

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS

LOK SABHA
UNSTARRED QUESTION NO. 828
ANSWERED ON 7th FEBRUARY, 2019

ROAD ACCIDENTS DUE TO POTHLES

†828. SHRI RAKESH SINGH:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS

सड़क परिवहन और राजमार्ग मंत्री

be pleased to state:

(a) whether the Government has taken cognizance of the large number of deaths in road accidents due to potholes;

(b) if so, the steps taken by the Government to deal with it;

(c) whether any compensation is given to the families of the deceased in road accidents due to potholes; and

(d) if not, whether the Government proposes to give compensation for such accidents?

ANSWER
THE MINISTER OF STATE IN THE
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
(SHRI MANSUKH L. MANDAVIYA)

(a) As per information received from police department of all States/UTs total number of road accidents, persons killed and injured on all roads and under the category of potholes in the country during the last three calendar years i.e. 2015 to 2017 are given at below:-

Years	Total Number of road accidents in the country	Road Accidents under the category potholes	Total Number of persons killed in road accidents in the country	Persons killed under the category potholes	Total Number of persons injured in road accidents in the country	Persons injured under the category potholes
2015	5,01,423	10876	1,46,133	3416	5,00,279	10065
2016	4,80,652	6424	1,50,785	2324	4,94,624	6310
2017	4,64,910	9423	1,47,913	3597	4,70,975	8790

(b) Ministry of Road Transport & Highways is primarily responsible for construction and maintenance of National Highways (NHs). All the implementing agencies of NH work are regularly instructed by this ministry to keep the highways in safe and traffic worthy condition through inspection and remedial maintenance as per the requirements within available resources.

Ministry of Road Transport & Highways encourages the use of waster plastic in National Highways construction etc. especially on National Highways within 50 km periphery of urban areas having population 5 lakhs or more.

(c) & (d) Chapter X and XI of the Motor Vehicles Act, 1988 deal with third-party insurance and payment of compensation in case of injury or death. The provisions provided in the Motor Vehicles Act, 1988 relating to compensation for the road accident victims are uniform across the country. The Ministry has reviewed the compensation amount and substituted Schedule-II of the Motor Vehicles Act, 1988 relating to compensation amount under section 163A vide notification S.O. No.2022(E) dated 22nd May, 2018. As per the revised Schedule - II, compensation for :-

(i) Fatal Accidents:

Compensation payable in case of Death shall be five lakh rupees.

(ii) Accidents resulting in permanent disability :

Compensation payable shall be = [Rs.5,00,000/- X percentage disability as per Schedule I of the Employee's Compensation Act, 1923 (8 of 1923).

Provided that the minimum compensation in case of permanent disability of any kind shall not be less than fifty thousand rupees.

(iii) Accidents resulting in minor injury :

A fixed compensation of twenty five thousand rupees shall be payable

Further, as per Section 165(1) of Motor Vehicles Act, 1988, a State Government may, by notification in the official Gazette, constitute one or more Motor Accidents Claims Tribunals for such area as may be specified in the notification for the purpose of adjudicating upon claims for compensation in respect of accidents involving the death of, or bodily injury to, persons arising out of the use of motor vehicles, or damages to any property of the third party so arising, or both. Sub-section (2) of Section 165 empowers the State Government to appoint such number of members as the State Government may think fit to appoint. Sub-section (3) of Section 165 empowers State Government to regulate distribution of business if there are two or more Claims Tribunals for an area. Thus, the matter regarding disposal of cases by Motor Accident Claims Tribunals comes under the jurisdiction of State Governments. Ministry of Road Transport & Highways has inserted a provision in Motor Vehicle (Amendment) Bill, 2017 which inter-alia envisages the creation of a Motor Vehicle Accident Fund.
