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## JUDICIARY AS THE GUARDIAN OF ROAD SAFETY IN INDIA: A SOCIO-LEGAL ANALYSIS OF JUDICIAL INTERVENTION, CONSTITUTIONAL MANDATES, AND ROAD ACCIDENT GOVERNANCE

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### **Abstract**

Road safety has emerged as one of the most pressing public health and legal governance challenges in India. With one of the highest rates of road accidents globally, India faces a socio-legal crisis involving loss of life, disability, economic hardship, and constitutional concerns under Article 21 of the Constitution of India. The judiciary, particularly the Supreme Court and High Courts, has played an instrumental role in transforming road safety from a mere administrative concern into a constitutional and human rights issue. Through landmark judgments, policy directives, compensation jurisprudence, and victim-centric interpretations, Indian courts have strengthened legal accountability, Good Samaritan protections, emergency medical obligations, and Motor Accident Claims Tribunal (MACT) reforms. This paper critically examines the judiciary's role in road safety governance through constitutional philosophy, statutory interpretation, and socio-legal intervention. It analyses judicial activism, case laws, policy impacts, and challenges while highlighting the judiciary's contribution in

safeguarding human life, ensuring compensation justice, and promoting preventive road safety culture. The study adopts a doctrinal research methodology using constitutional provisions, statutes, judicial precedents, policy reports, and scholarly literature. It concludes that judicial intervention has significantly expanded the framework of road safety governance, but stronger implementation, technological enforcement, and coordinated governance are essential for sustainable road safety reform.

### **Keywords**

Road Safety, Judiciary, Article 21, Motor Vehicles Act, MACT, Judicial Activism, Compensation, Good Samaritan, Constitutional Governance, India

### **Introduction**

Road safety in India is no longer merely a matter of traffic regulation; it has become a profound constitutional, humanitarian, and governance issue. Every year, lakhs of road accidents result in deaths, disabilities, and immeasurable social suffering. Reckless driving, poor infrastructure, weak law enforcement, delayed compensation, and inadequate emergency care collectively create a legal and social emergency. In this context, the judiciary has emerged as a powerful institutional guardian.

The Indian judiciary has expanded the interpretation of Article 21—Right to Life and Personal Liberty—to include safe mobility, emergency medical care, speedy compensation, and victim dignity. Judicial intervention has gone beyond dispute resolution to policy formation, constitutional governance, and social reform. Through decisions like *Parmanand Katara v. Union of India*, *SaveLIFE Foundation v. Union of India*, and *Sarla Verma v. DTC*, courts have shaped road safety governance by ensuring that life-saving medical care, victim compensation, and public accountability become enforceable legal realities.

Judicial activism in road safety reflects the transformation of courts into constitutional protectors where state negligence, administrative inefficiency, and legal loopholes threaten human life. This paper explores how judicial pronouncements have strengthened road safety laws, protected accident victims, and advanced public welfare.

### **Objectives of the Study**

1. To examine the constitutional basis of judicial intervention in road safety under Article 21.

2. To analyse landmark judicial decisions related to road accident prevention, victim protection, and compensation.
3. To study the judiciary's role in interpreting the Motor Vehicles Act and related road safety laws.
4. To evaluate the socio-legal impact of judicial activism on public policy and road governance.
5. To suggest reforms for strengthening judicial contribution to road safety governance.

### **Research Methodology**

This study is based on **doctrinal research methodology**. It primarily relies on secondary sources, including:

- Constitution of India
- Motor Vehicles Act, 1988 (as amended in 2019)
- Supreme Court and High Court judgments
- Law Commission Reports
- Government road safety policies
- Scholarly articles, journals, and books

The research uses analytical and descriptive methods to evaluate judicial trends, constitutional principles, and legislative frameworks.

### **Hypotheses**

1. The judiciary has significantly expanded road safety governance through constitutional interpretation.
2. Judicial activism has transformed road accident law from compensation-centric to rights-centric governance.
3. Landmark judgments have improved victim protection, compensation standards, and emergency response systems.
4. Judicial intervention has influenced legislative reforms and executive accountability.

5. Effective road safety requires continued judicial oversight along with administrative enforcement.

### **Importance of the Study**

This study is significant because it highlights the judiciary's role as a protector of life in the context of India's road safety crisis. It contributes to legal scholarship by linking constitutional law, tort law, public health, and governance. It is particularly relevant for policymakers, legal scholars, road safety activists, and researchers studying socio-legal justice.

The research also demonstrates that judicial intervention serves not only as corrective justice after accidents but as preventive governance through policy direction, institutional accountability, and social awareness.

### **Landmark Case Laws and Judicial Contribution**

The Indian judiciary has played an extraordinary and transformative role in shaping road safety jurisprudence by elevating road accident law from a narrow statutory framework into a constitutional and socio-legal mandate. Through progressive interpretation of Article 21 of the Constitution of India, the Supreme Court has repeatedly emphasized that the "Right to Life" includes not only survival but also the right to emergency medical care, dignified compensation, timely justice, and humane public assistance. The following landmark judgments collectively form the backbone of India's judicial contribution to road safety governance.

#### **1. *Parmanand Katara v. Union of India* (1989) AIR 2039 SC**

##### **Background**

This historic case arose when a scooterist injured in a road accident was denied immediate medical treatment by a hospital on procedural grounds, with doctors insisting on legal formalities before treatment. The matter raised a fundamental constitutional question: whether preservation of life outweighs bureaucratic procedure.

##### **Judicial Pronouncement**

The Supreme Court unequivocally held that the preservation of human life is of supreme importance and that every doctor, whether in a government institution or private hospital, has a professional and constitutional obligation to provide immediate medical aid to every injured person without waiting for medico-legal formalities.

The Court declared that procedural law cannot override the urgency of saving human life and emphasized that every second lost in the “golden hour” can mean the difference between life and death.

### **Constitutional Significance**

The judgment expanded Article 21 by recognizing emergency medical care as an inseparable part of the Right to Life.

### **Judicial Contribution**

- Established the doctrine of “life first, legalities later.”
- Made emergency treatment a constitutional responsibility.
- Strengthened the concept of golden hour protection.
- Influenced trauma care and medico-legal protocols nationwide.

### **Impact**

This judgment transformed hospitals from passive institutions into constitutional protectors of life and remains one of the strongest legal foundations for accident victim care in India.

## **2. *SaveLIFE Foundation v. Union of India* (2016) 7 SCC 194**

### **Background**

India’s alarming number of road fatalities was aggravated by public reluctance to help accident victims due to fear of police harassment, court appearances, and administrative inconvenience.

### **Judicial Pronouncement**

The Supreme Court approved and enforced the Good Samaritan Guidelines issued by the Government of India, granting legal protection to bystanders who voluntarily assist road accident victims.

### **Key Protections Provided**

- No compulsory disclosure of personal identity
- No repeated police interrogation
- No forced hospital detention

- No compulsory courtroom appearance unless voluntary

### **Constitutional Significance**

This case transformed compassion into a legally protected civic act under Article 21.

### **Judicial Contribution**

- Humanized road safety governance
- Converted social morality into enforceable legal policy
- Reduced fear among citizens
- Encouraged immediate roadside intervention

### **Impact**

This judgment significantly advanced participatory justice by making citizens active stakeholders in life-saving efforts.

### **3. *Sarla Verma v. Delhi Transport Corporation* (2009) 6 SCC 121**

#### **Background**

Prior to this case, compensation awards under motor accident claims were inconsistent, arbitrary, and often dependent on varying tribunal discretion.

#### **Judicial Pronouncement**

The Supreme Court introduced a standardized multiplier method for determining compensation based on age, income, and dependency factors.

#### **Judicial Contribution**

- Standardized compensation jurisprudence
- Reduced arbitrary awards
- Increased predictability and fairness
- Strengthened MACT functioning

#### **Socio-Legal Importance**

The Court recognized that compensation is not charity but restorative justice for families devastated by road tragedies.

### **Impact**

This judgment remains a cornerstone in motor accident compensation law and brought uniformity to thousands of cases across India.

#### **4. *National Insurance Co. Ltd. v. Pranay Sethi* (2017) 16 SCC 680**

### **Background**

There existed uncertainty regarding compensation for future income prospects, consortium, funeral expenses, and non-pecuniary damages.

### **Judicial Pronouncement**

A Constitution Bench clarified compensation principles by including:

- Future prospects in income calculations
- Standard compensation under conventional heads
- Rationalized formulae for consistency

### **Judicial Contribution**

- Expanded victim compensation beyond immediate income loss
- Recognized economic realities of future growth
- Enhanced dignity for deceased victims' families
- Brought constitutional compassion into compensation law

### **Impact**

This judgment modernized compensation law and reinforced that legal justice must account for future deprivation, not merely present loss.

#### **5. *Jai Prakash v. National Insurance Co. Ltd.* (2010) 2 SCC 607**

### **Background**

Victims and families often suffered because of delayed FIRs, poor coordination, insurance bottlenecks, and procedural inefficiency.

**Judicial Pronouncement**

The Supreme Court directed police authorities, hospitals, insurance companies, and MACTs to function in coordinated harmony for speedy claims processing.

**Major Directions**

- Police to submit Accident Information Reports promptly
- Claims tribunals to act proactively
- Insurance companies to avoid unnecessary delays

**Judicial Contribution**

- Institutionalized procedural efficiency
- Reduced bureaucratic hardship
- Advanced access to justice
- Reinforced victim-centric legal administration

**Impact**

This case made road accident justice more system-oriented rather than purely litigation-based.

**6. *Skandia Insurance Co. Ltd. v. Kokilaben Chandravadan* (1987) 2 SCC 654****Background**

Insurance companies often denied compensation by citing technical breaches of policy conditions.

**Judicial Pronouncement**

The Supreme Court held that technical violations by insured persons should not defeat the rights of innocent third-party victims.

**Judicial Contribution**

- Shifted legal focus from insurer technicalities to victim welfare
- Strengthened social justice under welfare legislation
- Reinforced beneficial interpretation of insurance law

## **Constitutional Significance**

This judgment emphasized that social welfare statutes must be interpreted liberally to protect vulnerable victims.

## **Impact**

It remains a foundational precedent for victim-oriented insurance jurisprudence.

## **Overall Judicial Contribution to Road Safety Governance**

These landmark judgments collectively demonstrate that the judiciary has transformed road safety law in India through five major dimensions:

### **A. Constitutionalization of Road Safety**

Road safety is now linked to Article 21, making it a matter of life and dignity.

### **B. Victim-Centric Compensation Justice**

Courts have ensured fair, scientific, and humane compensation.

### **C. Promotion of Public Participation**

Good Samaritan protections converted societal compassion into legal courage.

### **D. Procedural Reforms**

Judiciary streamlined institutional mechanisms for speedy justice.

### **E. Welfare-Oriented Legal Interpretation**

Courts prioritized human welfare over technical legal defenses.

## **Concluding Reflection**

The judiciary's contribution to road safety in India is not limited to adjudicating disputes—it represents a moral, constitutional, and humanitarian revolution. Through these judgments, Indian courts have reaffirmed that roads are not merely pathways of movement but spaces where constitutional values must operate. Each precedent reflects a larger judicial philosophy: that the State, institutions, and society share a collective duty to preserve life, protect dignity, and ensure justice for every road user.

In essence, the Indian judiciary has transformed road safety from a question of traffic management into a profound constitutional commitment to human survival and social justice.

## Conclusion

The Indian judiciary has emerged as one of the strongest pillars of road safety governance by constitutionalizing the right to safe mobility, emergency treatment, compensation, and dignity. Through progressive interpretations, courts have expanded the legal landscape from reactive compensation to proactive life protection. Judicial activism has addressed legislative gaps, administrative negligence, and societal apathy.

However, despite remarkable judicial contribution, road accidents continue to rise due to implementation failures, infrastructural deficits, corruption, and weak enforcement. The judiciary alone cannot solve the crisis; coordinated action between legislature, executive, civil society, and technology is essential.

Ultimately, the judiciary's role in road safety symbolizes constitutional morality in action—where the law protects not merely rights on paper but human lives on roads.

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