

GOVERNMENT OF ODISHA  
FINANCE DEPARTMENT

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No. FIN-GIS2-MISC-0003-2019. 25755 /F, Bhubaneswar, Dated 30th July 2019

To

All Departments of Government/  
All Heads of Departments/  
All Collectors

SUB- Clarification regarding Payment of assured sum under GIS to the legal heirs of a employee declared Civil Death.

As per the provision under Paragraph 5 of the Resolution 19043/F, dated.15<sup>th</sup> April 1976 on Group Insurance Scheme (GIS), the amount of one time refundable deposit without interest thereon, the sum assured under Group Insurance and the amount of assistance for performance of obsequies shall be payable to the nominee of a Government Servant in the event of his/her unfortunate death while in service.

Reference have been received from different quarters as to if GIS benefits shall be payable to the nominee of the deceased employee in the event of his/her civil death declared by a decree passed by the Civil Court. If so, whether Death Certificate is required to be submitted by the family member of the deceased employee for the purpose of sanction of such GIS benefits.

The matter was consulted with the Law Department. Law Department offered the following view.

"So far the question of death certificate is concerned it is as per law, issued to certify biological/natural death of a person. Civil death on the other hand is a declaration made by a Court approving the presumption of death of a person not heard of for more than seven years by persons who would naturally have heard about him. It is a state for a person who, possessing natural life, has lost all his civil rights and as to them is considered dead. Court declaration on civil death is sought to avail consequential benefits accruing upon the presumption of death of a person which cannot be required to be further certified by a Registrar of Birth and Death."

It is, hereby clarified that-

- (i) GIS benefits shall be payable to the nominee of a Government Servant in the event of his/her civil death declared by a decree passed by the Civil Court. Or where no nomination subsists the amount due under the scheme shall be payable to any of the members of the family in order of preference as mentioned in Paragraph 5 of the Resolution 19043/F, dated.15<sup>th</sup> April 1976

- (ii) Court declaration on civil death is sought to avail consequential benefits accruing upon the presumption of death of a person which cannot be required to be further certified by a Registrar of Birth and Death. Hence, family member of the deceased employee are not required to submit Death Certificate for the purpose of sanction of such GIS benefits.

All Head of Offices/ DDOs under their administrative control may be intimated accordingly.

*J. Shukla*  
*29/7/19*

Principal Secretary to Government

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