

Ask **THE EXPERT**

Shreeraj Deshpande,

principal officer, Future Generali
India Insurance Pvt Ltd



GENERAL INSURANCE

Written consent of old owner is necessary to transfer insurance

I have bought a second-hand car and the RC is already transferred to my name. But the policy is still in the first owner's name. Now I need a consent letter from the old owner to transfer the insurance to my name. Even though I have paid the entire money required for taking the policy, that person is not cooperating with me to provide the consent letter. What can I do now?

Motor Tariff GR 17 is very clear on the process of transferring policy in new owner's name in cases of transfer of vehicle ownership. On transfer of ownership, the Liability Only cover, either under a Liability Only policy or under a Package policy, is deemed to have been transferred in favour of the person to whom the motor vehicle is transferred with effect from the date of transfer. The transferee shall apply within fourteen days from the date of transfer in writing under recorded delivery to the insurer who has insured the vehicle, with the details of the registration, the date of transfer, details of the previous owner, number and date of the insurance policy so that the insurer may make the necessary changes in his record. In case of Package Policies, transfer of the 'Own Damage' section of the policy in favour of the transferee, shall be made by the insurer only on receipt of a specific request from the transferee along with the consent of the transferor. Hence in this case, if the previous owner is not giving written consent, the new owner has to go for new policy altogether.