

**GOVERNMENT OF INDIA
ROAD TRANSPORT AND HIGHWAYS
LOK SABHA**

UNSTARRED QUESTION NO:895
ANSWERED ON:02.03.2010
COMPENSATION TO HIT AND RUN VICTIMS
Shekhar Shri Neeraj

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether the Supreme Court has suggested that the same legislative measures to ensure compensation to all hit and run victims;
- (b) if so, the details thereof;
- (c) whether the SC has urged the legislature to levy additional fuel surcharge or collection of one time third party insurance premium from all new vehicles sold; and
- (d) if so, the Government's reaction thereon?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI MAHADEO SINGH KHANDELA)

(a) to (c): Hon'ble Supreme Court of India in its judgment dated 17-12-09 given in an SLP (Civil) No. 11801-11804 of 2005 in the matter of Jai Prakash Vs. National Insurance Co. Ltd. & others has inter-alia suggested.

(i) to formulate a more comprehensive scheme for payment of compensation to victims of road accidents.

(ii) to collect one time (life time) third party insurance premium by a Central Insurance Agency in respect of every vehicle sold and supplement / augment it by an appropriate road accident cess / surcharge on the price of petrol / diesel.

(iii) to define 'third party' and to increase the quantum of compensation in case of hit and run motor accidents.

(iv) to establish a Road Safety Bureau to lay down Road Safety Standards and norms, enforce road safety measures, carry out research / data collection for accident prevention, etc.

(v) to rationalize the second schedule of the MV Act, 1988.

(vi) to ensure compensation to the victims of accidents involving uninsured vehicles.

(d): A Committee has been constituted by the Government under the Chairmanship of Shri S. Sunder, Distinguished Fellow, The Energy and Resources Institute, to review the provisions of the Motor Vehicles Act, 1988 in a comprehensive manner and to make appropriate recommendations for amendments in the Act. The matter has already been referred to the Committee.

Further, A Cabinet Note for creation of National Road Safety and Traffic Management Board through an Act of Parliament to oversee the road safety activities in the country has been finalised by the Ministry in consultation with other concerned Ministries/Departments including Ministry of Law. The Board would have powers to recommend standards for design, construction and maintenance of National Highways, safety standards for mechanically propelled vehicles besides having powers to issue guidelines on various issues concerning road safety. The Board would take care of all the issues concerning road safety including the concern expressed by the Hon'ble Supreme Court.