







## **बीमा अधिनियम 1938 के तहत धारा 41 और 45 Section 41 & 45 of Insurance Act 1938**

41.(1) No person shall allow or offer to allow, either directly or indirectly, as an inducement to any person to take or renew or continue an insurance in respect of any kind of risk relating to lives or property in India, any rebate of the whole or part of the commission payable or any rebate of the premium shown on the policy, nor shall any person taking out or renewing or continuing a policy accept any rebate, except such rebate as may be allowed in accordance with the published prospectuses or tables of the insurer

Provided that acceptance by an insurance agent of commission in connection with a policy of life insurance taken out by himself on his own life shall not be deemed to be acceptance of a rebate of premium within the meaning of this sub-section if at the time of such acceptance the insurance agent satisfies the prescribed conditions establishing that he is a bona fide insurance agent employed by the insurer.

(2) Any person making default in complying with the provisions of this section shall be liable for a penalty which may extend to ten lakh rupees.

(2) മുന്തെക്കാലിക്ക് പുക്കളിൽ വൃദ്ധവസ്തുകൾ പാലിക്കുന്നതിൽ പിച്ച വരുത്തിയാണ് അവർ 10 ലക്ഷം രൂപ വരെ പിഴ തന്റെക്കാലിവരും.

45.(1) No policy of life insurance shall be called in question on any ground whatsoever after the expiry of three years from the date of the policy, i.e., from the date of issuance of the policy or the date of commencement of risk or the date of revival of the policy or the date of the rider to the policy, whichever is later

45 (1) പോലിസി തീയതി മുതൽ മൂന്ന് വർഷം കഴിഞ്ഞതിനിൽ ശേഷം ഒരു സാഹചര്യത്തിലും ബലാവ് ഉൾക്കൊളിംഗ് പോലിസിയെ കുറിപ്പ് സംശയം ഉയർത്താൻ ഫയലി. അതായൽ, പോലിസി നൽകിയ തീയതി മുതൽ അമ്പുക്കിൽ അപകടസ്ഥിത ആരാടിക്കുന്ന തീയതി അമ്പുക്കിൽ പോലിസി പ്രത്യേകണേം തീയതി അമ്പുക്കിൽ പോലിസി ദരിദ്രി കുറി തീയതി, എത്രാണോ ടട്ടപില്ലതെന്ത്

(2) A policy of life insurance may be called in question at any time within three years from the date of issuance of the policy or the date of commencement of risk or the date of revival of the policy or the date of the rider to the policy, whichever is later, on the ground of fraud Provided that the insurer shall have to communicate in writing to the insured or the legal representatives or nominees or assignees of the insured the grounds and materials on which such decision is based.

(2) തൃശ്ശൂരിന്റെ സാഹചര്യത്തിൽ പോളിസി നിക്ഷേപിക്കുന്ന തീയതി അപലൂപ്തി അപകടസാധ്യത ആരംഭിക്കുന്ന തീയതി അപലൂപ്തി പോളിസി പ്രത്യക്കുന്ന തീയതി അപലൂപ്തി പോളിസി വിവരിക്കുന്നതിൽ ഉത്തരവ് ഏതൊരു ദാനവില്ലെന്ന്, മുൻ വർഷത്തിനുള്ളിൽ സംസ്ഥാന ഉദ്ധർണ്ണവന്നതാണ്.

(3) Notwithstanding anything contained in sub-section (2), no insurer shall repudiate a life insurance policy on the ground of fraud if the insured can prove that the mis-statement of or suppression of a material fact was true to the best of his knowledge and belief or that there was no deliberate intention to suppress the fact or that such mis-statement of or suppression of a material fact are within the knowledge of the insurer:

(3) Notwithstanding anything contained in sub-section (2), no insurer shall repudiate a life insurance policy on the ground that a statement or suppression of a material fact was true to the best of his knowledge and belief or that there was no dishonesty or suppression of a material fact if such statement or suppression of a material fact are within the knowledge of the insurer:

(4) A policy of life insurance may be called in question at any time within three years from the date of issuance of the policy or the date of commencement of risk or the date of revival of the policy or the date of the rider to the policy, whichever is later, on the ground that any statement of or suppression of a fact material to the expectancy of the life of the insured was incorrectly made in the proposal or other document on the basis of which the policy was issued or revived or rider issued: Provided that the insurer shall have to communicate in writing to the insured or the legal representatives or nominees or assignees of the insured the grounds and

provided further that in case of repudiation of the policy on the ground of misstatement or suppression of a material fact, and not on the ground of fraud, the premiums collected on the policy till the date of repudiation shall be paid to the insured or the legal representatives or nominees or assignees of the insured within a period of ninety days from the date of such repudiation.

அன்றை திடமிருந்து கடகிவரவேண்டிய ரேவெஞ்சல் கூடிப்பு முன்ஷாலி முன்ஷாலி எடுத்த வழக்கியை அலைக்கிலீ நியம பிரதிநியிச் சபைக்கிணித நோமினி அலைக்கிணித அரசெஸ்வரியின் ரேவையுடைய அடிக்காணம்.

(5) Nothing in this section shall prevent the insurer from calling for proof of age at any time if he is entitled to do so, and no policy shall be deemed to be called in question merely because the terms of the policy are adjusted on subsequent proof that the age of the life insured was incorrectly stated in the proposal.

For a complete text of Section 45 please refer to Insurance Act, 1938 as amended from time to time.

**Adviser Name**

Adviser Code

Date  
നേത്രി

**Signature of Adviser**