

**Report of the National Conference of Judges of  
District Judiciary on MACT Cases (P-823)  
August 01 to 03, 2014**

Prepared by Programme Coordinator:  
Mr. K. Sasidharan

The three day National Conference for the Judges of the District Judiciary who are dealing with the Motor Accident Claim cases was held at the National Judicial Academy, Bhopal from 1<sup>st</sup> to 3<sup>rd</sup> August 2014.

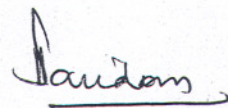
This programme was designed with the objective to equip the Judges dealing with Motor Accident Claim cases to discharge their duties more effectively, efficiently, expeditiously and with utmost transparency. This conference provided the participants across the country to share their experience, enrich their knowledge in this special branch of Law, adopt the best practices and gain the best possible results.

The programme commenced with the introductory address by Prof. (Dr.) Balram K Gupta, Director, NJA Bhopal. The Director highlighted the importance of the Conference and requested the participants to interact with the Resource Persons.

After the introductory address the participants introduced themselves. A total number of 30 participants attended this conference.

The first session was on the topic "**Road Safety: Policy and Practice**". This session was chaired by Justice Chandresh Bhushan, Former Up-Lokayukta, Madhya Pradesh and Mr. Vijaya Raghavan, a Senior Advocate from Chennai.

The Coordinator of the programme Mr. K. Sasidharan, Registrar (Academic Programmes) dealt with this topic in detail. He has stated that road safety is the most important factor each and every person has to bear in mind. It is stated that every human being has to use the road one way or other on every walks of life and each one is bound to know at least the basics of road safety laws. Referring to the latest case law on this subject, the Coordinator emphasized the importance of following road laws by each and every one.

  
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After the presentation of the topic, the participants interacted very well and they realized the importance of following the road safety laws for the betterment of the people at large.

The second session was breakout group discussion on the topic **"Strengthening Motor Accidents Claims Tribunals : Means and Measures"**. The participants were divided into four groups and they were requested to discuss on this topic for about 45 minutes and to **present** the points by each group leaders. After the group discussion one representative from each group presented the points formulated by them during the discussion. The panelists in this session were Justice Chandresh Bhushan and Advocate Mr. Vijaya Raghavan. They were able to clarify the points raised by the participants during the presentation.

The third session was on the topic **"Investigating Motor Accident Cases: Need for Sensitive Approach"** This session was chaired by Justice Chandresh Bhushan. The Resource Persons Mr. Vijaya Raghavan, Senior Advocate from Chennai and Mr. Brijbhushan Sharma, Director, Central Academy for Police Training, Bhopal, explained the topic in a simplified manner. Mr. Brijbhushan Sharma explained the scientific methods employed in the investigation of Motor Accident Cases. The participants interacted with the Resource Persons and clarified their doubts in this topic.

The fourth session was on the topic **"Inquiry into Claims by the Tribunals: Procedure and Practice"**. This session was chaired by Justice Chandresh Bhushan. Mr. Vijaya Raghavan dealt with this subject extensively and in a simplified manner. The participants interacted with the Resource Person and clarified their doubts on this topic.

The 5<sup>th</sup> session was on the topic **"Deciding on Tortious Liability and Discharging Social Responsibility"**. This session was chaired by Justice Deepak Gupta, the Chief Justice of Tripura High Court. Justice U. Durga Prasad Rao, Judge, Andhra Pradesh High Court, dealt with this topic with special reference to reported rulings of the Hon'ble Apex Court. The participants were able to realize the distinction between tortuous liability on the one hand social responsibilities on the



other. The participants were benefited greatly by interacting with the Resource Person.

In the 6<sup>th</sup> session Dr. Ashish Gohiya, Assistant Professor of Gandhi Medical College, Bhopal explained as to how the disability is assessed by the Medical Board. The technical aspects relating to the assessment of disability was explained in detail to the participants. They were able to clarify their doubts on actual physical disability and functional disability. The session was highly informative and beneficial to the participants.

After this Justice Durga Prasad Rao dealt with the topic "**Judicial Understanding of Medical Evidence**". The learned Resource Person explained as to how the Tribunals have to connect the Medical evidence with the judicial decision making and determination of compensation in a given case. The session was highly informative and the participants interacted with the Resource Person and clarified their doubts.

The 7<sup>th</sup> and 8<sup>th</sup> sessions were on the topic "**Just Compensation: Facts and Factors**". Justice Deepak Gupta and Justice Durga Prasad Rao dealt with this topic. The Resource Persons explained this topic in a simplified manner. The participants were able to gain new and innovative methods for assessing just compensation to the victims of Motor Vehicle Accidents. The participants interacted with the Resource Persons.

The 9<sup>th</sup> session was on the topic "**Settlement of Claims: Role of Presiding Officers of MACTs**". Hon'ble Mr. Justice S.B.Sinha, Former Judge, Supreme Court of India, dealt with this topic in a simplified manner. The participants were greatly benefited by the enlightened presentation by Hon'ble Justice S.B.Sinha.

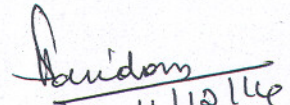
The last session was on the topic **Enforcement of Awards by MACTs**. Justice Durga Prasad Rao dealt with this topic. The participants interacted with the Resource Person and they were able to learn new methodology for the execution of awards by MACTs.



At the end of the last session Dr. Balram K Gupta, the Director, NJA delivered concluding remarks.

A total 30 officers from across the country participated in this conference. Out of which 29 have submitted evaluation forms. Most of them have opined that the reading material provided maintained good standard and it will be of great help to them in discharging their duties as presiding officers of the Motor Accident Claims Tribunals.

***Dated this the 16<sup>th</sup> December 2014.***



**(K. Sasidharan)**

Registrar (Academic Programmes)  
Programme Coordinator (P-823)