



Not using ISI helmet? Your insurance claim could be rejected

A recent ruling by the Karnataka High Court allows insurance providers deny claims of accident victims using substandard helmets that have no ISI markings

MITHUN MK @Hyderabad

INSURANCE companies can now refuse to settle claims if the rider is not wearing an ISI marked helmet backed by a recent Karnataka High Court ruling in a case. This comes at a time when the sale of non-Indian Statistical Institute (ISI) marked helmets are rampant and go unchecked in the city. Policyholders are often unaware of

the grounds on which insurance companies reject claims and the recent ruling could be used as a loophole to reject claims, say those from the insurance sector.

A week ago the Karnataka High court ruled saying that only victims of two-wheeler accidents who were wearing ISI certified helmets, need to be paid insurance. "This is a loophole that most

of the private companies will now use as an excuse to not pay up the insurance claim," said V Ramesh, general secretary, All India Insurance Employee Association. "We cannot take names of the private companies who use the loopholes, the policyholder will not be aware until faced with the situation. Even the recent IRDA report says LIC has higher claims being settled than private

companies. When individual claim settlements of private companies are looked at, the settlement rates are very low, some of the private companies do not even touch 50 percent claim settlements by themselves. Even if its a Karnataka High Court ruling it can be used by insurance companies as a loophole anywhere," he added.

A representative of Exide Life Insurance, however, said, "At the moment we settle insurance claims of bike riders even if they are not wearing a helmet. The claims are settled based on the police accident report." In 2015 the

Andhra Pradesh and Telangana High Court had pulled up transport authorities seeking reports on the steps taken to ensure the enforcement of helmet rule in the city. Apart from periodic roadside checks, no enforcement is done to ensure the sale of fake helmets.

"It's up to the public to go for an ISI marked or non-ISI marked helmets. We don't have the power to enforce it, as its a grey area those who sell fake helmets are taking advantage of the situation," AV Ranganath, Deputy Commissioner of Police (Traffic), Hyderabad.

Practical issues hamper a pillion helmet rule for bike taxis

Helmets for pillion riders is not a must in Hyderabad, the law mandates it only for the bike rider. Ask a traffic cop why they have not made helmets for pillion riders also mandatory and they would say, "Let's get all bike riders to wear a helmet first, then we can think about pillion rider." It was under this climate that Ubermoto announced on their blog in November that, "uberMOTO drivers will have one helmet for

the rider, and all riders and drivers must wear a helmet, as per the law". But that enthusiasm for safety failed to take off due to practical reasons. "One helmet does not fit everyone's head," said Sai Kiran, a UberMoto driver, "I did carry a helmet when I first started driving for Uber but one helmet of one particular size won't fit everyone. Carrying it is also a problem, so I stopped using it," he added. "Some people are not comfortable with the idea of wearing a strangers helmet for hygiene reasons," said another bike taxi driver."



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