

Sales Literature
Public Liability (Act) Insurance Policy
(Under Public Liability Insurance Act 1991)

Introduction

The Public Liability Act, 1991 was made effective from 01.04.1991 to provide through insurance, immediate relief, by owners who control or handle hazardous substances, to persons affected by accident due to handling of such hazardous substances on 'No Fault Liability' basis.

As per the Act, anyone who owns, controls or handles hazardous substances as detailed in the provisions of the Act should purchase Public Liability (Act) insurance.

Scope of cover

The policy covers the statutory liability of the Insured arising out of accidents occurring during the currency of the policy due to the handling of hazardous substances as provided in the Public Liability Insurance Act 1991 and the Rules framed thereunder.

The indemnity only applies to claims, arising out of Accidents occurring during the Period of Insurance, first made in writing against the Insured and notified to the Company by the Insured in writing during the Policy Period or Extended Reporting Period.

Any person who owns or has control over handling any hazardous substance can purchase the policy and includes in case of:

- (i) a firm, any of its partners
- (ii) an association, any of its members,
- (iii) a company, any of its directors, managers, secretaries or other officers who are directly in charge of, and are responsible to the company for the conduct of the business of the company.

Indemnity Limits for

- Any One Accident : Not less than the paid up capital of the insured subject to a maximum of Rs. 5 Crores
- Any One Year : Three times the Any One Accident limit subject to a maximum of Rs. 15 Crores

Claims exceeding the above statutory limits are to be met by the Environmental Relief Fund (ERF).

Condition

The Insured Owner is required to keep a record of the annual turnover, and at the time of renewal of insurance declare such turnover and all other details as may be required by the Company. The Company shall at all reasonable times have full rights to call for and examine such records.

Main Exclusions

The policy does not cover liability:

1. Arising out of wilful or intentional non-compliance of any statutory provisions.
2. In respect of fines, penalties, punitive and/or exemplary damages.
3. Arising under any other legislation except in so far as provided for in Section 8 sub sections (1) and (2) of the Act.
4. In respect of damage to property owned, leased or hired or under hire purchase or on loan to the Insured or otherwise in the Insured Owner's control, care or custody.
5. Directly or indirectly, occasioned by, happening through or in consequence of war, invasion, act of foreign enemy, hostilities (whether war be declared or not), civil war, rebellion, revolution, insurrection or military or usurped power.
6. Directly or indirectly caused by or contributed to by
 - (a) ionising radiation or contamination by radioactivity from any nuclear fuel or from any nuclear waste from the combustion of nuclear fuel.
 - (b) the radioactive, toxic, explosive or other hazardous properties of any explosive nuclear assembly or nuclear component thereof.
7. Directly or indirectly caused by or arising from or in consequence of or attributable to any act of terrorism.

Claims Procedure

The claims procedure shall be as provided in Public Liability Act / Rules. For details, please refer to the Claims Procedure document attached.

Note: The above details are some of the important terms, conditions and exclusions and the Proposer is requested to contact our office and refer to the policy document for knowing full policy terms, conditions and exclusions and complete details of cover and understand the same before concluding the contract of sale.

Insurance is the subject matter of the solicitation.