

ITEM NO.47

COURT NO.7

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s).295/2012

S.RAJASEEKARAN

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with appln. (s) for directions and office report)

WITH

W.P.(C) No. 645/2016

(With Office Report)

Date: 07/11/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

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For Respondent(s)
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UPON hearing the counsel the Court made the following
O R D E R

It has been brought to our notice that there is one person dying in every three minutes as a result of road accident. We have also been informed that in almost half of these deaths, which are in the region of 1,47,000, the legal heirs of the victims are not compensated. This is an extremely unfortunate situation.

We would like to have the assistance of the Union of India and the State Governments in setting up a mechanism whereby no-fault liability is to be paid immediately to the legal heirs of the deceased and the source from which the payment is to be made and how it is to be collected.

The Committee set up by this Court has also given several reports and in the last meeting, the Union of India was directed to take steps immediately to implement the recommendations made. We require the Union to India to file an Action Taken Report with regard to the minutes that have been recorded on previous occasions.

There seems to be some dispute about the amounts that have been collected by the insurance companies towards the premium and the disbursal of the amount. The General Insurance Council will file an affidavit in this regard within a week.

Issue notice also to the Insurance Regulatory Development Authority (IRDA) of India dasti to assist us in the matter and to find out a workable solution.

We need not emphasise that this is not an adversarial litigation but a public interest litigation for the benefit of the common man, particularly for the benefits of victims of road accidents. Therefore, we expect all the States as well as the Union of India and others to assist us in the matter in a positive manner.

The State Governments have also been required to perform certain duties. They should update learned *amicus curiae* in this regard on or before 25th November, 2016.

List the matter on 2nd December, 2016.

(SANJAY KUMAR-I)
AR-CUM-PS

(JASWINDER KAUR)
COURT MASTER