

ANDHRA PRADESH STATE ROAD TRANSPORT CORPORATION

No.C4/2(42)/2007-OPD(C).

Office of the VC & MD
Mushirabad,Hyderabad-20

CIRCULAR NO. 21/2007-OPD(C), Dt.09-5-2007

Sub:- ACCIDENTS – Payment of compensation to the legal heirs of the deceased and to the victims sustaining permanent disability / temporary disability in accidents involving vehicles – Outside court settlements and Lok Adalaths – Enhancement – Instructions – Reg.

Ref:- (1)Circular No.47/96-OPD(C), Dt.29.7.1996.

Comprehensive instructions were issued, vide Circular cited, regarding payment of compensation to the dependents of the deceased as well as to the injured passengers / other road users, in respect of accidents involving vehicles of the Corporation, towards settlements outside the purview of the Courts and the claims settled through Lok Adalaths.

The aim of introducing the scheme of settlement of accident claims through out of courts and Lok Adalaths is to grant eligible compensation amounts to the legal heirs of deceased or to the victims sustaining permanent / temporary disablement to mitigate the hardship caused to them at the earliest and to prevent them from approaching Courts.

But in the recent past, it is observed that a lot of unnecessary administrative delays are being caused in processing the cases and according sanction of amounts to the deserving, defeating the very objective of the scheme.

The matter has been reviewed.

With a view to mitigate the hardship caused to the legal heir / dependents of the deceased or to the victims of the accidents and to provide quick monetary relief to them, it has become necessary to delegate the decision making and sanctioning powers to Managers near to the field level.

As per circular no. 47/96-OPD(C), Dated 29.7.1996, the Regional Managers are competent and authorized to sanction the following amounts as compensation to the legal heirs of the deceased and the victims sustaining permanent disability in accidents involving vehicles of the Corporation.

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| I. | In case of death of a : | |
| | a) Passenger | Rs. 70,000/- |
| | b) Other road user | Rs. 60,000/- |
| II. | In case of permanent total disability of a passenger or other road user | Rs.30,000/- |

But the above delegation of powers were revised and the details are as follows.

As per the delegation of powers 2005, Operational (Traffic) Matters, Section 3, item no. 9b, powers for out side court settlements.

In case of death or permanent total disability of a passenger or other road user	Board MD ED (Z) RM (vide Board resolution no. 135/01 Dt. 27.9.01)	Full powers Upto Rs. 1,50,000/- Upto Rs. 1,25,000/- Upto Rs. 1,00,000/-
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As per the delegation of powers 2005, Legal Matters, section-2, item no. 9a.

Payment of claims agreed for settlement in Lok Adalat	MD ED (Z) RM/HOD	Powers to sanction upto Rs.2.00 lakhs Powers to sanction upto Rs. 1,25,000/- Powers to sanction upto Rs. 1.00 lakh (vide Board Resolution no. 34/02 Dt.22.3.02)
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As per the delegation of powers, 2005, "Legal Matters" Section-2, item no. 9.

Payment of claims Decreed by Courts of Law	MD ED(Z) RM/HOD	Full powers Powers to pay decretal amounts upto Rs. 2.00 lakhs subject to opinion from Law Department. Powers to pay decretal amounts upto Rs. 1,00,000/- subject to opinion from Law Department.
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As per the above delegation of powers, the Regional Managers can settle the accident claims up to Rs. 1 lakh under out of court including Lok Adalaths.

Since most of the dependents / victims of the accidents are ignorant of the provisions of out of court settlement provided by the Corporation and as they are approaching the Courts of Law, the Depot Manager concerned should send a letter to the legal heirs of the deceased / injured person duly apologizing for the loss sustained by them and expressing Corporation's concern for their well-being. The DM should also explain and try to convince them to get the compensation claims settled outside the purview of the Courts subject to furnishing of all relevant details, forms and formalities, which are necessary for completion of such settlement. The Depot Manager should not make it an empty formality but should try to encourage the affected persons for out of court settlements, obtain their consent and process the case quickly, to the Committee. This action should be completed within a month.

As the Regional Manager is the competent authority to settle the claim in out side court, he is deleted from the compensation settlement committee and a new Committee is formulated in each Region with the following officials for settlement of the compensation claims.

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| 1) | Dy.CTMs concerned | ... | Chairman |
| 2) | Dy.CAO/AO of the Region | ... | Member |
| 3) | Personnel Officer of the Region | ... | Member |

In respect of out of court settlements, the Committee should scrutinize the claim processed by the Depot Manager concerned and work out the quantum of amount payable towards compensation basing on the guidelines given in the Circular No.47/96-OPD©, Dt.29.7.1996. If necessary the Committee may also negotiate with the legal heirs in arriving at the sum proposed to be paid. The Committee should deliberate and make an objective assessment before any recommendation is made to authorities competent to sanction the agreeable amount. It should also scrutinize all such claims and the Dy.CTM shall present his case and ensure that such cases are settled as quickly as possible. The sanction of Regional Manager may be obtained in all such cases compromised upto a limit of Rs.1.00 lakh. For the amounts beyond Rs.1.00 lakhs and upto Rs.2.00 lakhs, cases be processed, through Regional Manager for obtaining the sanction of the competent authority.

The other conditions communicated vide Circular No.47/96-OPD©, Dt.29.7.1996 stand good.

These instructions be followed scrupulously in settlement of claims expeditiously.

Please ack.

Sd/-
DINESH REDDY
VICE CHAIRMAN &
MANAGING DIRECTOR

To
All Regional Managers,
A.P.S.R.T.C.

Copy to Director (V&S), FA , CAO - for information.
Copy to all Executive Directors - for information.
Copy to all HODs - for information.
Copy to Sr.Law Officer - for information.
Copy to all DVMs/DY.CTMs - for information
Copy to Dy.CPMs/POs - for information.
Copy to all Principals ZSTCs - for information.
Copy to all Law Officers - for information.
Copy to all Depot Managers - for information.

//ATTESTED//

EXECUTIVE DIRECTOR (O&MIS)