GOVERNMENT OF KERALA

Abstract

Group Personal Accident Insurance Scheme to Government Employees and Teachers – Approved - Orders issued.

FINANCE (ESTABLISHMENT-D) DEPARTMENT

G.O.(P) No.221/07/Fin. **Date, Thiruvananthapuram, 29.05.2007**

ORDER

Government are pleased to approve the scheme Group Personal Accident Insurance Scheme to Government Employees and Teachers appended to this order; with immediate effect.

By Order of the Governor,

K.JOSE CYRIAC,

Principal Secretary (Finance)

To

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.
The Accountant General (A & E), Kerala, Thiruvananthapuram.
The Director of Insurance, Thiruvananthapuram.
The Registrar, High Court, Ernakulam (with C.L)
All Heads of Departments
All Departments (All Sections) of the Secretariat
The Registrar, Universities of Kerala/Cochin/Calicut/ and Kannur (with C.L)
The Registrar, Mahatma Gandhi University, Kottayam (with C.L)
The Registrar, Kerala Agricultural University, (with C.L)
The Registrar, Sanskrit University, Kalady (with C.L)
The Secretary, Kerala Public Service Commission, Thiruvananthapuram (with C.L)
The Secretary, Kerala State Electricity Board, Thiruvananthapuram (with C.L)
The General Manager, Kerala State Road Transport Corporation, Thiruvananthapuram (with C.L)
The Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries to Government
The Private Secretary to the Chief Minister and other Ministers
The Private Secretary to the Leader of Opposition
The Secretary to Governor
The Confidential Assistant to the Finance Secretary
Stock file/Office Copy.

GROUP PERSONAL ACCIDENT INSURANCE SCHEME TO GOVERNMENT EMPLOYEES AND TEACHERS

1. **Title and commencement**: -

The scheme shall be called 'Group Personal Accident Insurance Scheme to Government Employees and Teachers'. The scheme shall come into force from the date of the order.

2. **Definitions**: -

As per this scheme: -

a. 'Accident' means any bodily injury sustained by the member on account of any sudden unforeseen or unexpected event which is solely or directly the result of an external, violent or visible means.

b. ' Company' means the National Insurance Company Limited, which is a Government of India undertaking and includes its legal representatives or assigns.

c. 'Family' means: -

i. Spouse

ii. Minor sons

iii. Unmarried/widowed/divorced daughters.

iv. Major sons (sons who have attained legal majority).

v. Married daughters.

vi. Parents

vii. Minor brothers

viii. Unmarried sisters

ix. Children of a pre-deceased son or daughter

x. The paternal grand parents/maternal grand parents.

Note:- item ii, iii, iv and v include step children, adopted children, posthumous children and item (vi) include adoptive parents.

d. 'Medical Board' means a single man Medical Board or the standing Medical Board constituted by the Director of Health Services.

e. 'Member' means the person whose life is proposed to be insured.

f. 'Insured Person' means the member who has insured his life under the scheme.

g. 'Premium' means the payment made by or on behalf of the Insured Persons to the Company as consideration for the Policy.

h. 'Policy' means Group personal accident policy taken for the benefit of the members under this scheme.

i. 'Government' means the Government of Kerala.

3. Eligibility to become a policyholder

All State Government employees and teachers including part time contingent employees shall be members of the scheme. The employees retiring during the currency of the policy shall be covered until expiry of the same.

4. Premium

The Insured shall have to pay an annual premium of Rs.50/-, inclusive of Service tax for the insured sum of Rs. Seven lakh. The premium and the Sum Insured will remain same for the next three years.

5. Contingencies covered and Compensation admissible for Accident

The compensation admissible shall be as follows: -

Sl. No.	Contingencies covered	Compensation
1	Death due to Accident	100 % of sum insured
2.	Loss of 2 limbs or sight of both eyes and one limb and sight of one eye due to Accident.	100% of sum insured.
3.	Loss of one limb or sight of one eye due to Accident	50% of sum insured
4.	Permanent total disablement due to Accident	100% of sum insured.

Provided that no compensation shall be paid for death or disablement as described above arising out of internal self-injury, suicide, attempted suicide, whilst under the influence of intoxicating liquor or drugs and whilst breaching law with criminal intent.

6. Procedure for applying for Insurance policy

(i) On commencement of this scheme, the Principal Secretary to Government in Finance Department shall apply to the company for a single policy covering all Government employees and teachers as members under the scheme entitling each member to an accident benefit of the sum not exceeding Rs. seven lakh. Every Government employee and teacher shall compulsorily be a member under the scheme.

(ii) The Drawing and Disbursing Officer shall deduct from the salary bill of the employee for the month of December the premium of Rs.50/- per employee for a period of one year for transfer crediting the sum to the head of account 8658 – Suspense Accounts, 102 – Suspense Accounts (Civil), 88 – Group Personal Accident Insurance Fund and furnish the recovery particulars in Form II which contain the name and designation of employees from whom the premium was recovered in triplicate to the concerned Treasury Officer along with the salary bill.

(iii) In the case of cheque drawing Departments the Drawing and Disbursing officers shall furnish the details of recovery to the Treasury as in the case of recovery of GPF/SLI/GIS.

(iv) The Self-Drawing Officers also shall deduct the premium from the salary bill for the month of December and furnish the details of recovery of the premium in Form II to the Treasury Officer along with the salary bill. A copy of the Form II after encashment of the salary bill for the month shall also be furnished to the head of District level Office or higher authority as the case may be.

(v) The new entrants in service shall wait till December to join the scheme. The premium need not be recovered from the salary of employees who retire from service before 01.03.2008. The employees on deputation and leave without allowances will have to remit the premium separately to the company, if they want insurance coverage.

(vi) For claiming the salary for the month January a certificate should be attached to the salary bill by the Drawing and Disbursing Officer to the effect that Personal Accident Insurance Premium has been deducted from the salary bill.

(vii) Subject to the terms and conditions for issuing policy, the Company shall as soon as may, after the receipt of the application for the policy, and Premium for all Insured Persons, issue in favour of the Principal Secretary, Finance

Department, Government of Kerala on behalf of Government employees and teachers an unnamed policy valid for one year which shall have effect from the date on which application for the policy along with Premium for all the Insured Persons is received by the company, or the date specified by Government whichever is later.

(viii) The Director of Treasuries who shall be the Controlling Officer of the new sub head '88-Group Personal Accident Insurance Fund' mentioned at Paragraph 6 (ii) will draw the amount already recovered from the salary of the employees and credit the same to the account of National Insurance Company during the succeeding month but before the commencement of the policy.

7. Renewal of Policy

i. Before one month prior to the expiry of term of the policy in force the Principal Secretary, Finance Department, Government of Kerala shall apply for the renewal of the policy for the succeeding year.

ii. The procedure laid down in paragraph 6 shall also apply for renewing the policy.

8. Drawing and Disbursing Officer to give notice regarding Commencement of the Scheme

The Principal Secretary to Government in Finance Department shall intimate the date of commencement of the scheme to all Heads of Departments who in turn intimate the same to sub offices. Before a period of forty five days of the recovery of premium from the salary of employees, the Drawing & Disbursing Officer shall give notice to them regarding the commencement of the scheme and the member shall inform the details of his/her nominees who shall receive the benefits due to him/her to the Drawing and Disbursing Officer in Form I. The self Drawing Officers shall furnish the details to the Head of Office or higher authority as the case may be.

9. Obligation of the members to give authorization

(i) On receipt of the notice under paragraph 8 every employee shall inform within a period of 2 weeks in Form I the name and address of his/her nominees who shall receive the benefits due to him/her of the policy incase he/she is incapacitated to receive it or if he/she predeceases the nominee due to the accident and the proportion in which the amount is to be given to each of them.

Provided that if the member has a family he /she shall nominate the members of the family alone as nominees and if he/she has no family he/she may nominate any person as nominee.

(ii). A nomination once given shall be in force until it is cancelled or changed by the insured.

(iii). A member may at any time cancel the nomination and subject to the provision of sub para (i) above fresh nomination may be given indicating the proportion in which the amount is to be given to each of the nominees.

(iv). In case the insured dies in an accident without a valid nomination, then the insured amount will be payable as indicated below:

a. If there are one or more surviving members of the family as at items (i), (ii) and (iii) of paragraph 2 (c) the amount becomes payable to all such members in equal shares;

b. If there are no such surviving members of the family as in (a) above, but one or more surviving members as in items (iv) and (v) of paragraph 2 (c), the amount becomes payable to all such members in equal shares;

c. If there are no such surviving members of the family as in (a) and (b) above, but one or both surviving member as at item (vi) of paragraph 2(c), the amount becomes payable to the member or to the both members in equal shares;

d. If there are no such surviving members as I (a), (b) and (c) above, but one or more surviving members as at items vii, viii, ix, and x of paragraph 2 (c), the amount becomes payable to all such members in equal shares.

10. Terms and Conditions of issuing policy.

The terms and conditions of the policy shall be as per Companies standard Group Personal Accident Policy subject otherwise to the modifications mentioned in this Scheme if any.

The Company shall issue the policy to Government of Kerala subject to the terms and conditions mutually agreed upon by the Company and the Government and the member/nominee shall be bound by such terms and conditions in force from time to time.

Provided the company shall not have the right to alter, amend or modify the terms and conditions of issuing the policy so as to affect prejudicially the interests of the Government/Member during the period, while the policy remains in force.

11. Procedure for claiming compensation

a. Claims for all the benefits to which a member or as the case may be, his nominees or dependents are entitled to shall be preferred by the head of the District level Office or any higher authority.

b. When an accident is caused and an injury sustained by the Insured Persons which may give rise to a claim under the Policy, he or any of his nominees or dependents shall inform the head of the District level Office or higher authority about the accident immediately and in any case within a period of one month from the date on which the accident took place.

c. The head of the District level Office or higher authority shall, as soon as information is received of the accident, in any case not later than forty five days from the date of occurrence of the accident or within such further period as may be extended by the company give notice to the company regarding the accident.

d. In the case of an accident not involving death of the member the member himself or any of his nominees or dependents shall forward to the Head of the District level Office or higher authority as the case may be attested copies of the following through the Drawing & Disbursing Officer/Head of Office: -

   i. Claim form

   ii. Medical records.

   iii. Disability certificate; from the Medical Board.

   iv. Police documents if police case registered.

   v. Proof regarding the remittance of premium in favour of the member to the accounts of the company. (only in the case of employees on deputation and leave without allowances)

(e) In the case of an accident involving death of the member any of his nominees or dependents of any other person shall forward to the Head of the District Office or higher authority through the Drawing & Disbursing Officer / Head of Office attested copies of

   i. Claim Form

ii. FIR from Police Department wherever applicable.

iii. Mahazar from Police Department.

iv. Death Certificate

v. Postmortem report

vi. Proof regarding the remittance of premium in favour of the member to the accounts of the company. (only in the case of employees on deputation & leave without allowances)

(f) On receipt of the certificates referred to in sub- para (d) or sub- para (e), the Head of the District Office or higher authority shall verify the same and then issue a proceedings bringing out clearly the names and addresses of the member/nominee(s) who are entitled to receive the amount and the quantum of money to each. The officer shall then prefer a claim to the company for benefits due to the member or his/her nominee(s) in the form specified by the company enclosing there with the attested copies of the certificates and the proceedings. If a member having no family dies in an accident without nominating any person and if a dispute in respect of his succession is pending before a court of competent authority, or if a dispute among the nominees of a deceased member regarding their eligibility to be his nominees of the proportion in which the benefits were apportioned among the nominees by the deceased member pending before a court of law, Head of the District Office or higher authority shall indicate the same in the proceedings preferring the claim to the company with a request to deposit the entire benefits received on behalf of the deceased member or as the case may be or part thereof, on which there is dispute, in the court where the dispute is pending.

(g) The company shall, after making such enquiries as it deems fit, sanction the compensation in cases where no dispute is pending, in accordance with the scale referred to in paragraph 5 and pay by way of cheque/DD to the member/nominee(s) the amount that each is entitled to. The cheque(s) shall then be handed over to the head of the District Office or higher authority under intimation to the Treasury Officer/Director of Insurance and to the insured member concerned or to any of his nominees or dependents as the case may be. Compensation amount in respect of cases where disputes are pending before Court shall be deposited in respective Court. The company shall withdraw and release the amount deposited in Courts only after the final settlement of the dispute pending before the Court in accordance with the decision of the Court.

(h) The Head of the District office or higher authority shall, as soon as the cheques/DDs are received, send it to the member/nominee(s) concerned under intimation to the Director of Insurance/Director of Treasuries/ Drawing & Disbursing Officer concerned.

(i) When there is no nomination, the Head of District Office or higher authority shall prefer a claim before the company after determining the eligibility of the surviving members of the family as mentioned in paragraph 9 (iv) to receive the amount. The company and the Head of District Office or higher authority shall follow the procedures prescribed in sub paras (f), (g) and (h), for payment of compensation to such members of the family.

(j) In the absence of any surviving eligible member of the family as defined in paragraph 2 (c) the amount shall be paid to eligible legal heirs in equal shares on production of a succession certificate from Court of Law. The reasons for delay in determining the eligible legal heirs shall be reported by the Head of District Office or higher authority and to the company while preferring the claim and the company shall deposit the amount in separate accounts and release the payment after the production of succession certificate by following the procedures prescribed for payment of compensation.

12. Procedure in case of rejection of claim

(a) If the member who suffers the accidental disablement or his/her nominees or dependents in case of accidental death are of opinion that the compensation claim rejected by the Company is not in accordance with the terms and conditions for issuing the policy, he/she or they may make a complaint to the Principal Secretary, Finance Department, Government of Kerala within sixty days of the rejection of the compensation claim by the company.

(b) The complaint under sub-section (a) shall be accompanied by -

i. Copy of the report of the company rejecting the claim.

ii. A clear and brief statement of reasons for reconsideration of the claim.

iii. Copies of certificate mentioned at section 11 of the scheme and further documents to substantiate the complaint.

(c) The complaint and the enclosures therewith shall be submitted in duplicate.

(d) As soon as the complaint is received and in any case not later than ninety days from the date of rejecting the claim by the company, the Principal Secretary (Finance) shall forward a copy of the same to the company with the enclosures thereto and request the company to authorize a representative to appear before Government to have a discussion to settle the matter in the presence of the member concerned or his nominees or dependents or authorized agents.

(e) If, however, it is not possible to arrive at a consensus in the discussion held at sub-section (d) the case shall be left to the decision of the Insurance Ombudsman.

(f) The decision of the Insurance Ombudsman shall be final.

13. Procedures when there is dispute among the nominees or Legal heirs of a member: -

a. If a member having no family dies in an accident without nominating any person and if a dispute in respect of his succession is pending before a court of competent authority, or if a dispute among the nominees of a deceased member regarding their eligibility to be his nominees or the proportion in which the benefits were apportioned among the nominees by the deceased member pending before a court of law, Head of the District Office or higher authority shall indicate the same in the proceedings preferring the claim to the company with a request to deposit the entire benefits received on behalf of the deceased member or as the case may be or part thereof, on which there is dispute, in the court where the dispute is pending.

b. When the succession, dispute pending before the court is finally decided the Company shall pay the compensation amount to the nominees by way of cheque/DD through the head of the district office or higher authority to the person concerned in accordance with the decision of the court.

14. Benefits from other Sources not a bar for deriving benefits under this scheme

The benefits, if any, accruing to a member from other source or scheme for accident benefit shall not operate as a bar for receiving the benefits due under the scheme.

15. State Insurance Department will be co- insurer

The Kerala State Insurance Department will be a co-insurer in respect of premium and risk under the scheme with a sharing of 70:30 ratio (National Insurance Company 70% and Kerala State Insurance Department 30%).

FORM 1
[See Section 9 (1)]

Name of Employee

Designation

Office

To

Head of Office

I do hereby inform the……(Designation of Head of Office) that the person(s) mentioned hereunder shall be my Nominee(s) and that the benefits due to me under the Personal Accident Insurance Scheme to Government Employees and Teachers shall be given to them in the following proportions (in the event of my death or incapacitated to receive the benefit).

Sl. No.	Name of Nominee	Age	Address	Relationship with the member	Proportion of benefit to be given	Contingency under which the nomination becomes in effective	Person whom the amount is to be given if the nominee is a minor
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**	**(7)**	**(8)**

Place: Countersigned: Signature:

Date : Head of Office/ Head of Dist. Office: Name of Employee:

FORM II
[See Section 6 (2)]

Group Personal Accident Insurance Scheme to Government Employees and Teachers

Statement showing deductions on account of premia towards Group Personal Accident Insurance Scheme to Government Employees and Teachers in the Establishment pay or salary bill of…….for the month of……

Sl. No.	Name of Employee	Designation	Amount Deducted	Remarks

Signature:

Station:

Name:

Date:

Designation: