

Circular.

Sub:-Payment of Compensation under Solatium Fund Scheme.,

- Ref:-1.Letter No.10/SFS/SR-2/84-85 dated 28-3-85 from the Deputy Commissioner, Belgaum
- 2.Letter No.MAG.11/MAC/179/84-85 dated 21-3-1985 from the Deputy Commissioner, Manaya.,

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According to Sub-Section (1) of Section 109B of the Motor Vehicles Act, 1939, the payment of compensation under Section 109A shall be subject to the condition that if any compensation of any other amount in lieu of compensation is awarded in respect of death or grievous hurt under any other provision of the Motor Vehicles Act 1939 or any other Law the amount of Compensation equal to the amount of compensation paid under Section 109A shall be credited to the solatium fund by way of refund.

2.The Deputy Commissioners, Belgaum and Manaya in their letters cited above, have sought for a clarification as to whether the amount of compensation under solatium fund scheme can be paid in addition to the amount already paid out of Chief Minister's Relief fund.

3.The matter has been examined by the Government, as per the provisions of Section 109B (1) of the Motor Vehicles Act 1939 whatever compensation or other amount in lieu of compensation awarded or paid under any provision of this Act or any other law or otherwise shall be adjusted with the compensation paid under solatium fund scheme. The amount paid out of Chief Minister's Relief fund constitutes other amount paid under the provision of "otherwise" therefore any amount sanctioned as compensation or relief out of Chief Minister's Relief fund, such compensation or relief shall be adjusted with the compensation payable under solatium fund scheme.

Handwritten initials: GAN, CAH

sd/-T.S.Ranganath,
Under Secretary to Government, I/e.,
Road and Transport Department.

Handwritten signature: J. K. ...

No.CAL.75/85-86

Hassan, 573201, dated 24-6-1985.,

Copy of the above circular forwarded to the Assistant Commissioners and Tahsildars in the District for information and necessary action.

Handwritten numbers: 92, 1419

Handwritten signature: Neeraj
For Deputy Commissioner,
Hassan District