

PROCEDURE FOR DEATH COMPENSATION CLAIMS

1. Claims addressed to the Employer

Type of claim	With whom should the claim be filed?	List of documents required	Step by step process for approving claim	Nodal authority for each step (Contact details of concerned official / department with postal address/ telephone /fax /email
a) Natural Death	Employer	<p>1. Power of Attorney and 2. Legal Heirship Certificate, duly attested by the following authorities in India. (a) District Magistrate or First Class Magistrate (b) Authorized officer of the State Government (Home Department), (c) Ministry of External Affairs, Consular Section, New Delhi or Branch Secretariat of Ministry of External Affairs (outside Delhi)</p>	In case 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, Government of the State of Kuwait, within one year of death.	<p>(i) Ministry of Social Affairs, Kuwait, Street 252, Mubarak Al Kabir, Kuwait. Telephone No. 00965-22480000, Fax No. 00965-22419877, Website: www.mosal.gov.in</p> <p>(ii) Community Welfare Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910 Email: cw2.kuwait@mea.gov.in cw.kuwait@mea.gov.in</p>

<p>b) Death due to work site accident.</p>	<p>Ministry of Social Affairs and Labour, 252, Mubarak Al Kabir, Kuwait (Tel: 00965-2248000, Fax No. 00965-22419877 and Ministry of Justice, Govt of the State of Kuwait, Murqab, Kuwait City, Kuwait, P.O. Box 6, Al-Safat - 13001, Kuwait. Telephone No. (00965)-2286261, 00965 (22486204, Fax No. 00965-2442257, E-mail: info@moj.gov.in</p>	<p>1. Power of Attorney and 2. Legal Heirship Certificate, duly attested by the following authorities in India. (a) District Magistrate or First Class Magistrate (b) Authorized 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)</p>	<p>The case should be filed with Ministry of Social Affairs and Labour and also followed in the Criminal Court within one year of death. After final judgment in the case issued by the court, a civil case is required to be filed either in the Ministry of Social Affairs and Labour or the First Instance Court (Civil). Thereafter the case may be forwarded to the Appeal Court and Higher Appeal Court.</p>	<p>Authorized attorney of the legal heirs and Community Welfare Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/ Email: cw2.kuwait@mea.gov.in</p>
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<p>c) Any other circumstances of death</p>	<p>Ministry of Justice, Govt of the State of Kuwait, Murqab, Kuwait City, Kuwait, P.O. Box 6, Al-Safat - 13001, Kuwait. Telephone No. (00965)-2286261, 00965 (22486204, Fax No. 00965-2442257, E-mail: info@moj.gov.in</p>	<p>1. Power of Attorney and 2. Legal Heirship Certificate, duly attested by the following authorities in India. (a) District Magistrate or First Class Magistrate (b) Authorized 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)</p>	<p>First the case will be followed in the Criminal Court. After final judgment in the case issued by the criminal court, a civil case is required to be filed with the First Instance Court. Thereafter the case may be forwarded to the Appeal Court and if necessary further forwarded to Higher Appeal Court.</p>	<p>Authorized attorney of the legal heirs Community Welfare Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/ Email: cw2.kuwait@mea.gov.in</p>
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2. Claims addressed to Insurance Company

a) Death due to unnatural causes.	Concerned insurance company	1.Power of Attorney and 2.Legal Heirship Certificate , duly attested by the following authorities in India. (a) District Magistrate or First Class Magistrate (b) Authorized 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)	To be decided by the concerned insurance company	Community Welfare Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/ Email: cw2.kuwait@mea.gov.in
b) Death due to illness	Concerned insurance company	Power of Attorney and Legal Heirship Certificate, duly attested by the following authorities in India. (a) District Magistrate or First Class Magistrate (b) Authorized officer of the State Government (Home Department), Ministry of External Affairs, Consular Section New Delhi or	Follow up with the employer of the deceased	Community Welfare Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/ Email: cw2.kuwait@mea.gov.in

		Branch Secretariat of Ministry of External Affairs (outside Delhi)		
c) Death due to injury (not related to work place)	Concerned insurance company	Power of Attorney and Legal Heirship Certificate, duly attested by the following authorities in India. (a) District Magistrate or First Class Magistrate (b) Authorized 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)		Community Welfare Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/ Email: cw2.kuwait@mea.gov.in
3. Outstanding salary of deceased Indian national				

<p>Outstanding salary of deceased Indian national (to be paid by Foreign employer)</p>	<p>Employer</p>	<p>Power of Attorney and Legal Heirship Certificate, duly attested by the following authorities in India. (a) District Magistrate or First Class Magistrate (b) Authorized 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)</p>	<p>In case employer does not pay the dues, a case for not payment of dues is required to be filed with Ministry of Social Affairs and Labour. Government of the State of Kuwait within one year from the date of death.</p>	<p>Community Welfare Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/ Email: cw2.kuwait@mea.gov.in</p>
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4. Transfer of balance remaining in back account of deceased to his nominee / family in India

<p>a) In case nominee has been specified to the bank by deceased</p>	<p>Concerned bank</p>	<p>1. Power of Attorney and 2. Legal Heirship Certificate, duly attested by the following authorities in India. (a) District Magistrate or First Class Magistrate (b) Authorized 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)</p>	<p>As per the policy of the concerned bank</p>	<p>Community Welfare Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/ Email: cw2.kuwait@mea.gov.in</p>
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b) In case nominee was not specified by deceased (to the bank)	Concerned bank	Power of Attorney and Legal Heirship Certificate, duly attested by the following authorities in India. (a) District Magistrate or First Class Magistrate (b) Authorized 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)	As per the policy of the concerned bank	Community Welfare Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/ Email: cw2.kuwait@mea.gov.in
5. Returning the material or belongings to the family of the deceased Indian national	Employer	An affidavit to be sent authorizing an individual residing in Kuwait to receive belongings.	nil	nil

1. Domestic workers are not covered under Kuwait Labour Laws. The legal heirs of the deceased working under **VISA 20** are not eligible for filing a case for non- payment of dues.
2. **According to the Kuwaiti Laws, the legal heirs of the deceased are required to file a case for death compensation within one year (except road accident cases) from the date of death through their attorney in Kuwait. After expiry of one year, the case may become time barred.**

3. According to the Kuwaiti Laws, in case of **death due to road accident**, the legal heirs of the deceased are required to file a case for death compensation **within three years** from the date of death through their attorney in Kuwait.