

Pravasi Bhartiya Bima Yojna, 2003

CONTENTS

1. Short title and commencement
2. Application
3. Definition
- 4 . Requirement of taking insurance policy by certain persons applying for emigration clearance

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Whereas the Central Government considers it necessary to take certain social security and welfare measures for the citizens of India going abroad for employment purposes. Now, therefore, the Central Government hereby makes the following scheme, namely:

1. Short title and commencement :-

- (i) This Scheme may be called the Pravasi Bhartiya Bima Yojna, 2003.
- (ii) It shall come into force on the 25th day of December, 2003.

2. Application :-

- (i) This Scheme shall apply to all citizens of India who apply for and obtain an emigration clearance as required under the Emigration Act, 1983 (31 of 1983).
- (ii) This Scheme shall not apply in the event of war or internal conflict in the country to which the citizens of India holding the said policy has gone for work.

3. Definition :-

In this Scheme, unless the context otherwise requires, "Emigrant" means any citizen of India who intends to emigrate, or emigrates, or has emigrated but does not include

- (a) a dependent of an emigrant, whether such dependent accompanies that emigrant, or departs subsequently for the purpose of joining that emigrant in the country to which that emigrant has lawfully emigrated;

(b) any person who has resided outside India at any time after attaining the age of eighteen years, for not less than three years or the spouse or child of such person; "Protector of Emigrants" means a Protector of Emigrants appointed under Section 3 and includes a person authorized under Section 5 of the Emigration Act, 1983. "Insurance Company" means any insurer being a company formed and registered under the Companies Act, 1956. "Insurance Regulatory Development Authority" means the Insurance Regulatory and Development Authority established under sub-section (1) of Section 3 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999).

4. Requirement of taking insurance policy by certain persons applying for emigration clearance :-

(i) It shall be mandatory for all emigrants with Emigration Check Required (ECR) endorsement on their passports to take an insurance policy from any Insurance Company operating in India and duly registered with the Insurance Regulatory Development Authority (IRDA).

(ii) Each citizen of India applying for emigration clearance from the concerned Protector of Emigrants (POE) shall obtain an Insurance policy covering the following:

(a) The Insurance policy shall be valid for a minimum period of two years or the actual period of employment contract, whichever is less.

(b) The Insured person shall be covered for a minimum sum of two lakh rupees in the event of death or permanent disability leading to loss of employment while in employment abroad.

(c) In case of death, besides the cost of transporting the dead body, the cost incurred on economy class return airfare of one attendant shall also be re-imbursed by the Insurance company. The claim for re-imburement shall be filed with the Insurance company within ninety days of completion of journey.

(d) In the event of death or permanent disability within twelve months of taking the policy due to any accident/physical injury sustained while in employment abroad, the Insurance company shall re-imburse the sum assured even after expiry of the Insurance policy provided the accident occurred during currency of the Insurance cover.

(e) The Insurance company shall provide medical insurance cover of a minimum of Rupees Fifty thousand only in case of hospitalization of the Insured worker on grounds of accidental injuries and/or sickness/ailments/diseases occurring during the period of Insurance provided the medical treatment is taken in India.

(f) The Insurance company shall either provide cashless hospitalization and/or re-imburse the actual medical expenses in the event of 4(ii)(e) above provided the medical treatment is taken in India.

(g) If the Insured person falls sick or is declared medically unfit to commence or continue or resume working and the service contract is terminated by the foreign employer within the first six months of taking the insurance cover, the actual one-way Economy Class airfare shall be re-imbursed by the Insurance company provided the grounds for repatriation are certified by the concerned Indian Mission/Post and the air-tickets are submitted in original.

(h) On arrival at his workplace or destination abroad, if he is not received by the employer or if there is any substantive change in the job/Employment Contract/ Agreement to the disadvantage of the Insured person, or if the employment is prematurely terminated within three months for no fault of the emigrant, the Insurance Company shall re-imburse one-way Economy Class airfare provided the grounds for repatriation are certified by the concerned Indian Mission/Post and the air-tickets are submitted in original.

(i) The Insurance under this policy shall also provide maternity benefits to women emigrants subject to a minimum cover of twenty thousand rupees and provided the medical treatment is taken in India. The re-imburement shall be restricted to actuals.

(j) The family of the emigrant worker in India consisting of spouse and two dependent children up to twenty-one years of age shall be entitled to hospitalization cover in the event of death or permanent disability of the insured person for an amount not exceeding ten thousand rupees per annum.

(k) The Insurance Companies shall charge fair and reasonable premium for policy periods of six months, one year and two years. Service tax may be charged extra.