

# The Pravasi Bhartiya Bima Yojana, 2006

UNION OF INDIA

India

## The Pravasi Bhartiya Bima Yojana, 2006

### Rule THE-PRAVASI-BHARTIYA-BIMA-YOJANA-2006 of 2006

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#### 9.

/505 Whereas an insurance scheme for Indian emigrants going abroad for employment, viz., the Pravasi Bhartiya Bima Yojana, 2003 was notified by the Government of India on 13th November, 2003. Whereas the Government of India considers it necessary to amend the scheme with a view to provide broader coverage to the emigrant workers. Now, therefore, the Government of India hereby makes the following scheme, namely:

#### 1. Short title and commencement.-

(i) This Scheme may be called the Pravasi Bhartiya Bima Yojana, 2006. (ii) It shall come into force on the 1st day of February, 2006.

#### 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

purposes 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 or such person;"Protector of Emigrants" means a Protector of Emigrants appointed under section 3 and includes a person authorised under section 5 of the Emigration Act, 1983 (31 of 1983)."Insurance Company" means any insurer being a company formed and registered under the Companies Act, 1956 (1 of 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 foremigration 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 longer.(b)The insured person shall be covered for a minimum sum of five 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 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 and claim in this regard is filed within 12 calendar months from the date of the accident.(e)The insurance company shall provide medical insurance cover of a minimum of rupees fifty thousand only in case of hospitalisation of the insured worker in an emergency on grounds of accidental injuries and/or sickness/ ailments/ diseases occurring during the period of insurance whether in India or in the country of his employment.(f)The insurance company shall either provide cash-less hospitalisation and/or re-imburse the actual medical expenses in the event of 4(ii)(e) above, provided the medical treatment is 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 twelve 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 work place or destination abroad, if the emigrant worker 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 the period of employment 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)In cases where the repatriation is

arranged by the Indian Mission/Post, the insurance company shall re-imburse the actual expenses to the concerned Indian Mission/Post.(j)The insurance under this policy shall also provide maternity benefits to women emigrants, subject to a minimum cover of twenty thousand rupees. In case of medical treatment in the country of employment, the maternity benefits would be provided only if the requisite documents are certified by the concerned Indian Mission/Post. The re-imbursement shall be restricted to actuals.(k)The family of the emigrant worker in India consisting of spouse and two dependent children upto twenty-one years of age shall be entitled to hospitalisation cover in the event of death or permanent disability of the insured person for an amount not exceeding twenty-five thousand rupees per annum.(l)An insured person shall be covered for a minimum sum of twenty-five thousand rupees in connection with the legal expenses incurred by him in any litigation relating to his/her employment, provided the necessity of filing such case is certified by the appropriate Ministry of that country. The actual expenses incurred will be certified by the concerned Indian Mission/Post.(m)The insurance companies shall charge fair and reasonable premium. Service tax will be charged as applicable.5. The Pravasi Bhartiya Bima Yojana, 2006 will replace the Pravasi Bhartiya Bima Yojana, 2003, with effect from the date of its coming into force.

**5. The Pravasi Bhartiya Bima Yojana, 2006 will replace the Pravasi Bhartiya Bima Yojana, 2003 w.e.f. the date of its coming into force.**