

BOMBAY MERCANTILE CO-OPERATIVE BANK LIMITED

5.2 Settlement of Claims in case of death of a Customer

5.2.1 Bank shall have a Board approved policy for settlement of claims. The policy shall be in conformity with the regulatory instructions and the Model Operational Procedure (MOP) for settlement of claims of the deceased constituents.

5.2.2 Bank shall have a Board approved policy for nomination and release of contents of safety lockers / safe custody article to the nominee and protection against notice of claims of other persons in accordance with the provisions of Sections 45 ZC to 45 ZF of the Banking Regulation Act, 1949 and the Banking Companies (Nomination) Rules, 1985/Co-operative Banks (Nomination) Rules, 1985 and the relevant provisions of Indian Contract Act and Indian Succession Act.

5.2.3 In order to ensure that the articles left in safe custody and contents of lockers are returned to the genuine nominee, as also to verify the proof of death, bank devised their own claim formats, in terms of applicable laws and regulatory guidelines.

5.2.4 If the genuine nominee of the deceased locker hirer/s shows the inability to present personally to discharge the locker contents, in that event the genuine nominee of the deceased locker hirer/s may authorise the authorised person only by appointing him/ her through executing Special Power of Attorney justifying therein the reason acceptable to the bank and shall be permitted to operate the locker for discharging the locker content that only after proper verification of his/her identity and recording of the authorization by the officials concerned of the bank. The bank shall obtain acknowledgement of the said authorised person on the inventory list. In addition to the same, the bank shall take an undertaking that the bank shall not be liable for any claim / dispute which may arise in future in respect of the locker.

If a person is authorised to operate for discharging the locker content merely as an agent of a genuine nominee of the deceased locker hirer/s, such nominee can at any time revoke the authority given by him/ her and the bank cannot allow the agent to have access to the locker after receipt of notice of revocation of authority.

5.2.5 Time limit for settlement of claims: Banks shall settle the claims in respect of deceased locker hirers and shall release contents of the locker to survivor(s) / nominee(s), as the case may be, within a period not exceeding 15 days from the date of receipt of the claim subject to the production of proof of death of the depositor and suitable identification of the claimant(s) with reference to nomination, to the bank's satisfaction.

5.2.6 Bank shall report to the Board, at appropriate intervals, on an ongoing basis, the details of the number of claims received pertaining to deceased locker-hirers / depositors of safe custody article accounts and those pending beyond the stipulated period, with reasons therefor. The Board of the bank shall review the settlement of claims and make suggestions to ensure that the claims are settled as early as possible unless there is any litigation pending before the Courts or any difficulty is being faced in identifying the true claimant with reference to nomination.