

बीमा लोकपाल कार्यालय Office of the Insurance Ombudsman

Dt.04.03.2021

To,
The Chairman,
State commissioner for Persons with Disabilities,
Patna
Bihar.

Respected Sir/Madam,

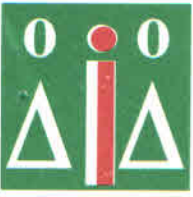
Re: Notice under Complaint Case No.52/2021 in The Right of Persons with Disabilities Act, 2016 , against Incharges of All Health Insurance Companies of Bihar and The Insurance Ombudsman, Patna and others

We are in receipt of your notice signed on dated.02.03.2021 against Complainant Case No.52/2021, directing us to appear in the hearing scheduled on 25.03.2021.

In this context our submissions are as under:

1. Insurance Ombudsman Rules, 2017 notified by Government of India are the governing rules in the matter.
2. Offices of Insurance Ombudsman have been established under the provisions of Redressal of Public grievances Rules, 1998 notified by Ministry of Finance, Government of India in exercise of its powers under Insurance Act, 1938.
3. Insurance Ombudsman Rules, 2017 notified by Ministry of Finance, Government of India in exercise of its powers under Insurance Regulatory and Development Authority of India, Act 1999 have been replaced Redressal of Public grievances Rules, 1998.
4. Insurance Ombudsman has carried out his duties as per the rules.
5. Insurance Ombudsman is not an interested party in the case.
6. The High Court of Judicature for Rajasthan, Bench at Jaipur in the Writ Petition No.13053/2018 has passed the following Order dated 05.02.2019 as follows:

"The matter comes up on the misc. application no.5/2018 filed by the respondent no.1 for deleting the name of the applicant-respondent no.1 -the Insurance Ombudsman from the array of the respondents. Learned counsel for the respondents has submitted that the respondent no.1- Ombudsman has passed order as per power conferred in such Insurance Ombudsman under the Rules of Government of India notification dated 25.4.2017 and as such the respondent no.1 is not necessary party. For the reasons stated/mentioned therein, the said application is allowed. The respondent No.1-Insurance Ombudsman is deleted from the array of the respondents. "



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7. Thus Insurance Ombudsman cannot be a party in the case and accordingly name of Insurance Ombudsman may be deleted from the list of opposite parties in the case.
8. A copy of the relevant rules is also being submitted for ready reference in the matter.

In view of the facts stated above, it is requested that the name of the Respondents no.2- The Insurance Ombudsman, Patna may kindly be deleted from the list of respondent and their offices/authorised officials may kindly be exempted from the proceedings.

Encl:-As Above

Yours faithfully,

Deputy Secretary