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JUSTICE DELAYED, JUSTICE DENIED: A SOCIO-LEGAL INVESTIGATION INTO THE PROCEDURAL BOTTLENECKS OF MACT COMPENSATIONS IN MEHSANA DISTRICT

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Abstract

The Motor Accident Claims Tribunal (MACT) in India was established as a specialised adjudicative body to ensure prompt and equitable compensation for victims of road traffic accidents, based on social justice principles and a "summary procedure." Nevertheless, the practical situation in Mehsana district, Gujarat, demonstrates a significant deviation from this legislative purpose. This paper examines the many procedural obstacles that transform a welfare-oriented procedure into an extended legal conflict. The analysis synthesises empirical data from the National Judicial Data Grid (NJDG) with qualitative legal critiques from the Gujarat High Court and the Supreme Court of India, revealing systemic inefficiencies such as hyper-technical evidence interpretation, chronic judicial understaffing, and the erroneous application of criminal law standards to civil claims. The research further quantifies the socio-economic destruction endured by victims, especially those from low-income families, who encounter catastrophic out-of-pocket expenditures and substantial income reduction. The function of Alternative Dispute Resolution (ADR), particularly Lok Adalats, is assessed as a vital but inadequate remedial approach. The paper asserts that a paradigm change towards digital integration, judicial empathy, and administrative accountability is crucial to maintain the constitutional assurance of swift justice and to avert the "re-victimization" of road disaster survivors inside the legal framework.

Key Words: Compensation, MACT, Victim(s), Accident, Procedural, Tribunal, Delay / Delayed and Mehsana

1. Introduction:

The motor vehicle is an essential component of contemporary transportation and economic activity; nonetheless, its widespread use has resulted in a catastrophic impact on human life. India, with one of the highest road collision mortality rates worldwide, has a death every four minutes, resulting in around 150,000 fatalities and 750,000 disabilities each year. In this context of trauma, the judicial system functions as the principal means of reparation. The Motor Accident Claims Tribunal (MACT) was established by the Motor Vehicles Act, 1988 (MV Act) as a specialised entity to assess compensation claims stemming from fatalities, physical injuries, or property damage due to motor vehicle use.

The primary aim of the MACT is to provide "just compensation," a notion that goes beyond simple numerical assessment to include the restoration of the victim's dignity and financial stability. In the Mehsana area of northern Gujarat, the attainment of this objective is sometimes hindered by procedural impediments that reflect the overarching issues of the Indian court. The adage "Justice Delayed is Justice Denied" is profoundly shown here, since the postponement of compensation closely coincides with the exacerbation of poverty and the deterioration of public confidence in the rule of law.

The socio-legal examination of these impediments requires comprehension of the historical evolution of tort liability in India. Before the establishment of specialised tribunals, accident claims were adjudicated in civil courts under conventional tort law, a procedure that was costly, protracted, and regulated by stringent fault-based responsibility. The shift to MACTs implemented a "summary procedure," designed to emphasise content over form. Subsequent chapters will clarify that the procedural formalities of the Code of Civil Procedure (CPC) and the Evidence Act have frequently been reintroduced indirectly, resulting in a "hyper-technical" environment that undermines the social justice objectives the Act intended to fulfil.



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2. The Legal and Regulatory Framework in Gujarat

The resolution of vehicle accident claims in Mehsana is regulated by a tiered framework of national and state-specific legislation. This framework delineates the limits of responsibility, the calculating methodology, and the procedural regulations for enforcement.

- **The Motor Vehicles Act of 1988 and its 2019 Amendments**

The MV Act of 1988 superseded the outdated 1939 legislation to provide a more extensive regulatory structure. Critical provisions of the Act delineate the adjudicatory procedure: Section 165 authorises State Governments to establish MACTs for certain regions, whilst Section 166 outlines the application procedure for victims or their legal representatives. According to Section 168, the Tribunal is required to ascertain "just" compensation after an investigation, using the "summary procedure" outlined in Section 169. Section 173 delineates the provisions for appeals, generally necessitating submission within ninety days, while Section 174 stipulates the collection of awards as arrears of land tax.

The 2019 Amendment enhanced these measures by instituting required insurance standards and expediting settlements in "hit and run" incidents. Section 166(5) is a significant provision that guarantees the right to pursue compensation for injuries persists beyond the claimant's death, so preventing claims from extinguishing if the injured party dies from unrelated causes during the case's duration.

- **The Gujarat Motor Vehicles Regulations, 1989**

The Gujarat Motor Vehicles Rules, 1989 (GMV Rules) complement the national Act by detailing the local procedural specifics for tribunals in Mehsana. These regulations delineate the requisite paperwork and costs for filing; however, the mandate for ad valorem court fees was mostly eliminated in MACT cases to enhance accessibility for the economically disadvantaged.

The interaction between the GMV Rules and the central MV Act has at times caused legal disputes. Rule 233 of the GMV Rules stipulates the enforcement of awards, endowing the Tribunal with the full authority of a Civil Court in implementation matters. Legal criticisms have identified possible inconsistencies with Section 174 of the MV Act, which delineates a particular recovery procedure via the District Collector. Rule 229 stipulates that the laws of the Code of Civil Procedure (CPC) are applicable to MACT proceedings in instances when certain rules are silent, resulting in a "trial-like" environment that the MV Act originally intended to prevent.

3. Quantitative Assessment of Judicial Backlog in Mehsana

The phenomenon of "Justice Delayed" may be objectively substantiated by the caseload data of the Mehsana District Court. Data from the National Judicial Data Grid (NJDG) reveals that Mehsana has a substantial number of ongoing litigations, including around 117,635 civil cases and 81,472 criminal cases, amounting to almost 200,000 unresolved problems. The age distribution of these instances is very alarming. Merely 23% of cases have been unresolved for less a year, whilst 20% have been ongoing for 1 to 3 years and 12% for 3 to 5 years. Alarming, 22% of cases have been unresolved for 5 to 10 years, and 24%—almost one in four instances—have persisted for over a decade. This illustrates a critical failure of the "summary procedure" provision, since victims incurring persistent medical expenses or income loss sometimes endure delays of 10 years or more for resolution.

Analysing Mehsana's figures in relation to state-wide averages reveals the district as a significant locus of court delay. In Gujarat, the state-wide average of cases waiting for over 10 years is around 2%, however Mehsana's proportion is markedly above at 24%. This indicates localised bottlenecks, either attributable to infrastructural deficiencies or elevated vacancy rates among judicial personnel in the district.



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- **Procedural Bottlenecks: Recognising the Obstacles**

The process from the accident location to the ultimate receiving of compensation is hindered by several procedural "valleys" where claims sometimes stagnate for years. These inefficiencies often stem from a "hyper-technical" court culture that emphasises procedural precision above substantive remedy.

- **The Investigatory Delay and the AIR Mechanism**

The first significant impediment arises at the commencement of the claim. According to the Central Motor Vehicles Rules, law enforcement must file an Accident Information Report (AIR) in Form 54 to the Tribunal within 30 days of the occurrence. Nonetheless, police coordination often exhibits deficiencies. Postponements in submitting the AIR hinder the Tribunal from commencing its investigation. The 2019 Amendment aimed to make the AIR similar to a claim petition; nonetheless, administrative inertia often compels victims to submit additional petitions, resulting in significant delays.

- **Advanced Technical Adjudication and Evidentiary Standards**

The Gujarat High Court has recognised a significant qualitative impediment as the "insensitive and hyper-technical perspective" adopted by several Tribunals. Despite MACT proceedings being civil in nature and determined by the "preponderance of probabilities," Tribunals often misapply the "beyond reasonable doubt" threshold. In *Anishaben Sharifbhai Solanki v. Sachinbhai Bharatbhai Suvagiya*, the High Court reproached a Tribunal for rejecting a claim due to "minor inconsistencies" in medical histories documented by hospital personnel, while disregarding eyewitness accounts and police FIRs.

- **Dependence on Unauthenticated External Documentation**

Procedural delays are further exacerbated by the need on third-party paperwork, such as "wound certificates" mandated under Rule 476 of the GMV Rules. Insurance companies often use discrepancies in these papers to contest the whole claim. A bottleneck occurs when a Tribunal favours an unsubstantiated medical history—typically submitted by an anonymous bystander—over official depositions, resulting in a loop of appeals and remands.

- **Socio-Economic Consequences of Deferred Compensation**

The postponement of MACT compensation is a trigger for severe socio-economic deterioration, especially for low-income families in Mehsana. Research indicates that these families suffer a more pronounced reduction in total family income (75%) compared to high-income households (54%).

For many families, the immediate consequences of an accident are characterised by a financial catastrophe. The mean out-of-pocket expenditure (OOPE) for treatment among low-income households (LIH) is around ₹81,723, constituting about 52% of their entire yearly family income. This "catastrophic expenditure" often results in a debt trap, since low-income families are three times more likely to seek financial assistance after a crisis compared to high-income households.

The socio-legal analysis also emphasises the "gendered impact" of vehicular accidents. In many Mehsana homes, women have the "double burden" of providing unpaid care for handicapped individuals while striving to ensure the family's financial stability, so limiting their own income-generating prospects. The delay results in "re-victimization," since the procedural and indifferent character of the courts undermines public faith and heightens emotional anguish.

4. The Function of Alternative Dispute Resolution (ADR)

In light of the shortcomings of the official adjudicatory system, Mehsana has progressively adopted Alternative Dispute Resolution (ADR). Lok Adalats provide an informal platform for resolution by consensus, with decisions that possess the



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authority of a civil court ruling and are conclusive and obligatory. Additional tools include Mediation, which maintains ties by impartial facilitation, and Permanent Lok Adalats, which adjudicate public utility issues up to 1 Crore.

National Lok Adalats in Mehsana occur quarterly, with the dates for 2026 scheduled for March 14, May 09, September 12, and December 12. These forums are efficient for resolving caseloads; for example, the Thane Lok Adalat adjudicated almost 300,000 cases in 2025. Moreover, Online Dispute Resolution (ODR) platforms such as "Sama" have facilitated distant settlements, with a particular event in Gujarat achieving settlements of 1.6 crores. Nevertheless, a constraint arises wherein economically desperate victims may acquiesce to little recompense only to get temporary financial relief.

5. Judicial Recalibration: The Doctrine of "Just Compensation"

In the absence of legislative change, the higher judiciary in Gujarat has adjusted the evaluation of "just compensation" using the "Multiplier Method." This calculation factors in age and income: Compensation = (Annual Income + Future Prospects) - Personal Expenses Multiplier. The Pranay Sethi (2017) ruling established a standardised definition of "Future Prospects" to include self-employed persons and those with fixed wages. The Gujarat High Court has mandated distinct "consortium" payments, now set at ₹48,400 per dependant, for loss of companionship. In instances with child victims, the Supreme Court has determined that compensation for impairment should be computed based on the minimum pay of a "skilled worker," rather than categorising the kid as a "non-earning individual," therefore preventing undue hardship on impoverished families.

6. Reforms in Institutions and Administration: The Vision for 2025

The resolution of MACT bottlenecks requires technology enhancements and modifications in judicial culture. In April 2025, the Gujarat Administrative Reforms Commission (GARC) put up many citizen-oriented suggestions.

This encompasses a "Single Sign-On System" for all governmental programs, "QR-Based Document Verification" to accelerate medical and licensing assessments, and a "Enhanced Citizen Charter" with stringent service timelines. Moreover, the court is integrating AI and Machine Learning to optimise case management, including incorporating "Predictive Compensation Modules" to recommend standardised settlement figures. Complete integration with the National Case Management System may effectively eliminate delays in obtaining police reports.

7. Conclusions:

The socio-legal examination of the MACT compensation procedure in Mehsana District establishes that the "Justice Delayed" phenomenon arises from structural, procedural, and cultural impediments. The Motor Vehicles Act has a strong statutory foundation; yet, its execution is hindered by a strict, "trial-like" approach that neglects the pressing socio-economic requirements of victims.

The quantitative data indicates a "crisis of pendency," with 24% of the docket unresolved for over a decade. The "hyper-technical" methodology of the Tribunals is a significant qualitative impediment, since the application of criminal law criteria to civil claims results in unempathetic findings. This disproportionately impacts the impoverished, who encounter catastrophic expenses and cycles of indebtedness. Addressing these impediments necessitates a multifaceted approach: re-educating Tribunals on summary jurisdiction principles, harmonising digital workflows between law enforcement and judiciary, using AI for quantum standardisation, and ensuring administrative accountability for the backlog of legacy cases. By overcoming these obstacles, the legal system may realise its commitment to serve as a safeguard for the disadvantaged instead of an impediment to their survival.



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