

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS
LOK SABHA

UNSTARRED QUESTION NO. 1822
ANSWERED ON 20th DECEMBER, 2018

COMPENSATION TO ROAD ACCIDENT VICTIMS

1822. SHRI RAHUL KASWAN:
SHRI RAJENDRA D. GAVIT:
SHRI M. MURALI MOHAN:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS

सड़क परिवहन और राजमार्ग मंत्री

be pleased to state:

(a) whether there has been a substantial rise in the number of accidents on expressways, national highways in comparison to the past few financial years, if so, the details thereof;

(b) whether the Government is considering grant of compensation to victims of road accidents and if so, the details thereof;

(c) whether the rates of compensation being provided to the victims of road accidents have been reviewed by the Government during the last five years;

(d) if so, the details thereof, Statewise including Rajasthan and the procedure and time-limit for the payment of compensation;

(e) whether any committee has been set up with regard to providing monetary assistance and relief to the victims and their relatives in road accidents and if so, the details thereof; and

(f) the time by which its recommendations are likely to be implemented?

ANSWER

THE MINISTER OF STATE IN THE
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
(SHRI MANSUKH L. MANDAVIYA)

(a) No, Madam. As per "Road Accidents in India 2017" which is prepared based on data furnished by the Police Departments of States and UTs, there is a marginal decline (3.37%) in road accidents in 2017 as compared to 2016. The total number of road accidents on all roads and

National Highways in the country during the last three calendar years are as under: -

Years	Total Number of Road Accidents (in numbers)
2015	5,01,423
2016	4,80,652
2017	4,64,910

(b) to (d) Chapter X and XI of the Motor Vehicles Act, 1988 deal with third-party insurance and payment of compensation in case of injury or death. The provisions provided in the Motor Vehicles Act, 1988 relating to compensation for the road accident victims are uniform across the country. The Ministry has reviewed the compensation amount and substituted Schedule-II of the Motor Vehicles Act, 1988 relating to compensation amount under section 163A vide notification S.O. No.2022(E) dated 22nd May, 2018. As per the revised Schedule - II, compensation for :-

1. (a) Fatal Accidents:

Compensation payable in case of Death shall be five lakh rupees.

(b) Accidents resulting in permanent disability :

Compensation payable shall be = [Rs.5,00,000/- X percentage disability as per Schedule I of the Employee's Compensation Act, 1923 (8 of 1923).

Provided that the minimum compensation in case of permanent disability of any kind shall not be less than fifty thousand rupees.

(c) Accidents resulting in minor injury :

A fixed compensation of twenty five thousand rupees shall be payable

Further, as per Section 165(1) of Motor Vehicles Act, 1988, a State Government may, by notification in the official Gazette, constitute one or more Motor Accidents Claims Tribunals for such area as may be specified in the notification for the purpose of adjudicating upon claims for compensation in respect of accidents involving the death of, or bodily injury to, persons arising out of the use of motor vehicles, or damages to any property of the third party so arising, or both. Sub-section (2) of Section 165 empowers the State Government to appoint such number of members as the State Government may think fit to appoint. Sub-section (3) of Section 165 empowers State Government to regulate distribution of business if there are two or more Claims Tribunals for an area. Thus, the matter regarding disposal of cases by Motor Accident Claims Tribunals comes under the jurisdiction of State Governments. Ministry of Road Transport & Highways has inserted a provision in Motor Vehicle (Amendment) Bill, 2017 which inter-alia envisages the creation of a Motor Vehicle Accident Fund.

(e) No, Madam.No such committee has been set up by Ministry of Road Transport Highways.

(f) Does not arise, in view of (e) above.
