
Workmen's Compensation Insurance

Salient Feature

The employers' legal liability under the W.C.Act to pay compensation to employees not covered under E.S.I.Act for bodily injury or disease sustained / contracted out of and in the course of employment is covered by this policy. Liability to employees under Indian Fatal Accident Act 1855 and at Common Law are also covered under the policy.

Scope of Cover

a) The Workmen's Compensation Insurance Business in India is controlled by the Workmen's Compensation Insurance Tariff (W.C.Tariff). The Tariff provides for two types of Insurance as follows:

Table A: This policy provides indemnity to the Insured if any employee in the Insured's immediate service shall sustain bodily injury by accident or contracts disease arising out of and in the course of his employment by the Insured in the Business and if the Insured shall be liable to pay compensation for such injury either under.

i) Workmen's Compensation Act, 1923 and subsequent amendments of the said Act prior to the date of issue of the Policy provided that the insurance granted is not extended to include any interest and/or penalty imposed on the insured on account of his / their failure to comply with the requirements laid down under the W.C. Act, 1923, and

ii) the Fatal Accident Act, 1855 of at Common Law

And in addition all costs and expenses incurred with the company's consent in defending any claim for such compensation.

Table B : This Policy provides indemnity to the Insured against their legal liability under the Fatal Accidents Act, 1855, and at Common Law. (This Policy is not issued to cover employees who fall within the definition of "workmen" under the Workmen's Compensation Act, 1923, as amended).

b) The Policy excludes

- i) any injury by accident or disease directly attributable to war, invasion, act of foreign enemy, hostilities (whether war be declared or not), civil war, Mutiny, insurrection, rebellion, revolution or military or usurped power.
- ii) the Insured's liability to employees of contractors to the Insured.
- iii) any employee who is not a workman within the meaning of the Laws.
- iv) any liability of the Insured which attaches by virtue of an agreement but which would not have attached in the absence of such agreement.
- v) any sum which the Insured would have been entitled to recover from any party but for an agreement between the Insured and such party.