

By Post/E-mail/Portal

From

Director General Higher Education, Haryana,
Shiksha Sadan, Sector-5, Panchkula.

To

1. The Registrars of All State & Private Universities in the State of Haryana
2. The Principals of Govt. Colleges in the State of Haryana
3. The Principals of Govt. Aided Colleges in the State of Haryana.
4. The Principals of Self Financed Colleges in the State of Haryana.

Memo No. 1/12-2024 Co.(3)
Dated Panchkula, the 23.07.2024

Subject:- Seeking suggestions /Comments on draft of Surakshit School Vahan Policy.

Kindly refer to the subject cited above.

I have been directed to enclosed herewith a copy of subject cited draft policy received from transport commissioner, Haryana with the request to provide your valuable suggestion/comments on it to this office by 30.07.2024 at E-mail hechrycoordination@gmail.com.

Enclosed : As above.

Rekha
Superintendent Co-ordination
for Director General Higher Education,
Haryana, Panchkula

Endst. No. Even

Dated : Panchkula the 23.07.2024

A copy of above is forward to the following for information and necessary action, please:-

1. Publicity Officer O/o Transport Commissioner, Haryana 1st Floor, LIC, Jeevan Prakash Building, Sec-17, Chandigarh w.r.t. their E-mail dated 09.07.2024.
2. In-Charge IT Cell to upload the letter on portal of Higher Education Department.

Rekha
Superintendent Co-ordination
for Director General Higher Education,
Haryana, Panchkula

**GOVERNMENT OF HARYANA
TRANSPORT DEPARTMENT HARYANA
(REGULATORY WING)**

DRAFT NOTIFICATION

Introduction:

The State Government is committed to provide safer and sufficient transportation to school going children. The safety of school going children is the joint responsibility of the State Government, School Management and Parents. In order to avoid any kind of untoward incident and to ensure safety of school children while transportation, the Government of Haryana feels it necessary to re-formulate existing Surakshit School Vahan Policy for safer transportation of school going children.

Surakshit School Vahan Policy, 2024

As per Section 2(11) of the Motor Vehicles Act 1988, the "educational institution bus" means an omnibus, which is owned by a college, school or other educational institution and used solely for the purpose of transporting students or staff of the educational institution in connection with any of its activities".

Further, as per Section 2(29) the "omnibus" means any motor vehicle constructed or adapted to carry more than six persons excluding the driver".

Applicability: This policy shall be applicable on the vehicles owned and operated by the School Management and those vehicles operated through any third party in agreement/understanding with the school management of Private and Government schools. For those transport mediums/vehicles not owned/hired/contracted by the schools, the management shall strive to have this policy complied with through mechanism of sensitization of parents through Parent-Teacher meetings. This policy shall be applicable while the vehicle is being used for transporting school children and not while being used in other activities/purposes.

This policy strives to ensure that the mandatory requirements as per provisions of The Motor Vehicles Act, 1988 and Rules framed thereunder i.e. The Central Motor Vehicles Rules 1989 and The Haryana Motor Vehicles Rules 1993; the directions/guidelines/orders etc. issued by the Central Government as well as State Government and the directions issued by various courts regarding safer transportation of school going children from time to time are followed in true letter and spirit.

The following committees at State, District and Sub-Division level are hereby re-constituted for implementation of this policy:

1. State Level Committee:

A State Level Committee for formulating and monitoring the implementation of this policy is hereby re-constituted under the Chairmanship of Principal Secretary to Government Haryana, Transport Department and comprising of following officers:

- | | |
|--|-------------------|
| a. Principal Secretary, Transport Department, Haryana | -Chairman |
| b. Transport Commissioner, Haryana, Chandigarh | -Member |
| c. Director General State Transport, Haryana, Chandigarh | -Member |
| d. Director General of Police, Haryana, Panchkula | -Member |
| e. Director General, Higher Education | -Member |
| f. Director General, Secondary Education | -Member |
| g. Director General, Elementary Education | -Member |
| h. Additional Transport Commissioner (Road Safety) | -Member Secretary |
| i. Two representatives from School Associations to be nominated by the Chairman for a term of not more than two years and who cannot be re-appointed for next ten years. | |

Note: The Chairman may co-opt any other officer/official for this purpose.

The meeting of the State Level Committee to review working of all the concerned under this policy may be held as and when required. The Secretariat of State Road Safety Council shall also function as Secretariat for implementation and monitoring of Surakshit School Vahan Policy.

2. District Level Committee:

- | | |
|--|-------------------|
| a. Deputy Commissioner | -Chairman |
| b. Superintendent of Police/ a DCP rank Officer
nominated by the Commissioner of Police | -Member |
| c. General Manager, Haryana Roadways | -Member |
| d. District Higher Education Officer | -Member |
| e. District Education Officer | -Member |
| f. District Elementary Education Officer | -Member |
| g. District Transport Officer | -Member Secretary |
| h. Two representatives from School Associations of the concerned district to be nominated by the Chairman for a term of not more than two years and who cannot be re-appointed for the next ten years. | |

Note: The Chairman may co-opt any other officer/official for this purpose.

This committee shall meet atleast once every month preferably when the District Road Safety Committee meeting is held and shall act to enforce this policy as well as the laws. The actions taken in the previous month by the District and Sub-Division Level Committees to enforce this policy shall be discussed and reviewed on priority normally as first agenda of the DRSC meeting. The above Committee or any person(s) authorized may also conduct inspection of school vehicles to ensure compliance in accordance with the applicable laws. The program of inspection of school vehicles shall be planned in such a manner that each vehicle of every school is covered

for inspection by this committee at least once in a year. The District Level Committee shall prepare the schedule for checking of school vehicles to be inspected by the committee itself or through the Sub-Division Level Committee. This committee shall send monthly inspection report including report of Sub-Division Level Committee to the Transport Commissioner Office, Haryana.

The formats for inspection of School Vehicles and Monthly Reporting are annexed as F/A&B.

The school management shall be required to submit 'Self-Certification' of compliance of the policy as per the prescribed format every year on 1st January and 1st July by way of Affidavit duly attested by Notary. This system of Self-Certification is proposed as an effective solution for both the Government as well as schools to improve compliances. Every school management shall submit this 'Self-Certification' to the Sub-Division Level Committee with due acknowledgement of the same. The Education Department shall enlist 'Self-Certification' as one of the mandatory enclosures while granting various types of sanctions/approvals including Form-VI to the schools. This exercise shall assist in checking of school vehicles of those schools on priority during the next inspection whose management defaults in submitting the 'Self-Certification' and would lead to better compliance.

The format for Self Certification is annexed as F/C.

The Committee shall ensure that the vehicles carrying school children comply with the mandatory requirements as per provisions of The Motor Vehicles Act, 1988 and Rules framed thereunder i.e. The Central Motor Vehicles Rules 1989 and Haryana Motor Vehicles Rules 1993 and the directions/guidelines/order etc. issued by the Central Government as well as State Government and adhere to the directions issued by various courts regarding safer transportation of school going children from time to time.

3. Sub-Division Level Committee:

- | | |
|--|-------------------|
| a. Sub Divisional Magistrate | -Chairman |
| b. Deputy Superintendent of Police | -Member |
| c. Block Education Officer | -Member |
| d. Block Elementary Education Officer | -Member |
| e. Representative of General Manager, Haryana Roadways | -Member |
| f. Representative of District Transport Officer | -Member Secretary |
| g. Two representatives from School Associations of the concerned Sub-Division to be nominated by the Chairman for a term of not more than two years and who cannot be re-appointed for the next ten years. | |

Note: The Chairman may co-opt any other officer/official for this purpose.

This committee shall ensure compliance of this policy by doing the same work in its jurisdiction as done by the District level Committee in a District. This committee shall send monthly inspection report to the District Level Committee.

The format for Monthly Reporting is annexed as F/D.

For clarity on the roles and to ensure effective implementation of the policy, the State Government is pleased to define the roles and responsibilities of the stakeholders.

1. Roles and Responsibilities of School Management

- a. The school management shall appoint one of its faculty/staffs as Transport Manager and shall share his/her details with the Chairman of the Sub-Division level Committee.
- b. All schools having parking area inside the boundary walls shall ensure that the children are dropped inside the boundary wall of the school by vehicles. In case, such an arrangement is not possible, a separate area may be demarcated outside the school, for boarding/de-boarding of school children.
- c. The school management shall control and man the traffic through its own manpower in and around the school premises at the time of opening and closure of school. It shall also maintain one way traffic flow during opening & closing hours of school at its own expense and resources so that children do not have to cross the roads. However, it may take help from traffic police for initial planning and advice, if required.
- d. It shall be incumbent upon the school management to supply information regarding the school vehicles, drivers, conductors, attendants and children being carried to the Chairman of the Sub-Division level Committee.
- e. Special provision for boarding/de-boarding of children with special needs be made by the school management on case to case basis.
- f. The school management shall encourage students to conduct programs through play, exhibition etc. to create awareness about Road Safety.
- g. The school management shall encourage either a member of the teaching/non-teaching staff or the representative of the Parents' association to travel with the children to keep regular check on the driver/attendant/conductor.
- h. No person shall be allowed to drive the school vehicle in drunken condition or under the influence of any kind of narcotic substance. Regular check in this respect shall be undertaken by the school management and in case of any doubt in this regard such drivers shall be subjected to medical test immediately. The school management shall maintain records of such inspections and medical tests done, if any. Any driver found driving in drunken condition or under the influence of any kind of narcotic substance shall be terminated from the services with immediate effect.

- i. Periodic feed-back from students and parents of those students using school transport facility with regards to the conduct of driver/conductor/attendant shall be taken and records shall be maintained.
- j. The school management shall be required to submit 'Self-Certification' of compliance of the policy as per the prescribed format every year on 1st January and 1st July by way of Affidavit duly attested by Notary. This system of Self-Certification is proposed as an effective solution for both the Government as well as schools to improve compliances. Every school management shall submit this 'Self-Certification' to the Sub-Division Level Committee with due acknowledgement of the same. The Education Department shall enlist 'Self-Certification' as one of the mandatory enclosures while granting various types of sanctions/approvals including Form-VI to the schools. This exercise shall assist in checking of school vehicles of those schools on priority during the next inspection whose management defaults in submitting the 'Self-Certification' and would lead to better compliance.

The format for Self Certification is annexed as F/C.

2. Roles and Responsibilities of Operator/Owner/Contractor/Transporter of School Vehicles

- a. It shall be the responsibility of operator/owner/contractor/transporter to hire/recruit proper and trained staff and press into services as per laid down standard.
- b. The operator/owner/contractor/transporter shall also ensure that the credentials of the driver/conductor/attendant get verified from the police within 120 days of their employment. If case of any default in this regard, the driver/conductor/attendant shall not be allowed to continue their services.
- c. The vehicle driver engaged shall have at least 5 years driving experience.
- d. The driver shall not have been challaned more than three times for traffic violation like jumping red light, improper parking, violating stop line, unauthorized lane changing, overtaking etc. and ought not to have been punished for an offence under Section 279, 336, 337, 338, 304-A of the Indian Penal Code, 1860, during the period of requisite experience of 5 years. If any default is noticed in this regard, the services of such driver shall be terminated with immediate effect.
- e. The drivers of all the vehicles engaged in carrying school going children shall be subjected to medical fitness as mandated under the Motor Vehicles Act.
- f. The Driver of the school vehicle shall be subject to a refresher course at least twice a year from any authorized Driving Training School. It shall be joint obligation of the registered owner of the bus and the school to ensure that the driver undergoes the required refresher course within the stipulated period.
- g. There shall be a lady/transgender attendant in uniform inside the vehicle.

3. Roles and Responsibilities of Driver/Conductor/Attendant of School Vehicles

- a. The driver/conductor/attendant shall wear proper uniform and name plate showing the name and licence number.
- b. The driver shall not drive the school vehicle in drunken condition or under the influence of any kind of narcotic substance. Any driver found driving in drunken condition or under the influence of any kind of narcotic substance shall be terminated from the services with immediate effect.
- c. The driver/conductor/attendant shall abide by the traffic rules and maintain courteous behavior towards school children.

Enclosures:

- 1. Relevant Sections of the Indian Penal Code 1860 and the Motor Vehicles Act 1988 (F/E)**
- 2. Relevant Rules under the Central Motor Vehicles Rules 1989 and the Haryana Motor Vehicles Rules 1993 & Relevant Orders/Directions of various Courts on safety of school children (F/F)**

SCHOOL VEHICLE INSPECTION FORM**Annexure-A**

Name of School _____

Address _____ District _____

Vehicle No: _____ Model: _____ Date & Time _____

Transport Manager's Name: : _____

Driver's Name: _____ Attendant's/Conductor's Name: _____

Sr. No.	DESCRIPTION	Yes	No	Defaults/Remarks
1.	Valid Driving Licence with 5 years experience and not challaned more than three times for traffic violations and for offences under the IPC (279, 304A, 336, 337 & 338) during this period of 5 years and undergone refresher course and medical fitness as per norms			
2.	Valid Conductor /Attendant Licence and trained to handle the children and undergone refresher course and medical fitness as per norms			
3.	Name plate of Driver & Conductor/Attendant with Licence Number with uniform			
4.	Valid Registration/Fitness Certificate			
5.	Valid Route Permit/Permission			
6.	Vehicle Colour(Yellow) as per norms			
7.	Valid Insurance Certificate			
8.	Valid Pollution Certificate			
9.	Speed Governor fitted as per norms & working			
10.	Location Tracking Device (GPS System) fitted as per norms & working			
11.	IP Cameras with minimum 15 days' recording as per norms & working			
12.	Fire Extinguisher fitted as per norms & working			
13.	Horn in working condition			
14.	Tyres in Good condition			
15.	Brake & Emergency Brake in working condition			
16.	Indicators in working condition			
17.	Head Lights & back lights in working condition			
18.	Reflectors fitted as per norms			
19.	Reflective tape in front & rear side as per norms			
20.	Wipers in working condition			
21.	First Aid Box & Expiry of Medicines			
22.	Route board and timing displayed			
23.	Number plates (HSRP) fitted as per norms			
24.	Tinted glasses & curtains fitted or not			
25.	Carrying children in excess of 1.5 times of vehicle's seating capacity			
26.	"School Vehicle" or "On School Duty" mentioned in front and back side of Vehicle			
27.	The telephone number of the owner of the vehicle, Police Control Room and Child Helpline displayed inside the vehicle			
28.	Child Helpline and Accident Information Control Room Number displayed outside the vehicle			
29.	In case of transporting girls students, lady/transgender attendant available			

Any other observations/remarks _____

In the presence of

INSPECTED BY:

(Transport Manager/Driver/Attendant/Conductor)

(Name/Designation & Signature)

Committee Members/Authorised Person(s)

Format for 'Monthly Reporting'

Annexure-B

(To be sent to the Transport Commissioner Office by the District Level Committee) For the Month of _____
Part A- District Level Committee

Sr. No	Number of meetings held and the date of last meeting held	Whether Surakshit Vahan discussed priority agenda in monthly meeting as DRSC		Total Number of Schools Inspected	Total School Vehicles checked	Total Number of Offences and Challans issued	Total Number of Vehicles found without Fitness	Total Number of Vehicles Impounded	Remarks, if any
		Yes	No						

Name & Signature of Chairman/ Members

Part B- Sub-Division Level Committee

Sr. No	Number of meetings held and the date of last meeting held	Whether Surakshit Vahan discussed priority agenda in monthly meeting as DRSC		Total Number of Schools Inspected	Total School Vehicles checked	Total Number of Offences and Challans issued	Total Number of Vehicles found without Fitness	Total Number of Vehicles Impounded	Remarks, if any
		Yes	No						

Name & Signature of Chairman/ Members

Format of 'Self-Certification' by School Management

Annexure-C

(To be submitted by the Schools to Sub-Division Committee every year on 1st Jan & 1st July)

Name of School _____
Address _____ District _____

Name and Mob No. of Chairman/ Trustee/ Owner/Principal of the School: _____

Part A (Information About Vehicles)						Part B (Other Information)					
Sr. No	Registration Number of vehicles owned/operated by the School Management	Registration Number of vehicles operated through any third party in agreement with the School Management	Compliance with the provisions of Surakshit School Vahan Policy & applicable laws		Time required for compliance with the Surakshit School Vahan Policy	Total Number of parents sensitized through PTMs for safety and transportation of their children			Drivers/conductors/attendants for consumption of Liquor or any other narcotic substance	Date on which previous 'Self-Certification' was submitted to the Competent Authority	
			Yes	No (Reason thereof)		No. of parents sensitize	Whether Records are being maintained	Total Checked			Found, if any and action taken.
							Yes	No			

Note: No column should be left blank. In case of no information, NIL should be written in that column.

Chairman/ Trustee/Owner (For Private Schools)

Name & Seal _____

Principal (For Government Schools)

Name & Seal _____

Format for 'Monthly Reporting'

Annexure-D

(To be submitted by the Sub-Division Level Committee to the District Level Committee) For the Month of _____

Part B- Sub-Division Level Committee

Sr. No.	Number of meetings held and the date of last meeting held	Total No. of Schools under Jurisdiction	Total No. of Schools submitted/non-submitted 'Self-Certification'		Total No. of Schools where checking done for non-submission of 'Self-Certification' (Out of C)	Total Number of Schools Inspected	Total Number of School Vehicles checked	Total Number of Offences and Challans issued	Total Number of Vehicles found without Fitness	Total Number of Vehicles Impounded	Remarks , if any
			Submitted	Not Submitted							
	A	B	C		D	E	F	G	H	I	J

Name & Signature of Chairman/ Members

<u>Relevant Sections of Indian Penal Code, 1860</u>		
Sr. No.	Sections	Description
1.	188	Disobedience to order duly promulgated by public servant.
2.	279	Rash driving or riding on a public way.
3.	304A	Causing death by negligence.
4.	336	Act endangering life or personal safety of others.
5.	337	Causing hurt by act endangering life or personal safety of others
6.	338	Causing grievous hurt by act endangering life or personal safety of others
<u>Relevant Sections of Motor Vehicles Act, 1988</u>		
Sr. No.	Sections	Description
1.	177	General provision for punishment of offences.
2.	177A	Penalty for contravention of Regulation under Section 118
3.	179	Disobedience of orders, obstruction and refusal of information.
4.	180	Allowing unauthorised persons to drive vehicles.
5.	181	Driving vehicles in contravention of section 3 or section 4.
6.	182	Offences relating to licences.
7.	182A	Punishment for offences relating to construction and maintenance of vehicles.
8.	183	Driving at excessive speed, etc.
9.	184	Driving dangerously.
10.	185	Driving by a drunken person or by a person under the influence of drugs
11.	186	Driving when mentally or physically unfit to drive.
12.	187	Punishment for offences relating to accident.
13.	188	Punishment for abetment of certain offences.
14.	189	Racing and trails of speed.
15.	190	Using vehicle in unsafe condition.
16.	192	Using vehicle without registration.
17.	192A	Using vehicle without permit.
18.	194A	carriage of excess passengers
19.	194E	failure to allow free passage to emergency vehicles
20.	194-F	use of horns
21.	196	Driving uninsured vehicle.
22.	198	Unauthorised interference with vehicle.
23.	201	Penalty for causing obstruction to free flow of traffic

Note:

1. As per Section 19 to 22 and 53 & 55 of the Motor Vehicle Act, the authority has power to disqualify, suspend and cancel the driving licence and suspend and cancel certificate of registration, if the vehicle fails to comply with the requirement of this Act and rules made thereunder.
2. As per Section 207 of the Act, 1988, the police officer or any other person authorised in this behalf by State Govt. has power to seize and detain the vehicle used without certificate of registration, permit etc.

Note: The above list is illustrative and not exhaustive.

Relevant Rules under the Central Motor Vehicles Rules, 1989		
Sr. No.	Rule	Description
1.	50	Form and manner of display of registration marks on the motor vehicles
2.	100	Safety Glass
3.	104	Fitment of Reflector
4.	118	Speed Governor
5.	125C(2)	Bodybuilding and approval
6.	125H	Vehicle location tracking device and emergency button

Relevant Rules under the Haryana Motor Vehicles Rules, 1993		
Sr. No.	Rule	Description
1.	114A	The owner of bus and the head of the management of the educational institutions to comply with the directions
2.	131(2)	Restriction on painting

Note: The above list is illustrative and not exhaustive.

Relevant Orders of the Hon'ble Supreme Court & Punjab and Haryana High Court on Safety of School Children

1. Writ Petition (Civil) No. 13029 of 1995 titled as M.C. Mehta Vs Union of India and Others, date of Judgment 16.12.1997
2. Civil Writ Petition No. 7639 of 1995 titled as Namit Kumar Vs Union Territory, Chandigarh, date of Judgment 09.07.1998
3. Civil Writ Petition No. 6907 of 2009 titled as Court on its own motion Vs State of Punjab and Others, the Hon'ble High Court has given various directions in the present case.
4. CWP-PIL-116 of 2019 titled as Bal Kranti Trust (Regd.) Vs State of Haryana and Others, date of Judgment 23.01.2023