



GOVERNMENT OF KERALA

No.13530/D3/2010/Trans

Transport (D) Department
Thiruvananthapuram
Dated: 18.12.2010.

CIRCULAR

Sub:- Transport- Revised Guidelines for payment of compensation as per the awards passed by Motor Accident Claims Tribunals - Issued -Reg:-

Ref:- Circular No. 18346/D3/98/Tran dated 14.05.1999.

It has come to the notice of Government that the lack of proper insurance coverage to the Government vehicles, involved in accidents, has resulted in payment of compensation / decretal amount from the State Exchequer. The negligence / laxity on the part of the Head of Department / custodian of the vehicle, in ensuring proper insurance coverage of the vehicles under custody resulting in additional financial commitment to the State Government is not at all encouraging. The negligence of the driver too is a common cause for accidents that result in awards being met from the public funds. These factors need to be arrested by fixing the liability on the officers / drivers responsible for the laxity.

In this circumstance, in addition to the existing guidelines in the circular read above, the following additional instructions are issued with immediate effect:

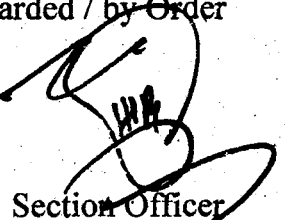
- (i) amounts awarded by Motor Accident Claims Tribunals with respect to government vehicles, without proper insurance coverage, will be recovered from the custodian of the vehicle and /or the officers responsible for ensuring proper insurance coverage for the vehicles;
- (ii) If the negligence of the driver is proven beyond doubt, any compensation paid by Government will be recovered from him;
- (iii) Proposals for sanctioning of amounts awarded by Motor Accident Claims Tribunals in respect of future cases should contain certificates of the Head of Department and custodian of the vehicle explaining whether the provisions under (i) and (ii) above are attracted or not.

V.P.JOY
Secretary to Government.

To

All Heads of Departments.
All District Collectors.
All Departments in the Administrative Department.
All Motor Accident Claims Tribunals.
Transport (A/ B/ C) Departments.
SF / OC.

Forwarded / by Order


Section Officer

cef (D)
20/12/2011

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