

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3399

ANSWERED ON:23.08.2011

LAW ON DRUNKEN DRIVING

Nagorao Shri Dudhgaonkar Ganeshrao; Sukur Shri Jadhav Baliram

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court has expressed concern over the extreme inadequacies in the present law governing suits for damage filed by relatives to claim compensation for death due to rash and negligent act, including drunken driving cases;

(b) if so, whether the Union Government has any proposal to bring a new comprehensive legislation by replacing older law i.e. the Fatal Accidents Act, 1855; and

(c) if so, the reaction of the Government thereto alongwith the reasons for the delay in bringing a new legislation?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH)

(a): In order to ensure speedy disposal of compensation claims, the following provisions have been incorporated in the Motor Vehicle (Amendment) Bill, 2007:

(i) A claim filed before the Motor Accidents Claims Tribunal or a civil court shall be heard as expeditiously as possible and an endeavour shall be made to finally dispose of the claim within a period of two years from the date of its filing.

(ii) An insurer shall endeavour to settle the claims out of the Tribunal or a civil court directly with the claimant by mutual consent and on receipt of the compensation by the claimant, the Tribunal or the court shall, if satisfied that a lawful compromise or agreement has been arrived at by them, dispose of the application filed by the claimant in this regard.

(b) & (c): As reported by the Ministry of Road Transport & Highways, the Motor Vehicles (Amendment) Bill, 2007 was introduced in the Rajya Sabha on 15.05.2007.