

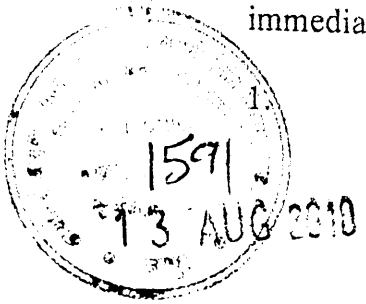
DECISION OF THE GOVERNMENT

No. F40561 FD/Rev/96-pt-1

Date: **12 AUG 2010**

Sub: Payment of sum assured under Rajasthan Government
Servant Insurance Rules, 1998 in certain cases.

The decision circulated/issued earlier vide this department letter
of even number dated 22.11.2007, is hereby substituted by the following with
immediate effect :-



(i) Under Rule 51 of the Rajasthan Government Servants Insurance Rules, 1998 provision for payment of double sum assured has been made in case the insured dies before normal date of maturity of his policy. A doubt has been raised regarding payment of double of the sum assured in cases of the insured employees who go missing and are thereafter not heard of for at least seven years.

(ii) The matter has been considered in the Government. An employee can also be presumed dead under law if he has not been seen / heard of for a period exceeding seven years, the Court declares such persons presumed to be dead under provisions of Evidence Act. It has been therefore decided that such legal deaths of government employees should also be taken as death under above referred insurance rules once a government employee is declared dead by a competent court of law.

(iii) In view of above, it is clarified that in case of missing insured, if an order of competent court declares his/her presumed death, the claim can be settled as follows:

(a) Double of the sum assured can be paid if normal date of maturity of his/her policy/assurances falls after the presumed date of death as per the orders of the Court i.e. maturity of his policy should not be within seven years of his going missing.

(b) Payment of single sum assured, if normal date of maturity of his/her policy/assurances falls before the date of presumed death as per orders of the Court i.e. his date of maturity of his policy should fall within seven years of his going missing.

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2. Under rule 37 a provision exists for payment of sum assured to the nominee. An issue has arisen whether a nominee accused of the murder or abetting in murder of the insured, can be paid amount of sum assured.


The government has considered the circumstances and it is clarified as under :-

- (i) The payment of sum assured will be suspended till the conclusion of the criminal proceeding against nominee.
- (ii) If on the conclusion of the criminal proceeding referred to in para (i), the person concerned-
 - (a) is convicted for the murder or abetting in the murder of the insured, he shall be debarred from receiving his claim, which shall be payable to other eligible members of the family, as per rule 38;
 - (b) is acquitted of the charge of murdering or abetting in the murder of the insured, and if Government does not want to go in appeal, claim shall be payable to him.


(Subhash Chand Sharma)
Officer on Special Duty

Copy for information to :-

1. P.S. to all Principal Secretaries/Secretaries
2. All Head of Department.
3. Commissioner, State Insurance and P.F. Deptt.
4. System Analyst, Finance Department


12-8-10
Officer on Special Duty