

Government of Jammu & Kashmir
State Road Safety Council, J&K
(Lead Agency)

(In the office of the Transport Commissioner, J&K, Jammu/Srinagar)

E-Mail: asrscjk2015@gmail.com

1. Principal Secretary to Government, Higher/School Education Department, J&K.
2. Chairman, District Road Safety Committee/Deputy Commissioner, _____ (All).
3. Regional Transport Officer, Jammu/Kashmir/Kathua.
4. Assistant Regional Transport Officer, _____ (All).
5. State Nodal Officer (iRAD), National Health Mission, J&K.
6. Regional Officer, NHAI, Jammu.
7. Executive Director, NHIDCL, Jammu.
8. Chief Engineer, Project Beacon.
9. Chief Engineer, Project SAMPARK.
10. Joint Director (Planning), PWD (State Nodal Officer, iRAD), J&K.

No:TCJK-RSC/28/2022-08/2603-16

Dated: 19.09.2024

Subject: Distribution of Handbook regarding Compensation to the Victims of Hit and Run Motor Accidents Scheme-regarding.

Sir/Madam,

This office is in receipt of copy of Handbook on "Compensation to the Victims of Hit & Run Motor Accidents Scheme" containing important information about various provisions for procedure of Compensation, Commodities, Accident Fund & Format for processing the claims etc.

In this context, I am directed to enclose herewith soft copy of the above mentioned Handbook and request you to kindly share the same with the concerned Officers/Officials of your Department/Office/District for information and implementation.

Yours faithfully,

Encl: As above.

Additional Secretary (Technical),
Lead Agency, State Road Safety Council,
J&K, Jammu.

Copy to the:-

1. Secretary to Government of India, Ministry of Road Transport & Highways (MoRTH), New Delhi.
2. Chairman, Lead Agency/Additional Transport Commissioner, J&K.
3. Sr. Pvt. Secretary to Transport Commissioner, J&K for information of the TC (Road Safety Commissioner).
4. Pvt. Secretary to Secretary to Government, Transport Department, J&K for information of the Secretary.

No. RT-25035/35/2024-RS (235703)
Government of India
Ministry of Road Transport & Highways
(Road Safety)
Transport Bhawan, 1, Parliament Street, New Delhi-110001

Date: 8th August, 2024

To

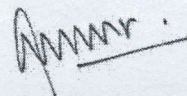
Transport Commissioner's office of all State/UTs

Subject: Distribution of handbook regarding Compensation to the Victims of Hit and Run Motor Accidents Scheme – regarding

Sir,

I am directed to forward herewith fifteen copies of Handbook on "Compensation to Victims of Hit and Run Motor Accidents Scheme" for kind perusal and necessary action to enhance awareness about the scheme among the concerned stakeholders. The Handbook contains important information about various provisions for procedure of compensation, committees, accident fund, necessary format for processing the claims etc.

Yours faithfully,



Encl. As above

(Mirtyunjay Kumar)
Under Secretary to the Govt. of India
Tele – 011-23717379

sol HP
5/9/2024

5/8/24

WA



सड़क परिवहन एवं राजमार्ग मंत्रालय
Ministry of Road Transport & Highways



Handbook on Scheme for Compensation to Victims of Hit and Run Motor Accidents, 2022



Statutory Provisions - The Motor Vehicles Act, 1988

As amended vide the Motor Vehicles (Amendment) Act, 2019

Section 161 (2)

Compensation amount to hit and run Motor Accident Victim:

- In case of death – ₹ 2,00,000 (increased from ₹ 25,000)
- In case of grievous hurt - ₹ 50,000 (increased from ₹ 12,500)

Section 161 (3)

Central Government to formulate scheme for providing **compensation** due to **hit and run motor accident**

Section 162 (2)

Scheme for the cashless treatment of victims of the accident during the golden hour

Section 164

In case of identification of vehicle - the owner of the motor vehicle or the authorised insurer shall be liable to pay, a compensation, of a sum of five lakh rupees in case of death or of two and a half lakh rupees in case of grievous hurt to the legal heirs or the victim, as the case may be.

Section 164B

Motor Vehicle Accident Fund, to be utilised for treatment of person injured in road accidents in accordance with the schemes framed by the Central Government under Sections 161 and 162.

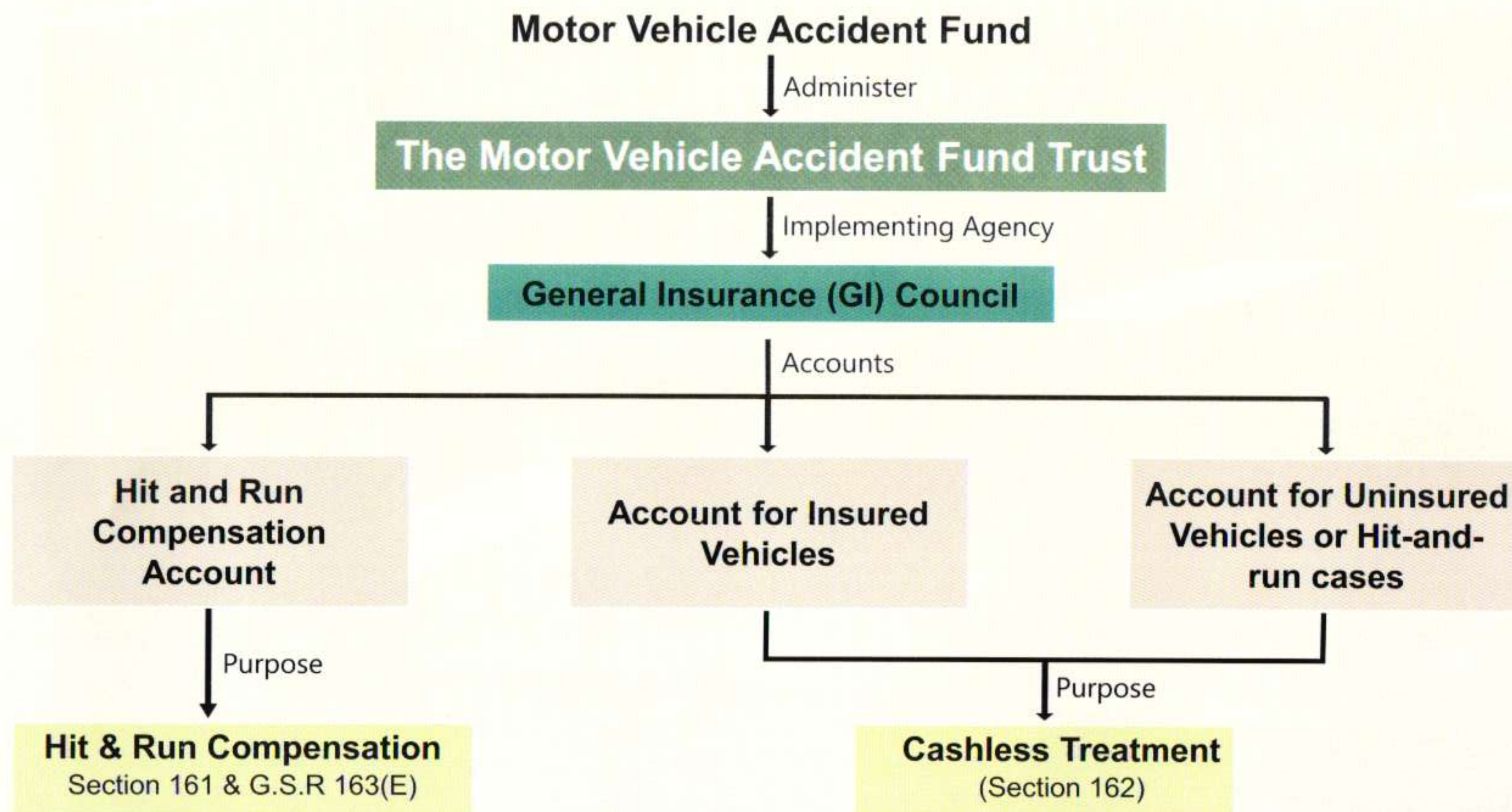
Background

As per the provisions under the Motor Vehicles Act 1988, the Ministry of Road Transport and Highways has:

1. Published ***Rules regarding creation, operation, sources of fund etc. of the Motor Vehicles Accident Fund Rules, 2022 vide GSR 162(E) dated 25th February, 2022.*** The fund shall be used for providing compensation in case of Hit & Run Accident, treatment for accident victims and any other purpose, as may be specified by the Central Government.
2. Registered the Motor Vehicle Accident Fund Trust on 13th July, 2022 for administration of the Motor Vehicle Accident Fund.
3. Notified a ***new scheme for compensation to victims of Hit & Run motor accidents vide notification GSR 163(E) dated 25th February, 2022 to cater to enhanced compensation (from ₹ 12,500 to ₹ 50,000 for grievous hurt and from ₹ 25,000 to ₹ 2,00,000 for death)***. The process of application for compensation and the release of payment to victims has also been defined in detail in the same. This scheme has superseded the Solatium Scheme, 1989 from 01st April, 2022 onwards.

Motor Vehicle Accident Fund

Motor Vehicle Accident Fund – The Motor Vehicle Accident Fund has been constituted vide G.S.R.162(E) in accordance with sub-section (1) of Section 164B, and it comprises of the following three accounts:



The Motor Vehicle Accident Fund Trust

The Motor Vehicle Accident Fund Trust shall:

- 1** administer the Motor Vehicle Accident Fund in accordance with the Central Motor Vehicles (Motor Vehicle Accident Fund) Rules, 2022.
- 2** utilise the Motor Vehicle Accident Fund, in accordance with the Central Motor Vehicles (Motor Vehicle Accident Fund) Rules, 2022 for-
 - (a) Providing compensation in the case of hit and run motor accidents in accordance with Section 161, read with the Compensation to Victims of Hit and Run Motor Accidents Scheme, 2022;
 - (b) Providing cashless treatment to victims of road accident in accordance with Section 162;
 - (c) Providing compensation to such other persons as may be specified.

The Trust Shall be governed by the Central Motor Vehicles (Motor Vehicle Accident Fund) Rules, 2022 and the Trust Deed formulated under Rule 7 of these Rules.

The Motor Vehicle Accident Fund Trust

Composition of the Trust - The Trust shall comprise of the following Trustees, namely:

Sl. No.	Designation of Member	Role in Trust
(1)	(2)	(3)
1	An officer not below the rank of Joint Secretary, Ministry of Road Transport and Highways	Trustee (Chairperson);
2	An officer not below the rank of Joint Secretary, Department of Financial Services, Ministry of Finance	Trustee - Member;
3	An officer not below the rank of Deputy Secretary, Department of Expenditure, Ministry of Finance	Trustee - Member;
4	An officer not below the rank of Joint Secretary, Ministry of Health and Family Welfare	Trustee - Member;
5	Director, Ministry of Road Transport and Highways	Trustee - (Member - Coordinator) ;
6	Representative of Principal Chief Controller of Accounts, Ministry of Road Transport and Highways	Trustee - Member;
7	Secretary General, General Insurance Council	Trustee - Member;
8	Director/Deputy Secretary, Road Safety Cell, Ministry of Road Transport and Highways	Trustee - Member;

The Motor Vehicle Accident Fund Trust

Powers and functions of the Trust - For the furtherance of the objects of the Trust and matters incidental or ancillary to the attainment thereof, the trust shall have the following powers:

- (a) Periodical review of the working and utilisation of the Motor Vehicle Accident Fund (Trust Corpus), and make recommendations to the Central Government for relevant corrective steps, wherever necessary;
- (b) Make recommendations to the Central Government on the implementation of the Compensation to Victims of Hit and Run Motor Accidents Scheme, 2022 and the scheme framed under Section 162;
- (c) Annual review of the quantum based on the receipt of contributions comprising of the Motor Vehicle Accident Fund (Trust Corpus) made under Rule 10 and utilisation thereof;
- (d) Deliberate upon any issues raised by organisations or agencies responsible for the implementation of the Compensation to Victims of Hit and Run Motor Accidents Scheme, 2022 and the scheme framed under Section 162;
- (e) Any other issues arising during implementation of the scheme utilising the fund.

Sources of income of the Motor Vehicle Accident Fund

As per GSR 162(E), the sources of income for each of the components of the Motor Vehicle Accident Fund shall be as follows:

- a Account for Insured Vehicles** - The "Account for Insured Vehicles" shall be credited with the following:
 - (i) all insurance companies carrying on the business of motor insurance in India shall contribute such amount as may be specified by the Trust in consultation with General Insurance (GI) Council, to the Account for Insured Vehicles;
 - (ii) the Trust shall ensure that a minimum balance is maintained in the Account for Insured Vehicles at the end of each quarter.
- b Account for Uninsured Vehicles or Hit and Run Motor Accident-** The "Account for Uninsured Vehicles or Hit and Run Motor Accidents" shall be credited with the following:
 - (i) the fee collected by the Central Government for using certain sections of the National Highways (user fee) as per the National Highways Fee (Determination of Rates and Collection) Rules, 2008; or
 - (ii) through budgetary grant from the Consolidated Fund of India; or
 - (iii) fine collected under section 198A; or
 - (iv) any other source, as may be specified by the Central Government.

Sources of income of the Motor Vehicle Accident Fund

- c Hit and Run Compensation Account** - The Hit and Run Compensation Account shall be credited with the following:
- (i) the current balance under the Solatium Scheme, 1989, as on the date of commencement of the Central Motor Vehicles (Motor Vehicle Accident Fund) Rules; and
 - (ii) such percentage of total third party premium collected by insurance companies carrying on the business of motor insurance in India by the general insurance companies as specified by the trust, taking into account the actual disbursements from the Hit and Run Compensation Account in the preceding year.

Utilisation of Components of the Motor Vehicle Accident Fund

The components of the Motor Vehicle Accident Fund shall be utilised as follows:

a Account for Insured Vehicles :

- (i) The Account for Insured Vehicles shall be utilised for the cashless treatment of victims of accidents caused by insured vehicles.
- (ii) The claim amount of the Hospital for providing cashless treatment shall be disbursed by the designated agency.
- (iii) It shall be administered by GI Council under supervision of the Trust.

b Account for Uninsured Vehicles or Hit and Run Motor Accident-

- (i) The "Account for Uninsured Vehicles or Hit and Run Motor Accident" shall be utilised for-
 - (a) providing cashless treatment to victims of accidents caused by uninsured vehicles and hit and run motor accident victims;
 - (b) providing compensation to such other person as may be specified.
- (ii) The claim amount of the Hospital for providing cashless treatment, shall be disbursed by the designated agency to the Hospital.
- (iii) It shall be administered by GI Council under the supervision of the Trust.

Utilisation of Components of the Motor Vehicle Accident Fund

c Hit and Run Compensation Account -

- (i) Hit and Run Compensation Account shall be utilised for providing compensation to hit and run accident victims, and reimbursement of claim amount raised by the Hospital for cashless treatment of hit and run motor accident victims, as per scheme framed under Section 162, to the Account for Uninsured Vehicles or Hit and Run Motor Accident in accordance with the Central Motor Vehicles (Motor Vehicle Accident Fund) Rules.
- (ii) It shall be administered by General Insurance (GI) Council under the supervision of the Motor Vehicle Accident Fund Trust.

Scheme for compensation to Victims of Hit and Run Accident

- ❖ **Disbursement of fund for Hit and Run compensation** - In case of hit and run motor accidents, the compensation under Section 161 shall be disbursed from the Hit and Run Compensation Account in accordance with the Compensation to Victims of Hit and Run Motor Accidents Scheme, 2022.
- ❖ The Scheme provides for **compensation** in respect of:
 - Death
 - Grievous hurt
- ❖ The Scheme provides for establishment of following committees to monitor the functioning of the scheme and the processing of claims:
 - Standing Committee at the Central level
 - District Level Committee

Standing Committee at the Central level

Composition of the Standing Committee

Sl.No.	Designation of Member	Role
(1)	(2)	(3)
1	An officer not below the rank of Joint Secretary, Ministry of Road Transport and Highways	Chairperson
2	An officer not below the rank of Joint Secretary, Department of Financial Services, Ministry of Finance	Member
3	An officer not below the rank of Joint Secretary, Department of Expenditure, Ministry of Finance	Member
4	Secretary, General Insurance Council	Member
5	Chairman and Managing Director (CMD) of Insurance Companies for the time being carrying on general insurance business in India (three companies on rotation basis)	Member
6	Transport Commissioners, one each from three States, nominated by the Central Government by rotation	Member
7	Representative as nominated by Principal Chief Controller of Accounts, Ministry of Road Transport and Highways	Member
8	Director, Ministry of Road Transport and Highways	Member
9	An officer nominated by the General Insurance Council	Member - Secretary
10	Any representative, as nominated by Chairperson	Member

- ❖ The person nominated as a member by virtue of an office shall cease to be a member when he ceases to hold that office.

Standing Committee at the Central level

❖ **Powers and functions of Standing Committee:**

The Standing Committee shall:

- Periodically review the working of the scheme, including consideration of the Annual Report prepared by the General Insurance Council and its implementation and direct corrective steps, wherever necessary;
- Consider the issues raised in the quarterly reports of the District Level Committee and provide guidance or directions, including on prevention of fraud in implementation of the scheme, wherever called for;
- Make recommendations to the Central Government for amendment of the scheme to enable the efficient disbursement and working of the Hit and Run Compensation Account, specifically with respect to prevention of fraud;
- Provide procedure for conduct of business by the Standing Committee and District Level Committee.

❖ **Meeting of Standing Committee:** The Standing Committee shall meet at such time, date and at such a place as the Chairperson may, from time to time, appoint in this behalf:

- Provided that the Committee shall meet at least once a year.

Standing Committee at the Central level

- ❖ **Notice of meeting:** Notice shall be given by the Member-Secretary to every member of the time, date and place fixed for each such meeting at least seven days before such meeting and each member shall be furnished with a list of business to be disposed off at the said meeting:
 - Provided that when an urgent meeting is called by the Chairperson, such notice shall not be necessary, however, Member-Secretary shall send an intimation to each member.

No business which is not on the list of business shall be considered at a meeting without the permission of the Chairperson.

- ❖ **Quorum:**

Not less than five members shall form a quorum:

- Provided that if at any meeting there is no quorum, the Chairperson may adjourn the meeting to a date not less than seven days later, informing the members present and sending notices to other members that he proposes to dispose off the business at the adjourned meeting, whether there is a quorum or not, and he may thereupon dispose off the business at such adjourned meeting.

Standing Committee at the Central level

❖ **Decision**

- Every matter shall be determined by a majority of votes of the members present and voting and, in case of equality of votes, the Chairperson shall have a casting vote.

- ❖ **Minutes of meeting:** The proceedings of each meeting of the Standing Committee shall be circulated to all members and thereafter recorded in a minutes book which shall be kept as a permanent record, including in electronic form and the record of the proceedings of each meeting shall be signed by the Chairperson

- ❖ **Remuneration of members of Standing Committee:** A member shall not be paid any remuneration, except travelling and daily allowance at the rates admissible to him and be paid from the source he draws salary.

District Level Committee

Composition of District Level Committee

Sl. No.	Designation of Member	Role
(1)	(2)	(3)
1	Claims Settlement Commissioner [@]	Chairperson
2	Claims Enquiry Officer, [#] nominated by the State Government	Member
3	Superintendent of Police or Deputy Superintendent of Police (Head Quarter) of the District	Member
4	Chief Medical Officer of the District [*]	Member
5	The Regional Transport Officer or any other Officer of Motor Vehicle Department as nominated by the State Government [*]	Member
6	Any member of the public or a voluntary organisation connected with Road Safety aspects as nominated by the Chairperson [*]	Member
7	An Officer nominated by the General Insurance Council	Member - Secretary

* The term of office of Members nominated shall be determined by the State Government.

@ "Claims Settlement Commissioner" means the District Magistrate, the Deputy Commissioner, the Collector or any other officer-in-charge of a revenue district in a State appointed as such by the State Government

"Claims Enquiry Officer means the Sub-Divisional Officer, Tehsildar, or any other officer in charge of the revenue sub-division of a Taluka in each revenue district of a State or such other officer not below the rank of Sub-Divisional Officer or a Tahsildar, as may be specified by the State Government.

❖ The person nominated as a member by virtue of an office shall cease to be a member when he ceases to hold that office.

District Level Committee

❖ Powers and functions of the District Level Committee:

The District Level Committee shall undertake all functions connected with the implementation of this scheme at the District Level, and it shall also perform the following functions, namely:

- To evaluate the progress of implementation of this scheme in the concerned District and take corrective steps, wherever necessary;
- To submit a report on quarterly basis to the Standing Committee, including in electronic form and the report shall, inter alia, include month-wise statistics about the claim applications received, awarded, pending and reasons for pendency;
- To keep close liaison with other authorities in the district so as to ensure that this scheme gets adequate publicity;
- To provide guidance or clarifications to concerned authorities and claimants, wherever called for; and
- To raise awareness about the rights available to claimants and the provision of compensation under this scheme.

District Level Committee

❖ **Meeting of the District Level Committee:**

The District Level Committee shall meet at such time, date and place, within the concerned District itself, as the Chairperson may, from time to time, appoint in this behalf:

- Provided that the Committee shall meet at least once in each quarter.

❖ **Notice of meeting:**

- Notice shall be given by Member-Secretary to each member of the time, date and place fixed for the meeting at least seven days before such a meeting and each member shall be furnished with a list of business to be disposed off at the said meeting:

Provided that when an urgent meeting is called by the Chairperson, such notice shall not be necessary,

- No business which is not on the list of business shall be considered at a meeting without the permission of the Chairperson.

❖ **Quorum:**

- Not less than three members shall form a quorum

❖ **Decision:**

- Every matter shall be determined by a majority of votes of the members present and voting, and in case of equality of votes, Chairperson shall have a casting vote.

District Level Committee

❖ Minutes of meeting:

- The proceedings of each meeting of the District Level Committee shall be circulated to all Members and thereafter recorded in a minutes book which shall be kept as a permanent record, including in electronic format and the record of the proceedings of each meeting shall be signed by Chairperson.

❖ Nomination of Insurance Company:

- General Insurance Company shall nominate any of its officer of an insurance company in each District for settlement of claims under Section 161 and this scheme.

❖ Remuneration of member of District Level Committee:

- A member shall not be paid any remuneration except travelling and daily allowance at the rate admissible to him be paid from the source he draws salary and a member nominated by the Chairperson shall be paid travelling allowance or dearness allowance by General Insurance Council, at the rate as may be decided by the General Insurance Council.

Procedure for making claim application

The applicant shall submit an application seeking compensation under this scheme in Form I, including through electronic means, along with a copy of claim raised by the hospital providing the treatment, if any, as per Scheme for Cashless Treatment formulated under Section 162, and the undertaking in Form IV, and such other documents mentioned in Form I, including through electronic means, to the Claims Enquiry Officer of the Sub-Division or Taluka in which the accident took place.



Where the Claims Enquiry Officer does not accept the grounds advanced by the applicant, he shall record speaking order and communicate to the applicant, the reasons for not accepting the claim application.

Procedure to be followed by Claims Enquiry Officer in case of acceptance

- 1** On receipt of claims application, the Claims Enquiry Officer shall immediately obtain a copy of the **First Accident Report (FAR)**, **post mortem report**, as the case may be, from the concerned authorities and hold enquiry in respect of claims arising out of the hit and run motor accident.
- 2** Following are the duties of the Claims Enquiry Officer:
 - To decide as to who are the rightful claimants, where there is more than one claimant.
 - To submit to the Claims Settlement Commissioner, as early as possible, and in any case within a period of **one month** from the date of receipt of application, a report in Form II, along with his recommendation, and the Forms and documents received from the claimant.
- 3** Where the Claims Settlement Commissioner has returned any report to the Claims Enquiry Officer for further enquiry, the Claims Enquiry Officer shall make such additional enquiries as may be necessary and re-submit the report to the Claims Settlement Commissioner within **fifteen days** for final order.

Procedure for Sanctioning of claims

- 1** Where the Claims Settlement Commissioner has any doubt in respect of the report submitted by the Claims Enquiry Officer, he shall return the report to the Claims Enquiry Officer for further enquiry, indicating the specific points on which the enquiry is to be made.
- 2** On receipt of report of the Claims Enquiry Officer, the Claims Settlement Commissioner shall sanction the claim, as far as possible, within a period not exceeding fifteen days from the date of receipt of such report and communicate the sanction order in Form III, and the forms and documents received from the claimant, to the Trust constituted under Rule 4 of the Central Motor Vehicles (Motor Vehicle Accident Fund) Rules, 2022 or the General Insurance Council, as the case may be, with a copy to the following:
 - The Claims Enquiry Officer;
 - The Claimant;
 - The Concerned Motor Accident Claim Tribunal;
 - The Concerned Transport Commissioner;
 - General Insurance Council Headquarters.

Procedure for Sanctioning of claims - contd...

- 3** Claims Settlement Commissioner shall deduct the claim raised by the hospital which has provided cashless treatment as per the scheme framed under Section 162 and sanction the balance amount:
 - Provided that the amount spent on cashless treatment of the victim shall be transferred from the Hit and Run Compensation Account to the Account for Uninsured Vehicles or Hit and Run Motor Accident of the Motor Vehicle Accident Fund.
 - Provided further that if the claim raised by the hospital which has provided cashless treatment as per the scheme framed under Section 162, is greater than the fixed sum compensation under Section 161, no compensation shall be paid to the claimant or legal representative of the deceased, whichever the case may be.

Payment of compensation

- 1** In the case of claims arising out of death of an accident victim, the compensation awarded shall be made to the legal representatives of the deceased decided by the Claims Enquiry Officer.
- 2** In the case of claims arising out of grievous hurt, the compensation awarded shall be made to the person injured.
- 3** On behalf of the Trust , General Insurance (GI) Council, immediately on receipt of the sanction order in Form III, and the Forms and documents from the claimant, shall make the e-payment to the bank account as provided by the claimant or legal representative of the deceased, as the case may be, and simultaneously send intimation to all the concerned authorities to whom the copy of the sanction order is endorsed.

Payment of compensation - contd...

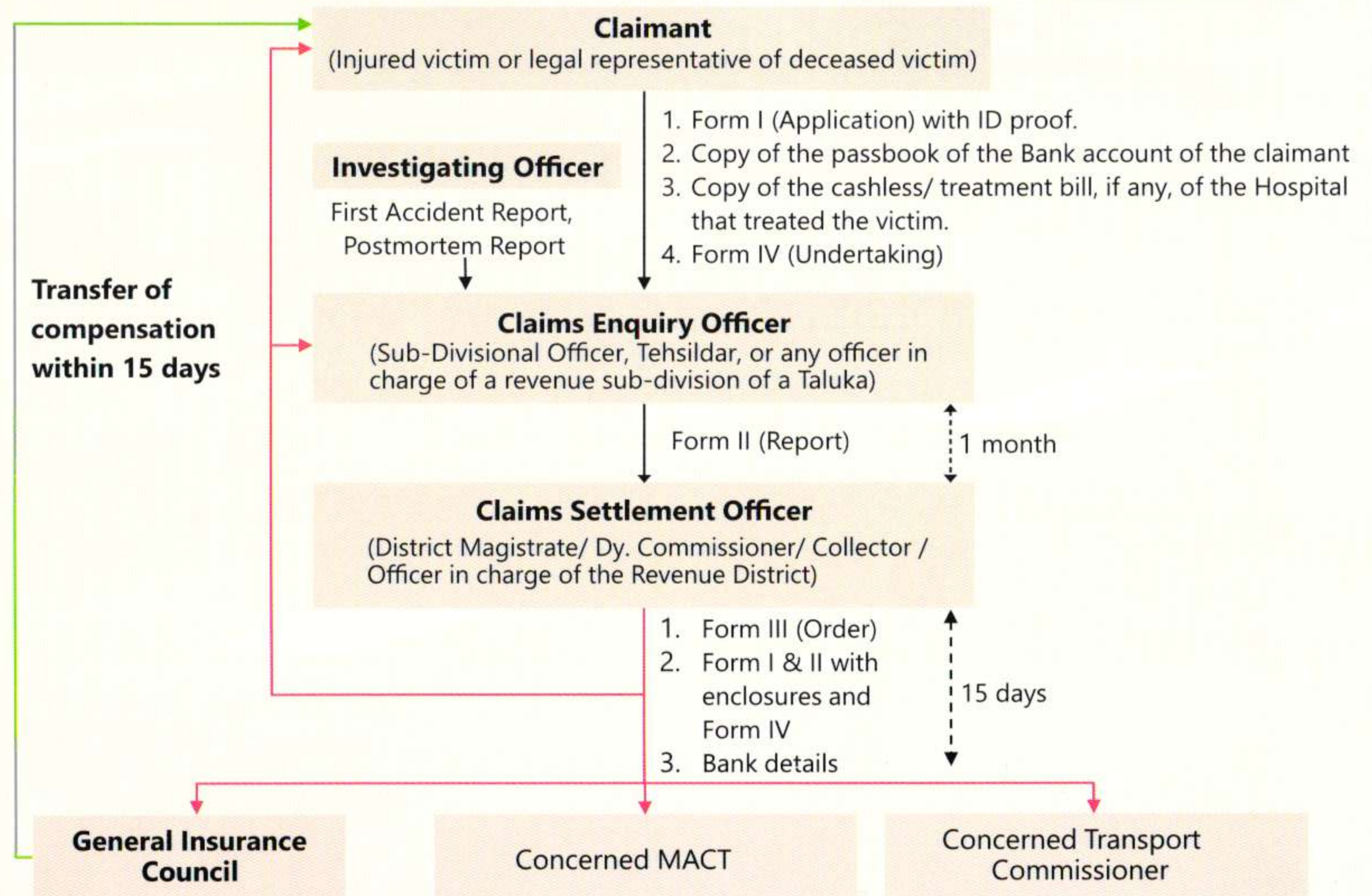
- 4 The payment shall be made within **fifteen days** from the date of receipt of the sanction order:

Provided that the payment may be made within a further period of thirty days, for reasons to be recorded in writing to the Claims Settlement Commissioner.

- 5 Upon disbursement of the compensation, the Claims Enquiry Officer shall maintain a record, including in electronic form, of the claim awarded and the date of payment made, which shall be used to populate the quarterly report.

Flow chart of Claim settlement procedure

Claim settlement procedure as per the Compensation to Victims of Hit and Run Motor Accident Scheme, 2022



In case of identification of Offending Vehicle

If the identity of the motor vehicle causing the hit and run accident is subsequently identified-

- (a) before the approved claim amount to hospital for the treatment of the victim is disbursed from the Account for Uninsured Vehicles or Hit and Run Motor Accident to the Hospital; or
- (b) after the approved claim amount to hospital for the treatment of the victim is disbursed from the Account for Uninsured Vehicles or Hit and Run Motor Accident to the Hospital, but before compensation is sanctioned under Section 161,

the owner or authorised insurer, as the case may be, shall be liable to reimburse the approved claim amount spent on the cashless treatment of the victim to the "Account of Uninsured Vehicle or Hit and Run Motor Accident".

In case of identification of Offending Vehicle

If the identity of the motor vehicle causing the hit and run accident is identified, after the compensation amount in accordance with the Compensation to Victims of Hit and Run Motor Accidents Scheme, 2022, has been transferred, the authorised insurer or the owner, as the case may be, against whom the award has been passed by the Motor Accident Claim Tribunal, shall transfer the compensation amount given to victim or claimant into "Hit and Run Compensation Account:

Provided that in case the approved claim amount is more than the compensation amount awarded by the Motor Accident Claim Tribunal, the authorised insurer or the owner, as the case may be, against whom the award has been passed by the Motor Accident Claim Tribunal shall be liable to transfer only the compensation awarded by the Motor Accident Claim Tribunal.

Explanation. - For purposes of this rule, "approved claim amount" shall mean such claim amount approved by the designated agency.

Disbursement of Fund for Cashless Treatment

As per the Motor Vehicle Accident Fund Rules:

- (1) Subject to the scheme framed under Section 162, the disbursement of the fund for cashless treatment shall be in accordance with the Central Motor Vehicles (Motor Vehicle Accident Fund) Rules.
- (2) The Trust shall transfer the fund to the designated agency, for implementation of the scheme framed under Section 162.
- (3) In case of motor accidents caused by insured vehicles, the approved claim amount shall be disbursed by the designated agency to the Hospital from the Account for Insured Vehicles.
- (4) In case of motor accidents caused by uninsured vehicles, the approved claim amount shall be disbursed by the designated agency to the Hospital from the Account for Uninsured Vehicles or Hit and Run Motor Accident:

Provided that if the Motor Accident Claim Tribunal has passed an award for compensation against the owner of such uninsured vehicle causing the accident, wherein the amount for cashless treatment has been disbursed, the owner shall be liable to reimburse the amount spent on cashless treatment to the "Account for Uninsured Vehicle or Hit and Run Motor Accident".

Disbursement of Fund for Cashless Treatment

(5) In case of a hit and run motor accident -

- ❖ Provided that when the approved claim amount is less than the fixed sum compensation payable under Section 161, the balance compensation amount shall be payable to the victim from the "Hit and Run Compensation Account":
- ❖ Provided further that when the approved claim amount is more than the fixed sum compensation payable under sub-section (2) of Section 161, the excess approved claim amount shall be borne by the "Account for Uninsured Vehicles or Hit and Run Motor Accident".

FORM I

FORM OF APPLICATION FOR COMPENSATION FROM HIT AND RUN COMPENSATION FUND

I,son*/daughter*/widow* of Shri residing at
 having been grievously injured in motor vehicle accident hereby apply for grant of compensation for the grievous injuries sustained. Necessary particulars in respect of the injury sustained by me are given below: -

I,son of/daughter of/widow of* Shri residing at hereby
 apply as a legal representative for the grant of compensation on account of death/injuries sustained by Shri/Shrimati/Kumari
son of/daughter of/widow* of Shri who died/had sustained injuries in
 a motor vehicle accident on at Particulars in respect of accident and other
 information are given below: —

1. Name and father's name of person injured / dead (husband's name in case of married woman or widow):
2. Address of the person injured/dead:
3. Age.....Date of Birth.....
4. Sex of the person injured/dead:
5. Aadhaar Number of the claimant in case of grievous hurt or Aadhaar Number of legal representative.
6. Copy of Passbook of the bank account of person injured/ legal representative of the deceased.....
7. Place, date and time of the accident:
8. Occupation of the person injured/dead:

9. Nature of injuries sustained:

10. Name and address of Police Station in whose jurisdiction accident took place or was registered:

11. Name and address of the Hospital/Medical Officer/Practitioner who attended on the injured/dead:

12. Name and address of the claimant/claimants:

13. Relationship with the deceased:

14. Copy of bill given by the Hospital which has provided cashless treatment as per Scheme framed under Section 162 of the Act

15. Any other information that may be considered necessary or helpful in the disposal of the claim:

I hereby swear and affirm that all the facts noted above are true to the best of my knowledge and belief.

SIGNATURE OF THE CLAIMANT

*Strike out whichever is not applicable.

FORM II**CLAIMS ENQUIRY REPORT TO BE SUBMITTED BY THE CLAIMS ENQUIRY OFFICER TO THE CLAIMS SETTLEMENT COMMISSIONER**

1. Name and address of the person dead/injured:
2. Place, time and date of the accident:
3. Particulars of the Police Station in which the accident was registered:
4. Particulars of the Hospital/ Medical Officer/ Practitioner who examined the dead/injured:
5. Particulars of persons summoned and examined:
6. Whether the fact of death/injury by hit and run motor accident has been established or not and the reason for coming to that conclusion:
7. The name and address of claimant(s) eligible for payment of compensation:
8. Amount spent on cashless treatment of the victim.
9. The amount of compensation recommended for payment to the claimant. (In case of more than one claimant the amount each one of the claimants is eligible for, and the reasons thereof shall be specified).
10. Any other information or records relevant or useful for the settlement of the claim.

Seal:

Date:

*Signature, designation
of the Claims Enquiry Officer.*

FORM III

Serial No.....
 Claims Settlement Commissioner
 District.....

ORDER

I hereby sanction Rs. (Rupeesonly) as compensation in respect of the death of(Name of deceased)/grievous hurt to.....(Name of the injured) resulting from hit and run motor accidents which took place at.....(Name of place) on.....(Date) to Shri/Shrimati/Kumari..... as legal representative of the deceased (.....) or to.....(Name of injured).

Claims Settlement Commissioner

CC to: -

1. Trust and General Insurance Council
2. The Claimant;
3. Motor Vehicles Accident Claims Tribunals;
4. Claims Enquiry Officer;
5. Member - Secretary of the Standing Committee.

FORM IV**UNDERTAKING FOR REFUND OF CLAIM**
(Under Section 163 of the Motor Vehicles Act, 1988)

I/We.....as legal representative(s) of the deceased/injured.....hereby give undertaking that I/we shall refund the amount of compensation that may be awarded to me/us under Section 161 of the Act, to the Hit and Run Compensation Fund of the Motor Vehicle Accident Fund in case I/we am/are awarded any other compensation or amount in lieu of or by way of satisfaction of a claim for compensation in respect of death or grievous hurt to.....under any other provisions of the Motor Vehicles Act, 1988 or any other law for the time being in force or otherwise.

*Signature of the legal representative
of the deceased/injured person*

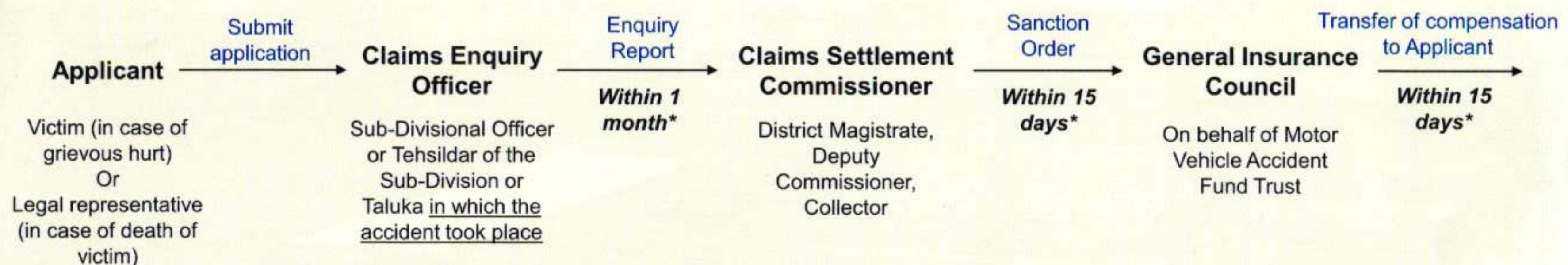
ATTENTION!

GOVERNMENT OF INDIA PROVIDES **COMPENSATION** TO THE **VICTIMS OF HIT-AND-RUN MOTOR ACCIDENTS**

₹ 2 LAKHS IN CASE OF DEATH *(to legal representatives of deceased)*

₹ 50,000 IN CASE OF GRIEVOUS HURT

SIMPLE & TIME BOUND PROCESS



For more information and Forms, log on to:
<https://www.gicouncil.in/insurance-education/hit-and-run-motor-accidents/>

* As per applicable terms and conditions of *Compensation to Victims of Hit and Run Motor Accidents Scheme, 2022*

For further queries on Hit & Run Compensation,

Kindly visit

<https://www.gicouncil.in/insurance-education/hit-and-run-motor-accidents/>



सत्यमेव जयते

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