution of Gujarat Road Safety Authority.-** (1) The State Government may, by notification in the *Official Gazette*, constitute, with effect from such date as may be specified therein, an authority to be called. "the Gujarat Road Safety Authority (GUJROSA)".

(2) The Authority shall be a body corporate by the name as aforesaid, having perpetual succession and a common seal, with powers subject to the provisions of this Ordinance, to acquire, hold and dispose of property, both movable and immovable and to contract and shall, by the said name, sue and be sued.

(3) The Authority shall consist of the following members, namely:-

- (i) the Minister for Transport, who shall be the Chairman of the Authority;
- (ii) the Secretary to the Government, Transport Department, who shall be the Vice-chairman of the Authority;
- (iii) the Secretary to the Government, Home Department;
- (iv) the Secretary to the Government, Health and Family Welfare Department;
- (v) the Secretary to the Government, Education Department;
- (vi) the Secretary to the Government, Roads and Buildings Department;
- (vii) the Director General of Police, Gujarat State;
- (viii) the Managing Director, Gujarat State Road Transport Corporation (GSRTC);
- (ix) the Municipal Commissioner of Ahmedabad Municipal Corporation;
- (x) the Chief Engineer, National Highway Authority of India (NHAI);
- (xi) the Chairman, Western India Automobile Association (WIAA);
- (xii) the Commissioner of Transport, Gujarat State;
- (xiii) two persons who are experts in the field of road safety, to be nominated by the State Government;
- (xiv) the Chief Enforcement Officer, who shall be the Member-Secretary of the Authority.

