

## HARYANA GOVERNMENT

## TRANSPORT DEPARTMENT

## Notification

The 1st March, 2013

**No. 12/92/2012-6T(1).**— In exercise of the powers conferred by Section 176 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), and with reference to Haryana Government, Transport Department, Notification No. 12/92/2012-6T (1) dated the 10th January, 2013, the Governor of Haryana hereby makes the following rules further to amend the Haryana Motor Vehicles Rules, 1993, namely:—

1. These rules may be called the Haryana Motor Vehicles (Amendment) Rules, 2013.
2. In the Haryana Motor Vehicles Rules, 1993 (hereinafter called the said rules), for rule 203, the following rule shall be substituted, namely:—

**“203. Application for claims for compensation. [Sections 166 and 176(b)]-** (1) Every application for claims of compensation to be made under section 166 shall be in Form No. 48 and shall be accompanied by spare copies equal to the number of respondents cited in the claim application.

(2) There shall be appended to each application,—

- (a) all the documents on which the applicant relies in context of his claim, entered in a properly prepared list of documents:

Provided that the Claims Tribunal may not allow the applicant to rely in support of his claim, on any document not filed with the application, unless it is satisfied that for good or sufficient cause, he was prevented from filing such document earlier;

- (b) proof of identity of the applicant (s) to the satisfaction of the Claims Tribunal, unless exempted from doing so for reasons to be recorded in writing by it;
  - (c) passport size photograph(s) of the applicant(s) duly attested by an Advocate or Gazetted Officer;
  - (d) reports obtained from investigating police officer and registering authority and if no such report(s) have been obtained, reasons thereof;
  - (e) in case of injuries, medical certificate of injuries, or the effect thereof and in case of death, copy of post mortem report, if any.
- (3) The Claims Tribunal may also require the applicant to furnish the following information to satisfy itself that spurious or a collusive claim has not been preferred, namely:—
- (a) full particulars of all earlier accidents in which the applicant or the person deceased, as the case may be, has been involved;
  - (b) the amount of compensation paid in such earlier accidents, name and particulars of the victim, and of the person who paid the damages; and
  - (c) connection of persons mentioned in clause (b), if any, with the applicant.
- (4) Any application which is found defective on scrutiny may be returned by the Claims Tribunal for being re-submitted after removing the defects within a specified period not exceeding two weeks.
- (5) Every application for compensation shall be entered into a separate register”.

3. In the said rules, after rule 203, the following rules shall be inserted, namely:—

**“203-A. Assistance by investigating police officer to Claims Tribunal in motor accident cases. [Section 176(b)].-** (1) The investigating police officer shall assist the Claims Tribunal by using modern technology of accident investigation including the following, as expeditiously as possible to—

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- (a) inspect the site of accident, get the scene of accident photographed from all angles as to clearly depict and prepare a site plan, drawn to scale, as to indicate the lay-out and width, etc. of the road(s) or place, as the case may be, the position of vehicle(s) or person(s) involved, collect such other facts as may be relevant so as to preserve the evidence in this regard, and conduct spot enquiry by examining the eye witnesses;
  - (b) gather full particulars and documents,—
    - (i) date, time and place of the accident;
    - (ii) particulars of the deceased or persons injured in the accident;
    - (iii) name and address of the driver of the offending vehicle;
    - (iv) copy of driving licence of the driver of the offending vehicle;
    - (v) name and address of the owner of the offending vehicle;
    - (vi) copy of certificate of registration of the offending vehicle;
    - (vii) copy of insurance policy/insurance certificate of the offending vehicle;
    - (viii) copy of certificate of fitness and the permit in the case of a transport vehicle;
    - (ix) report under section 173 of the Code of Criminal Procedure, 1973, First Information Report, Photographs of the accident site, site plan, seizure memos;
    - (x) names and addresses of the witnesses of the accident;
    - (xi) circumstances of the occurrence of the accident;
    - (xii) in case of death,—
      - (i) copy of proof of age of the deceased;
      - (ii) death certificate;
      - (iii) post mortem report;
      - (iv) proof of income of the deceased;
      - (v) details alongwith proof of the dependents, *i.e.* their age, occupation and marital status;
      - (vi) expenditure incurred on treatment along with medical bills;
    - (xiii) in case of an injury,—
      - (i) Medico Legal Certificate (MLC);
      - (ii) copy of proof of age of the injured;
      - (iii) proof of income of the injured;
      - (iv) nature of injuries suffered;
      - (v) treatment taken by the injured including the medical bills and discharge summary;
      - (vi) disability certificate, if issued by a Government Hospital;
      - (vii) expenditure incurred on treatment, conveyance, special diet, attendant etc;
      - (viii) proof of absence from work [where loss of income on account of injury is being claimed] such as certificate from the employer and extracts from the attendance register or log record or like records;



- (c) verify the genuineness of the documents mentioned in clause (b) by obtaining confirmation in writing from the office or authority or person purporting to have issued the same or by such further investigation or verification as may be necessary;
- (d) collect and verify the documents mentioned in clause (b), complete the investigation of the case and file the Accident Information Report in Form 54 of the Central Motor Vehicles Rules, 1989 before the Claims Tribunal within thirty days of the accident, if the information is to be collected within State of Haryana accompanied by requisite documents mentioned in sub rule (b) and the confirmation report mentioned in sub rule (c). If the information is to be collected and verified from outside the State of Haryana the investigating police officer shall give a notice to the claimant for supplying the information within a period of fifteen days along with the necessary documents, duly signed by the claimant. If the claimant fails to supply the information then the intimation in this regard shall be given by the investigating police officer to the Claims Tribunal. Copy of the Accident Information Report shall simultaneously be furnished to the Insurance Company, victims/claimants of the accident and owner/driver of the offending vehicle. Where the Investigating Officer is unable to complete the investigation of the case within thirty days for reasons beyond his control, such as cases of hit and run accidents, cases where the parties reside outside the jurisdiction of the Court, where the driving licence is issued outside the jurisdiction of the Court, or where the victim has suffered grievous injuries and is undergoing treatment, the investigating police officer shall approach the Claims Tribunal for extension of time whereupon the Claims Tribunal shall suitably extend the time in the facts of each case;
- (e) submit report regarding an accident to the Claims Tribunal in Form 54 of the Central Motor Vehicles Rules, 1989, by not later than thirty days of the receipt of order in Form HR No. 48A, accompanied by requisite documents;
- (f) furnish to the applicant information and particulars about the accident in Form 54 of the Central Motor Vehicles Rules, 1989, within thirty days, on receiving the application in Form HR.No. 48B by the person who wishes to make an application for compensation and who is involved in an accident, or his next of kin, or the legal representative of the deceased, or the insurance company, as the case may be:

Provided that such information shall be given to the insurance company on payment of a fees of rupees ten only per page.

(2) The duties enumerated in sub-rule (1) shall be construed as if they are included in Section 47 of the Haryana Police Act, 2007 (28 of 2007) and any breach thereof shall entail consequences envisaged in that law".

**203-B. Duties of the registering authority. [Section 176(b)].-** It shall be the duty of the concerned registering authority to—

- (a) submit a detailed report in Form HR.No. 48C to the Claims Tribunal regarding a motor vehicle involved in an accident or licence of the driver thereof within fifteen days of the receipt of order in Form HR.No. 48D;
- (b) furnish within fifteen days, the requisite information in Form HR.No. 48C on receiving the application in Form HR.No. 48E, by the person who wishes to make an application for compensation or who is involved in an accident arising out of use or his next of kin, or to the legal representative of the deceased or to the insurance company, as the case may be:

Provided that information shall be given to the insurance company on payment of rupees ten only per page.

**203-C. Assistance by the insurance company. [Section 176(b)].-** The Divisional Manager of the insurance company shall assist the Claims Tribunal as expeditiously as possible, and,—

- (a) move an application in Form HR.No. 48B before the investigating police officer with prescribed fees and gather full information about the accident, at the earliest, after receiving information about it, or on receipt of notice from the Claims Tribunals under rule 206;



- (b) ascertain and verify facts about insurance of motor vehicle(s) involved in the accident and confirm the same to the Claims Tribunal within thirty days of receiving notice of the claim case;
- (c) move application before the concerned registering authority in Form HR.No. 48E and gather information about the motor vehicle(s) involved and the driving licence(s) held by the driver(s) thereof as per details mentioned in Form HR.No. 48C;
- (d) deposit with the written statement in the Claims Tribunal, the amount equivalent to the compensation, awardable on the principle of no fault liability under section 140 of the Act in such cases where the information received in Form 54 of the Central Motor Vehicles Rules, 1989 and Form HR. No. 48C confirms death or permanent disability to have been caused as a result of the use of the motor vehicle covered by the insurance certificate/policy issued by it.

**203-D. Presumption about reports. [Section 176(b)].-** The contents of reports submitted to the Claims Tribunal in Form 54 of the Central Motor Vehicles Rules, 1989 and Form HR.No. 48C by investigating police officer and concerned registering authority respectively, and confirmation under clause (b) of rule 203-C by the insurance company shall be presumed to be correct, and shall be read in evidence without formal proof, till proved to the contrary.

**203-E. Police report under Sub-section (6) of Section 158 of the Act and action thereon [Section 176(b)].-** (1) The police report referred to in sub-section (6) of section 158 shall be in Form HR. No.54 of the Central Motor Vehicles Rules, 1989.

- (2) On receipt of report mentioned in sub-rule (1), accompanied by verification reports of driving licence, registration certificate of motor vehicle, insurance, permit etc., the Claims Tribunal shall go through the same and may call for such further information or material as considered necessary for proper and effective action in accordance with sub-section (4) of section 166 of the Act.
- (3) The Claims Tribunal after examination of the report, further information /material, if called for, shall register the claim case thereon and, then, issue notice for appearance to all parties concerned, which would include the victim(s) of the accident, or his legal representative(s), as the case may be, driver, owner and insurer of the vehicle(s) involved, in Form HR.No. 48F.
- (4) On receipt of notice, the parties mentioned in the forgoing provision would be required to appear and declare if any claim case had either been preferred, or was being preferred in respect of the same cause of action, and if so, the police report treated as claim case would be tagged to such claim case preferred independently by the parties.
- (5) If the person(s) injured, or legal representative(s) of the person(s) deceased do not appear in response to the notice aforementioned in the manner indicated above, the Claims Tribunal may presume that the said parties were not interested in pursuing the claim for any compensation in such proceedings, and on such presumption it shall close the case.
- (6) Unless the police report treated as claim case stands tagged to independent claim case preferred by the parties themselves, the Claims Tribunal shall call upon the person(s) injured or legal representative(s) of the person(s) deceased, as the case may be, and who may have appeared in response to the notice, to submit statement of facts regarding compensation, if any, claimed by them, which statement of facts shall be along the lines required to be furnished in application in Form HR.No. 48.
- (7) If statement of facts about compensation claimed and basis thereof are furnished by the parties in the manner indicated in sub-rule(6), the case shall be further proceeded with in the same manner as required to deal with applications moved by the parties for compensation directly before the Claims Tribunal.
- (8) If after statement of facts about compensation claimed has been furnished by the party, which subsequently commits default in appearance, the provisions of Order IX of the Code of Civil Procedure, 1908(5 of 1908) would apply:



Provided that in case accident in question involves more than one vehicle and persons connected to all such vehicles stake claim for compensation, the police report treated as claim case shall be presumed to be a claim case preferred by each of them and absence by any one or more of such parties shall not prejudice or affect the claim of the party which continues to appear."

4. In the said rules, for rule 206, the following rules shall be substituted, namely:—

**"206. Notice to parties involved. [Sections 169 and 176(b)].**— If the application for claim is not dismissed under rule 205, the Claims Tribunal shall send to the person against whom the applicant claims relief (hereinafter referred to as 'opposite party'), a copy of the application along with all the documents filed by applicant under rule 203 together with a notice in Form HR.No. 48G of the date on which it will hear the application, and may call them upon to file on that date a written statement as per rule 207 in answer to the application:

Provided that if documents filed by the applicant are voluminous and insistence on providing copies thereof would be unnecessarily expensive or cumbersome, the Claims Tribunal may dispense with the requirement to send copies thereof to the opposite parties".

5. In the said rules, for rule 207, the following rule shall be substituted, namely:—

**"207. Appearance and examination of the parties. [Sections 169 and 176(b)].**—(1) The opposite party shall at or before the first hearing, or within such further time as the Claims Tribunal may allow, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.

(2) The opposite party shall file with his written statement, all the documents in support of all facts on which he relies in context of his defence of the application, duly entered in a properly prepared list of documents and shall give to the applicant copies of the written statement, documents provided that the Claims Tribunal may not allow the opposite party to rely in support of his defence on any document not filed along with the written statement unless it is satisfied that, for good or sufficient cause, he was prevented from filing such document earlier.

(3) If the opposite party contests the claim, the Claims Tribunal may and if no written statement has been filed, it shall, proceed to examine him upon the claim and shall reduce the substance of the examination to writing.

(4) The Claims Tribunal may also require the opposite parties to furnish the following information:—

- (a) full particulars of all earlier accidents in which such party may have been involved, and in which the claims have been awarded at least in part;
- (b) the amount of compensation paid in such earlier accidents, the name(s) and address(es) of the victims and of the persons who paid the damages; and
- (c) relation of persons mentioned in clause (b), if any, with the opposite party".

6. In the said rules, for rule 208, the following rule shall be substituted, namely:—

**"208. Summoning of witness. [Sections 169 and 176(b)].**— If an application is presented by any party to the proceeding for the summoning of witnesses, the Claims Tribunal shall, on payment of the expenses involved, if any, issue summons for the appearance of such witness unless it considers that their appearance is not necessary for a just decision of the case:

Provided that if in the opinion of the Claims Tribunals, the party is financially poor, it may not insist on the payment of the expenses involved and the same shall be borne by the Government:

Provided further that in case where the party succeeds in whole or in part, the expenses so incurred by the Government shall be directed to be paid to the Government by the opposite party".



7. In the said rules, for rule 210, the following rule shall be substituted, namely:—

**“210. Local inspection. [Sections 169 and 176(b)].—** (1) The Claims Tribunal may, at any time during the course of any proceedings before it, visit the site at which accident occurred for the purpose of making a local inspection or examination of any person likely to be able to give information relevant to the enquiry.

(2) Any party to a proceeding or the representative of any such party may accompany the Claims Tribunal for local inspection.

(3) The Claims Tribunal, after making a local inspection, shall note briefly in a memorandum the facts observed and such memorandum shall form part of the record of the proceedings.

(4) The memorandum referred to in sub-rule (3) may be shown to any party to the proceedings who desires to see it and a copy thereof may on application be supplied to any such party, at the rate of rupees two per page.

(5) The Claims Tribunal may, if any journey is undertaken for the purpose specified in this rule at the instance of a party, require the party, to deposit beforehand an amount equivalent to the actual expenses likely to be incurred by it and its staff for the purpose, and draw only the amount so deposited by the parties to meet all the incidental expenditure in connection with such journey.”

8. In the said rules, after rule 213, the following rule shall be inserted, namely:—

**“213-A. Obtaining of supplementary information and documents.—** The Claims Tribunal shall obtain whatever supplementary information and documents, which may be found necessary from the police, medical, insurance and other authorities and proceed to adjudicate upon the claim whether the parties who were given notice appear or not on the appointed date.”

9. In the said rules, after rule 215, the following rule shall be inserted, namely:—

**“215-A. Power to direct medical examination. [Sections 169 and 176(b)].—** The Claims Tribunal may, if it considers necessary, direct, in Form HR.No. 48H any medical officer or any board of medical officers in a government or municipal hospital to examine the injured and issue certificate indicating the degree and extent of the disability, if any, suffered as a result of the accident and it shall be the duty of such medical officer or board to submit the report within fifteen days of receipt of direction.”

10. In the said rules, for rule 217, the following rule shall be substituted, namely:—

**“217. Determination of issues. [Sections 169 and 176(b)].—** (1) After framing the issues the Claims Tribunal shall proceed to decide them after allowing both parties to cross examine each other and the deponents mentioned in the application and the written statement and in doing so, it shall follow provision of Order XIX of the Code of Civil Procedure, 1908 (5 of 1908).

(2) The Claims Tribunal may, if it appears to it to be necessary for just decision of the case, allow the parties to adduce such further evidence as each of them may desire to produce:

Provided that no such further opportunity shall be permitted unless it is shown that such further evidence could not be adduced earlier, despite exercise of due diligence by, or that such evidence was not within the knowledge of the party relying on it.”

11. In the said rules, for rule 219, the following rule shall be substituted, namely:—

**“219. Judgment and award of compensation. [Sections 169 and 176(b)].—** (1) The Claims Tribunal in passing order, shall record concisely in a judgment the findings on each of the issues, framed and the reasons for such findings and make an award specifying the amount of compensation to be paid by the insurer and also the person to whom compensation shall be paid.

(2) Where compensation is awarded to two or more persons, the Claims Tribunal shall also specify the amount payable to each of them.



- (3) The procedure of adjudicating the liability and award of compensation may be set apart from the procedure of disbursement of compensation to the legal heirs in a case of death, and where the Claims Tribunal feels that the actual payment to the claimant is likely to take some time because of the identification and determination of legal heirs of the deceased, the Claims Tribunal may call for the amount of compensation awarded to be deposited with it, and, then, proceed with the identification of the legal heirs for disbursing payment of compensation to each of the legal heirs equitably.
- (4) The Claims Tribunal shall, obtain a receipt from the claimant in duplicate, one copy to be issued to the person who makes the payment and the other to be retained on the record while handing over the payment."

12. In the said rules, after rule 219, the following rule shall be inserted, namely:—

**"219-A. Securing the interest of claimants. [Section 176(b)].-** (1) Where any lump-sum amount deposited with the Claims Tribunal is payable to a person under legal disability, such sum may be invested, applied or otherwise dealt with for the benefit of such person during this disability in such manner as the Claims Tribunal may direct to be paid to any dependent of the injured or heirs of the deceased or to any other person whom the Claims Tribunal thinks best fitted to provide for the welfare of the injured or the heir of the deceased.

- (2) Where on application made to the Claims Tribunal in this behalf or otherwise, the Claims Tribunal is satisfied that on account of neglect of the children on the part of the parents, or on account of the variation of the circumstances of any dependent, or for any other sufficient cause, an order of the Claims Tribunal as to the distribution of any sum paid as compensation or as to the manner in which any sum payable to any such dependent is to be invested applied or otherwise dealt with, ought to be varied, the Claims Tribunal may make such further orders for the variation of the former order as it thinks just in the circumstances of the case.
- (3) The Claims Tribunal shall, in the case of minor, order that amount of compensation awarded to such minor be invested in fixed deposits till such minor attains majority. The expenses incurred by the guardian or the next friend may be allowed to be withdrawn by such guardian or the next friend from such deposits before it is deposited.
- (4) The Claims Tribunal shall, in the case of illiterate claimants, order that the amount of compensation awarded be invested in fixed deposits for a minimum period of three years, but if any amount is required for effecting purchase of any moveable or immoveable property for improving the income of the claimant, the Claims Tribunal may consider such a request after being satisfied that the amount would be actually spent for the purpose and the demand is not a ruse to withdraw money.
- (5) The Claims Tribunal shall, in the case of semi-literate person resort to the procedure for the deposit of award amounts set out in sub-rule(4) unless it is satisfied, for reasons to be recorded in writing that the whole or part of the amount is required for the expansion of any existing business or for the purchase of some property as specified and mentioned in sub-rule (4) in which case the Claims Tribunal shall ensure that the amount is invested for the purpose for which it is prayed for and paid.
- (6) The Claims Tribunal may in the case of literate persons also resort to the procedure for deposit of awarded amount specified in sub-rule (4) and (5) if having regard to the age, fiscal background and state of society to which the claimant belongs and such other consideration, the Claims Tribunal in the larger interest of the claimant and with a view to ensuring the safety of the compensation awarded, thinks it necessary to order.
- (7) The Claims Tribunal, may in personal injury cases, if further treatment is necessary, on being satisfied, which shall be recorded in writing, permit the withdrawal of such amount as is necessary for the expenses of such treatment.



- (8) The Claims Tribunal shall, in the matter of investment of money, have regard to a maximum return by ways of periodical income to the claimant and make it deposited with public sector undertakings of the State or Central Government which offers higher rate of interest.
- (9) The Claims Tribunal shall, in investing money, direct that the interest on the deposits be paid directly to the claimants or the guardian of the minor claimants by the institutions holding the deposits under intimation to the Claims Tribunal."

13. In the said rules, for rule 221, the following rule shall be substituted, namely:—

**"221. Form and manner of appeals against the award of the Claims Tribunal. [Sections 173 and 176(b)].-** (1) Every appeal against the judgment of the Claims Tribunal shall be preferred in the form of a memorandum signed by the applicant or the advocate duly empowered by him in this behalf, and presented to the High Court and shall be accompanied by a copy of the judgment.

(2) The memorandum shall set forth concisely and under distinct heads, the grounds of objections to the judgment appealed from without any argument or narrative, and such grounds shall be numbered consecutively.

(3) Save as provided in sub-rules (1) and (2), the provisions of Order XLI and XXI in the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908) shall mutatis mutandis apply to appeals preferred to High Court under section 173 of the Act".

14. In the said rules, for rule 222, the following rule shall be substituted, namely:—

**"222. Fees. [Section 176(b)].—** (1) No court fee stamps shall be leviable on an application under Section 166 for payment of compensation.

(2) The amount of the court fee to be charged for inspecting the files shall be twenty rupees for first hour and ten rupees for every subsequent hour for each case.

(3) The carbon copies of the evidence shall be given to the parties concerned, if asked for on payment of court fee stamps of rupees two per page and application for obtaining such copies shall bear court fee stamp of rupees ten.

(4) An amount of rupees two per page shall be charged in the form of court fee stamps for obtaining an attested copy of the award on final order or an intermediate order of any documents filed with the Claims Tribunal".

15. In the said rules, after rule 223, the following rule shall be inserted, namely:—

**"223-A. Custody and preservation of records, Registers and Certified copies. [Section 176].-** (1) The necessary documents and records relating to the cases shall be preserved in the record room for a period of six years of the satisfaction of the award, if any granted, or for a period of twelve years after the judgment and award become final, whichever is earlier.

(2) The Claims Tribunal shall maintain in addition to all registers required to be maintained by a court of Additional District Judge in Haryana, the following registers:-

(i) Register for applications for interim award on principle of no fault liability;

(ii) Register for deposit of payments in the Tribunal through cheques, etc;

(3) Claim petitions on the ground of death, permanent disability, injury and damage to property shall be entered in a separate register.

(4) The rules relating to the issue of certified copy as in force in Haryana for the courts subordinate to the High Court shall mutatis mutandis apply in the case of the Claims Tribunal."

16. In the said rules, for Form 48, the following form shall be substituted, namely:—



## "FORM HR No. 48

(See rule 203)

## Form of application for compensation to the Motor Accident Claims Tribunal

Photograph of  
claimant/s

To

The Motor Accidents Claims Tribunal,  
\_\_\_\_\_

Sir,

I, \_\_\_\_\_, son/daughter/wife/widow of \_\_\_\_\_ residing at \_\_\_\_\_ having been injured in motor vehicle accident hereby apply for the grant of compensation for the injury sustained. Necessary particulars in respect of the injury, vehicle, etc. are given below:—

I/We \_\_\_\_\_ father/mother/son(s)/daughter(s)/widow of \_\_\_\_\_ residing at \_\_\_\_\_ hereby apply as legal representative(s) for the grant of compensation on account of death of Shri/Shrimari/Kumari \_\_\_\_\_/injury sustained by Shri/Shrimati/Kumari \_\_\_\_\_ who died/was injured in a motor vehicle accident. Necessary particulars in respect of the deceased/injured and the vehicles, etc., are given below:—

1. Name and father's name of the person injured/dead. (Husband's name in the case of married woman and widow). \_\_\_\_\_
2. Full address of the person injured/dead. \_\_\_\_\_
3. Age of the person injured/dead. \_\_\_\_\_
4. Occupation of the person injured/dead. \_\_\_\_\_
5. Name and address of the employer of the deceased, if any. \_\_\_\_\_
6. Monthly income of the person injured/dead. \_\_\_\_\_
7. Does the person in respect of whom compensation is claimed pay income tax? If so, state the amount of the income tax (to be supported by documentary evidence). \_\_\_\_\_
8. Place, date and time of the accident. \_\_\_\_\_
9. Name and address of police station in whose jurisdiction the accident took place or was registered. \_\_\_\_\_
10. Was the person in respect of whom compensation is claimed traveling by the motor vehicle involved in the accident? If so, give the name and place of starting of journey and destination. \_\_\_\_\_
11. Nature of injuries sustained and disablement, if any, caused. \_\_\_\_\_
12. Name and address of the Medical Officer/Practitioner, if any, who attended on the injured/dead. \_\_\_\_\_
13. Period of treatment and expenditure incurred thereon, if any, (to be supported by documentary evidence). \_\_\_\_\_



14. Registration No. and the type of the motor vehicle involved in accident \_\_\_\_\_
15. Name and address of the insurer of the motor vehicle \_\_\_\_\_
16. Name and address of the owner of the motor vehicle \_\_\_\_\_
17. Has any claim been lodged with the owner/insurer? If so, with what result \_\_\_\_\_
18. Name and address of the applicant \_\_\_\_\_
19. Relationship with the deceased/injured \_\_\_\_\_
20. Title to the property of the deceased/injured \_\_\_\_\_
21. Amount of compensation claimed and basis thereof \_\_\_\_\_
22. Whether report in prescribed form has been obtained from the police and registering authorities? (if so, to be annexed) \_\_\_\_\_
23. Whether documents mentioned in rule 203 are being annexed duly indexed (give details) \_\_\_\_\_
24. Any other information that may be necessary/helpful in the disposal of the claim. \_\_\_\_\_
25. Reasons or grounds for the late submission of the claim application on which condonation of delay is claimed \_\_\_\_\_
26. Cause of accident with brief description \_\_\_\_\_

Signature or thumb-impression of the applicant(s).

#### VERIFICATION

Verified at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ that the contents of the above application are true and correct to my/our knowledge and belief.

Signature or thumb-impression of the applicant (s).

Notes:— (1) Applicant shall furnish spare copies of the application equal to the number of respondents cited in the claim application for sending the same with notices to the respondents.

(2) The application is to be filed within six months of the occurrence of the accident and reasons be given for late submission of the application.

(3) The applicants may send their claim/applications through registered A.D. to the Motor Accidents Claims Tribunal".

17. In the said rules, after Form 48, the following Forms shall be added at the end, namely:—



"FORM HR No. 48A"

(See rule 203-A)

**Order to Investigating Police Officer**

BEFORE THE MOTOR ACCIDENTS CLAIMS TRIBUNAL \_\_\_\_\_ HARYANA

Case No: \_\_\_\_\_

TITLE: \_\_\_\_\_ Vs \_\_\_\_\_

Subject: F.I.R. No. \_\_\_\_\_

To

Station House Officer,

P.S. \_\_\_\_\_

**ORDER**

Whereas, the claim petition above mentioned seeking payment of compensation has been preferred in this Tribunal in connection with the accident which is stated to be subject matter of investigation by you through FIR particulars captioned above;

And, wherea, the law enjoins upon you to make available to the parties concerned under the provisions of section 160 of the Motor Vehicles Act, 1988 and to this Tribunal under the provisions of sub-section (6) of section 158 of the said Act read with rule 150 of the Central Motor Vehicles Rules, 1989 and rule 203-A of the Haryana Motor Vehicles Rules, 1993, document in the nature of-

- (1) Identification marks and other particulars of the vehicle which caused the accident;
- (2) Name and address of the person who was driving/using the same at the time of accident;
- (3) Name and address of the person who was injured, or description of property damage;
- (4) Copy of FIR;
- (5) Report under section 173 of the Code of Criminal Procedure, 1973 with documents annexed thereto viz., report/postmortem report, mechanical inspection report, photograph taken, site plan prepared, driving licence, registration certificate, permit, insurance policy, verification, if any, etc.;
- (6) Any other relevant document seized.

Now, therefore, you are hereby directed to send to this Tribunal information in Form 54 of the Central Motor Vehicles Rules, 1989, with clear legible photocopies of all the aforesaid documents duly attested under your personal signatures and bearing your official seal within fifteen days of the receipt of this communication.

Given under my hand and Seal, this \_\_\_\_\_ day of \_\_\_\_\_

MACT



## FORM HR No. 48B

(See rule 203-A and 203-C)

## Application to Investigating Police Officer

Case No: \_\_\_\_\_

TITLE: \_\_\_\_\_ Vs. \_\_\_\_\_

Subject: F.I.R. No. \_\_\_\_\_

To \_\_\_\_\_

Station House Officer,

P.S. \_\_\_\_\_

Sir,

Whereas, the applicant is a party, being the claimant/insurance company, in the claim petition above mentioned seeking payment of compensation in connection with the accident which is stated to be subject matter of Investigation through FIR particulars captioned above;

And, whereas, the law enjoins upon you to make available to the parties concerned under the provisions of Section 160 of the Motor Vehicles Act, 1988, read with rule 150 of the Central Motor Vehicles Rules, 1989 and rule 203-A of the Haryana Motor Vehicles Rules, 1993, documents in the nature of—

- (1) Identification marks and other particulars of the vehicle which caused the accident;
- (2) Name and address of the person who was driving/using the same at the time of accident;
- (3) Name and address of the person who was injured, or description of property damage;
- (4) Copy of FIR;
- (5) Report under section 173 of the Code of Criminal Procedure, 1973 with documents annexed thereto viz., report/postmortem report, mechanical inspection report, photograph taken, site plan prepared, driving license, registration certificate, permit, insurance policy, verification, if any, etc.;
- (6) Any other relevant document seized.

The under-signed, therefore, requests that the requisite information in Form 54 of the Central Motor Vehicles Rules, 1989, may kindly be furnished to him within fifteen days of the receipt of this communication.

Yours faithfully

( )  
full name and address.

Dated:



## FORM HR No. 48C

(See rule 203-B, 203-C and 203-D)

## Report of the Registering Authority

Case No: \_\_\_\_\_

TITLE: \_\_\_\_\_ Vs. \_\_\_\_\_

To

Motor Accidents Claims Tribunal,  
\_\_\_\_\_

Sir,

This is with reference to the order/application dated \_\_\_\_\_ in the above mentioned case. The requisite information is given below:—

## 1. Particulars of the vehicle:

- (a) Registration No:
- (b) Type of vehicle:
- (c) Make and model:
- (d) Engine No:
- (e) Chassis No:
- (f) Full name and address of the registered owner of the vehicle:

## 2. Particulars of driving licence:

- (a) Driving License No. and date of issue/expiry:
- (b) Name and address of license holder:
- (c) Particulars of issuing Authority:
- (d) Badge No. in case of public service vehicle:
- (e) Detailed report if the particulars mentioned are found not genuine:

## 3. Particulars of route permit:

- (a) Permit No. and date of expiry:
- (b) Name and address of permit holder:
- (c) Type of permit:

(Registering Authority)  
\_\_\_\_\_

Verified that the contents of above report are correct as per records of this office.

(Registering Authority)  
\_\_\_\_\_

Date:



## FORM HR No. 48D

(See rule 203-B)

## Order to Registering Authority

BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL \_\_\_\_\_ HARYANA.

Case No: \_\_\_\_\_

TITLE: \_\_\_\_\_ Vs \_\_\_\_\_

Subject: (i) Verification of Registration Certificate of Vehicle No. \_\_\_\_\_

Verification of Driving Licence No. \_\_\_\_\_

in respect of \_\_\_\_\_ valid up to \_\_\_\_\_ issued by

Licensing Authority \_\_\_\_\_

To,

Registering Authority  
\_\_\_\_\_

## ORDER

Whereas, the claim petition mentioned above seeking payment of compensation has been preferred in this Tribunal in connection with an accident allegedly involving motor vehicle, particulars of which are captioned above;

And, whereas, (1) the vehicle is stated to have been registered by office under your control, (2) the driving licence/permit aforesaid is stated to have been issued by office under your control;

And, whereas, the records relating to the said registration/driving licence/permit are required to be maintained by said officer under your control under the Central Motor Vehicles Rules, 1989;

And, whereas, requisite details relating to the documents aforesaid are required by this Tribunal for the purposes of inquiry under the provisions of section 168 of the Motor Vehicles Act, 1988 and which information you are bound to furnish in terms of Rule 149 of the Central Motor Vehicles Rules, 1989 read with Rule 203-B of the Haryana Motor Vehicles Rules, 1993.

Now, therefore, you are hereby directed to furnish to this Tribunal full particulars regarding the registration certificate/driving licence/permit aforesaid, with copies of documents in support duly attested by an authorized official and bearing official seal within fifteen days of the receipt of this communication.

Given under my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_

MACT



## FORM HR No. 48E

(See rule 203-B, 203-C)

## Application to Registering Authority

Case No: \_\_\_\_\_

TITLE: \_\_\_\_\_ Vs \_\_\_\_\_

To

The Registering Authority,  
\_\_\_\_\_

Subject: (1) Vehicle No. \_\_\_\_\_

(2) Permit No. \_\_\_\_\_

(3) Driving Licence No. \_\_\_\_\_

In respect of \_\_\_\_\_

Whereas, the undersigned has preferred/is a party in, the claim petition mentioned above seeking payment of compensation in connection with an accident allegedly involving Motor Vehicle, particulars of which are captioned above;

And, whereas (1) the vehicle aforesaid is stated to have been registered by office under your control, (2) the driving licence/permit aforesaid is stated to have been issued by office under your control (Strike out whichever is not applicable).

And, whereas the records relating to the said registration/driving licence/permit are required to be maintained by said officer under your control under the Central Motor Vehicles Rules, 1989;

And, whereas requisite details relating to the documents aforesaid are required by this Tribunal for the purposes of Inquiry under the provisions of Section 168 of the Motor Vehicles Act, 1988 and which information you are bound to furnish in terms of Rule 149 of the Central Motor Vehicle Rules, 1989 read with Rule 203-B of the Haryana Motor Vehicles Rules, 1993.

Now, therefore, the undersigned, requests that full particulars regarding the registration certificate/driving licence /permit aforesaid, with copies of documents in support duly attested under your personal signatures and bearing your official seal may be furnished within fifteen days of the receipt of this application.

(Applicant)

(Full name, particulars and address to be given)



## FORM HR No. 48F

(See rule 203-E)

## Notice for appearance to the parties.

BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL \_\_\_\_\_ HARYANA.

Case No: \_\_\_\_\_

TITLE: \_\_\_\_\_ Vs \_\_\_\_\_

## NOTICE

In RE: Police Report under Section 158(6) of the Motor Vehicles Act, 1988 treated as claim case under Section 166(4) of the Motor Vehicles Act, 1988.

Reference FIR No. \_\_\_\_\_ of P.S. \_\_\_\_\_

To

\_\_\_\_\_  
(Name, Description and Place of residence)

Whereas, a report under Section 158(6) of the Motor Vehicles Act, 1988 has been received from Station House Officer of Police Station mentioned above with reference to FIR registered by him as per particulars given above regarding an accident involving use of a motor vehicle;

AND, WHEREAS, the report aforementioned has been treated by this Claims Tribunal as a claim case in accordance with the provisions of Section 166 (4) of the Motor Vehicles Act, 1988, in which it appears necessary to call you upon to appear before the under signed for further proceedings in the matter at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_ (date).

Now, therefore, you are hereby given notice to appear before this Claims Tribunal in person or by a pleader duly instructed and able to answer all material questions relating to the claim case aforesaid on aforesaid date and time.

AND, as the date fixed for your appearance is appointed for hearing of the claim a case, you would be required to file on or before that date an undertaking disclosing full particulars of a claim case which may have either been preferred or being preferred in respect of the same cause of action by or against you.

Take notice that in default of your appearance on the date and time aforementioned, the claim case will be heard and determined in your absence.

Given under my hand and seal of this Tribunal on this \_\_\_\_\_ day of \_\_\_\_\_.

MACT



## FORM HR No. 48G

(See rule 206)

## Notice to opposite parties.

BEFORE MOTOR ACCIDENT CLAIMS TRIBUNAL \_\_\_\_\_ HARYANA

Case No: \_\_\_\_\_

TITLE: \_\_\_\_\_ Vs \_\_\_\_\_

## NOTICE

To

(Name, Description and Place of residence)

Whereas, \_\_\_\_\_ has instituted a Motor Accident Claim Case impleading you as Respondent \_\_\_\_\_ (Copies of the application alongwith documents filed enclosed), which case has been directed to be listed before this Tribunal for hearing at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_ (date).

Now, therefore, you are hereby given notice to appear before this Tribunal in person by a pleader duly instructed and able to answer all material questions relating to the claim case aforesaid on aforesaid date and time.

And, as the date fixed for your appearance is appointed for hearing of the claim case you may file on or before that date written statement dealing with the claim raised in the application, alongwith all the documents in support of all facts on which you rely in the context of your defence of the application, duly entered in a properly prepared list of documents, where after it shall not be permissible to rely on any further documents except as provided in Rule 207 of Haryana Motor Vehicles Rules, 1993.

Take notice that in default of your appearance on the date aforementioned the claim case will be heard and determined in your absence.

Given under my hand and seal of this Tribunal, this \_\_\_\_\_ day of \_\_\_\_\_

MACT



## FORM HR No. 48H

(See rule 215-A)

## Direction for Medical Examination

BEFORE MOTOR ACCIDENT CLAIMS TRIBUNAL \_\_\_\_\_ HARYANA

Case No: \_\_\_\_\_

TITLE: \_\_\_\_\_ Vs \_\_\_\_\_

Photograph of claimant
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To, \_\_\_\_\_

## ORDER

Whereas, the claim petition above mentioned seeking payment of compensation has been preferred in this Tribunal in connection with an accident involving use of motor vehicle, and the claimant \_\_\_\_\_ S/o, D/o, W/o \_\_\_\_\_ Aged \_\_\_\_\_ R/o \_\_\_\_\_ whose photograph bearing his specimen signature /thumb impression is affixed above, is alleged to have suffered injuries as a result of the said accident, which are stated to have been recorded in Medico Legal Certificate No. \_\_\_\_\_ dated \_\_\_\_\_ in \_\_\_\_\_ (name of Hospital);

And, whereas, for the purpose of inquiry into the claim petition, this claim Tribunal considers it necessary to ascertain the degree and extent of disability, if any suffered as a result of the said accident by the said claimant;

Now, therefore, in exercise of powers vesting in this Claims Tribunal, in terms of rule of the Haryana Motor Vehicles Rules, 1993, the undersigned directs you to get the said claimant examined by a Medical Officer/Board of Medical Officers in your Hospital and submit report on above aspects to this Tribunal within 15 days of the receipt of this direction.

Given under my name and seal of this Tribunal, this \_\_\_\_\_ day of \_\_\_\_\_

MACT."

HARDEEP KUMAR,

Principal Secretary to Government, Haryana,  
Transport Department.