

GOVERNMENT OF KARNATAKA

Karnataka Government Secretariat,  
Home Department, Vidhana Soudha,  
Bangalore, dated: 22-10-1983

No.HD 287 TMA 83

C I R C U L A R

It has become necessary to set out the various types of compensation available to the victims of road accidents as provided under the Motor Vehicles Act 1939. The following are the general types of compensation payable to the victims of road accidents:-

- i) Solatium amount of Rs.5,000/- and Rs.1,000/- for death and injury respectively.
- ii) Rs.15,000/- and Rs.7,500/- for death and permanent disablement respectively under Section 92-A of the Motor Vehicles Act 1939
- iii) Compensation awarded by the Motor Accidents Claims Tribunal on the merits of the case over and above the amount under Sec.92-A under Section 110 of the Act.

Compensation under Solatium

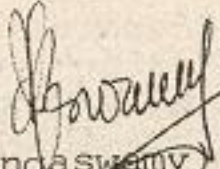
There are a number of accident cases where the driver of the vehicle hits a person and runs away causing either death or grievous injury. The helpless people in this type of hit and run motor accident cases are now eligible to get financial help from a special fund created under the Motor Vehicles Amendment Act 1982 and known as SOLATIUM FUND. This fund has been established by the Central Government to which the State Governments make contributions every year. The compensation paid out of this fund is fixed amount of Rs.5,000/- in case of death and Rs.1,000/- in case of grievous hurt. This amount is provided as a sort of immediate financial relief to the victim or the dependents of the victim. Payment of this compensation amount does not prevent the victim or the dependent of the victim from claiming to the Motor Accidents Claims Tribunal after the details of the vehicle is subsequently traced. The amount of compensation paid from the Solatium Fund is independent and not to be deducted out of the compensation determined or awarded by the Tribunal or any other court including the amount of Rs.15,000/- in case of death and Rs.7,500/- in case of permanent disablement under Section 92-A of the Motor Vehicles Act 1939.

A very simple procedure has been prescribed to apply for compensation under the Solatium Fund Scheme. A legal heir of the deceased or the victim of the injury is required to submit an application claiming compensation in respect of hit and run cases to the Tahsildar or the Assistant Commissioner in the area where that accident has occurred. The form of application (Form A) can be obtained from the Office of the Tahsildar or Assistant Commissioner free of cost. This Officer is called Claims Inquiry Officer. After a quick enquiry on the basis of police report and medical certificates, the Claims Inquiry Officer will recommend the grant of compensation to the Claims Settlement Commissioner who will give the award. In every district, the District Magistrate or Deputy Commissioner, as the case may be, has been designated as Claims Settlement

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Commissioner to decide the claims and pass orders for immediate payment of compensation. The claimant will not be required to go from place to place for receipt of compensation. The payment shall be made to him through the Tahsildar or Assistant Commissioner concerned.

For this purpose, adequate amounts have already been allocated to the Transport Commissioner and through them to the District Magistrate or Deputy Commissioners. Deputy Commissioners have been informed that further allocation could be made to them whenever they ask for it. The basic idea is that such claims are expeditiously disposed of and compensation paid.

  
(N. Rangaswamy) 22/10/83  
Deputy Secretary to Government,  
Home Department

To

All Secretaries to Government  
All the Heads of Departments  
All the Assistant Commissioners of Sub-Divisions  
All the Tahsildars of Taluks  
All the Superintendents of Police of the Districts with a request to supply a copy of the circular to all the Police Stations/Outposts in their respective dists. for information and necessary action  
All the Sections of the Karnataka Govt. Secretariat  
Copy to:

Private Secretary to the Minister of State for Transport  
P.A. to Home Secy/Addl. Secy/Dy. Secy.