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No. R3-155323/2020/PHQ
Police Headquarters, Kerala
Thiruvananthapuram – 695010
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Dated: 05/01/2021

Circular No. 46/2020

**Sub: Police Dept. - Package Insurance Policy to Department Vehicles –
Instructions issued of – Reg.**

Read: 1) Judgement in MACA No. 71/2015 dated 11/12/2010 of Hon. High Court of Kerala.
2) Govt. Circular No.B2/278/2019-TRANS dated 20/10/2010.

The effectiveness of the Police department largely depends on the mobility of the force, in maintaining the Law & Order situation and in ensuring safety and security of citizens and their property. In times of crisis and in times when calls of distress are received, the Police Officers are bound to reach the spot, as quickly as possible, the Police Officers are often putting themselves directly in danger of accidents and injury. The probability of Police Vehicles getting into accidents is higher due to this mobility connected to speed requirements. Such incidents may also occur due to different reasons, including defects on the road, overspeeding of other vehicles, rash and negligent driving etc.

02. Currently, the Police dept. vehicles have only third party insurance coverage, which offers compensation only to third party. Recently in a case, a Police vehicle while on duty, met with an accident by hitting on a culvert and the Police Officers sustained grievous injuries and permanent disability. The Police Officers filed case in the MACT Court for Insurance claim and the MACT passed orders for compensation by considering the pain and suffering, loss of amenities and permanent disability sustained due to the incident.

03. The Insurance Company filed an appeal against the order of the Lower Court and objected that the Police department vehicle has only third party insurance and hence they have the legal obligation only to compensate the damages sustained to the third party and their property. The Hon'ble High Court inclined to the contention filed by the Insurance Company, reduced the compensation ordered by the Lower Court. Such incidents creates immense hardship to the injured Police Officers and their family.

04. The Hon'ble High Court of Kerala, while hearing the appeal, observed that, certain vehicles owned by the Government Departments are not having sufficient Insurance coverage. Hon'ble Court directed all the Heads of the Departments to take Package Insurance Policy at the time of its renewal of Insurance Policy for the Government vehicles. Accordingly, the Government, vide its Circular referred 2nd above, strictly instructed to take Package Insurance Policy for all the Kerala Govt. Vehicles.

05. In view of the above orders, all the Unit Heads are directed to take Package Insurance Policy (Comprehensive Insurance Policy) for all Department vehicles at the time of its next renewal. Any laxity in this matter will be viewed seriously and the Officer concerned will be responsible for any legal liabilities thereof.

h 05/1/2021

Loknath Behera IPS
Director General of Police &
State Police Chief, Kerala

Distribution:-

All Unit Heads (including Spl. Units)

Copy for info & n/a :-

- All Officers in List A, B, C & D.
- All Officers in PHQ / SP MT, PHQ.
- Dy. Dir, State Police Media Centre, PHQ.
- CA to SPC / ED File / Police Website / D-Space.

07/01/2021
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