

Regd. No. NE 907



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

Vol XVIII Aizawl Tuesday 6.6.1989 Jyaistha 16, 31.1911 Issue No. 50(A)

NOTIFICATION

No. R. 11011 3/87-GAD/59, the 6th June, 1989. Whereas the Central Government introduced a scheme of Personal Accident Insurance Social Security Scheme for Poor Families to cover the risk of death by accident in respect of earning members of poor families comprising landless labour households, households of small and marginal farmers, families of traditional craftsmen, households of those engaged in petty production of trade or transport or in domestic and other services not covered by any insurance scheme or worksmen's compensation arrangement.

Now in pursuance of the above, the Governor of Mizoram is pleased to introduce a personal Accident Insurance Social Security Scheme for implementation in Chhimtuipui District in Mizoram with effect from 1.6.1989 Details of the Scheme of Personal Accident Insurance Social Security Scheme are enclosed herewith (Appendix A, 3, C & D). Considering the functional and territorial jurisdiction of the scheme the Governor of Mizoram is pleased to appoint Additional District Magistrate (Judicial) SDO (Civil) and all BDOs Enquiry-cum-Settlement Officer under their respective jurisdiction with effect from 1.6.1989 until further orders.

The Governor of Mizoram after careful consideration of the matter is further pleased to set up until further order a District Level Consultative Committee to oversee the operation of the scheme.

The composition of the District Level Consultative Committee shall be as follows :-

- | | |
|---|--------------------|
| 1. Deputy Commissioner | - Chairman. |
| 2. Superintendent of Police Chhimtuipui District | - Member. |
| 3. Civil Surgeon/CFP | - Member. |
| 4. Branch/Asstt. Manager National Insurance Company Bara Bazar, Aizawl, | - Member Convener. |

The term of reference of District Level Consultative Committee shall be to over-see the claim settlement Procedures and implementation of the scheme and the State Level Consultative Committee already constituted shall over-see the operation of the scheme in all the operational areas of the state of Mizoram.

Operational areas of the State of Mizoram.

The Composition of the State Level Consultative Committee is as follows :-

- | | |
|--|--------------------|
| 1. Secretary GAD | - Chairman. |
| 2. Secretary, Home or his representative
not below the rank of Dy. Secy. | - Member. |
| 3. Secretary, Revenue or his representative
not below the rank of Dy. Secretary | - Member. |
| 4. DIG (Range) | - Member. |
| 5. Divisional/Branch Manager National
Insurance Company Ltd. | - Member Convener. |

A N N E X U R E— 'A'

PERSONAL ACCIDENT INSURANCE SOCIAL SECURITY SCHEME FOR THE POOR FAMILIES

Central Government has decided to introduce a Scheme of Personal Accident Insurance Social Security for Poor Families. The scheme will be operated through National Insurance Co, Ltd., a flag Co. of Eastern region under the General Insurance Corporation of India with the active involvement of the State Government. The Scheme will, begin to, be operative in Lunglei District Union Territory of Mizoram and has come into force with effect from 1/11/86.

II OBJECTIVE :

To provide a survivor benefit cushion for the rehabilitation of a poor family affected by accidental death of its earning member who is not covered for compensation under any insurance scheme of any law/statue.

III THE SALIENT FEATURES OF THE SCHEME ARE AS UNDER :

(i) ELIGIBILITY.

All persons in the age-group of 18 to 55 who are earning member of poor families and meet with fatal accidents occurring in the Lunglei District.

NOTE : The scheme will cover deaths due to accidents occurring in the Lunglei District and will also include death of people from other Districts due to accidents occurring in the Aizawl Districts if they belong to Poor Families.

"Poor families" for the purpose of the scheme include all landless labour household, households of small farmers families of traditional craftsmen, households of those engaged in the informal sector in petty production or trade or transport or in domestic and other services, whose total annual family income from all sources does not exceed Rs. 5,000/-. The income of the family consisting of wife, husband and dependent children.

(ii) Circumstances of accidental death and financial benefit payable :

Circumstances	Scale
Accidental death within six months of accident caused by outward violent and visible means.	Rs. 1,000/—

NOTE : Accidental deaths include such deaths due to snakebite, drowning, food poisoning, lightning, fall from a tree, killing by armed criminals or wild animals. The cases specified are illustrative and not exhaustive.

BENEFICIARIES

- (a) Surviving spouse, or
- (b) If there is no surviving spouse, the payment be made to all dependent children jointly who will share equally. When the payment is to be made to minor children, the same may be made by way of Post Office deposit, or
- (c) If there are no surviving children, the payment can be made to dependent surviving parents.

(iii) When compensation is not payable :

- (a) Death arising of resulting from breach of any law with criminal intent,
- (b) Where compensation higher than Rs. 3,000/- is receivable by virtue of any other law/statute e.g. Motor Vehicles Act, Gratuity Fund, Employees State Insurance Scheme, Workmen's Compensation Act, etc.
- (c) Deaths due to intentional self-injury or suicide/while under the influence of intoxicating liquor or drugs/due to war invasion etc. have also now been deleted from the Exclusion Clauses.

Note : If compensation/relief available under (B) is less than Rs. 3,000/- compensation under the scheme will be limited to the amount which would bring the total compensation/relief from all sources to Rs. 3,000/-

(iv) Compensation Procedure :

(a) Application for compensation in the prescribed form is to be made to the claims Enquiry-cum-Settlement Officer as early as possible but not later than 45 days from the date of death for claims arising within the districts and 90 days where the deceased belonged to another District/State/U.T.

(b) The Claims Enquiry-cum-Settlement Officer shall consider and settle the claims and his duty shall be :

- (i) to receive applications in the prescribed form from the claimants,
- (ii) to hold enquiries in respect of the claims,

- (iii) to call for reports from the police and medical authorities including post-mortem reports when available in respect of accidents,
- (iv) to hold enquiries and be satisfied that the applicant belongs to "Poor Families" and the claims are payable under terms and conditions of this scheme;
- (v) Where there are more than one claimant, to decide as to who are the rightful claimant and the amount payable to each,
- (vi) to prepare report in the prescribed form and authorise payment to the rightful claimant (s)

(c) After the payment is authorised by the Claims Enquiry-cum-Settlement Officer, the State Government may direct immediate payment to the beneficiaries from the concerned office of the designated insurance company to whom a copy of the Claim Enquiry-cum-Settlement Officer's report shall be sent. National Insurance Co. Ltd., a flag company of the General Insurance Co., on receipt of the Claims Enquiry-cum-Settlement Officer's report which should include the claim form, document certifying death by accident and the discharge voucher will make immediate arrangement for payment by cheque or money order less money order commission.

(d) The National Insurance Co. Ltd., shall prepare and submit to G.I.C. and the District Consultative Committee a quarterly report on the working of the scheme.

(v) District Consultative Committees:

For overseeing the claims settlement procedure and implementing the scheme District Consultative Committee will be constituted at each specified districts. The District Consultative Committee would consist of a representative of the concerned office of the designated insurance company who would act as the Member-Secretary and in this capacity function as Convener of the Committee, the District Magistrate, the District Superintendent, of Police and such other officials as the Government may nominate. The Chairman of the District Consultative Committee will be as decided by the State Government. The District consultative Committees shall meet at least once in a quarter.

(vi) State Level Consultative Committee :

To Oversee the operations of the schemes in the districts State-level Consultative Committee will be constituted. The State-Level Consultative Committee would consist of representatives of the designated insurance companies one of whom shall be the Convener, and the State Government representatives who could be—Home Secretary, Revenue Secretary and Secretary, Relief and Welfare Department. The State Consultative Committee may meet once in six months in 1985-86 and at least once a year in subsequent years. The Chairman of the State-level Consultative Committee will be as decided by the State Government.

(iv) Role of Government :

The State Government will have the overall responsibility to scrutinise and settle claims and will notify Claims Enquiry-cum-Settlement Officers therefore. For deaths of persons occurring in the Aizawl Districts who belong to other District/State/U.T., the Government will take such special measures as one found necessary for speedy disbursement of the accident benefits to the affected family. The Government will also nominate their representatives to the State-level and District-level Consultative Committees. While the premium for the Insurance will be paid entirely by the Central Government, the administrative costs incurred by the State Government for implementing the scheme in their territories will be borne by them.

v) Role of General Insurance Company and subsidiaries :

The G.I.C. and its subsidiaries will notify the designated Insurance Companies and their concerned officers for Aizawl District and also their representatives for Aizawl District and State-level Consultative Committees, G.I.C., will have the overall responsibility for the administration of the scheme.

(vi) Monitoring and Review :

The operation of the scheme will be monitored closely and reviewed annually by G.I.C. Annual Appraisal Reports of the scheme would be prepared by the G.I.C. and submitted to the Government of India and to the State Government.

ANNEXURE 'B'**PERSONAL ACCIDENT SOCIAL SECURITY SCHEME FOR POOR FAMILIES**

Claim Form to be submitted by the Claimant to the Claims Enquiry Officer.

Claim No..... (To be given by Claim Officer)

Dt.....

Claim Enquiry Officer's Code

I/We the undermentioned dependent (s) of Shri/Smt..... who dies in an accident described below, hereby apply for payment of compensation under Personal Accident Insurance Social Security Scheme for Poor Families. Full particulars in respect of the accident and other information are given below:

I Particulars of Deceased :

1. Name.
2. Father's/Husband's Name.....
3. Full Address-Village/Town

the total annual family income from all sources did not exceed Rs. 5,00. We further declare that the information given above is true to the best of my/our knowledge and also that I/We am/are the beneficiary/beneficiaries of the deceased person.

“Strike out which is not applicable”.

Signature of the Claimant (s)
Left Hand Thumb Impression.

I declare that I have explained that the questions to the claimants who have affixed Left hand thumb impression herein, that the answers thereto have been recorded by me and that he/she/they affixed Signature/Thumb Impression after satisfying that the answers have been correctly recorded.

I declare that the questions were explained to me fully by Shri/Smt/Kum and that the answer thereto have been recorded by/him her under my dictation and that I have affixed my Signature/Thumb Impression after satisfying myself that they have been correctly recorded.

Signature of the person writing the Answers.

Name

Address

.. ..

.. ..

Signature/Thumb Impression

Witness :

Name

Address

Signature

ANNEXURE 'C'

PERSONAL ACCIDENT INSURANCE SOCIAL SECURITY SCHEME FOR POOR FAMILIES

Claim enquiry-cum-Settlement Officer's Report

GESO Claim No. Date

Claim Enquiry Officer's Code

1. Name of deceased.....

2. Address/Village

- 3. Date of Accident
- 4. Place of Accident : Village.....District
- 5. Date of Time of Death.....
- 6, Place of Death : Village..... District.....
- 7. Cause of Death.....

NOTE : Certificate about the cause of death and post-mortem report if any, to be attached herewith.

Certified that :

- (a) The above deceased is with in the engagement of.....
.....and District.....of Mizoram
- (b) The above deceased belonged to a Poor Family as defined in the scheme.
- (c) The above deceased met with the accident in Village.....
.....District..... covered by the above Insurance Scheme.
- (d) I am personally satisfied about the cause of death as verified and certified by the V.C.P.
(Where not verified by a Medical Officer).
- (e) The facts of the case as declared in the claim form are found to be true.
- (f) After verification I am satisfied that the Claimant is:
 - (1) not entitled to receive any compensation from any other source whatsoever and hence he is entitled to receive full compension of Rs. 3,000 under the scheme.
 - (2) entitled to receive/has received compensation of Rs.....
from.....and hence is entitled to receive the balance of Rs.....under the Scheme.

OR

- 3) not entitled to receive any compensation under the scheme for the following reason
-
- g) I have enquired into the reasons for the claim being intimated after 30 days and have the report as under

b) Following are the beneficiaries of the deceased as defined in the scheme and the amount of compensation is as shown against their names.

Relationship with the deceased	Amount of compensation payable.
1.	
2.	
3.	
4.	

The claim preferred in respect of — — — — — (deceased) falls within terms and conditions of this insurance and is payable.

(Claims Inquiry-cum-Settlement Officer).

PERSONAL ACCIDENT INSURANCE SOCIAL SECURITY SCHEME FOR POOR FAMILIES DISCHARGE VOUCHER

Claim No
(To be filled by Insurance Company)

Received from/Govt. of for (Insurance Company) and behalf of the the sum of (name of Insurance Company) Rs. (Rupees only) in full and final settlement of my/our claims in respect of death of Shri/Smt S/o, W/o D/o Shri... ..Village... .. P.O. District of Mizoram due to accident, I/We give this discharge receipt to the company in full and final settlement of all my/our claims present or future arising directly or indirectly in respect of the said claim.

Dated at this day of 198

Revenue Stamp

Signature of Claimant (s) Left Hand
Thumb Impression

Rs.

Rs.

Witness

1. Signature Countersigned by

Name & Address

Witness :—

2. Signature Signature of the Claims

Name & Address Enquiry-cum-Settlement Officer

PERSONAL ACCIDENT SOCIAL SECURITY SCHEME FOR POOR FAMILIES ANNEXURE—D

G U I D E L I N E S

The personal Accident Social Security Scheme for Poor Families was announced by the Union Finance Minister in his budget speech in March 1985. A total of 100 districts in the 22 states and 9 Union Territories are 78 district spread over 16 States and 9 UT came under the scheme w.e.f. 15th Aug/85

Purpose of scheme :

The purpose of the Scheme is to provide relief to the poor families in the event of the accidental death of its earning member. The deceased must have belonged to the age-group of 18-55 year and the death resulting from the accident should have occurred within six months of the accident. The maximum amount of relief under the scheme is Rs 3,000. This is not payable when compensation higher than Rs. 3,000 is receivable by virtue of any other law/status e.g Motor vehicles Act, Solatium fund Employees State Insurance Scheme, workmen's Compensation Act etc. If however, the amount of compensation receivable from these sources is less than Rs 3,000 the difference between Rs 3,000 and the amount receivable under the statutory compensation, is payable. Compensation is not payable when death arises or results from breach of any with criminal intent. The scheme covers fatal accident as defined up the Scheme occurring within the jurisdiction of the covered district, whether the deceased member of the poor family belonged to the covered district or not.

Definition of 'Poor Families'

"Poor families" for the purpose of the scheme include all landless labour households, households of small farmers, families of traditional craftsmen household of those engaged in the urban informal sector in petty production or trade or transport or in domestic and other services, whose total annual family income from all source does not exceed Rs. 5,000. The income limit of Rs. 5,000 will be computed in respect of the income of the family consisting of wife, husband and dependent children.

BENEFICIARIES : It is responsibility of the Claims Enquiry-cum-Settlement Officer (CESO) to determine the beneficiary. The compensation amount is payable to the surviving husband or wife. In case the husband/wife is not alive, the amount is payable to the dependent children. All the dependent children will be entitled to equal share and the payment to minor children will be made in the form of Post Office deposit. In case, there is no surviving husband/wife or children, then the compensation is payable to the surviving parents. In case, there are no beneficiaries in any of the above categories, the claim is not payable.

PROCEDURE FOR FILING OF CLAIMS : CESOs not below the gazetted rank will be appointed by the State Government of Union Territory in each of the covered districts. Application for compensation in the prescribed form is to be made to the concerned CESO. The time limit for filing the claim is 45 days if the deceased belonged to the same district and 90 days if the deceased belonged to another district. The application form will be available with the CESO. The application is to be made in duplicate. One copy of the same will be given to the designated office of the concerned Insurance Company which will be the Divisional Office nominated to administer the Scheme.

PROCEDURE FOR SETTLEMENT OF CLAIMS : It is the responsibility of the CESO to receive the application, call for reports from Police and Medical authorities including post-mortem report, hold enquiries, satisfy himself that the deceased belonged to the poor family and that the Claim is otherwise payable under the Scheme. Where there are more than one claimant, the CESO should determine the rightful claimant(s). He should then prepare the report in the prescribed form and give the same to the concerned Divisional Office for payment. In case, the State Government/Union Territory wishes to make the payment initially to the beneficiary and get the same re-imburement from the Insurance Company, then the CESO will forward the report and documents to the concerned Department of the State Government/Union Territory. The State Government/Union Territory will forward the documents to the concerned Divisional Office at the time of seeking reimbursement. Such report should be sent to the concerned Divisional Office for repudiated claims as well for the purpose of its record.

MODE OF PAYMENT : Once the payment is authorised by the CESO and the completed documents are received the payment will be made by the Divisional Office either directly to the beneficiary/Beneficiaries by cheque or Money Order (Less M.O.Commission) or to the State Government/Union Territory by way of reimbursement. In the second alternative, the State Government makes the initial payment to beneficiary/beneficiaries. The State Government should notify at the commencement of the scheme which of the alternative it prefers.

The Companies must immediately follow up with the State Governments and Union Territories to get the notifications regarding the Constitution of the District level and State-level Consultative Committees issued. They must also obtain relevant particulars such as the Department in the State/Union Territories to administer the Scheme, the mode of payment (Whether the company to pay to the beneficiary directly to reimburse the Government) etc. The particulars already available with the G.I.C. are contained in the attached statements. These may also be got confirmed from the State Governments/Union Territories.

The Companies must also notify the names of the Divisional Manager and regional Managers to be on the District level and State level Consultative Committees respectively. They will act as convenors of these Committees in their capacity as Member-Secretaries. These names must also be forwarded to the G.I.C. immediately.

Role of the Divisional Offices.

The Divisional Offices which will be administering the Scheme in the covered districts will have a pivotal role in the efficient operation of the Scheme. With this end in view, they must establish channels of communication with the CESOs.

It will be responsibility of the administering Divisional offices to make available the claim form and formats of CESOs' report to all the CESOs. Formats of these forms and the Discharge Vouchers are enclosed. If necessary, these forms may be got printed in the regional language and English. The applicants must file the claim forms in duplicate using carbon paper, one copy of which will be for the Divisional Office. The Divisional Offices must make arrangements to collect copies of the complete forms from the CESOs.

The Divisional Offices must maintain a claim Intimation Register and a Claim Settled Register. The formats of these registers are appended in Annexures V and VI. The claim Intimation Register and CESO's final report will constitute the basis of the Claim Settled Register. The Claim Settled Register will also cover the rejected claims. The registers should be written in English. The registers may be printed in loose leaf form in four copies. The original of the registers for each month must be forwarded to the G.I.C. before the 15th of the following month. One copy may be sent to the Regional Office for record and remaining 2 copies retained at the Divisional Office. All the report and account books required by the Divisional, Regional and Head Offices of the Companies will be produced at the G.I.C. on the basis of these registers.

Where more than one claim form has been received in respect of the same deceased, CESO will consider all such applications together and send them to the Divisional Office in one lot marking at the top as a single claim with more than one beneficiary.

The Divisional Offices should follow up pending claims with the CESOs. The Divisional Offices must make payment of claims authorised by the CESOs within a week provided the papers are complete.

In the case of rejected claims, the Divisional Offices must enter full details of such claims in the Claim Settled Register giving the reason for rejection in the column provided.

Whenever a Claim is rejected or settled, suitable entry is to be made in the DO's copy of intimated Claim Register. This will facilitate the follow-up of the outstanding claims with the CESO.