

RT-25050/03/2020-RS (FTS 87835)
Government of India
Ministry of Road Transport and Highways
Transport Bhawan, 1 parliament street, New Dethi-1 10001

Dated: 27th October, 2020

To

1. The Principal Secretary/Secretary
Department of Transport
All States/UTs
2. The Director General of Police(DGP)
All States/UTs

Sub: Proposal for Awards for Good Samaritans and other stakeholders working in the field of Road Safety- regarding

Sir,

I am directed to refer to this Ministry's scheme for Road safety Advocacy and awards for outstanding work done in the field of Road safety available on the ministry's website www.morth.nic.in. A copy of the same is attached herewith (**Annexure-I**).

2. It is mentioned that as per provisions under section 134(A) of the Motor vehicles (Amendment) Act, 2019, Rules of Good Samaritans have been notified by the Ministry vide Notification G.S.R. 594(E) dated 29th September, 2020 (**Annexure II**). Basically the rules provide legal protection to people who give reasonable assistance to those who are, or who they believe to be, injured, ill, in peril, or otherwise incapacitated.

3. There is a need to motivate the General Public to help a road accident victim in emergency situation to boost the moral & inspire & motivate others to save innocent lives. As the rules are enforced by the states/UTs, the Ministry seeks nominations from the State Governments/UTs for award for outstanding work done in the field of Road Safety under the above said scheme of the Ministry and award to the Good Samaritans.


4. States/UTs are requested to send nominations with their recommendations and supporting documents to the Ministry for consideration by 30th November, 2020 positively for

(I) Award under the scheme of award for outstanding work done in the field of Road Safety under the scheme

(II) Good Samaritans may also be awarded by conferring them a certificate on calendar year basis. It has been decided to give three awards (First, Second and third) in each State/UT to the individuals for their significant contribution as Good Samaritan. The nomination for the award may be send by the Transport Department of State/UT to the Ministry. The procedure prescribed under the scheme of award for outstanding work done in the field of Road Safety may be adopted for this award also.

Encl. As Above

Yours faithfully,



(Ram Raj Meena)

Under Secretary to the Govt. of India

Ph: 23718560

Subject: Guidelines for grant of financial assistance for administering Road Safety Advocacy and awards for the outstanding work done in the field of Road Safety

1. Background

- 1.1 Road safety is a complex issue of concern, considering its magnitude and gravity and the negative impacts on the economy, public health and the general welfare of the people, particularly those with low income. Although various road safety improvement programs are being implemented, these have not had the required impact, and the number of road accidents and fatalities continue to rise. With motorization witnessing a 10% compound growth every year and expanding road network, travel risks and traffic exposure grow at a much faster rate. Today, road traffic injuries are one of the leading causes of deaths, disabilities and hospitalizations, with severe socio-economic costs across the world.
- 1.2 The main thrust of accident prevention and control across the world has been on 4 E's, viz. (i) Education, (ii) Enforcement, (iii) Engineering and (iv) Environment and Emergency care of road accident victims. The Government of India has been focusing on all these four approaches in its policies and programmes. For promoting the awareness about road safety, Ministry of Road Transport & Highways has decided to associate Non-Governmental organizations (NGO). The NGOs may undertake activities for creating road safety awareness among citizen.
- 1.3 It is necessary to ensure active participation of all stakeholders viz. State Governments, Corporate houses, Auto industry and their associations, Universities, institutions, Non-Governmental Organizations and the society at large to improve the Road Safety scenario. Many NGOs, Trusts, Societies etc. are working tirelessly for the cause of road safety in the Country. There is a need to recognize the outstanding contribution in the field of road safety especially in propagating road safety measures and encouraging their adoption.
- 1.4 It is in fulfillment of the above objectives that the Ministry of Road Transport & Highways proposes to provide financial assistance to various agencies engaged in the activities to propagate road safety messages among citizens and recognize those making positive contribution in the field of road safety with some awards.

2. Name of the Scheme:

This scheme shall be called as the "Scheme for grant of financial assistance for administering Road Safety Advocacy and awards for the outstanding work done in the field of Road Safety". The Scheme shall remain in operation till 31.03.2020.

3. Scope/ Objectives of the scheme:

- (i) To provide financial assistance to Non-Governmental Organisations (NGOs) / Trusts/ Cooperative Societies and other agencies for administering road safety programmes to create awareness about road safety.
- (ii) To give awards to NGOs/ Trusts/ Cooperative Societies etc. for their outstanding work done in the field of road safety.

4. Concept:

The past experience of working with NGOs/ Trusts/ Cooperative Societies in the field of road safety shows that these are necessary supplement and extension to the governmental efforts. Extensive efforts are required to be made focusing on diverse aspects of road safety to sensitise the road users about safe road usage. The limited machinery available with the government agencies falls short of the job at hand and may not be able to handle such efforts. The charitable organisations cumulatively have broader access across the country. Many of these organisations are regularly involved in propagation of a variety of social causes and road safety is a prominent cause amongst them. These agencies can help expand project uptake and outreach and can facilitate greater awareness of road safety issues. In view of this, Ministry of Road Transport & Highways proposes to associate these agencies for taking forward the road safety programmes and recognize their outstanding work in the field of road safety through institution of awards.

5. Eligibility:

- (i) Any NGO/ Trust/ Cooperative Society/ Firm etc. i.e. any legal entity registered under a State or Central Government Law (hereinafter referred to as 'Agency') will be eligible to apply under the scheme. The other details are as under:
 - (a) If the applicant agency is an NGO, then it must be registered on DARPAN Portal of NITI Aayog. While submitting the proposal, the applicant agency shall quote a system generated Unique ID in their proposal.
 - (b) The agency must have the financial capacity to carry out the programme without seeking any advance from the Ministry.

6. Financial assistance:

The total amount of financial assistance for administering a road safety programme shall not exceed Rs. 5.00 lakh (Rs. five lakhs only). An agency can apply for multiple programmes, subject to a maximum of 12, to be conducted in a year. However, the funds shall be released only after the successful completion of

the programme.

7. Procedure for seeking assistance:

- (i) The Ministry shall establish a PMU in the Road Safety Cell for the purpose of implementing the scheme.
- (ii) The agency desirous of administering the road safety programme shall prepare and submit the proposal in the format provided at Annexure 'A';
- (iii) The proposal received from the agency shall be scrutinised by the PMU.
- (iv) A representative of Ministry or any organisation authorised by the Ministry may be present during the programme.
- (v) A committee of MoRTH comprising of Director (Road safety), Dy. Financial Advisor, Advisor (Road Safety) and SE (Road safety) shall review the proposals on a monthly basis. The approval shall be communicated for the eligible proposals after appraisal.

8. Subject of the activities to be undertaken:

The proposal may be relating to the relevant activities/ programmes including the following subjects:

- (i) Raising road safety consciousness among the road users;
- (ii) Organisation of camps for vision testing/ distribution of spectacles for the drivers of Commercial vehicles;
- (iii) Publicity Campaign on road safety;
- (iv) Sponsoring/ financing of publication of popular literature on road safety;
- (v) Organizing quiz competitions, essay competitions, painting competitions, for school/ college students;
- (vi) Cultural activities/ events promoting road safety, such as puppet shows/ plays etc;
- (vii) Organizing seminars on subjects like 'Don't over-speed', 'Don't drink & Drive', 'follow lane discipline', 'be alert on road', 'helmet usage', 'seat belt usage';
- (viii) Good Samaritans

Note: The above list is indicative and an individual organization is free to submit suitable proposals keeping in view the essential objective of improving Road Safety in the country).

9. Release of financial assistance:

Financial assistance under the Scheme shall be released in the following manner:

Sr. No.	Instalment	Condition	Amount
(i)		No Advance payment will be released.	
(ii)	Release of amount	<p>(i) After completion of the programme, the agency shall claim reimbursement of the expenditure, subject to a maximum of Rs 5.00 lakh. The claim shall be filed within one month of the completion of the programme.</p> <p>(ii) The claim shall be supported with detailed expenditure duly certified by a Chartered Accountant and other documentary evidence including photographs, video recording showing the highlights of the programme.</p> <p>(iii) The genuineness of the claim will be certified by the PMU or any other organisation nominated by the Ministry. An amount of Rs. 20,000/- shall be payable towards meeting the expenditure involved for certification of each programme.</p> <p>(iv) The funds will be transferred directly to the bank account of the agency through PFMS after certification of the programme.</p>	

10. Time-lines for Receipt of Applications and Completion of the Projects:

- (i) The Scheme shall remain in operation till 31.03.2020. As such, it shall not be feasible to release any financial assistance after 31.03.2020 under this Scheme.
- (ii) The agency will be required to complete the work before 31.12.2019 in order to avail of the full eligible grant amount.
- (iii) The applications may be submitted on an on-going basis, which shall be considered and decided on a monthly basis.
- (iv) Given the project implementation period of about three years, the last date of receipt of complete applications under the Scheme shall be 30th September, 2020.

11. Scheme for grant of Award to the Agencies involved in Road safety advocacy and allied activities:

Ministry of Road Transport & Highways shall give three awards (first, second and third) in each State/ UTs to the individuals or agencies engaged in road safety advocacy and allied activities to recognise the outstanding work carried out by them. The details of awards are as follows:

Sr. No.	Category	Amount
1	1st prize	Rs. 5 lakh + Certificate
2	2nd prize	Rs. 2 lakh + Certificate
3	3rd prize	Rs. 1 lakh + Certificate

12. Procedure for Selection:

The awards shall be given for the calendar year. The Individuals and Agencies shall file nomination for the award to the Transport Commissioner of the State by the end of February in the following year. The State can also nominate any agency/ individual on its own if it is of the opinion that such an agency/ individual has done commendable work in the field of road safety. The Transport Department of State/ UT will recommend the names of maximum five Agencies to Ministry of Road Transport & Highways as per the format prescribed in Annexure 'B'. The last date for receipt of the nominations from the states shall be 31st March, in respect of the outgoing calendar year.

13. Constitution of Jury

The Ministry of Road Transport & Highways will constitute a Jury to consider the recommendations received from the States / UTs for road safety awards. The Jury shall comprise of noted experts working in the field of road safety and other experts working on social issues. The recommendation of the Jury will be placed before the Hon'ble Minister for approval.

14. Date of Awards

The awards will be given away on a date, time and venue to be decided by Government of India.

15. Reimbursement of TA/ DA

The awards may be received by the Individual or the authorized representative of the selected agency. The outstation winners will be reimbursed a lump-sum amount of Rs 20,000/- to meet the costs towards travel and accommodation.

16. PMU for the Scheme:

The Scheme shall be administered through a PMU to be set-up in MoRTH, for which resources may be hired/ taken on deputation from agencies such as ASTRU, CIRT or any other source, with the caveat that the total expenditure on the PMU shall be managed within 5% of the amount earmarked for the Scheme. This shall also cover the cost towards verification of the genuineness of the claims for conduct of the road safety programmes by agencies.

Form for seeking financial assistance for administering Road Safety Advocacy

Sr. No.	Subject	Particulars
1.	Name of the Agency	
2.	Legal Status	
3.	Date of registration / incorporation	
4.	Contact Number: Email id:	
5.	Postal Address	
6.	Bank Account No. and IFSC Code of the Branch with Address	
7.	Name, Address and Aadhar Number of the President / Secretary / Trustee of the agency	
8.	In case of NGO, please furnish- (i) Date of registration on DARPAN Portal (ii) Unique ID generated on DARPAN Portal	
9.	Brief on the activities conducted by the Agency in past three years (Attach additional sheets, if necessary)	
10.	Whether any road safety awareness programmes have been earlier conducted by the Agency, if yes, give details thereof (Attach additional sheets, if necessary)	
11.	Brief of the proposed activity proposed to be undertaken indicating the target group, place, content of the programme and the proposed time period for conducting the programme (Attach additional sheets, if necessary)	
12.	Total estimated cost of the Proposal (Attach a copy of the estimate)	

(Signature of the Authorized signatory)
[Name and Designation of the Authorized Signatory]

Date:

Place:

1423071/2020/Road Safety Section No. RT-25029/02/2016-RS
Government of India
Ministry of Road Transport and Highways
 (Road safety Cell)
 Transport Bhavan, 1, Sansad Marg, New Delhi - 110001

Annexure B

Particulars of the Agency for Award nominated by the State of _____

Sr. No.	Subject	Particulars
1.	Name and particulars of the Agency / Individual being nominated	
(i)	Name	
(ii)	Postal Address of the Agency	
(iii)	Authorized Contact Person	
(iv)	Contact Details (Phone No. & Email ID)	
(v)	Unique ID of the Agency as obtained from the DARPAN Portal of NITI Aayog	
(vi)	Bank Account No. and Branch	
2.	Particulars of President and Secretary of the Agency	
(i)	Name	
(ii)	Address	
(iii)	Aadhaar Number	
3.	Brief description of the activities undertaken by the agency, for which award has been recommended	
4.	Recommendation of the State Government	

(Signature of the Transport Commissioner)



भारत का राजपत्र

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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

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सड़क परिवहन और राजमार्ग मंत्रालय

अधिसूचना

नई दिल्ली, 29 सितम्बर, 2020

सा.का.नि. 594(अ).—केन्द्रीय मोटर यान नियम, 1989 का और संशोधन करने के लिए कतिपय नियमों का प्रारूप मोटर यान अधिनियम, 1988 (1988 का 59) की धारा 212 की उप-धारा (1) की अपेक्षानुसार भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (i), में भारत सरकार के सड़क परिवहन और राजमार्ग मंत्रालय की अधिसूचना संख्या सा.का.नि. 141(अ), तारीख 26 फरवरी, 2020 द्वारा प्रकाशित किए गए थे जिसमें उन सभी व्यक्तियों में, जिनकी उम्रसे प्रभावित होने की संभावना थी, उस तारीख से, जिसको उक्त अधिसूचना को अन्तर्विष्ट करने वाली राजपत्र की प्रतियां जनता को उपलब्ध करा दी जाती थीं, तीस दिन की अवधि की समाप्ति से पूर्व आक्षेप और सुझाव आमंत्रित किए थे ;

और, उक्त राजपत्र की प्रतियां 26 फरवरी, 2020 को जनता को उपलब्ध करा दी गई थीं ;

और, केन्द्रीय सरकार द्वारा उक्त प्रारूप नियमों की बाबत, ऐसे किन्हीं आक्षेपों और सुझावों पर विचार किया जाएगा ;

अतः, अब, केन्द्रीय सरकार, मोटर यान अधिनियम, 1988 (1988 का 59) की धारा 134क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय मोटर यान नियम, 1989 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

1. संक्षिप्त नाम और प्रारंभ.- (1) इन नियमों का संक्षिप्त नाम केन्द्रीय मोटर यान (वारहवां संशोधन) नियम, 2020 है।

(2) ये राजपत्र में अंतिम प्रकाशन की तारीख को प्रवृत्त होंगे।

2. केंद्रीय मोटर यान नियम, 1989 में नियम 167 के पश्चात् निम्नलिखित खंड अतः स्थापित किया जाएगा, अर्थात् :-

"अध्याय ix - नेक व्यक्ति की जांच और परीक्षा

168. नेक व्यक्ति के अधिकार.- (1) ऐसा व्यक्ति, जो अधिनियम की धारा 134क के अनुसार नेक व्यक्ति है, के जो अधिकार होंगे उनका ब्यौरा इस अध्याय में निहित है और उनके साथ किसी भी धार्मिकता, राष्ट्रीयता, जातिगत या लैंगिकता के आधार पर भेदभाव किए बगैर सम्मानपूर्वक व्यवहार किया जाएगा।

(2) एक नेक व्यक्ति, जिसने दुर्घटना के बारे में पुलिस को सूचित किया है या जो सड़क दुर्घटना के पीड़ित को अस्पताल ले गया है, को पुलिस या अस्पताल द्वारा आगे की किसी भी आवश्यकता के लिए रुकने को विवश नहीं किया जाएगा और उसे तुरंत स्थान छोड़ने की अनुमति होगी।

(3) कोई भी पुलिस अधिकारी, कोई अन्य व्यक्ति, नेक व्यक्ति को उनका नाम, परिचय, पता या इस प्रकार का अन्य व्यक्तिगत ब्यौरा बताने के लिए बाध्य नहीं करेगा।

परंतु नेक व्यक्ति स्वेच्छा से अपना नाम, पता और घायल व्यक्ति (अगर जानने वाला) का नाम पुलिस अधिकारी को बता सकता है।

परंतु इसके अतिरिक्त, यदि नेक व्यक्ति स्वेच्छा से अपना नाम या व्यक्तिगत विवरण बताता है, तो पुलिस अधिकारी को ऐसे व्यक्ति को मामले का प्रत्यक्षदर्शी साक्षी बनने के लिए बाध्य नहीं किया जायेगा और प्रत्यक्षदर्शी साक्षी बनने का विकल्प पूरी तरह से नेक व्यक्ति पर निर्भर करेगा।

(4) तत्समय प्रवृत्त किसी अन्य विधि में अंतर्विष्ट किसी बात के होते हुए भी, एक नेक व्यक्ति, जो किसी दुर्घटना पीड़ित को अस्पताल पहुंचाता है, को निम्नलिखित के लिए बाध्य नहीं किया जाएगा:

(क) चिकित्सीय- विधि मामला प्ररूप के प्रयोजनार्थ सहित कोई भी व्यक्तिगत ब्यौरा जैसे उसका नाम, टेलीफोन नंबर और पता बताने के लिए;

(ख) घायल व्यक्ति को अस्पताल में दाखिल करवाने के लिए संबंधित किसी प्रक्रिया को पूरा करने के लिए; या

(ग) किसी घायल व्यक्ति के उपचार का चिकित्सीय व्यय वहन करने के लिए।

परंतु यदि नेक व्यक्ति ने स्वेच्छा से अपना नाम बताया है और यदि वह ऐसा करने की इस प्रकार वांछा करता है, तो अस्पताल अपने आधिकारिक पत्र में ऐसे नेक व्यक्ति का नाम, पता, दुर्घटना का समय, तिथि, स्थान और यह पुष्टि करते हुए कि घायल व्यक्ति को उपर्युक्त व्यक्ति द्वारा लाया गया था, के रूप में अभिस्वीकृति प्रदान करेगा।

परंतु इसके अतिरिक्त एक नेक व्यक्ति, जो दुर्घटना का प्रत्यक्षदर्शी है और स्वेच्छा से प्रत्यक्षदर्शी साक्षी बनाना चाहता है, तो वह जांच प्रक्रिया में सहायता के लिए अपने नाम और पते के अलावा प्रत्यक्षदर्शी साक्षी बनने की रजामंदी भी प्रकट कर सकता है।

(5) प्रत्येक अस्पताल को प्रवेश या सुस्पष्ट स्थान पर हिंदी, अंग्रेजी और स्थानीय भाषा में एक अधिकार-पत्र सार्वजनिक करना होगा, जिसमें इस अधिनियम और इसके अधीन बनाए गए नियम नेक व्यक्ति के अधिकारों के बारे में बताया गया हो।

169. नेक व्यक्ति की परीक्षा. - (1) तत्समय प्रवृत्त किसी अन्य विधि में अंतर्विष्ट किसी बात के होते हुए भी, यदि कोई व्यक्ति ऐसे मामले में स्वेच्छा से प्रत्यक्षदर्शी बनने को सहमत है, जिसमें उसने एक नेक व्यक्ति की भूमिका अदा की है, तो उसकी परीक्षा इस नियम के उपबंधों के अनुरूप की जाएगी।

(2) नेक व्यक्ति की पूछताछ उनकी सुविधानुसार समय और स्थान, जैसे आवास या कार्य के स्थान, पर की जाएगी और तदनुसार अन्वेषण अधिकारी सादे कपड़ों में होंगे।

परंतु नेक व्यक्ति अपनी परीक्षा पुलिस थाने में करवाने का चयन कर सकता है और ऐसे मामले में, पूछताछ बिना किसी अनुचित विलंब के समयबद्ध तरीके से और जहां तक संभव हो एक बार में ही पूरी की जाएगी।

(3) नेक व्यक्ति के मामले में अन्वेषण अधिकारी की भाषा या संबंधित अधिकारिता की स्थानीय भाषा के सिवाय कोई भाषा बोलता है, अन्वेषण अधिकारी दुभाषीया की व्यवस्था कराएगा।

(4) यदि नेक व्यक्ति स्वेच्छा से प्रत्यक्षदर्शी साक्षी बनना चाहता है, तो उसे दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 296 के अनुरूप उनका साक्ष्य शपथ-पत्र पर देने की अनुमति दी जाएगी।

परंतु पुलिस अधिकारी को यह सुनिश्चित करना होगा कि जहां तक संभव हो पूछताछ के दौरान एक ही बार में नेक व्यक्ति का पूरा बयान या शपथ-पत्र दर्ज किया जाए।

(5) यदि नेक व्यक्ति की उपस्थिति के मामले में, अनुचित विलंब, व्यय या असुविधा के बिना उपस्थित नहीं हो सकता अथवा उसकी परीक्षा उसकी सुविधानुसार समय और स्थान पर किया जाना संभव नहीं होता है, तो न्यायालय या मजिस्ट्रेट दंड प्रक्रिया संहिता, 1973 की धारा 284 के उपबंधों के अनुसार इसके अधीन किए गए आवेदन पर परीक्षा आयोजित के लिए एक आयोग नियुक्त कर सकती है।

(6) ऐसे नेक व्यक्ति के उत्पीड़न और असुविधा को रोकने के लिए उस नेक व्यक्ति जो प्रत्यक्षदर्शी साक्षियों का चयन करता है की परीक्षा के दौरान वीडियो कॉन्फ्रेंसिंग का व्यापक रूप से प्रयोग किया जाएगा।”।

[फा. सं. आरटी-16011/1/2015-आरएस]

प्रियांक भारती, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (i) की अधिसूचना संख्या सा.का.नि. 590(अ), तारीख 2 जून, 1989 को प्रकाशित किए गए थे और अधिसूचना सा.का.नि. 584(अ), तारीख 23.09.2020 द्वारा पिछली बार संशोधन किया गया था।

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 29th September, 2020

G.S.R. 594(E).—Whereas, the draft of certain rules further to amend the Central Motor Vehicles Rules, 1989, were published as required under sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988), vide notification of the Government of India in the Ministry of Road Transport and Highways number G.S.R. 141(E), dated the 26th February, 2020 in the Gazette of India, Extraordinary, Part II, Section (3), Sub-section (i), inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to the public;

And whereas, copies of the said Official Gazette were made available to the public on the 26th February, 2020;

And whereas, the objections and suggestions received from the public in respect of the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 134A of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely: -

1. **Short title and commencement.** - (1) These rules may be called the Central Motor Vehicles (Twelfth Amendment) Rules, 2020.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Central Motor Vehicle Rules, 1989, after rule 167, the following chapter shall be inserted, namely:-

“Chapter IX- Examination of Good Samaritan and Enquiry

168. Rights of Good Samaritan. - (1) Any person who is a Good Samaritan, as per section 134A of the Act, shall have the rights detailed under this chapter, and shall be treated respectfully without any discrimination on the grounds of religion, nationality, caste or sex.

(2) A Good Samaritan who has informed the police of any accident involving a motor vehicle, or who has transported a victim of an accident involving a motor vehicle to the hospital, shall not be subjected to any further requirements by the police or the hospital, and shall be permitted to leave immediately.

(3) No police officer or any other person, shall compel a Good Samaritan to disclose his name, identity, address or any such other personal details:

Provided that the Good Samaritan may voluntarily choose to disclose his name, address, and name of the injured person (if known) to the police officer:

Provided further that, if the Good Samaritan has voluntarily disclosed his name or personal details, the police officer shall not compel such person to become an eye-witness in the case, and choice of becoming an eye-witness shall solely rest with the Good Samaritan.

(4) Notwithstanding anything contained in any other law for the time being in force, a Good Samaritan who transports a victim of an accident involving a motor vehicle to the hospital shall not be forced to,

(a) disclose any personal information, such as his name, telephone number and address, including for the purpose of the Medico-Legal Case Form;

(b) fulfil any procedure related to the admission of an injured person or victim at the hospital; or

(c) bear any medical expenses towards the treatment of an injured person or victim:

Provided that in case the Good Samaritan has volunteered his name, and if he so desires, the hospital shall provide an acknowledgement to such Good Samaritan, on official letter-pad, mentioning the name of the Good Samaritan, address, time, date, place of occurrence, and confirming that the injured person was brought by the said person:

Provided further that, a Good Samaritan who has witnessed the accident and volunteers to become an eye-witness may, in addition to his name and address, also indicate his willingness to become an eye-witness in order to facilitate the investigation process.

(5) Every public and private hospital shall publish a charter in Hindi, English and vernacular language, at the entrance or other conspicuous location, and on their website, stating the rights of Good Samaritans under the Act and the rules made thereunder.

169. Examination of Good Samaritan. - (1) Notwithstanding anything to the contrary contained in any other law for the time being in force, if a person has voluntarily agreed to become a witness in the case in which he has acted as a Good Samaritan, he shall be examined in accordance with the provisions of this rule.

(2) The examination of a Good Samaritan shall be conducted at a time and place of his convenience, such as his place of residence or business, and the investigating officer shall accordingly be dressed in plain clothes:

Provided that the Good Samaritan may choose to have his examination done at the police station, and in such case, the examination shall be conducted in a time bound manner without causing undue delay, and as far as possible, completed in a single examination.

(3) In case the Good Samaritan speaks a language other than the language of the investigating officer or the local language of the respective jurisdiction, the investigating officer shall arrange for an interpreter.

(4) In case the Good Samaritan has volunteered to become an eye-witness, he shall be permitted to give his evidence on affidavit in accordance with the provisions of section 296 of the Code of Criminal Procedure, 1973 (2 of 1974):

Provided that the affidavit of the Good Samaritan, if filed, shall be treated as complete statement, and in case a statement is to be recorded, the complete statement shall be recorded in a single examination.

(5) In case the attendance of a Good Samaritan cannot be procured without delay, expense or inconvenience, which under the circumstances of the case would be unreasonable, or the examination is unable to take place at a time and place of his convenience, the Court or the Magistrate may dispense with such attendance and may issue a commission for the examination of

the Good Samaritan in accordance with the provisions of section 284 of the Code of Criminal Procedure, 1973 to conduct the examination, on an application made thereunder.

(6) Video conferencing shall be used extensively during examination of Good Samaritans who choose to be eye-witnesses, in order to prevent harassment and inconvenience to such Good Samaritans.”.

[F. No. RT-16011/1/2015-RS]

PRIYANK BHARTI, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* notification number G.S.R. 590(E), dated the 2nd June, 1989 and last amended *vide* notification number G.S.R. 584(E), dated 25.09.2020.