

PIL turns focus on manufacturers for fires in new cars

Jun 07 2014 : The Times of India (Delhi)

A series of fatal car fires has made a Delhi doctor move the Supreme Court seeking answers to a series of questions—from manufacturing defects to lax enforcement of norms—from the Centre.

Sanjay Kulshreshtha, a pediatric surgeon, said in a PIL that fatal car fires were never investigated beyond telling the public about an electrical short circuit or a fuel tank leak. But the police never

probed whether the vehicle had manufacturing defects resulting in the fire, he said.

Should manufacturers be not investigated for car fires, he asked. “Why have these incidents, which were rare a decade back, become common and that too in new generation cars,” he asked and said occupants of cars on fire were charred to death mainly because the auto-lock doors got jammed, preventing their escape.

Seeking an inquiry by experts to go into the causes of fire and fixing accountability on the manufacturer or the authorities, the petitioner said, “These days, more and more features are added to cars for

comfort, requiring more electrical wiring. But there is no word as to whether these cars have been tested rigorously in the hot climatic condition of India before being pushed into the market.” Apart from cars catching fire, many fatal accidents have occurred in the recent past because of defects in the steering wheel or brake failure, Kulshreshtha said. He attached newspaper reports about such incidents in the last two years along with the petition. He has also meticulously recorded various car manufacturers recalling a large number of cars to replace defective parts. He wanted to know how these parts got fitted in the first place without being tested.

He said in April, Maruti recalled over one lakh Swift Dzire cars to replace a faulty fuel tank. In June last year, Honda Cars India Ltd recalled 42,672 units of Honda City cars to replace power window switches and in October 2012, Toyota had recalled a large number of cars for similar faulty power window switches.

Kulshreshtha said, “Car makers are supposed to work on the principle of ‘self-regulation’ as they are free to make voluntary guidelines and it is left to companies to voluntarily declare generic defects. This is in contrast to regimes in the US, Japan and South Korea, where manufacturers are governed by strict regulations on recalls with specialized bodies looking into such issues.”

Doctor in SC on car fires

OUR LEGAL CORRESPONDENT

New Delhi, June 5: A paediatric surgeon today moved a petition in the Supreme Court seeking a probe into what he says are growing instances of cars catching fires spontaneously, often killing the occupants.

Dr Sanjay Kulshreshtha, an Agra resident, has demanded criminal action against the car manufacturers and dealers if the probe finds prima facie evidence of gross negligence in some of the fatal accidents.

His petition says that in several such car fires, the occupants were burnt alive as the doors and windows jammed, cutting off escape. So, until the inquiry is over, he has demanded a ban on power windows (those operated by switches or buttons) and central locking systems in all cars in the country.

The apex court will within a few days decide whether to hear the public interest litigation.

The petitioner says he moved the top court after failing to “get any satisfactory answer or explanation from (the) ministry of surface transport and (the) Society of Indian Automobile Manufacturers... about whether any official in-

quiry or forensic study for such incidents had been done”.

Quoting Delhi police, the petition says that at least 35-40 such fires have been occurring every year in the national capital alone. It adds that several manufacturing defects can be responsible for such fires.

The petition says that “the lobby” of car manufacturing companies “is very strong and dominating and responsible for (the) present lax attitude of (the) government”.

It contrasts the situation with that “prevalent in countries such as (the) United States, Japan and South Korea, which have strict regulations on (product) recalls and specialised bodies looking into them”.

In his petition, the surgeon has cited two incidents reported in Delhi last month:

■ On May 24, a car caught fire near the Defence Colony but the two occupants managed to get out.

■ On May 9, a 38-year-old businessman was charred to death inside his car when it suddenly burst into flames. Witnesses said they could see a man desperately trying to get out but the doors seemed to have jammed.



May 7 | Toyota Etios catches fire at traffic signal; driver burnt alive

Apr 19 | Hyundai i20 catches fire at ITO; occupants escape in nick of time

Apr 11 | Hyundai Santro catches fire after hitting truck in Delhi Cantt; occupant burnt alive

Jan 10 | Maruti SX4 catches fire in Pul Prahladpur, southeast Delhi; occupant burnt alive

Jan 8 | Maruti Zen catches fire in Vasant Kunj; driver and front seat passenger severely burnt

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TRAGIC END: A two-year-old Toyota Etios that was sparingly driven and regularly serviced caught fire on May 7, killing its owner on the spot

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TIMES NEWS NETWORK

New Delhi: A series of fatal car fires has made a Delhi doctor move the Supreme Court seeking answers to a series of questions—top manufacturing defects to lax enforcement of norms—from the Centre.

Sanjay Kulshrestha, a paediatric surgeon, said in a PIL that fatal car fires were never anticipated beyond telling the public about an electrical short circuit or a fuel tank leak. But the police never

The petitioner has sought an inquiry by experts into the causes of car fires and wants either the manufacturers or the authorities to be made accountable for them

He said in April, Maruti recalled over one lakh Swift Dzire cars to replace a faulty fuel tank. In June last year, Honda Cars India Ltd recalled 42,672 units of Honda City cars to replace power window switches and in October 2012, Toyota had recalled a large number of cars for similar faulty power window switches.

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MITHAS
Towards a better life

8 Jun 2014 Hindustan Times (Delhi) PUSHPA GIRIMAJI

'Manufacturers must be made accountable for defects in vehicles'

<http://paper.hindustantimes.com/epaper/viewer.aspx>

If you look at the list of latest 'recalls' announced by vehicle manufacturers in the United States of America and the put out on the website of the National Highway Traffic Safety Administration (NHTSA) there, you will notice two things: (a) that there have been as many as 45 recalls triggered by manufacturing defects in just one month (May 5 to June 5) and (b) out of these, seven recalls pertain to potential fire risks. This information is highly significant in the wake of vehicle fires witnessed in Delhi -- the latest being the one reported last week, where a moving car caught fire, resulting in the death of two teenagers and injuring their uncle. If only we had an automobile safety regulator, perhaps this accident or the ones that happened earlier could have been averted.

There is no reliable national data on such accidents in the country, and according to Delhi police, Delhi alone witnesses as many as 35-40 cases of vehicle fires in a year. However, in the absence of time-bound scientific investigation by experts, one does not even get to know the real cause of these fires and there is no follow-up action. In fact, in almost all these cases, we are made to believe that the consumer is the culprit because he allowed tinkering of the car wiring by an unqualified mechanic. While that could be true in a few cases, in most others, the cause is most likely to be a manufacturing defect.

But we have no law or a mechanism to either prevent such accidents through mandatory recalls or ensure time-bound analysis of the cause of the accident.

And as a result, we are dependent on voluntary recalls by manufacturers or to put it differently, consumer safety is left to the discretion of the manufacturer! The absence of proper investigations into accidents also makes it difficult for victims or their families to hold the manufacturer accountable for manufacturing defects and claim compensation.

Another issue of great concern pertaining to these fires is the fact that in almost all these cases, the central locking system fails to work, trapping the occupants inside the burning vehicle, leading to their tragic death. A public spirited paediatric surgeon from Agra, Dr Sanjay Kulshrestha, has now filed a petition before the Supreme Court, seeking a probe into all such vehicle fires and criminal action against all manufacturers and dealers found guilty of selling defective cars. He has also sought a ban on power windows and the central locking systems in all cars in the country, till a thorough investigation into the fires as well as the jamming of the doors and the windows during such fires is completed. Several countries around the world, including Canada, UK and Japan, for example, enforce stringent automobile safety standards that require manufacturers to investigate into consumer complaints of defects as well as accidents and report any safety related issues to the authorities and also announce immediate recall of vehicles affected by such defects. Failure to do so invites heavy penalties. Only recently, the United States transport department imposed a fine of \$35 million on General Motors for taking a decade to disclose to the authorities, a defect in ignition switches and also recall 2.6 million small cars on that score. The delayed action has been linked to at least 13 deaths in crashes in the country. Ironically, even though the government opened up the economy in 1991 and allowed global leaders in the automobile sector to manufacture and sell cars in India, our laws were never updated on par with global laws on vehicle safety. It's time we changed this anomaly and introduced a law that would not only pave the way for mandatory recalls, but also heavy compensation for victims of unsafe and defective vehicles.

‘Make inspection regime mandatory to prevent car fires’

SWARAJ BAGGONKAR
Mumbai, 9 June

Tampering with electrical fittings of a car, subjecting it to improper maintenance or making unwarranted changes to it are the primary reasons behind the spurt in cases of vehicle fires, which have claimed several lives in the recent past.

In a span of less than two months, more than half a dozen incidents of vehicle fires have been reported in Delhi and Mumbai. These incidents have triggered panic among car users.

Sanjay Kulshreshtha, a medical practitioner from Agra, has filed a public interest litigation (PIL) in the Supreme Court, seeking an independent probe into the fires. He has also sought to fix the responsibility of car fires on manufacturers and dealers.

The PIL also sought to impose a ban on convenience features such as power window and central locking in cars.

In Delhi, last Wednesday, two brothers were charred to death when they failed to open the doors of the Hyundai Santro they were travelling in. Last month, a Delhi businessman found the doors of his Toyota Etios jammed preventing his



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BS FILE PHOTO

escape, when the fire due to short-circuit gutted his car killing him on the spot.

Kulshreshtha who drives a Maruti Suzuki SX4, has been studying road traffic hazards for seven-eight years and has challenged the lackadaisical approach of the manufacturers. “According to the Delhi Police, at least 35 such fire incidents occur every year in the capital alone. So, we can easily assume that it must be a huge number at national level,” argued the PIL.

Car manufacturers, however, claim that most such incidents happen due to lack of genuine maintenance of the vehicle or unwarranted additions made to the car, which could put extra

load on the electrical systems of the vehicle.

P Balendran, vice-president (corporate affairs) General Motors, said, “Invariably about 99 per cent of (fire) cases happen because of work done by unauthorised people. Buyers also opt for after-market compressed natural gas (CNG) or liquefied petroleum gas (LPG) fitment or installation of some electronic gadgets not suitable to the vehicle.”

Due to their low-operating cost, CNG or LPG became the preferred fuel for many car owners. Roadside garages across the country doubled up as engineers to fix the gas tank in the boot of the car which often lead to haphazard handling of fuel pipes and ignition wires.

An engineer from the Automotive Research Association of India said, “Electrical wires, upholstery made from inflammable material, battery terminals coming loose, ill maintenance of the car can prove hazardous. Manufacturers can only do up to a certain extent but the onus lies on the owner as regards to the upkeep of the vehicle. The main culprit here is the some unwarranted tinkering with the

electrical fittings, which often go unnoticed by the owner. The illegal retrofitting should be stopped immediately.”

S P Singh senior fellow, Indian Foundation of Transport Research and Training, said, “The very procedure of issuing type approvals should be made more stringent. Checks are done by authorities with prior intimation, rather there should be random and surprise testing of vehicles.”

Singh is in favour of a mandatory inspection regime for cars like there is for buses, which have to go for annual check-ups. He argues that regional transport offices need to be given greater powers to check the worthiness of vehicles. “Many of the models are more compliant overseas than in India. Product failure is a much larger issue,” he points out.

Dilip Chhabria, ace designer and founder of DC Design, said, “Cases of fire always occur due to bad maintenance of the vehicle. The owners generally neglect the car after buying them. At DC Design, we do not do any modifications to the structural or mechanicals of the car or we do not disturb any electrical set up in the car. It is only the aesthetic value of the car we change.”

Make inspection regime mandatory to prevent car fires'

http://www.business-standard.com/article/current-affairs/make-inspection-regime-mandatory-to-prevent-car-fires-114061000157_1.html

In less than two months, about half a dozen incidents of vehicle fires have been reported in Delhi and Mumbai alone Swaraj Baggonkar | Mumbai

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तय हो निर्माताओं की जवाबदेही

आग के हर मामले में रखरखाव व सर्विस ही नहीं जिम्मेदार

जगमग ब्यूरो, नई दिल्ली : वाहनों में आग लगने की बढ़ती घटनाओं ने भारत में वाहन निर्माण से संबंधित नीति-नियम और अनुपालन तंत्र की गंभीरता व विश्वसनीयता पर सवाल खड़े कर दिए हैं। लचर तंत्र के कारण अंतरराष्ट्रीय कंपनियां भी भारत में वाहन निर्माण में वैसी गंभीरता नहीं बरतती, जैसी वे विकसित देशों में बरती जाती हैं। यही वजह है कि हर मौसम में वाहनों में आग लगने की बढ़ती घटनाओं के बावजूद न तो वाहन कंपनियां चिंतित हैं और न सरकार के कान में जूँग रही है।

पिछले दिनों दिल्ली में टोयोटा इटियोस कार में अचानक आग लगने की घटना से यह हकीकत फिर उजागर हो गई है। मामले को वाहन के रखरखाव या ड्राइवर की लापरवाही मानकर निपटाने की कोशिश हो रही है। खास बात यह है कि यह कार घर से सिर्फ तीन किलोमीटर चली थी। इतनी जल्दी इंजन इतना गर्म नहीं हो सकता कि आग लग जाए। अधिकृत सर्विस सेंटर में कार की नियमित

आइएफटीआरटी की राय

- ♦ **हादसों पर भारत में मैनुफैक्चरिंग खामी की नहीं होती जांच**
- ♦ **केंद्र सरकार अनिवार्य ऑटो रि कॉल नीति भी नहीं कर रही लागू**

सर्विसिंग होती थी। परिजनों ने लिखित बयान में किसी साजिश का शक भी नहीं जताया है। ऐसे में मैनुफैक्चरिंग डिफेक्ट की जांच क्यों नहीं होनी चाहिए? लंबे अरसे से देश में बड़ी वाहन दुर्घटनाओं के कारणों की जांच व समीक्षा



करता आ रहा इंडियन फाउंडेशन ऑफ ट्रांसपोर्ट रिसर्च एंड ट्रेनिंग (आइएफटीआरटी) इस हादसे की छानबीन के बाद इसी निष्कर्ष पर पहुंचा है। उसने विशेष जांच दल बनाकर इस मामले की छानबीन कराए जाने की सरकार से मांग की है।

क्या कहते हैं जानकार



आइएफटीआरटी के संयोजक एसपी सिंह के अनुसार भारत में जब भी ऐसे हादसे होते हैं, तो वालफ की लापरवाही, सर्विस क्वॉलिटी और मौसम पर दोष मढ़ने की कोशिश होती है। वाहन निर्माता की जिम्मेदारी के मुद्दे को दबा दिया जाता है। अंतरराष्ट्रीय ऑटो कंपनियां विकसित देशों में ऐसे मामलों में अपने स्तर पर जांच की पहल करती हैं। ये कंपनियां भी भारत में लचर नीतिगत व कानूनी प्रावधानों का फायदा उठाते हुए जिम्मेदारी से बचने की कोशिश करती हैं। लक्जरी एसी बसों में आग के कई मामलों व अधिक प्रदूषणकारी टवेरा गाड़ियां बेचने के बावजूद वोल्वो और जमरल मोटर्स पर कोई कार्रवाई न होना इसका प्रमाण है। सरकार ने भी ऑटो कंपनियों की ताकतवर लॉबी के आगे घुटने टेक दिए हैं, वरना अनिवार्य ऑटो रि कॉल पॉलिसी लागू करने में इतनी आनाकानी नहीं होती।

कार में आग क्यों लगती बार-बार

स्वराज बग्गोणकर
मुंबई, 9 जून

कार में लगे बिजली के उपकरणों से छेड़छाड़ करना, गाड़ी का सही रखरखाव नहीं करना या फिर उसमें गैर-जरूरी बदलाव करना आपको महंगा पड़ सकता है। हाल में कारों में आग लगने की घटनाएं बढ़ने की प्रमुख वजहें ये भी हैं। इस तरह की घटनाओं में कई लोग अपनी जान गंवा चुके हैं।

पिछले दो महीनों के दौरान दिल्ली और मुंबई में गाड़ियों में आग लगने के आधा दर्जन से भी ज्यादा मामले सामने आ चुके हैं। इनमें से कुछ मामलों में तो कार में मौजूद लोग जिंदा जल गए थे। इस तरह के मामलों की संख्या बढ़ते देख आगरा के एक डॉक्टर संजय कुलश्रेष्ठ ने उच्चतम न्यायालय में जनहित याचिका दायर कर इन मामलों की स्वतंत्र जांच की मांग की। याचिका में उन्होंने ऐसे मामलों में वाहन विनिर्माता और डीलरों की जवाबदेही तय करने की गुजारिश की है। उन्होंने गाड़ियों में पावर विंडो और सेंट्रल लॉकिंग जैसे फीचर्स पर भी पाबंदी लगाने की मांग की है। वादी का मानना है कि कार में आग लगने की स्थिति में इन्हें फीचर्स की वजह से जान जाती है।

दिल्ली में पिछले बुधवार को हुए ऐसे ही एक हादसे में दो भाइयों की जलकर मृत्यु हो गई क्योंकि वे अपनी कार हंडैड सेंट्रे के दरवाजे नहीं खोल सके थे। पिछले महीने दिल्ली के ही एक कारोबारी भी

हादसों की वजह



कंपनियों का कहना है कि कार का सही ढंग से रखरखाव नहीं करने या फिर उसमें गैर-जरूरी उपकरण लगाने से कार के इलेक्ट्रिकल सिस्टम पर बोझ पड़ता है और ऐसे हादसे होते हैं

सेंट्रल लॉक होने की वजह से आग लगने पर गाड़ी से बाहर नहीं आ सके थे, जिससे घटनास्थल पर ही उनकी मृत्यु हो गई थी। मारुति सुजुकी एसएक्स4 चलाने वाले कुलश्रेष्ठ पिछले 7-8 साल से सड़क यातायात के जोखिमों का अध्ययन कर रहे हैं। उन्होंने विनिर्माताओं के लापरवाह रवैये को चुनौती दी है। याचिका में उन्होंने कहा है, 'दिल्ली पुलिस के आंकड़ों के अनुसार हर साल दिल्ली में ही ऐसी 35 से 40 घटनाएं होती हैं। इससे अंदाजा लगाया

जा सकता है कि देश भर के लिए यह आंकड़ा कितना ज्यादा होगा।' हालांकि कार कंपनियों ने दावा किया है कि इस तरह के हादसों की वजह कार का सही ढंग से रखरखाव नहीं करना या उसमें गैर-जरूरी उपकरण लगाना है, जिससे कार के इलेक्ट्रिकल सिस्टम पर अतिरिक्त बोझ पड़ता है।

जनरल मोटर्स के उपाध्यक्ष (कारोबारी मामले) पी बालेंड्रन ने कहा, 'इस तरह के 99 फीसदी हादसों की वजह गैर-अधिकृत लोगों से गाड़ी में काम करना है। इसके अतिरिक्त खरीदार गाड़ी खरीदने के बाद उसमें सीएनजी या एलपीजी फिटिंग कराते हैं या फिर ऐसे इलेक्ट्रॉनिक उपकरण लगावाते हैं, जो गाड़ी के लिए उपयुक्त नहीं होते।'।

गाड़ियों के प्रतिष्ठित डिजाइनर और डीसी डिजाइन के संस्थापक दिलीप छाबड़िया कहते हैं, 'आग लगने के मामले अक्सर गाड़ी का सही ढंग से रखरखाव नहीं करने की वजह से होते हैं। आमतौर पर लोग गाड़ी खरीदने के बाद उसका ध्यान नहीं रखते हैं। डीसी डिजाइन में हम गाड़ी के दांचागत या उसके मैकेनिक्स से किसी भी तरह छेड़छाड़ नहीं करते हैं और न ही उसके किसी इलेक्ट्रिकल सिस्टम में बदलाव करते हैं।'।

ऑटोमोटिव रिसर्च एसोसिएशन ऑफ इंडिया के एक इंजीनियर ने बताया, 'बिजली की तारें ज्वलनशील पदार्थ से बनी होती हैं। ऐसे में बैटरी के टर्मिनल ढीले होने और गाड़ी का सही रखरखाव नहीं करना जोखिम भरा साबित हो सकता है।'।

तय हो निर्माताओं की जवाबदेही 11-5-14

6हादसों पर भारत में मैन्यूफैक्चरिंग खामी की नहीं होती जांच 16केंद्र सरकार अनिवार्य ऑटो रिकॉल नीति भी नहीं कर रही लागू आइएफटीआरटी की राय

जागरण ब्यूरो, नई दिल्ली : वाहनों में आग लगने की बढ़ती घटनाओं ने भारत में वाहन निर्माण से संबंधित नीति-नियम और अनुपालन तंत्र की गंभीरता व विश्वसनीयता पर सवाल खड़े कर दिए हैं। लचर तंत्र के कारण अंतरराष्ट्रीय कंपनियां भी भारत में वाहन निर्माण में वैसी गंभीरता नहीं बरततीं, जैसी वे विकसित देशों में बरती जाती है। यही वजह है कि हर मौसम में वाहनों में आग लगने की बढ़ती घटनाओं के बावजूद न तो वाहन कंपनियां चिंतित हैं और न सरकार के कान में जूं रेंग रही है। पिछले दिनों दिल्ली में टोयोटा इटियोस कार में अचानक आग लगने की घटना से यह हकीकत फिर उजागर हो गई है। मामले को वाहन के रखरखाव या ड्राइवर की लापरवाही मानकर निपटाने की कोशिश हो रही है। खास बात यह है कि यह कार घर से सिर्फ तीन किलोमीटर चली थी। इतनी जल्दी इंजन इतना गर्म नहीं हो सकता कि आग लग जाए। अधिकृत सर्विस सेंटर में कार की नियमित सर्विसिंग होती थी। परिजनों ने लिखित बयान में किसी साजिश का शक भी नहीं जताया है। ऐसे में मैन्यूफैक्चरिंग डिफेक्ट की जांच क्यों नहीं होनी चाहिए? लंबे अरसे से देश में बड़ी वाहन दुर्घटनाओं के कारणों की जांच व समीक्षा करता आ रहा इंडियन फाउंडेशन ऑफ ट्रांसपोर्ट रिसर्च एंड ट्रेनिंग (आइएफटीआरटी) इस हादसे की छानबीन के बाद इसी निष्कर्ष पर पहुंचा है। उसने विशेष जांच दल बनाकर इस मामले की छानबीन कराए जाने की सरकार से मांग की है। आइएफटीआरटी के संयोजक एसपी सिंह के अनुसार भारत में जब भी ऐसे हादसे होते हैं, तो चालक की लापरवाही, सर्विस क्वालिटी और मौसम पर दोष मढ़ने की कोशिश होती है। वाहन निर्माता की जिम्मेदारी के मुद्दे को दबा दिया जाता है। अंतरराष्ट्रीय ऑटो कंपनियां विकसित देशों में ऐसे मामलों में अपने स्तर पर जांच की पहल करती हैं। ये कंपनियां भी भारत में लचर नीतिगत व कानूनी प्रावधानों का फायदा उठाते हुए जिम्मेदारी से बचने की कोशिश करती हैं। लकजरी एसी बसों में आग के कई मामलों व अधिक प्रदूषणकारी टवेरा गाड़ियां बेचने के बावजूद वोल्वो और जनरल मोटर्स पर कोई कार्रवाई न होना इसका प्रमाण है। सरकार ने भी ऑटो कंपनियों की ताकतवर लॉबी के आगे घुटने टेक दिए हैं, वरना अनिवार्य ऑटो रिकॉल पॉलिसी लागू करने में इतनी आनाकानी नहीं होती।

आइएफटीआरटी के संयोजक एसपी सिंह के अनुसार भारत में जब भी ऐसे हादसे होते हैं, तो चालक की लापरवाही, सर्विस क्वालिटी और मौसम पर दोष मढ़ने की कोशिश होती है। वाहन निर्माता की जिम्मेदारी के मुद्दे को दबा दिया जाता है। अंतरराष्ट्रीय ऑटो कंपनियां विकसित देशों में ऐसे मामलों में अपने स्तर पर जांच की पहल करती हैं। ये कंपनियां भी भारत में लचर नीतिगत व कानूनी प्रावधानों का फायदा उठाते हुए जिम्मेदारी से बचने की कोशिश करती हैं। लकजरी एसी बसों में आग के कई मामलों व अधिक प्रदूषणकारी टवेरा गाड़ियां बेचने के बावजूद वोल्वो और जनरल मोटर्स पर कोई कार्रवाई न होना इसका प्रमाण है। सरकार ने भी ऑटो कंपनियों की ताकतवर लॉबी के आगे घुटने टेक दिए हैं, वरना अनिवार्य ऑटो रिकॉल पॉलिसी लागू करने में इतनी आनाकानी नहीं होती।