

**GOVERNMENT OF INDIA
OVERSEAS INDIAN AFFAIRS
LOK SABHA**

STARRED QUESTION NO:220

ANSWERED ON:05.02.2014

DEATH COMPENSATION OF INDIAN WORKERS ABROAD

Antony Shri Anto

Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether the Government has received representations regarding pending applications for obtaining compensation in respect of Indians who died while working abroad;

(b) if so, the details thereof during each of the last three years and the current year, State and country-wise and the action taken in each case;

(c) whether the Indian Missions abroad have put in place any mechanism to expedite settlement of legal dues/ compensations from the local authorities in case of death of Indian workers abroad; and

(d) if so, the details thereof?

Answer

MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI)

(a) to (d): A Statement is laid on the Table of the House.

Statement as referred to in reply to the Lok Sabha Starred Question No. 220 for 05-02-2014 regarding 'Death Compensation of Indian Workers Abroad'.

(a) & (b): The Government regulates emigration of Emigration Check Required (ECR) passport holders going to an ECR country for employment. The cases reported by the Indian Missions in respect of matter relating to death compensation are given in the annexure. State-wise details are not maintained by the Indian Missions.

There is no compensation in cases of death due to natural cause and suicide. Compensation is available in cases of un-natural and work related deaths. The claims of death compensation often involve questions of law and are invariably contested by the persons/agency/Insurance Companies concerned before making the payment and the litigation process in such cases is time consuming. Action in each case is taken by the Indian Missions on priority basis in the manner detailed in the following answer to part (c) & (d).

(c) & (d): There is a mechanism in Indian Missions for following up on all cases relating to legal dues and death compensation claims. The Missions provide assistance, on a pro-active basis, right from informing the next of kin to facilitate the disposal of mortal remains either by local burial or transportation to India, in coordination with the sponsors. On receipt of the requisite documents duly attested by concerned authorities in India, the Indian Missions file the cases for death compensation through its panel of lawyers on behalf of the legal heirs. The Missions keep the family of the deceased informed about the progress of the case from time to time. On receipt of compensation in local currency, the Missions forward a demand draft in Indian Rupees (equivalent to the amount received as compensation) issued in favour of the concerned District Collector, for disbursement under intimation to the legal heirs of the deceased.

In the event of on site and road traffic accidents, the Missions pursue cases on behalf of the families on receipt of a Power of Attorney and Legal Heirship Certificate from them. In the event of refusal by Insurance Companies to honour the judgement of the Court, civil cases are filed for execution of the same.

In the event of any delay, the Missions intervene with the company concerned, and if necessary, with the local Government agency concerned, to facilitate settlement of the outstanding dues.