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No.: F-4(203)/RSLSA/SS(M&A)/MAC-Guidelines/2024/10423

Date: 07.09.2024

**RSLSA Guidelines 2024**  
**for**  
**Settlement of MACT Cases in Lok Adalats**

***“The expeditious disposal of claims of poor victims of road accidents would be a service to mankind.”***

In order to facilitate the settlement of MACT Cases in National Lok Adalats, Rajasthan State Legal Services Authority (RSLSA) had issued guidelines on 16.11.2017 wherein different amount of compensation with reference to injury suffered by the persons were provided. Some modifications were made in these guidelines in the year 2018 and 2021, however substantially the guidelines issued on 16.11.2017 remained same.

Hon'ble Mr. Justice Pankaj Bhandari, Executive Chairman RSLSA convened a meeting with the officers of RSLSA and after detailed deliberations, issued directions to propose new guidelines to address the inflation during past 07 years, judicial pronouncements, unaddressed nature of injuries and various other factors to make the guidelines pragmatic in implementation and to prompt the litigants to settle the disputes in Lok Adalats.

In pursuance to above, the existing guidelines were thoroughly reviewed by making modifications and incorporations and the same were communicated on 21.08.2024 to all the Nationalized and Private Insurance Companies operating in the State of Rajasthan with the request to submit their view points and suggestions. In response thereof, 04 major Insurance Companies viz. The New India Assurance Co. Ltd., The Oriental Insurance Co. Ltd., United India Insurance Co. Ltd. and National Insurance Co. Ltd.

submitted their written response/suggestions whereby broadly consenting to the proposed modifications and new incorporations while suggesting changes in the amount of compensation on some heads. Besides above 04 Insurance Companies, no other Insurance Company came forward with any suggestion or any objection and thus passively consented to the modifications and incorporations.

After receiving above suggestions and objections, all the Nationalized and Private Insurance Companies operating in the State of Rajasthan were again invited vide communication dated 02.09.2024 to participate in the deliberations to finalize the new guidelines and a meeting with the Insurance Companies was convened on 06.09.2024 which was participated by the authorized representatives of above 4 major Insurance companies and Iffco Tokio General Insurance Co. Ltd.

In the meeting dated 06.09.2024, extensive deliberations were held with the Insurance Companies and their Advocates and with their consent, in suppression of all the previous guidelines, new guidelines for settlement of MACT cases in Lok Adalats are being issued as under after approval and concurrence of Hon'ble the Executive Chairman RSLSA:-

S.No.	Nature of cases	Amount of compensation	
<b>A.</b>	<b>SIMPLE INJURY CASES</b>		
	Simple Injury	Rs. 3,500/- for each simple injury	Actual medical expenses supported by Medical Bills
<b>B.</b>	<b>GRIEVOUS INJURY CASES</b>		
a.	Fracture of both Tibia and Fibula with hospitalisation. "Tibia (Shin Bone) and Fibula (Calf Bone)"	Rs. 70,000	Medical Bills + Hospitalisation @ Rs. 600 per day
b.	Fracture of only Fibula	Rs. 35,000	Medical Bills + Hospitalisation @ Rs. 600 per day
c.	Fracture of both the lower limbs	Rs. 70,000	Medical Bills + Hospitalisation @ Rs. 600 per day

d.	Fracture of both upper limbs	Rs. 65,000	Medical Bills + Hospitalisation @ Rs. 600 per day
e.	Fracture of single lower and upper limb	Rs. 65,000	Medical Bills + Hospitalisation @ Rs. 600 per day
f.	Fracture on other part of body	Rs. 25,000/- for each fracture (as per nature of fracture)	Medical bills upto Rs. 10,000/- supported by prescription,  Above Rs. 10,000/- verifications by Doctor in Court + Hospitalisation @ 600 per day
g.	In case of facial disfigurement of victim.	Rs. 35,000 + Rs. 10,000 per fracture of facial bone	Medical Bills + Hospitalization @ Rs. 600/- per day
h.	Loss of vision of one eye	Rs. 50,000/-	Medical Bills + Hospitalisation @ Rs. 600 per day
i.	Loss of Jaw or Teeth's	Rs. 5,000/- + Rs. 1,000 for loss of every tooth	Medical Bills + Hospitalisation @ Rs. 600 per day
j.	Fracture of Bones associated with moment of wrist, elbow, knee, ankle and has impaired the smooth and normal functioning of body such as ball and socket joint of hip bone or shoulder joint, hinge joint of knee or elbow or ankle, saddle joint of wrist	Rs. 25,000/- for each such fracture (payable only in case no permanent disability has been caused and no such compensation has been demanded on account of permanent disability).	Medical Bills + Hospitalization @ 600 per day
k.	Skull fracture (Grievous in nature)	Rs. 1,00,000/-	Medical Bills + Hospitalisation @ Rs. 600 per day
<b>C.</b>	<b>PERMANENT DISABILITY</b>		
	<b>% of Permanent Disability</b>	<b>Compensation according to %age of disability</b>	
1.	Upto 10%	Rs. 35,000 + Rs. 3,500 for each % of disability	Medical expenses + hospitalisation @ 600 per day
2.	More than 10% upto 25%	Rs. 35,000 + Rs. 4,500 for each % of disability	Medical expenses + hospitalisation @ 600 per day



3.	More than 25% upto 50%	Rs. 35,000 + Rs. 5,500 for each % of disability	Medical expenses + hospitalisation @ 600 per day
4.	More than 50%	Rs. 35,000 + Rs. 6,500 for each % of disability	Medical expenses + hospitalisation @ 600 per day

**Illustrations:** (1) For example, if a victim suffers 7% disability, then he/she will get  $35000+24500(3500 \times 7) = 59500$  + Medical Expenses + Rs 600 per day for hospitalization+ attendant Charges @ 300/-per day.

(2) For example, if a victim suffers 18% disability, then he/she will get  $35000+81000(4500 \times 18) = 116000$  + Medical Expenses + Rs 600 per day for hospitalization+ attendant Charges @ 300/-per day.

(3) For example, if a victim suffers 40% disability, then he/she will get  $35000+220000(5500 \times 40) = 255000$  + Medical Expenses + Rs 600 per day for hospitalization+ attendant Charges @ 300/-per day.

#### D. OTHER IMPORTANT HEADS OF COMPENSATION UNDER INJURY CASES

1.	<b>For pain and suffering (Age of the injured Claimant)</b>		
a.	Upto 30 years	25% of total Award (Excluding Medical Bills/Medical Expenses).	
b.	Above 30 years upto 40 years	20% of total Award (Excluding Medical Bills/Medical Expenses).	
c.	Above 40 years upto 50 years	17.50% of total Award (Excluding Medical Bills/Medical Expenses).	
d.	Above 50 years upto 60 years	15% of total Award (Excluding Medical Bills/Medical Expenses).	
e.	Above 60 years	12.5 % of total Award (Excluding Medical Bills/Medical Expenses).	
2.	Loss of income	In proved income cases where medical leave record is provided by the claimant.	Private employment and daily wages @ Rs. 700 per day for the hospitalisation period.
3.	Attendant Charges	Rs. 300/- per day	

E.	DEATH CASES		
1.	In case of stable and permanent job	<p>Net salary after income tax is to be taken as base amount of salary and amount should be calculated in the light of dependency and multiplier provided in the Pranay Sethi case.</p> <p>In proved income cases, following should be deducted from the income:</p> <ul style="list-style-type: none"> <li>(a) Functional allowance</li> <li>(b) Bonus</li> <li>(c) Incentive/Awards</li> <li>(d) Variable Heads of income</li> </ul>	
2.	In case of unproved income or Self-employed and non-permanent	Deduction in self-expenses and multiplier according to Sarla Verma case.	
3.	For unproved income	Applicable minimum wages in the state of Rajasthan as on date of accident is to be considered for computation of compensation	
4.	In case of death of bachelor	Deduction of 50% for self-expenses is to be considered and multiplier is to be taken on the basis of age of deceased.	
5.	In case of death of Homemaker Or House Wife	Applicable minimum wages in the state of Rajasthan as on date of accident is to be considered for computation of compensation.	

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<b>6.</b>	<b>IN CASE OF CHILD DEATH</b>		
a.	Upto age of 5 years	Rs. 3.50 Lacs	
b.	Between 5 to 10 years	Rs. 4.50 Lacs	
c.	Between 10 years to 15 years	Rs. 5.00 Lacs	As per the judgement of Hon'ble Supreme Court in Kishan Gopal.
d.	In case of death of a student (Above 15 years to 21 years)	Rs. 6.5 Lacs	
<b>F.</b>	<b>OTHER IMPORTANT COMPONENT OF COMPENSATION</b>		
1.	Other consideration in death cases	According to judgement of NIC Ltd. Vs. Pranay Sethi	
2.	Future prospects	According to judgement of NIC Ltd. Vs. Pranay Sethi	
3.	Consortium	As per latest judgement(s) of Hon'ble Supreme Court	
4.	Funeral expenses	Rs. 18,000/-	
5.	Loss of estate	Rs. 18,000/-	
<b>G.</b>	<b>INTEREST</b>		
		All payments shall be made within 03 months from the date of award provided that simple interest @ 3% per annum shall be paid on settlement amount from the date of filing of the petition in MACT till the payment is made but if the payment is not made within 03 months from the date of award, interest @ 7% shall be paid till payment is made. The claimant shall provide the copy of insurance policy, if the same is in possession of claimant.	

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**Note:** No compromise in cases where-

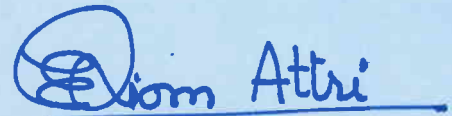
**For High Court cases:**

- Company in exonerated in lower court.

**For Tribunal Cases:**

- Where breach of policy conditions is there.
- Liability is not admissible as per law or coverage in the policy.
- There is any suspected manipulation or false involvement of vehicle.
- Delay in FIR (unless supported by documentary evidence to establish the accident and involvement of insured vehicle)  
Decision to be based on merits of the case.

The above guidelines are in supersession of all earlier guidelines. These guidelines are being issued to reach at a just compensation and are illustrative and not exhaustive. The concerned officials are at liberty to take decision of their own on the merits of the case and keeping in view the broad parameters laid down in these guidelines.



**(Hari Om Attri)**

Member Secretary

Rajasthan State Legal Services Authority