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The Opinion Pages

Campaigning to Make India's Roads Safer

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Nine years ago, Piyush Tewari was managing operations in India for a Los Angeles-based private equity firm when tragedy struck his family. While returning home from school in Delhi, Tewari's cousin Shivam, 16, was hit by a speeding jeep. The driver abandoned the scene. Shivam, badly injured, managed to pull himself to the side of the road. He asked strangers for assistance. "Hundreds of people must have passed by him in the 30 minutes he was there," said Tewari. "But no one helped. He bled to death in full public view on the side of the road."

Tewari was so disturbed he left his job. "It angered me," he said. "I needed to find out why this had happened." He traveled across India meeting people who had lost family members in similar circumstances. He spoke with lawyers, police officers, doctors, and activists to try to understand the problem. And he discovered two important facts.

First, India had surpassed China as the global leader in road accidents. Last year it had 146,000 deaths. Second, the Indian government has estimated that half of the deaths could be prevented if victims received timely medical care. Shivam's case was not unique. Each year, tens of thousands of people die in India because they fail to receive lifesaving help within the critical hour after a road accident.

Over the past decade, important efforts have been made to deploy emergency services in India, including pioneering work from the GVK Emergency Management and Research Institute and Ziqitza Health Care Limited. But ambulances are still unreliable or unavailable in many areas, so it often falls to bystanders or police officers to act quickly if crash victims are to be saved.

Tewari began asking how post-crash care might be improved in India, and in 2008, he established the SaveLife Foundation to not only answer that question, but also advance road safety more broadly. In trying to comprehend why Shivam hadn't been helped, Tewari discovered that a major problem was fear, and it went back a long way. During the 19th century, the British had established a law requiring India's hospitals to record the identity of anyone who brought in a person for care. "It was used by the British police when someone brought an injured freedom fighter to the hospital, so they could track down others," said Tewari.

Today, Indians remain reluctant to intervene on a victim's behalf because they worry about legal harassment. In a national survey commissioned by the SaveLife Foundation, three-quarters of respondents said they would be unlikely to assist a road victim with serious injuries; of those, 88 percent said they feared repeated police questioning and a prolonged obligation to appear in court as a witness; 77 percent added that hospitals unnecessarily detained good Samaritans and refused treatment if money wasn't paid. A vast majority of respondents agreed that India needed a "supportive legal environment" to enable people to help injured victims on the road.

It finally has one. In March, India's Supreme Court issued a judgment requiring governments across India to comply with a set of guidelines to protect good Samaritans. Indians who assist others in need will no longer be required to disclose personal information or be subjected to questioning by the police; they cannot be detained at hospitals for any reason, and they are protected from civil or criminal liability. This could prove to be a major step forward.

SaveLife began pushing for a good Samaritan law six years ago. The foundation developed relationships with government officials, compiled data about the problem, documented cases, and produced a comparative study of such laws in other countries, including the United States.

The cumulative toll of road deaths in India is alarming. Between 2006 and 2015, 1.2 million Indians died in road crashes, and six to seven million were injured or disabled, many with head and spinal injuries. Road deaths are the No. 1 cause of death for Indians between the ages of 15 and 49. Perhaps half of the victims are from very poor backgrounds — rickshaw wallahs, cart pullers or daily laborers who walk or bicycle home from work after dark, when crashes most often occur. Their deaths cause families to fall deeper into poverty. "If 50 percent could be saved if they were rushed to hospital, why should that not be done?" Tewari implored.

For two years, their efforts to sway lawmakers yielded nothing. Then, they tried a different tack: petitioning India's Supreme Court directly. Article 21 of India's Constitution states that no person shall be deprived of life or personal liberty. And Indian law states that if the government is not acting to preserve a constitutional right, the Supreme Court can order it to do so.

In 2014, the Supreme Court, persuaded by SaveLife's petition, ordered the government to draft guidelines for a good Samaritan law. They were issued in May 2015 as an advisory to India's states and union territories, but without legislative force. "We went to the Supreme Court to ask if it could exercise its special powers to convert these guidelines into the law of the land until the Parliament actually enacts legislation," said Tewari.

In March, the court passed a detailed judgment doing just that.

Now, the next phase of work begins. "We need to get this disseminated right down to the last person on the road," said G. K. Pillai, a former secretary in India's Ministry of Home Affairs, who serves as a trustee for SaveLife Foundation. "This is a huge country: 1.2 billion people. I would put it at two to three years before we can get everyone to know this is the law."

SaveLife and other road safety advocates are working to ensure that officials across India — in state governments, police and transportation departments, courts and other institutions — publicize the law. The foundation is raising money for a national radio campaign to inform the public. A website, GoodSamaritanLaw.in, and a Facebook page, provide platforms at which to learn about the law and how to help in an emergency, report harassment, or share stories of human kindness and courage. (A little push from Bollywood actors with

huge fan followings — let's say, Amitabh Bachchan, Shah Rukh Khan and Priyanka Chopra — wouldn't hurt.)

The good Samaritan law is just one of many efforts being advanced by SaveLife and other advocates to improve road safety. Since 2009, SaveLife has trained 10,000 police officers in 10 states to provide trauma care tailored for crash victims — everything from performing CPR and transporting a victim safely to dealing with fire injuries, impalement or dismemberment. "Given the lack of available ambulances in India, police officers were rushing a lot of victims to the hospital," said Tewari. "But while they were doing that, they weren't providing trauma intervention."

In Delhi, more than 6,000 officers have received training. From 2010 to 2014, road crashes in the city increased by 30 percent, but fatalities *decreased* by nearly 30 percent. India's central government has recommended similar trauma training for police officers around the country. Delhi has also been tougher than other cities when it comes to enforcing seatbelt and helmet laws. These changes come just as India is undergoing a historic transformation. From 2009 to 2012, the country added 45 million vehicles to its roads, and it is expected to add tens of millions more in coming years.

But the numbers alone don't explain why India's crash rate is so high. The main problems are systemic: India's processes for training and licensing drivers is broken; enforcement of traffic violations is anemic, and road engineering in general doesn't conform to accepted safety standards, which take human error into account. Moreover, unlike many other countries, India doesn't have a comprehensive legal framework for advancing road safety, nor has it designated a government agency to take the lead in overseeing it. SaveLife continues to push for both of these changes.

Some of the inadequacies are absurd — and fixable with tighter laws. For example, until 2014, it was permissible for trucks in India to carry construction rods protruding up to a meter from the back of the truck. Each year, this caused thousands of deaths in rear-end collisions. A SaveLife petition led the Indian Ministry of Road Transport and Highways to ban the practice.

In many parts of India, an untrained driver can receive a driver's license simply by paying a bribe. "You don't have to even appear for a test," says Tewari.

"It's like ordering a pizza." Another problem is standardization. "We don't have a national driver database," adds Pillai. "Each state issues its own license with all-India validity. A large number of drivers have multiple licenses. They don't mind if you suspend one, they've got 3 or 4 more in their pocket." India's biometric identification system could solve that problem.

Globally, a combination of better education, enforcement and road management has been a key to improved safety. In preparation for the 2008 Beijing Olympics, the Chinese government invested in bike lanes and mass transit, tightened licensing, and instituted major punishments for serious traffic offenses. Between 2005 to 2010, the country's annual road deaths dropped by a third.

"We need a comprehensive road transport and safety law, with more stringent penal laws," said Alok Mittal, a former police commissioner who is now the inspector general at India's National Investigation Agency. "As part of the U.N. decade for road safety, we have committed to reduce road fatalities by 50 percent by 2020, but the trend has been increasing. We need to really act in a big way to control these fatalities."

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Road standards are another area in need of upgrade. SaveLife is working with the government of Maharashtra to transform the Mumbai-Pune Expressway — a six-lane 100-kilometer road with a notorious rate of road crashes — into a "zero fatality corridor" within four years. As part of the project, engineers have

identified 15 types of hazards — poor signage, cement flower pots in the median, curbstones along the road edge, for example — repeated more than 2,000 times along the highway, and they are now correcting them. The study will examine the impact of the improvements on safety, as well as associated cost savings.

"We know that it's going to take 10 to 15 years to have a major impact," adds Pillai, "but we have to do it. Too many people are losing their lives and we don't acknowledge the impact." He contrasted India's intense focus on terrorism with its focus on road safety. The government spends 20 times more to combat terrorism, he estimated, while road crashes kill 75 times more people. "You have a bus accident and 30 people are killed, it's a two-line entry on the sixth page. But if four people are killed in a bomb blast, it's front page news."

"Unless the framework under road safety is reformed we will not see broad changes," adds Tewari. "It requires being flexible, understanding how the government works and thinks, being data driven. If you're able to get your agenda to become part of their agenda, you can have big impact. But it takes a while for policies to come through, and to have impact — so you have to sacrifice instant gratification."

Correction: June 21, 2016

An earlier version of this article in some instances misspelled the name of a man who was killed by a speeding jeep in Delhi. His name was Shivam, not Shivan.
David Bornstein is the author of "How to Change the World," which has been published in 20 languages, and "The Price of a Dream: The Story of the Grameen Bank," and is co-author of "Social Entrepreneurship: What Everyone Needs to Know." He is a co-founder of the Solutions Journalism Network, which supports rigorous reporting about responses to social problems.

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