



COMPENDIUM

Indian Nationals who died Abroad Procedures for Filing Compensation Claims

9 December 2015



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Indian Nationals who died Abroad

Procedures for Filing Compensation Claims

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Afghanistan



First point of Contact in Afghanistan

Embassy of India

Kabul, Afghanistan

Telephone No.: 00-93-20- 2200185

Mr. Hedayat Amarkhil

Work Permit Manager, Ministry of Labour,
Government of Afghanistan,
1st Macroyan, Near Macroyan Market, Kabul

Contact No. +93-788010105
E- mail: hedayat700@gmail.com

Public Affairs Wing/Consular Wing in Embassy of India, Kabul

Telephone No.: Mr.K.U.P Mishra - +93-706131611, Mr.A.Ghosh, +93-705127830
E- mail: paw.kabul@mea.gov.in and cons.kabul@mea.gov.in

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &
Ministry of Overseas Indian Affairs
Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Original Death Certificate, Bank statement and Bank Account details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Employment contract (current) of the deceased along with last salary slips.
4. Details (Passport copy) of the claimant and his/her relationships with the deceased with a proof that he/she is the legal heir.
5. Power of attorney from claimant/next-of-kin in the name of Embassy or any individual residing in Afghanistan whom the deceased's family would like to appoint.
6. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India.
7. Any other relevant documents as per the death case details.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The legal heir should first appoint the Embassy or someone they know in Afghanistan as their legal attorney.
 - ii. To start with, a request has to be made to the employer/insurance company to settle the compensation claim.
 - iii. The request is then pursued with the employer or the concerned insurance company directly by the Embassy or by the Power of Attorney holder.
 - iv. The next-of-kin may also approach Mr. Hedayat Amarkhil, (Work Permit Manager, Ministry of Labour) or Public Affairs Wing/Consular Wing (Embassy of India, Kabul) for assistance.
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- **Death at work place due to occupational accident**

In case death happens at work place, the employer or the concerned insurance company should be approached for compensation. For this, the next-of-kin should initially appoint the Embassy or someone they know in Afghanistan as the attorney to obtain the compensation. The attorney/lawyer will then follow up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation. The next-of-kin may also approach Mr. Hedayat Amarkhil, (Work Permit Manager, Ministry of Labour) or Public Affairs Wing/Consular Wing (Embassy of India, Kabul) for further assistance.

- **Death due to Road Traffic Accident**

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the person responsible for the cause is approached for settling the compensation claim. For this, the next-of-kin appoints a power of attorney who then follows up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation.

- **Death due to illness or natural cause (not related to work place)**

If the death happens due to illness or any other reasons not related to work place, then compensation will depend if and on what kind of insurance the deceased had. For this, the next-of-kin should appoint a power of attorney, who will then follow up the case of compensation claim by sending a letter to the insurance company, asking for the amount of compensation. The insurance company would process the case and release the insurance due to the next-of-kin. The next-of-kin may also approach Mr. Hedayat Amarkhil, (Work Permit Manager, Ministry of Labour) or Public Affairs Wing/Consular Wing (Embassy of India, Kabul) for further assistance. However, facility of insurance coverage in Afghanistan is bare minimum as it is a war-zone country.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the next-of-kin may approach the foreign employer with a

letter seeking the salary due or other service benefits. The next-of-kin may also approach Public Affairs Wing/Consular Wing (Embassy of India, Kabul) for further assistance.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the next-of-kin should initially appoint a power of attorney, who would then follow up by approaching the concerned foreign bank. In case nominee has not been specified, the next-of-kin would be required to submit the following documents with the concerned bank:

1. Original legal heir certificate issued by Govt. of India
2. Bank details of Heir
3. Beneficiary
4. NOC from other Heirs in case of multiple heirs

For any other assistance, the next-of-kin may also approach Public Affairs Wing/Consular Wing (Embassy of India, Kabul).

- **For returning the belongings or mortal remains of the deceased**

For obtaining the material or belongings of the deceased Indian National, the next-of-kin should approach the concerned company. For any other assistance, the next-of-kin may also approach Public Affairs Wing/Consular Wing (Embassy of India, Kabul).

Austria

First point of Contact in Austria

Embassy of India, Austria

Kärntner Ring 2

zur Zeit Opernring 1 Stiege R, 6. Stock

1015 Vienna

Austria

Telephone No.: (+43) 1-505 86 66 - 9

Fax: (+43) 1-505 92 19

Email: indemb@eoivien.vienna.at

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &

Ministry of Overseas Indian Affairs

Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate and Bank details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Power of attorney from next-of-kin in the name of Embassy or any individual residing in Austria whom the deceased's family would like to appoint.
4. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India.
5. Any other document that seem relevant depending upon the death case.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. If a person dies in Austria a number of authorities have to be informed. Depending on where and how the person dies, different people have to file a notice of death with the civil registry office (e.g. Police in case of murder, hospital in case of death at the hospital)
- ii. The civil registry office then issues a death certificate.
- iii. After receiving the death certificate several institutions have to be informed, viz:
 - Employers
 - Financial Institutions
 - Insurance Companies
 - Landlord, phone companies, etc.
- iv. After the issuance of the death certificate, probate or legal proceedings are initiated by the responsible district court. A civil notary is chosen by the court and is responsible to carry out the probate proceedings. Probate proceedings are carried out in every case.

- v. In case of a foreign national who legally resides in Austria and dies within Austrian territory, the inheritance law of the home country of the foreign national is applicable (e. g. if an Indian National dies in Austria, the proceedings will take place in Austria but under Indian inheritance law). Jurisdiction lies with the district court where the citizen resided last.
- vi. The civil notary opens a file and checks on the financial situation of the deceased. This includes any property, financial claims, debts, belongings, bank balance, etc. which all flows into the inheritance. The civil notary then determines the heirs to the inheritance and informs them about their share.
- vii. For a person who does not reside in Austria, the competent court takes the necessary steps to inform the Embassy to organize the transport of the dead body/mortal remains to the home country.
- viii. The next-of-kin should also appoint the Embassy or someone they know in Austria as the attorney to obtain the compensation. The attorney will then follow up the case of compensation claim by initially sending a letter to the company/person responsible asking for the amount of compensation. And in case, the settlement is not achieved, a civil suit has to be filed by the lawyer in a competent court.
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- **Death at work place due to occupational accident**

In case the death happens at work place, compensation is only possible if the death is direct result of an accident and with the intent of the employer. In case, intent is proven, a civil suit can be filed with the competent court for damages and compensation. For this, the next-of-kin should initially appoint the Embassy or someone they know in Austria as the attorney to obtain the compensation. The attorney/lawyer will then follow up the case of compensation claim by initially sending a letter to the company/person responsible, asking for the amount of compensation. In case, the settlement is not achieved, a civil suit has to be filed by the lawyer in a competent court. Following this, a trial will be scheduled where witnesses will be heard and a judge will rule on the damages.

- **Death due to Road Traffic Accident**

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the person responsible for the cause is approached for settling the compensation claim. For this, the next-of-kin appoints a power of attorney who then follows up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation. In case, the settlement is not achieved, a civil suit may be filed by the lawyer in a competent court. Following this, a trial will be scheduled where witnesses will be heard and a judge will rule on the damages.

- **Death due to illness or unnatural cause (not related to work place)**

If the death happens due to illness or any other unnatural reasons, then compensation will depend if and on what kind of insurance the deceased had. In such cases, any claims will need to get directed to the Insurance company with whom a contract exists. For this, the next-of-kin will have to contact the insurance company first and transmit the death certificate and other required documents (as required by the respective insurance company). The insurance company will contact the legal heir with a proposal for payment of compensation if the death is covered by the insurance policy.

- **Any other circumstances of Death**

In case, death has happened due to any other causes such murder, etc., then the victim's legal heir is entitled for blood money (compensation following death of a person) from the accused based on the court's verdict. For this, the attorney of the deceased can approach the concerned court for verdict on blood money. Based on the verdict, the legal heir will get the compensation amount.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits or the court may chose a notary who will open a file and check the financial situation of the deceased. This includes any property, salary, debts, belongings, etc. which all flows into the inheritance. The civil notary then determines the heirs to the inheritance and informs them about the share.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the concerned bank should be approached. In case the nominee has been or has not been specified by the deceased to the bank, the civil notary opens a file and checks on the financial situation of the deceased. This includes any property, open financial claims, debts, belongings, bank balance, etc. which all flows into the inheritance. The civil notary then determines the heirs to the inheritance and informs them about their share. In an official act the heirs will be named and have the choice to accept or reject the inheritance.

- **For returning the belongings or mortal remains of the deceased**

The procedure for returning the belongings or mortal remains of the deceased to India is well organized in Austria. The average time taken by the local authorities for completion of procedures (e.g. post-mortem, issue of death certificate and embalming of bodies) is 3-4 working days in the case of natural deaths. In case of unnatural deaths, it may take longer depending upon the cause of death and investigation conducted. The local authorities and the Embassy coordinate closely to facilitate the process and ensure smooth transportation of mortal remains of Indians who die in Austria, to India.

BAHRAIN



First point of Contact in Bahrain

Embassy of India, Bahrain

Building 182, Road 2608

Block 326, Al-Adliya

PO Box 26106

Kingdom of Bahrain

Telephone No.- 00973 17712683

/17712649

Fax No.- 009731715527

The Director (Dependant Services & Monitoring)

General Organization for Social Insurance,

PO Bo. 5250, Kingdom of Bahrain

Email: info@sio.gov.bh

Telephone No.-00973 17532222

Fax No.-00973 17532033

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &

Ministry of Overseas Indian Affairs

Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate and bank details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Power of attorney from next-of-kin authorising Embassy of India, Bahrain to follow up the case through Embassy advocates or power of attorney in the name of any individual residing in Bahrain whom the deceased's family would like to appoint.
4. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India. Both the Legal Heir certificate and Power of Attorney should be attested by the state's nodal agency as well as the Ministry of External Affairs, New Delhi or its Branch Secretariats.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The legal heir should first appoint the Embassy or someone they know in Bahrain as their legal attorney. To start with, a request has to be made by the employer to GOSI to settle the compensation claim.
- ii. The request is then pursued with the GOSI along with submission of the relevant documents.

- iii. After scrutinizing the documents, GOSI sends a claim form to the family members of the deceased in India asking them to fill the required information.
 - iv. The family members then fill in the details and obtain proper attestation from State and Government authorities in India. Once the family completes the form, it sends it back to GOSI.
 - v. After receiving the form, GOSI finally starts releasing the payment of compensation in instalments to the legal heir directly.
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- **Death at work place due to occupational accident**

In case the death happens at work place due to occupational accident, the legal heir of the deceased is entitled for death compensation as per Labour Law of Bahrain. The claims are initiated by the employers with the GOSI. GOSI investigates the matter to determine the eligibility of the amount of compensation. And after scrutinising the details, GOSI processes the social insurance claim.

Note: As per Bahraini laws, all employers have to register their employees with GOSI.

- **Death due to illness or natural cause (not related to work place)**

If death happens due to illness, unnatural causes or any other reason, away from work place, then no compensation is applicable.

- **Any other circumstances of Death**

In case, death happens due to any other causes such murder, etc., then the victim's legal heir is entitled for blood money (compensation following death of a person) from the accused based on criminal court's verdict. Initially a case is filed in the concerned court by the attorney of the deceased, for verdict on blood money. Based on the verdict, the legal heir will get the blood money.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits. It is only after the benefits and the remittances have been given to the family of the deceased, will the Embassy register the death.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the concerned bank should be approached. There is no concept of nominee in Bahrain so the transferring of the balance is solely based on the requirements of the concerned bank.

- **For returning the belongings of the deceased**

The material or belongings of the deceased Indian National is sent to the family members of the deceased by the concerned company along with a list of personal belongings. Also, necessary letters are issued by the Embassy to the local authorities including Police authorities on the basis of authority letter received from the next-of-kin.

Germany



First point of Contact in Germany

Embassy of India, Berlin, Germany

Tiergartenstr.17

10785 Berlin

Office Hours: 9.00 hrs to 17.30 hrs (Monday to Friday)

Telephone No.: 0049-30-257950

Consular Wing

Tel: +49 (30) 25795611

Fax: +49 (30) 25795620

E- mail: cons.berlin@mea.gov.in

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &

Ministry of Overseas Indian Affairs

Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate, Insurance Number and Bank details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Marriage certificate (spouse) and birth certificate (children)
4. Power of attorney from next-of-kin in the name of Embassy or any individual residing in Germany whom the deceased's family would like to appoint.
5. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India.
6. Any other document that seem relevant depending upon the death case.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

i. The legal heir should first appoint the Embassy or someone they know in Germany as their legal attorney. To start with, a request has to be made to the employer/insurance company to settle the compensation claim.

ii. The request is then pursued with the employer or the concerned insurance company directly by the Embassy or by the Power of Attorney holder.

iii. The next-of-kin may also require attending various hearings before the concerned courts

(in case the employer does not accede to the request and the next-of-kin decides to file a case in the civil court).

iv. Later, based on the judgement, the next-of-kin or the individual holding power of attorney will get the compensation money.

- **Death at work place due to occupational accident**

In case the death happens at work place, the employer should approach the following contact:

Managing Director: Dr. Joachim Breuer

German Statutory Accident Insurance Agency(DGUV),

Glinkastrasse 40,

D-10117 Berlin,

Telephone No.: +49 30 177763800,

e-mail: info@dguv.de

In such a case, the employer should inform the DGUV about the deceased. DGUV will then examine the case and find the family members and contact them. In case the DGUV is not able to contact the family because the address is not available, the family members should contact DGUV at the given address for filing the compensation claim.

- **Death due to Road Traffic Accident**

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the person responsible for the cause is approached for settling the compensation claim. For this, the next-of-kin appoints a power of attorney who then follows up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation. In case, the settlement is not achieved, a civil suit may be filed by the lawyer in a competent court. Following this, a trial will be scheduled where witnesses will be heard and a judge will rule on the damages.

- **Death due to illness or natural cause (not related to work place)**

If the death happens due to illness or any other natural reasons, then a compensation claim has to be filed with the German statutory pension insurance scheme at the following address:

Knobelsdorffstraße 92

14059 Berlin

Telefon: 030 3002-0

Telefax: 030 3002-1009

In this case, Social Security Insurance details will have to be provided to the German Pension Agency along with Death Certificate and other documents. They will later process the claim based on the documents.

- **Any other circumstances of Death**

In case, death has happened due to any other causes such as violence, etc., then the claim is to be made with the following department:

The Federal Ministry of Labour and Social Affairs

Division SER 2,

Rochusstraße 1,
53123 Bonn
53107 Bonn
Tel: 022899 527-6689
e-mail: ser2@bmas.bund.de

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits. In case of any dispute, the family of deceased may approach the Embassy of India.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the concerned bank should be approached. If he/she is not the nominee, then one needs to prove the legitimate claim by presenting an inheritance certificate to the branch of the bank where the account exists. The bank will then forward it to the Inheritance Department of the Bank, which will process the case and transfer the money.

- **For returning the belongings or mortal remains of the deceased**

The material or belongings of the deceased Indian National is sent to the family members of the deceased by the concerned company along with a list of personal belongings. This has to be organized privately by the employer/family members.

Kingdom of Saudi Arabia



First point of Contact in KSA

Embassy of India, Riyadh, KSA

Address : B-1, Diplomatic Quarter,
PO Box 94387, Riyadh 11693,
Kingdom of Saudi Arabia
Tel No.: 00-966-11-488 4144 / 488 4691 / 488 4692
25/7 Helpline No.: 00-966-11-488 4697 / 488 1982
Tel No. for Death Cases: 00-966-11-488 4032
00-966-11-2816242 / 4884144 Ext.110

The General Organization for Social Insurance (GOSI)

Post Box No. 2952, Riyadh-11461,
Kingdom of Saudi Arabia
Fax 00 966 1 4777735/1200
Email: gosi@gosi.gov.sa

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)
Ministry of External Affairs &
Ministry of Overseas Indian Affairs
Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate of deceased
2. Original Passport of the deceased along with a photocopy
3. Power of attorney from next-of-kin in the name of any attorney.
4. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India. Both the Legal Heir certificate and Power of Attorney *along with their Arabic version* must be properly attested from the State Government authorities as well as the Ministry of External Affairs, New Delhi & Saudi Embassy/consulates.
5. Other relevant details such as police report (from the local police), medical report (from the hospital), insurance number.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be

followed are:

- i. The legal heir should first appoint the Embassy or someone they know in Riyadh as their legal attorney. To start with, a request has to be made to the company/GOSI to settle the compensation.
 - ii. The request is then pursued with the employer or the GOSI along with submission of the relevant documents.
 - iii. After scrutinizing the documents, GOSI sends a claim form to the family members of the deceased in India asking them to fill the required information.
 - iv. The family members then fill in the details and obtain proper attestation from State and Government authorities as well as Ministry of External Affairs, New Delhi & Saudi Embassy/consulates in India.
 - v. After receiving the form, GOSI finally starts releasing the payment of compensation in instalments to the legal heir directly.
 - vi. In case of murder or any other circumstances of death, the attorney of the deceased may file a case with the court and after the required proceedings, the court delivers the judgement which contains payment of compensation (Blood Money). The compensation amount is deposited in the court directly or in the treasury of the court which is later given to the attorney to send to the legal heirs of the deceased.
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- **Death at work place due to occupational accident**

In case the death happens at work place due to occupational accident, the sponsor company (Employer) or the GOSI will have to pay death compensation to the next-of-kin as per Local Labour Law (Agriculture labour and domestic workers are not covered for compensation). Initially the legal heir requests the sponsor company to file an online application with the GOSI for settlement of the compensation. This online application along with the required documents (such as police report, medical report, insurance number, etc.) is then studied by GOSI. After scrutinizing the documents, GOSI sends a claim form to the family members of the deceased in India asking them to fill the required information. The family members then fill in the details and obtain proper attestation from State and Government authorities as well as Ministry of External Affairs, New Delhi & Saudi Embassy/consulates in India. Once the family completes the form, it sends it back to GOSI. After receiving the form, GOSI finally starts releasing the payment of compensation in instalments to the legal heir directly.

- **Death due to Road Traffic Accident**

In case of death due to Road Traffic Accident, a compensation claim can be filed by the legal heir with the accused or the Vehicle's Insurance company involved in the accident. The compensation is generally based on the percentage of responsibility fixed on the causer of the accident by traffic police. Initially, the legal heir is required to appoint an attorney by executing power of attorney (POA) in attorney's name and Legal Heir Certificate (LHC). A claim is then filed with the concerned court by the attorney of deceased against the causer of the accident. In order to file the claim POA and LHC should be submitted along with their Arabic versions with proper attestation from State and Government authorities as well as Ministry of External Affairs, New Delhi & Saudi Embassy/consulates in India.

There may exist two cases as mentioned below:

- When the vehicle of the cause is *not* insured-
 - 1) At first, the attorney has to approach the concerned traffic police with POA & LHC to obtain the details of the causer of accident.
 - 2) The Attorney files the claim online in the concerned court where the accident had taken place.
 - 3) The hard copy of the online claim with required documents is submitted to the court. Court then obtains the concerned file from traffic police department along with the police report and fixes a hearing date.
 - 4) After the decision for payment of compensation has been delivered by the court, it is responsibility of the Traffic Police to implement it in small cities or Compensation Section of the Civil Rights department of Police authorities in Governor's office in big cities.
 - 5) The causer has to deposit the compensation amount as per the decision made by the court itself or to the Compensation Section of the Civil Rights department of Police authorities in Governor's office.
 - 6) The compensation amount is then given to the attorney, which is later to be sent to the legal heirs of the deceased.

- When the vehicle of the cause is insured-
 - 1) At first, the attorney has to approach the concerned traffic police with POA & LHC to obtain the details of the causer of accident.
 - 2) The Attorney files the claim online in the concerned court where the accident had taken place.
 - 3) The hard copy of the online claim with required documents is submitted to the court. Court then obtains the concerned file from traffic police department along with the police report and fixes a hearing date.
 - 4) After the decision for payment of compensation has been delivered by the court, it is responsibility of the Traffic Police to implement it in small cities or Compensation Section of the Civil Rights department of Police authorities in Governor's office in big cities.
 - 5) The attorney has to approach the traffic police who will give him the required documents to submit to the Insurance Company. The documents to be submitted are :
 - a) Traffic accident report
 - b) Insurance details of the causer
 - c) Original Court Verdict
 - 6) The Insurance Company examines the claim and after necessary formalities issues the cheque of the compensation amount.

- The following authorities may also be contacted:
 - a. The traffic police Authorities of the respective area where road traffic accident occurred.
 - b. Saudi Public Court/Panel Court of the respective area where road traffic accident occurred.
 - c. The traffic police/ Compensation Section of Civil Rights department of Governor's office
 - d. If required, Insurance company

- **Death due to illness or natural cause (not related to work place)**
 If the death happens due to illness or any other reason, away from the work place, then no compensation is applicable unless the individual has a personal insurance. In case the person has a personal insurance, then the next-of-kin may file the compensation claim with the concerned insurance company.
- **Death due to Unnatural causes**
 In case, death has happened due to unnatural causes or other causes such as terrorist attack or police firing, etc., then the death cases may be registered for compensation with the Saudi Government at Ministry of Foreign Affairs, Saudi Arabia. The Saudi Government will then decide the compensation on case by case basis.
- **Any other circumstances of Death**
 In case, death has happened due to any other causes such murder, etc., then the victim's legal heir is entitled for blood money (compensation following death of a person) from the accused based on court's verdict.

 - 1) Initially, the Police authorities send the case to the court. For this, the compensation claim is filed with the court of respective area by the attorney of the deceased as appointed by the legal heir.
 - 2) The hard copy of the online claim and required documents is submitted along with their Arabic versions with proper attestation from State and Government authorities as well as Ministry of External Affairs, New Delhi & Saudi Embassy/consulates in India, with the court. Court then obtains concerned file from police department, if not present already and fixes the hearing date.
 - 3) After the required proceedings, the court delivers the judgement which contains payment of compensation (Blood Money) in addition to the jail term.
 - 4) The compensation amount is deposited in the court directly or in the treasury of the court.
 - 5) The compensation amount is finally given to the attorney to send to the legal heirs of the deceased.
- **Outstanding salary of the deceased**
 In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits. Such dues are settled by the sponsor company/employer either through Labour office before/after issuing NOC (No Objection Certificate) by the Embassy or directly with the family/their attorney. The Embassy issues NOC for the transportation of Mortal remains/ burial only after the sponsor submits a certificate issued by Labour office (certifying that he has cleared all dues) **OR** the sponsor submits an undertaking in respect of settlement of such dues. Also, if dues are sent to the family through Embassy, it generally takes 2-3 months to reach the legal heirs after it is received in the Embassy. For this, the cheque is initially sent by the sponsor company/employer in favour of Embassy of India in Saudi Riyals which is deposited in the Embassy's account. After realization, a fresh cheque for the equivalent amount in rupees is issued in favour of the concerned district authorities for disbursement to the legal heirs after due verification. The SBI cheque goes to the district authorities through postal channel.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the following points are to be kept in mind:

a. *If the nominee has been specified* – In case the nominee has been specified by the deceased to the bank, the concerned bank will transfer the balance directly to the nominee's account.

b. *If the nominee has **not** been specified* – In case the nominee has not been specified by the deceased to the bank, such dues are generally routed through Indian Embassy account. Through this channel it normally takes 2-3 months for the dues to reach the legal heirs as the dues are routed through district authorities. For this, the cheque is initially received in favour of Embassy of India in Saudi Riyals which is deposited in the Embassy's account. After realization, a fresh cheque for the equivalent amount in rupees is issued in favour of the concerned district authorities for disbursement to the legal heirs after due verification. The SBI cheque goes to the district authorities through postal channel.

- **For returning the belongings of the deceased**

The material or belongings of the deceased Indian National is sent to the family members of the deceased by the concerned sponsor company/attorney who is responsible for local burial/transportation to India. He makes arrangements to send the belongings to the family in India along with a list of personal belongings.

KUWAIT



First point of Contact in Kuwait

Community Welfare Officer,

Embassy of India, Kuwait
P.O.Box-1450, Safat-13015, Kuwait,
Fax No. 00965 – 22573910,

Email: attachewelfare@indembkwt.org
Or, hoc@indembkwt.org

Ministry of Social Affairs and Labour

Government of the State of Kuwait
Street 252, Mubarak, Al Kabir, Kuwait
Website: www.mosal.gov.in *

Tel. No. 00965 – 22480000
Fax No. 00965 – 22419877

Ministry of Justice

Government of the State of Kuwait
Murqab, Kuwait City, Kuwait
P.O.Box-6, Al Safat-13001, Kuwait,

Tel. No. 00965 – 22486204
Fax No. 00965 – 2442257

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &
Ministry of Overseas Indian Affairs
Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate of deceased
2. Original Passport of the deceased along with a photocopy
3. Power of attorney from next-of-kin authorising Embassy of India, Kuwait to follow up the case through Embassy advocates or power of attorney in the name of any individual residing in Kuwait whom the deceased's family would like to appoint.
4. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned State Government in form of 'Family Member Certificate' or 'Certificate' which carry the same information which the local authorities require to be mentioned in the legal heirship certificate in India.
5. Both the Legal Heir certificate and Power of Attorney should be attested by the following authorities:
 - District Magistrate or First Class Magistrate
 - Authorised Officer of the State Government (Home Department)
 - Ministry of External Affairs, Consular Section, New Delhi or Branch Secretariat of Ministry of External Affairs (outside Delhi).

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The next-of-kin should appoint the Embassy or someone they know in Kuwait to obtain the compensation. Death compensation cases related to work-site accident should be filed within one year and traffic accidents should be filed within three years from the date of accident, otherwise it becomes time barred.
 - ii. The request is then pursued with the employer or the concerned local courts directly by the Embassy or by the Power of Attorney holder.
 - iii. In case employer does not agree to pay compensation, then a case may be filed against him with Ministry of Social Affairs and Labour and also followed in the criminal court.
 - iv. After final judgement in the case issued by the court, a civil case if required to be filed either in the Ministry of Social Affairs and Labour or The First Instance Court (Civil). Thereafter the case may get forwarded to the Appeal Court and Higher Appeal Court.
 - v. The next-of-kin may also require attending various hearings before the concerned courts (in case the employer does not accede to the request and the next-of-kin decides to file a case in the civil court).
 - vi. Later, based on the judgement, the next-of-kin or the individual holding power of attorney will get the compensation money.
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- **Death at work place due to occupational accident**

In case the death happens at work place due to occupational accident, the company will have to pay death compensation to the next-of-kin. Initially the next-of-kin has to make a request to the employer for settlement of the compensation. This request will be pursued with employer or the civil court directly by the Embassy or by the Power of Attorney holder. Generally, the employer grants the request and will settle the claims. However, if the employer does not accede to the request then the next-ok-kin may file a case with Ministry of Social Affairs and Labour and also followed in the criminal court.

- **Death due to illness or natural cause (not related to work place)**

If the death happens due to illness or any other reason, away from the work place, then the next-of-kin may file the compensation claim with the employer. If the employer does not accede to the request then the next-ok-kin may file a case with Ministry of Social Affairs and Labour.

- **Death due to Unnatural causes**

In case, death has happened due to unnatural causes, then initially a request should be made with the concerned employer or the insurance company. In case the company does not agree, then a case may be filed in the criminal or civil court for verdict.

- **Any other circumstances of Death**

In case, death has happened due to any other causes then the victim's legal heir is entitled for blood money (compensation following death of a person) from the accused based on criminal court's verdict. Initially, a case may be filed with the Ministry of Social Affairs and Labour and also followed by the criminal court. After

final judgement in the case issued by the criminal court, a civil case if required to be filed with the First Instance Court (Civil). Thereafter, the case may get forwarded to the Appeal Court and Higher Appeal Court, if necessary. Based on the verdict, the legal heir will get the blood money.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits. The family of the deceased may approach the employer directly or appoint Embassy or someone they know in Kuwait for the same. In case the employer does not pay the dues, a case for non payment of dues is required to be filed with Ministry of Social Affairs and Labour.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the concerned bank should be approached. The concerned bank will transfer the balance to the nominee's account, as per the bank policy. In case the nominee has not been specified by the deceased to the bank, the remaining balance will be transferred to the account of the legal heir based on the legal heir certificate. However, it may vary depending on the concerned bank's policy.

- **For returning the belongings of the deceased**

For returning the belongings of the deceased, the concerned employer should be approached. The material or belongings of the deceased Indian National is sent to the family members of the deceased by the concerned company along with a list of belongings.

Note: Domestic workers are not covered under Kuwait Labour Laws. The legal heirs of the deceased of such workers are *not* eligible for filing a case for not payment of dues with the Ministry of Social Affairs and Labour, Kuwait.

In case the next-of-kin decides to appoint Embassy advocates as attorney, the following panel of Lawyers can be approached:

1. Mr. Mohammad Ali Helal Al Enezi

Address- Fahad Al Salam Street, Kuwait Building

Floor No.-8, Kuwait City, Kuwait

P.O.Box - 27647, Safat-13069, Kuwait

TelNo.-(965)22217140/141

Fax No.-(965)22217142

Mob: (965)99604163

Email: alenezeiq8i@gmail.com

2. Mr. Samir Chartouni, Al Shehri & Chartouni, Attorneys and Legal Advisers

Address- Yousef Al Shehri & Co.,

Legal Consultant Office, Sharq, Nishan Tower

Floor No.-10, Sharq, Kuwait

Mob: (965)97802607

TelNo.-(965)22495010/020

Fax No.- (965)22245506

Email: samchartouni@live.com

3. Mr. Nawaf Al Mutairi, Al Dar for Consultancies and Law Affairs

Address- Jabriya, Block 1(B),

Street No.- 3. Nasser Tower

Floor No.-9, Kuwait

Mob: (965)99145306

TelNo.-(965)25341090

Fax No.- (965)25341060

Email: aktabdul@gmail.com

4. Mr. Labeed M.A Abdal, The Law Firm of Labeed Abdal

Address- Al Mubarakiya, Ali Al Salem Street,

Hamad Commercial Center, Kuwait

P.O.Box- 29175

Safat-13152, Kuwait

Mob: (965)97211981

TelNo.-(965)22433707/17/87

Fax No.- (965)22433757

Email: georgy@lalaw.com.kw

5. Mr. Hamed Al Dashti

Address- Fahed Salem Street, Alshaikha Sabika Al Sabah Building,

Floor No.-3, Office No.-14, Kuwait City, Kuwait

Mob: (965)99922265

TelNo.-(965)22413175

Email: lawyerhamedaldashti@gmail.com

Lebanon



First point of Contact in Lebanon

Embassy of India, Beirut, Lebanon

239, Ibrahim Abed El Aal Street,

Hamra, Ras Beirut, Beirut

Telephone No.: +961-1-735922

Fax: +961-1-741278 (Ambassador's Office), +961-1-741283

24/7 Helpline for Indian Nationals: +961-76860128

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &

Ministry of Overseas Indian Affairs

Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate and Bank details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Power of attorney from next-of-kin in the name of Embassy or any individual residing in Lebanon whom the deceased's family would like to appoint.
4. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India.
5. Any other document that seems relevant depending upon the death case.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The legal heir should first appoint the Embassy or someone they know in Lebanon as their legal attorney.
- ii. To start with, a request has to be made to the employer/insurance company to settle the compensation claim.
- iii. The request is then pursued with the employer or the concerned insurance company directly by the Embassy or by the Power of Attorney holder.
- iv. In case of a dispute with the employer or the Insurance Company over the compensation, the case can be taken to the Arbitration Labour Council which has jurisdiction over the area in which the worker was employed. In case there is no insurance policy, a case has to be

filed against those responsible for the accident/death in the Civil Court and a legal decision has to be obtained.

- **Death at work place due to occupational accident**

In case the death happens at work place, the employer or the concerned insurance company should be approached for compensation. For this, the next-of-kin should initially appoint the Embassy or someone they know in Lebanon as the attorney to obtain the compensation. The attorney/lawyer will then follow up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation. In Lebanon, each claim is processed individually, and generally involves legal recourse.

- **Death due to Road Traffic Accident**

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the person responsible for the cause is approached for settling the compensation claim. For this, the next-of-kin appoints a power of attorney who then follows up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation. In case, the settlement is not achieved, a civil suit may be filed by the lawyer in a competent court. Following this, a trial will be scheduled where witnesses will be heard and a judge will rule on the damages.

- **Death due to illness or natural cause (not related to work place)**

If the death happens due to illness or any other reasons not related to work place, then compensation will depend on what kind of insurance the deceased had, if any. In such cases, the claim has to be filed with the concerned insurance agency if the employer has provided insurance cover, which is generally limited to a maximum of \$ 6000. Initially, the next-of-kin should appoint a representative through power of attorney, who will then follow up the case of compensation claim by sending a letter to the insurance company, asking for the amount of compensation. The insurance company would process the case and release the insurance due to the representative.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the attorney/representative of the next-of-kin should approach the foreign employer with a letter seeking the salary due or other service benefits.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the next-of-kin should initially appoint a representative through power of attorney. The representative would then follow up the case of compensation claim by approaching the concerned bank along with Power of Attorney and Legal Heir Certificate.

- **For returning the belongings or mortal remains of the deceased**
To bring back the belongings or the mortal remains of the deceased, the legal heir should authorize a representative to collect belongings and deal appropriately with any movable/immovable property.
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Libya



First point of Contact in Libya

Embassy of India, Tripoli

Nafleen Area, Near Fashloom Roundabout

Post Office Box 3150

Tripoli (Libya)

Telephone No.: 218-21-3409288 & 89 (PABX)

Fax: 3409281 (General)

Email: info@indianembassylibya.in

Office hours: 0830 till 1700 hours (with 1300 – 1330 Lunch Break)

Working days Sunday to Thursday

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &

Ministry of Overseas Indian Affairs

Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Original Death Certificate and Bank Account details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Employment contract (current) of the deceased
4. Details of employer (Company's name, address, phone, fax, email etc.)
1. Details (Passport copy) of the claimant and his/her relationships with the deceased with a proof that he/she is the legal heir.
2. Power of attorney from claimant/next-of-kin in the name of Embassy or any individual residing in Libya whom the deceased's family would like to appoint.
3. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The legal heir should first appoint the Embassy or someone they know in Libya as their legal attorney.
- ii. Initially, a request has to be made to the employer/insurance company to settle the compensation claim.
- iii. The request is then pursued with the employer or the concerned insurance company

directly by the Embassy or by the Power of Attorney holder.

- **Death at work place due to occupational accident**

In case death happens at work place, the employer or the concerned insurance company should be approached for compensation. For this, the next-of-kin should initially appoint the Embassy or someone they know in Libya as the attorney to obtain the compensation. The attorney/lawyer will then follow up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation. A copy may also be sent to the Mission by the attorney for taking up the case.

- **Death due to Road Traffic Accident**

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the person responsible for the cause is approached for settling the compensation claim. For this, the next-of-kin appoints a power of attorney who then follows up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation.

- **Death due to illness or natural cause (not related to work place)**

If death happens due to illness or any other reasons not related to work place, then compensation will depend on what kind of insurance the deceased had, if any. For this, the next-of-kin should appoint a power of attorney, who will then follow up the case of compensation claim by sending a letter to the insurance company, asking for the amount of compensation. The insurance company would process the case and release the insurance due to the next-of-kin.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the next-of-kin may approach the foreign employer with a letter seeking the salary due or other service benefits. In case of any dispute, the family of deceased may approach the Embassy of India.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the next-of-kin should initially appoint a representative through power of attorney. The representative would then follow up the case of compensation claim by approaching the concerned bank.

- **For returning the belongings or mortal remains of the deceased**

For obtaining the material or belongings of the deceased Indian National, the next-of-kin should approach the concerned company.

Note: Presently, Libya is going through civil war like situation and there is no legal local Govt in Tripoli. Once a legal local Govt. is established in Libya all such matters may be taken up by this Mission with local foreign office as nodal Libyan authority.

Maldives



First point of Contact in Maldives

High Commission of India, Male, Maldives

Athireege Aage, Ameeru Ahmed Magu,

Henveiru, Male - 2025, Maldives

Telephone: 00960 - 3323015, 3323016, 3307716

Fax: 00960 - 3324778, 3310180

Feedback: hoc.male@mea.gov.in

Contact Person:

Shri Sheel P. Gautum, First Secretary (Consular) (Email : fs@hicomindia.com.mv);

Shri Narayan Kumar, Community Welfare Officer (Email: welfare@hicomindia.com.mv)

Tel: 00960 3323759/ 3306612

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &

Ministry of Overseas Indian Affairs

Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Original Death Certificate, Bank statement and Bank Account details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Employment contract (current) of the deceased.
4. Details (Passport copy) of the claimant and his/her relationships with the deceased with a proof that he/she is the legal heir.
5. Power of attorney from claimant/next-of-kin in the name of Embassy or any individual residing in Maldives whom the deceased's family would like to appoint.
6. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India.
7. Any other relevant documents as per the death case details.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The legal heir should first appoint the Embassy or someone they know in Maldives as their legal attorney.

- ii. To start with, a request has to be made to the employer/insurance company to settle the compensation claim, if applicable as per the employment contract. The request is pursued with the employer or the concerned insurance company directly by the Embassy or by the Power of Attorney holder.
 - iv. The next-of-kin may also require attending various hearings before the concerned courts (in case the employer does not accede to the request and the next-of-kin decides to file a case in the civil court).
 - v. Later, based on the judgement, the next-of-kin or the individual holding power of attorney will get the compensation money.
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- **Death at work place due to occupational accident**

In case death happens at work place, the employer or the concerned insurance company should be approached for compensation by the family of the deceased. For this, the next-of-kin should initially appoint the Embassy or someone they know in Maldives as the attorney to obtain the compensation. The attorney/lawyer will then follow up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation, if applicable as per the employment contract. In case the employer does not respond, then next-of-kin should approach the local courts. Also, in case of any other complaints, the family of the deceased may approach Employment Tribunal Tel-3307701, Fax-3308774/ or local civil court for settlement of compensation claim. The Labour Relation Authority, Maldives (Tel 3347474/Fax-3306176) also help in mediation in case of a dispute.

- **Death due to Road Traffic Accident**

In case of death happens due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the person responsible for the cause is approached for settling the compensation claim. For this, the next-of-kin appoints a power of attorney who then follows up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation.

- **Death due to illness or natural cause (not related to work place)**

If the death happens due to illness or any other reasons not related to work place, then compensation will only be applicable if it is mentioned in the employment contract. In such a case, claim has to be filed with the respective employer. For this, the next-of-kin should appoint a power of attorney, who will then follow up the case of compensation claim by sending a letter to the employer/insurance company, asking for the amount of compensation. In case the employer does not respond, then next-of-kin should approach the Employment tribunal, and, if required, the local courts. If any other assistance is required, the family may approach the High Commission of India which would in turn approach the Ministry of Foreign Affairs, Republic of Maldives for communicating with the Maldivian authorities for settlement of death compensation.

- **Death due to any other cause**

In case the deceased has a personal insurance, then the nominee(s) of the deceased has to approach the Insurance Company directly for compensation. It has been seen that in

Maldives, employees are usually not provided with any insurance cover by the employers. However, in cases where the employee has an insurance cover, the concerned Insurance company is liable to pay the compensation claim. In case of any legal dispute with the insurance company, the family of the deceased may approach local civil court for settlement of the case. If any further assistance is required, the family may approach the High Commission of India.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the next-of-kin may approach the foreign employer with a letter seeking the salary due or other service benefits. In case of any dispute, the family of the deceased may approach the Embassy.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the next-of-kin should initially appoint a power of attorney, who would then follow up by approaching the concerned foreign bank with documents for transfer of balance remaining in bank account of deceased.

- **For returning the belongings or mortal remains of the deceased**

For obtaining the material or belongings of the deceased Indian National, the next-of-kin should approach the concerned company or the employer and ask them to arrange returning of personal belongings of the deceased at the time of repatriation of the body. The family may also approach the High Commission of India for assistance.

MOROCCO



First point of Contact in Morocco

Embassy of India, Morocco

#88, Rue Ouled Tidrarine (corner of Rue Laroussaine),
Souissi, Rabat,
Kingdom of Morocco.
Working hours: 0830-1700 hrs (Monday to Friday)
Telephone Numbers: + 212 537 63 5801/02/03,
Fax +212 537 63 4734

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &

Ministry of Overseas Indian Affairs

Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate of deceased issued and attested by Embassy or local authorities
2. Original Passport of the deceased along with a photocopy
3. Copy of the passport/ID of the next of kin, and any other documents required by the concerned company/organisation (to be checked with the concerned company).
4. Power of attorney in the name of Embassy or any individual residing in Morocco whom the deceased's family would like to appoint.
5. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India. Both the Legal Heir certificate and Power of Attorney should be attested by the state's nodal agency as well as the Ministry of External Affairs, New Delhi or its branch Secretariats.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The next-of-kin should appoint the Embassy or someone they know in Morocco as the attorney to obtain the compensation. To start with, a request has to be made to the Human Resources Department of the company/organization concerned where the deceased was working.

- ii. A copy of the communication should be endorsed to the First Secretary (Consular) in EoI, Rabat.
 - iii. The request is then pursued with the employer or the concerned local courts directly by the Embassy or by the Power of Attorney holder.
 - iv. In court cases, the matter is followed up by the concerned courts and based on the judgement the compensation is given.
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- **Death at work place due to occupational accident**

In case death happens at work place due to occupational accident, the company will have to pay death compensation to the next-of-kin. Initially the next-of-kin has to make a request to the Human Resources Department of the company/organization concerned where the deceased was working. A copy of the communication should also be endorsed to the First Secretary (Consular) in EoI, Rabat. This request will be then pursued with employer or the civil court directly by the Embassy or by the Power of Attorney holder. Generally, the employer grants the request and will settle the claims. However, if the employer does not accede to the request then the next-ok-kin may approach the Embassy or the concerned court.

- **Death due to Road Traffic Accident**

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the causer is approached for settling the compensation claim. However, if the insurance company does not agree, then a case can be filed in the court and either the Embassy or the Power of Attorney holder will follow up the case through civil or criminal court.

- **Death due to illness or natural cause (not related to work place)**

If the death happens due to illness, unnatural causes or any other reason, away from the work place, the nominee of the deceased should contact the insurance company. Also, the legal heir should endorse a copy of the communication to the embassy.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits. For this, a request is made to the Human Resources Department of the company/organization concerned where the deceased was working. Also, a copy of the communication should be endorsed to the First Secretary (Consular) in EoI, Rabat.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the following points are to be kept in mind:

- a. *If the nominee has been specified* – In case the nominee has been specified by the deceased to the bank, the specified nominee should provide particulars of the bank account to the concerned bank where the deceased was maintaining his account along with documents which would establish the identity of the nominee. A copy of the communication should be endorsed to

the First Secretary (Consular) in EoI, Rabat to follow up in case it is necessary.

b. *If the nominee has **not** been specified* – In case the nominee has not been specified to the bank, the next-of-kin of the deceased should provide particulars of the bank account to the concerned bank where the deceased was maintaining his account along with documents which would establish that the person is the legitimate heir of the deceased. A copy of the communication should be endorsed to the First Secretary (Consular) in EoI, Rabat to follow up in case it is necessary.

- **For returning the belongings of the deceased**

The material or belongings of the deceased Indian National is sent to the family members of the deceased by the concerned company along with a list of personal belongings. Initially, when a death is reported with the Embassy, the Mission requests the company for sending all the personal effects of the deceased along with the mortal remains of the deceased, to the family of the deceased. In case personal belongings are not reached, the family should again contact the company/organization and should endorse a copy to the Embassy for taking up with the company/organization.

Mozambique



First point of Contact in Mozambique

High Commission of India,

Avenida Kenneth Kaunda,
No. 167, PO Box 4751, Maputo,
Mozambique
Telephone No.- (00-258) 21 492 437 / 490 717
Fax No.- (00-258) 21 492 364
Email: hicomind@tvcabo.co.mz

National Institute of Social Security (INSS)

Telef.+258 21-403010 21-403025 21-406834;
Fax: +258 21-401988;
Tax Authorities: linhadocontribuinte@at.gov.mz

Ministry of Health

PO box 264, Maputo
Mozambique
Telephone No.: 258-1-427131/2/4.

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)
Ministry of External Affairs &
Ministry of Overseas Indian Affairs
Government of India
Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate and Bank details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Communication letter to INSS and concerned Tax Authorities
4. Power of attorney in the name of Embassy or any individual residing in Mozambique whom the deceased's family would like to appoint.
5. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India. Both the Legal Heir certificate and Power of Attorney should be attested by the state's nodal agency as well as the Ministry of External Affairs, New Delhi or its Branch Secretariats.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The next-of-kin should appoint the Embassy or someone they know in Mozambique as the attorney to obtain the compensation. To start with, the family of the deceased should write a letter to the INSS (if the employee was registered as foreign employee and made all payment as contributor) communicating the death of the employee and asking the payment of compensation.
 - ii. Also, another letter shall be sent to Tax authorities to cancel all tax obligations.
 - iii. The letter and request for compensation will then be pursued with INSS directly by the Embassy or by the Power of Attorney holder.
 - iv. In court cases, the matter is followed up by the concerned courts and based on the judgement the compensation is given.
-

- ***Death at work place due to occupational accident***

In case the death happens at work place due to occupational accident, the company will have to pay death compensation to the next-of-kin. Also, the family of the deceased should write a communication letter notifying the death of the employee to the Ministry of Labour, Ministry of Health, the local police, INSS and the Public Prosecutor's Office.

- ***Death due to reasons not related to work place***

In case of death due to reasons not related to work place, the family of the deceased should approach the National Institute of Social Security (INSS). To start with, the family of the deceased should write a letter to the INSS (if the employee was registered as foreign employee and made all payment as contributor) communicating the death of the employee and asking the payment of compensation. Also, another letter shall be sent to Tax authorities to cancel all tax obligations. The letter and request for compensation will then be pursued with INSS directly by the Embassy or by the Power of Attorney holder.

- ***Death due to any other reason***

In case of death due to any other reason, a communication letter should be sent to the police and immigration services, notifying the death. Also, a letter has to be sent to INSS for cancellation of employee's account at INSS and Tax Authority.

With the death of the employee the contract expires and if the employee is registered with Social Security, the INSS has an obligation to pay all funeral expenses and the employee's pension based on contributions made by the employee.

- ***Death due to illness or unnatural cause***

If the death happens due to an occupational disease, the employer has to inform the insurance company and the immigration services. Later, if required, the insurance company will inform the Department of justice and the labour court. Also, a

communication letter should be sent to the police and immigration services, notifying the death. In case death happens due to any other circumstances, the family should inform the insurance company, immigration services and local police by sending a communication letter notifying the death.

- ***Outstanding salary of the deceased***

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits.

- ***Transferring the remaining balance in the bank account of deceased to nominee's account***

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the concerned bank should be approached. In case the nominee has been or has not been specified by the deceased to the bank, the concerned bank will transfer the balance based on the Legal Heir certificate or the legal representative of the heir. Also, communication letter should be sent to the police, public notary and immigration services, notifying the death.

- ***For returning the belongings or mortal remains of the deceased***

The material or belongings of the deceased Indian National is sent to the family members of the deceased by the concerned company along with a list of personal belongings.

OMAN



First point of Contact in Oman

Embassy of India, Muscat,
(Community Welfare Wing)
P.B.No.1727, Ruwi,
P.C.112, Sultanate of Oman

Tel. No.– 00968-24684570
Fax– 00968-24684546
Email: attachew@indemboman.org

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)
Ministry of External Affairs & Ministry of Overseas Indian Affairs
Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate of deceased, to be obtained from the Royal Oman Police after getting the Death Notification from the concerned hospital where death is registered.
2. Original Passport of the deceased along with a photocopy
3. A letter from the Embassy of India, Muscat, to be obtained, advising the advocate to follow up on the case of compensation claim
4. Power of attorney from next-of-kin authorising Embassy of India, Muscat to follow up the case through Embassy advocates
5. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India.

Procedures to claim compensation

To claim the blood money in case of death of the Indian national abroad, the steps to be followed are:

- i. The next-of-kin should appoint a legal firm in Oman to follow up the matter with the concerned police station (in case death happens away from work place) to obtain the details (such as place of death, time and cause of death, etc) of the respective case.
 - ii. The legal firm in Oman will also follow up with the concerned Public Prosecution to take up the case with the concerned court.
 - iii. The next-of-kin may also require attending various hearings before the concerned criminal courts (in case of death away from work place). In majority of the cases, the criminal court will transfer the case to the civil court.
 - iv. The next-of-kin will then have to attend civil courts (primary court) for realising the blood money (compensation money).
 - v. Later, the next-of-kin will file execution with the concerned execution departments in order to claim the blood money.
-

- **Death at work place due to occupational accident**

In case death happens at work place due to occupational accident, the company will have to pay death compensation to the next-of-kin as per the Omani Labour Law. The company will follow up the case with the concerned insurance company for realisation of death compensation amount.

- **Death due to Road Traffic Accident**

In case of death due to Road Traffic Accident or places not related to work, Embassy has appointed three legal firms to follow up the case with concerned local authorities.

I. M/s Rajab Al-Kathiri & Associates,
Al Khaleej Legal Consultants Lawyers & Legal Consultants,
P.B.No.3888, P.B.No.112, Ruwi
Tel. No. – 24787640
Fax – 00968-24703378
GSM-96693972
Email: rajbasso@omantel.net.om

II. M/s Hassan bin Mohsin Lawyers & Legal Consultancy,
P.B.No.1055, Al Hamriya, P.C.131
Tel. No. – 24818419/24818492
Fax –24818704
Email: hmaglawyers@gmail.com

III. M/s Khalid Al Wahaibi Advocate & Legal Consultants,
P.B.No.194, P.C. 130, Al Uzaiba.
Tel. No. – 24475777
Fax – 24475888
Email: khalidlaw3@yahoo.com

- **Death due to illness (and the company provides insurance)**

If death happens due to illness or any other reason and the company involved has personal insurance for their workers, the family relative of the deceased can claim compensation on behalf of the worker. The next-of-kin will have to file a compensation claim with the concerned company.

- **Death due to Unnatural causes**

In case the compensation claim is addressed to the insurance company and the death has happened due to unnatural causes, illness or injury (not at work place), it is not compulsory that the insurance company have to pay any insurance amount. Under such circumstances the insurance company is not liable to pay the insurance amount. In any other circumstances of death, no compensation is admissible as per Omani Law.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in the foreign country, then the foreign employer should be requested to settle all the dues at the time of the despatch of the dead body to India. In case the employer does not accede to the request, the family of deceased should approach the Embassy.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the following points are to be kept in mind:

- a) *If the nominee has been specified* – In case the deceased had specified a name to the bank, the concerned bank will have to take the consent from the Embassy for releasing the bank balance. Once the Embassy approves, only then will the balance be transferred to the nominee's account.
- b) *If the nominee has **not** been specified* – In case the deceased had not specified a name to the bank, the Embassy will write a letter to the Ministry of Foreign Affairs for releasing the balance lying at the credit of the deceased. In turn the bank will release the amount and forward it to the Embassy. The Embassy will then send the amount to the next-of-kin (of the deceased) as per the details provided by the family.

- **For returning the belongings of the deceased**

For returning the material or belongings of the deceased Indian National to the family members, the concerned company will first have to make a list of the belongings. It will then get them attested from the Embassy of India, Muscat. After this, the belongings will be sent to the family of the deceased.

QATAR



First point of Contact in Qatar

Embassy of India, Doha, Qatar

Villa No. 19, Street No.828,
Area No.42, Wadi Al Neel,
Old Hilal Area, P.O. Box 2788,
Doha – Qatar

Public Prosecution

Telephone No. +974 – 44843333
Fax No. +974 – 44843149, P.O. Box No. 705

Email: info@pp.gov.qa

Supreme Judicial Council

Telephone. No. +974 – 44859111
Fax No. +974 – 44833939

Email: pr@sjc.gov.qa

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &
Ministry of Overseas Indian Affairs
Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate of deceased
2. Original Passport of the deceased along with a photocopy
3. Power of attorney from next-of-kin authorising Embassy of India, Qatar to follow up the case through Embassy advocates or power of attorney in the name of any individual residing in Qatar whom the deceased's family would like to appoint.
4. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India. Both the Legal Heir certificate and Power of Attorney should be attested by the state's nodal agency as well as the Ministry of External Affairs, New Delhi or its branch Secretariats.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be

followed are:

- i. The next-of-kin should appoint the Embassy or someone they know in Qatar to obtain the compensation. To start with, a request has to be made through the Embassy of India, Qatar, to settle the compensation.
 - ii. The request is then pursued with the employer or the concerned local courts directly by the Embassy or by the Power of Attorney holder.
 - iii. The next-of-kin may also require attending various hearings before the concerned courts (in case the employer does not accede to the request and the next-of-kin decides to file a case in the civil court).
 - iv. Later, the next-of-kin or the individual holding power of attorney will have to file execution with the concerned execution departments in order to claim the compensation money.
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- **Death at work place due to occupational accident**

In case the death happens at work place due to occupational accident, the company will have to pay death compensation to the next-of-kin. Initially the next-of-kin has to make a request routed through the Qatar Foreign Ministry for settlement of the compensation. This request will then be pursued with employer or the civil court directly by the Embassy or by the Power of Attorney holder. Generally, the employer grants the request and will settle the claims. However, if the employer does not accede to the request then the next-ok-kin may file a case with the civil court.

- **Death due to Road Traffic Accident**

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company is approached for settling the compensation claim. However, if the insurance company does not agree, then a case can be filed in the court and either the Embassy or the Power of Attorney holder will follow up the case through civil or criminal court. A point to note here is that the initial request should be routed through the Qatar Foreign Ministry followed by approaching civil or criminal court for compensation verdict.

- **Death due to illness or natural cause (not related to work place)**

If the death happens due to illness or any other reason, away from the work place, then no compensation is applicable unless the individual has a personal insurance. In case the person has a personal insurance, then the next-of-kin may file the compensation claim with the concerned insurance company.

- **Death due to Unnatural causes**

In case, death has happened due to unnatural causes such as camp fire or electrocution at accommodation, etc., then initially a request should be made with the employer, routed through the Qatar Foreign Ministry, for settling the claim. In case the employer does not agree, then a case can be filed in the criminal or civil court for verdict.

- **Any other circumstances of Death**

In case, death has happened due to any other causes such murder, etc., then the victim's legal heir is entitled for blood money (compensation following death of a person) from the accused based on criminal court's verdict. Initially a request is routed through the Qatar Foreign Ministry, for settling the claim, followed by

approaching the criminal court for verdict on blood money. Based on the verdict, the legal heir will get the blood money.

- **Outstanding salary of the deceased**

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits, before the death is registered with Embassy. The family of the deceased may approach the employer directly or appoint Embassy or someone they know in Qatar for the same. The outstanding amount is then transferred either by the employer or the Embassy directly to the bank account of the legal heir. In such a case, the bank details of the legal heir of the deceased will be required by the Embassy.

- **Transferring the remaining balance in the bank account of deceased to nominee's account**

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the following points are to be kept in mind:

a. *If the nominee has been specified* – In case the nominee has been specified by the deceased to the bank, the concerned bank will transfer the balance to the nominee's account.

b. *If the nominee has **not** been specified* – In case the nominee has not been specified by the deceased to the bank, the remaining balance will be transferred to the account of the legal heir based on the legal heir certificate. Also, in such cases, either the bank employer will be advised by the Embassy to transfer the amount to the legal heir's account in India or the Embassy will collect and transfer the amount to legal heir's account or issue a DD in their name.

- **For returning the belongings of the deceased**

The material or belongings of the deceased Indian National is sent to the family members of the deceased by the concerned company or the Embassy along with a list of personal belongings. The list is sent along with a letter addressed to the Customs department in India to clear the baggage without customs duty. The belongings are sent along with the person accompanying the dead body or if the dead body is buried in Qatar then the belongings are sent separately to the family of the deceased.

United Arab Emirates (U.A.E)



First point of Contact in U.A.E

Embassy of India, Abu Dhabi, U.A.E

Plot No. 10, Sector W-59/02,

Diplomatic Area,

Off the Airport Road,

P. O. Box 4090, Abu Dhabi, U.A.E

Telephone No.- 00-971-2-4492700

Fax No.- 00-971-2-4444685

Office Working Hours- Sunday to Thursday 08:30 Hrs – 17:00 Hrs(13:00 Hrs –13:30 Hrs

Lunch Break)(Friday & Saturday – Weekly Off)

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &

Ministry of Overseas Indian Affairs

Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate and Bank details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Power of attorney from next-of-kin authorising Embassy of India, UAE to follow up the case through Embassy advocates or power of attorney in the name of any individual residing in UAE whom the deceased's family would like to appoint.
4. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India. Both the Legal Heir certificate and Power of Attorney should be attested by the state's nodal agency as well as the Ministry of External Affairs, New Delhi or its Branch Secretariats.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The next-of-kin should appoint the Embassy or someone they know in UAE as the attorney to obtain the compensation. To start with, a request has to be made to the employer/sponsor company after registering the death with the Embassy/consulate in UAE, to settle the compensation.
- ii. The request is then pursued with the employer or the concerned local courts directly by the

Embassy or by the Power of Attorney holder.

iii. In court cases, the matter is followed up in the concerned courts through the local legal counsel.

iv. After receiving the amount of death compensation from the employer based on the court's judgement, the Embassy sends the same to India for disbursement to the legal heirs of deceased Indian nationals through concerned district authorities. In some cases, the compensation amount is given to the family of deceased by the concerned court directly.

- ***Death at work place due to occupational accident***

In case the death happens at work place there is a provision for workmen compensation which is realized through insurance companies and for which concerned employer/company is required to insure the employee beforehand. Also, in case of accidental deaths there is a provision of 'Diya (Blood) Money' which depends on the judgment of the judicial courts. In many such cases the family of the deceased receives the blood money directly from the concerned courts. However, in some cases families authorize Embassy/Consulate to do the same on their behalf by executing Power of Attorney in favour of the Embassy/Consulate. In these cases, the matter is followed up in the concerned courts through the local legal counsel. After receiving the amount of death compensation, the same sent to India for disbursement to the legal heirs of deceased Indian nationals through concerned district authorities.

- ***Death due to Road Traffic Accident***

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the causer is approached for settling the compensation claim. However, if the insurance company does not agree, then a case can be filed in the court and either the Embassy or the Power of Attorney holder will follow up the case through civil or criminal court.

- ***Death due to illness or natural cause (not related to work place)***

If the death happens due to illness or any other reason, away from the work place, then no compensation is applicable unless the individual has a personal insurance. In case the person has a personal insurance, then the next-of-kin may file the compensation claim with the concerned insurance company.

- ***Any other circumstances of Death***

In case, death has happened due to any other causes such murder, etc., then the victim's legal heir is entitled for blood money (compensation following death of a person) from the accused based on the court's verdict. For this, the attorney of the deceased can approach the concerned court for verdict on blood money. Based on the verdict, the legal heir will get the compensation amount.

- ***Outstanding salary of the deceased***

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits.

- ***Transferring the remaining balance in the bank account of deceased to nominee's account***

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the bank should be approached. In case the nominee has been or has not been specified by the deceased to the bank, the concerned bank will transfer the balance to the nominee's account only through the court order.

- ***For returning the belongings or mortal remains of the deceased***

For returning the belongings or mortal remains of the deceased, procedural formalities in normal deaths require obtaining death certificate, death notification from concerned mortuary/hospital in the UAE, authorization letter from family of the deceased for transportation of mortal remains and registration in the Embassy/Consulate of India.

In unnatural deaths investigation and autopsies are done by the local authorities. After completion of formalities by the local authorities, death registration and other formalities are completed by the Embassy/Consulate of UAE without any delay; this service is being provided free of cost on 24x7 basis, and after which the mortal remains get transported to India or last rites are done in the UAE depending on the wishes of the family of the deceased.

All the above formalities are carried out by the sponsor of the deceased and all costs including airfare and other charges are born by the sponsor. In cases of destitute/stranded/ illegal Indians, the Embassy and the Consulate provide full assistance including airfare and all other charges (from ICW Fund) for transportation of mortal remains to India and also one-way air ticket for the escorts where necessary.

In normal death cases, time required for completion of all procedural formalities for transportation of mortal remains to India is 5 working days, and in unnatural deaths the average required time is 15 working days.

Uganda



First point of Contact in Uganda

High Commission of India, Kampala, Uganda

Plot No. 11, Kyadondo Road
Nakasero, P.O.Box 7040
Kampala
Uganda
Telephone No.: 256-41-434463/256-41-4342994
Fax: 256-41-4254943

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &
Ministry of Overseas Indian Affairs
Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Original Death Certificate and Bank Account details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Claim form filled by next-of-kin
4. ID and photo of the claimant
5. Power of attorney from next-of-kin in the name of Embassy or any individual residing in Uganda whom the deceased's family would like to appoint.
6. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned Taluk/Thasildar or through the District Civil Court of the concerned area in India.
7. Any other document such as letter of administration or Insurance policy details, that seem relevant depending upon the death case.

Step by Step Procedure to claim the compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The legal heir should first appoint the Embassy or someone they know in Uganda as their legal attorney.
- ii. To start with, a request has to be made to the employer/insurance company to settle the compensation claim.
- iii. The request is then pursued with the employer or the concerned insurance company

directly by the Embassy or by the Power of Attorney holder.

- ***Death at work place due to occupational accident***

In case the death happens at work place, the employer should be approached by the next-of-kin. In such cases, compensation is usually given under Workers Compensation Act. Herein, the employer is expected to follow up the claim with Insurance Company from whom the Workers Compensation Insurance policy was obtained. For this, the following documents are a must:

- (i) Letter of Administration
- (ii) Death Certificate
- (iii) Bank Account details with routing particulars
- (iv) Letter of Notation/Introduction
- (v) Claim form duly filled
- (vi) ID
- (vii) Photo of the claimant

- ***Death due to Road Traffic Accident***

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the person responsible for the cause is approached for settling the compensation claim. For this, the next-of-kin appoints a power of attorney who then follows up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation. In case of Group Insurance the employer is required to follow up with insurance company, whereas, in case of Individual Insurance policy the next-of-kin has to follow up.

For Individual Insurance cases, the following documents are a must:

- (i) Original Individual Policy
- (ii) Claim form filled by next of kin/ Beneficiary
- (iii) Letter of Administration in case the claimant is not stated as next to kin in the policy document
- (iv) Bank Account details with routing particulars
- (v) ID
- (vi) Photo of the claimant

- ***Death due to illness or natural cause (not related to work place)***

In Uganda, compensation is provided as per the Workers Compensation Act, which does not cover Death NOT Related to workplace. However, if the death happens due to illness or any other reasons not related to work place and the Employment Contract specifies a life insurance, etc. as part of the benefits, then the Employer becomes liable for paying compensation. In such case the following documents becomes applicable:

For Group Insurance Or When Employer Provides Life Insurance

- (i) Original Death Certificate
- (ii) Claim form filled by Next of Kin
- (iii) Report of the doctor/police report
- (iv) Bank Account details with routing particulars

- (v) ID
- (vi) Photo of the claimant

- ***Outstanding salary of the deceased***

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the foreign employer should be approached with a letter seeking the salary due or other service benefits.

- ***Transferring the remaining balance in the bank account of deceased to nominee's account***

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the concerned bank should be approached. Nomination is not an established practice in Uganda. Thus, for transferring the bank balance, the concerned bank should be approached along with the following documents:

- (i) Letter of Administration
- (ii) Death Certificate
- (iii) Bank account with routing particulars of claimant
- (iv) Letter claiming the Bank Balance
- (v) ID
- (iv) Photo of the claimant

- ***For returning the belongings or mortal remains of the deceased***

The material or belongings of the deceased Indian National is sent to the family members of the deceased by the concerned company along with a list of personal belongings.

- ***For claiming the NSSF* of the deceased member***

In case the family members want to claim the NSSF, the employer should be approached along with the following documents:

- (i) Letter of Administration
- (ii) Death certificate
- (iii) Introduction letter from the Employer
- (iv) Bank Account details with routing particulars
- (v) Claim Form
- (vi) ID
- (vii) Photo of the Claimant

*NSSF (National Social Security Fund) is Retirement Benefit similar to Provident Fund in India wherein benefits are paid in one lump sum amount.

Benefits Form can be accessed from the following site:

<https://www.nssfug.org/uploads/claim%20form%20new-Aug%2014.pdf>

Yemen



First point of Contact in Yemen

Embassy of India, Yemen

Chancery: 24th Street
[off Hadda Road in front of Hadda Post Office,
towards 50 Street before Y Telecom building], Sana'a
Postal Address: Post Box No. 1154, Sana'a, Republic of Yemen
Working hours: SATURDAY TO WEDNESDAY : 0830 - 1300 Hrs and 1330 - 1700 Hrs
Telephone Numbers: 00-253-77196875(M) ; 00-253-77196685(M) ; 00-967-734 000 658
(Roaming) Fax : +967 1 433630
E-mail: amb.sanaa@mea.gov.in (or) ambassador@eoisanaa.org
hoc.sanaa@mea.gov.in (or) hoc@eoisanaa.org (or) admin@eoisanaa.org

Ministry of Social Affairs and Labour, Yemen

Tel: 967-1-274-921
967-1-262-809
Fax: 967-1-262-806
967-1-449-670

Ministry of Foreign Affairs, Yemen

P.O. Box 1994, Sana'a
Tel: 967-1-276-612
967-1-276-545
Fax: 967-1-286-618

First point of Contact in India

MADAD

(Consular Grievances Monitoring System)

Ministry of External Affairs &
Ministry of Overseas Indian Affairs
Government of India

Web link- <https://org2.passportindia.gov.in/AppConsularProject/welcomeLink>

List of documents required to file the death compensation claim

1. Death Certificate and Bank details of the deceased
2. Original Passport of the deceased along with a photocopy
3. Power of attorney from next-of-kin in the name of Embassy or any individual residing in Yemen whom the deceased's family would like to appoint.
4. Legal Heir Certificate, to be obtained by the next-of-kin through the concerned

- Taluk/Thasildar or through the District Civil Court of the concerned area in India.
5. Any other document that seems relevant depending upon the death case.

Procedures to claim compensation

To claim the compensation in case of the death of the Indian national abroad, steps to be followed are:

- i. The legal heir should first appoint the Embassy or someone they know in Yemen as their legal attorney.
- ii. To start with, a request has to be made to the employer/insurance company to settle the compensation claim.
- iii. The request is then pursued with the employer or the concerned insurance company directly by the Embassy or by the Power of Attorney holder.
- iv. In case of any dispute, the Consular department of the Ministry of Foreign Affairs should be approached.

- ***Death at work place due to occupational accident***

In case the death happens at work place, the employer or the concerned insurance company should be approached for compensation. For this, the next-of-kin should initially appoint the Embassy or someone they know in Yemen as the attorney to obtain the compensation. The attorney/lawyer will then follow up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation. In case the employer does not accede to the request, the next-of-kin should approach the Consular Division of the Ministry of Foreign Affairs and follow-up with the local Administration (Governor's level)

- ***Death due to Road Traffic Accident***

In case of death due to Road Traffic Accident or places not related to work, a compensation claim can be filed with the accused or the Vehicle's Insurance company involved in the accident. Initially, the concerned insurance company or the person responsible for the cause is approached for settling the compensation claim. For this, the next-of-kin appoints a power of attorney who then follows up the case of compensation claim by sending a letter to the company/person responsible, asking for the amount of compensation. In case, the settlement is not achieved, the next-of-kin should approach the Consular Division of the Ministry of Foreign Affairs.

- ***Death due to illness or natural cause (not related to work place)***

If the death happens due to illness or any other reasons not related to work place, then compensation will depend if and on what kind of insurance the deceased had.

Initially, the next-of-kin should appoint a representative through power of attorney, who will then follow up the case of compensation claim by sending a letter to the insurance company, asking for the amount of compensation. A copy is also to be sent to the Ministry of Foreign Affairs and other concerned ministries. The insurance company would then process the case and release the insurance due to the representative.

- ***Outstanding salary of the deceased***

In case there is any outstanding salary of the deceased Indian national in his/her bank account in foreign land, then the attorney/representative of the next-of-kin should approach the Consular Division of the Ministry of Foreign Affairs.

- ***Transferring the remaining balance in the bank account of deceased to nominee's account***

For transferring the remaining balance in the bank account of deceased to his/her nominee/family in India, the next-of-kin should initially appoint a representative through power of attorney. The representative would then follow up the case of compensation claim by approaching the concerned bank. In case of any dispute, the next-of-kin may approach the Consular Division of the Ministry of Foreign Affairs.

- ***For returning the belongings or mortal remains of the deceased***

For obtaining the material or belongings of the deceased Indian National, the next-of-kin should approach the concerned company or the Consular Division of the Ministry of Foreign Affairs.

Note: The details with regard to Yemen, such as, name of the officer, telephone number, etc. is not possible at the moment because the internal situation in Yemen is precarious with the recognised Government being in exile.
