



Department of Revenue & Disaster Management

(Govt. of Haryana)

New Secretariat Building Haryana, Sector 17, Chandigarh-160017

Memo No.DMC-SPO-2021/7368
Chandigarh, dated the 24.11 .2021

To

All the Deputy Commissioner in the State

Subject: Launch of Online Scheme 'Ex-Gratia assistance to next of kin of the deceased by COVID-19'.

It is intimated that an online service has been launched on Antyodaya SARAL Portal i.e. i.e. saralharyana.gov.in for providing Ex-Gratia assistance of Rs. 50,000/- per deceased, to next of kin of the deceased by COVID-19 in the State.

A consolidated implementation guidelines for Online Scheme 'Ex-Gratia assistance to next of kin of the deceased by COVID-19' is also attached here with for your information and further necessary actions.

Senior Project Officer

For Financial Commissioner Revenue & Additional Chief Secretary to Government of Haryana, Revenue and Disaster Management Department

Consolidated implementation guidelines for Ex-Gratia assistance to next of kin of the deceased by COVID-19

1. **Background:** - The Hon'ble Supreme Court has directed the National Disaster Management Authority (NDMA) to recommend guidelines for Ex-Gratia assistance on account of loss of life to the family members of the persons who died due to COVID-19, as mandated under Section 12(iii) of Disaster Management Act, 2005 for the minimum standards of relief to be provided to the persons affected by disaster. Accordingly, National Disaster Management Authority (NDMA) has issued guidelines for providing Ex-Gratia assistance of Rs.50,000/- per deceased person including those involved in relief operations or associated in preparedness activities, subject to cause of death being certified as COVID-19. The present scheme is being implemented in consonance with the same for providing minimum assistance of relief to the affected families of deceased by COVID-19.
2. **Guidelines applicable:** - Guidelines for Ex-Gratia Assistance to next of kin of the deceased by COVID-19 released by National Disaster Management Authority read in conjunction with the "Guidelines for Official Document for COVID-19 death" issued by Ministry of Health and Family Welfare (MoHFW) & Indian Council of Medical Research (Annexure 'A') shall be applicable.
3. **Funds provision:** - Initially, advance funds of Rs. 50,00,000/- (Rs. fifty Lac) to each Deputy Commissioner i.e. total 11 Crore for the purpose are being diverted from State Disaster Response Fund in the Head P-01-04-2245-02-111-51-51-Ex-Gratia payment to bereaved families'. Sanction Order is being released separately.
4. **Online service for receiving the application:** Applicant can submit their applications for the claim for Ex-Gratia assistance of Rs. 50,000/- online through service "Ex-Gratia assistance to next of kin of the deceased by COVID-19" available at Antyodaya SARAL Portal i.e. saralharyana.gov.in alongwith two specified documents namely copy of Death Certificate and copy of report diagnosing deceased as COVID-19 positive. The service has been developed in integration with 'Pariwar Pehchan Patra'.
5. **Responsible agencies for implementation of the scheme:-** The Ex-Gratia assistance to the next of the kin of the deceased shall be disbursed by the District Disaster Management Authority/District Administration.
 - a. Deputy Commissioner cum Chairman District Disaster Management Authority of the district, in which deceased was residing, shall release the Ex- Gratia to the beneficiary after due verification.

- b. Concerned District Revenue Officer shall be the nodal officer for processing of claim application.
- c. Civil Surgeon shall ascertain that the cause of death as COVID-19.
6. **Grievance Redressal:-** For resolving the issues related to grievances with regards to certification of death and others, as prescribed in the MoHFW and ICMR guidelines (Annexure 'A'), two Grievance Redressal Committees at district level have been constituted, as follows:-

A. Grievance Redressal Committee I:-

Designation	Particulars
Additional Deputy Commissioner	Chairperson
Civil Surgeon	Member
Deputy Civil Surgeon/Principal or HOD Medicine of a Medical College (If one existing in the district)	Member
subject expert (as nominated by the ADC)	Member

B. Grievance Redressal Committee II for Corporation area as ordered by Hon'ble Supreme Court in WP(C) No. 539 of 2021 :-

Designation	Particulars
Deputy Commissioner	Chairperson
Chief Medical Officer (CMO) of Health of the Civil Hospital in the area	Member
Deputy Civil Surgeon /Principal or HOD Medicine of a Medical College (If one existing in the district)	Member
Subject expert (as nominated by the DC)	Member

The address location and full particulars of the said committees at the district level shall be published in Print Media and Electronic Media having wide circulation.

In case of any grievances with regards to certification of the death and issues mentioned in Paragraph 9 of these guidelines, the aggrieved person i.e. the next of kin of the deceased shall submit a petition to the Deputy Commissioner/Additional Deputy Commissioner for issuance of the appropriate Official Document for COVID-19 death. The Official Document for COVID-19 Death will be issued in the format, as provided in the MoHFW guidelines (Annexure 'A') by the aforesaid district level committee(s) after due examination and verification of all facts. The Official Document for COVID-19 death shall also be communicated to Chief Registrars of State and Registrar of Birth and Death, who issued the death certificate. The applications for issuance of Official Document for COVID-19 Death and for redressal of grievances shall be disposed off within 30 days of submission of the application/grievance.

In case, the decision of the Committee is not in favour of the claimant, a clear reason for the same shall be recorded.

7. All claims will be settled within 30 days of submission of required documents and shall be disbursed through Aadhar linked Direct Benefit Transfer procedures. The scheme will be within preview of the Haryana Right to Service Act, 2014 (Haryana Act No.4 of 2014).
8. The Ex-Gratia scheme will be applicable from the date of first COVID-19 case reported in the Country. In case of past death data, legacy data of deaths due to COVID-19 available with Health and Family Welfare will be used. The Ex-Gratia assistance to families affected by COVID-19 deaths will continue to be provided for deaths that may occur in the future phases of the COVID-19 pandemic as well, or until further notification in this regard.
9. The followings shall also be applicable in compliance of order passed by Hon'ble Supreme Court of India passed in WP(C) No. 539 of 2021-
 - a. The next of the kin of the deceased died due to Covid-19 will be paid Ex-Gratia assistance of an amount of Rs. 50,000/-, and shall be treated as Ex-Gratia payment under Section 12(iii) of the DMA, 2005; minimum; and shall be over and above the compensation/amount to be paid by the Union of India/State Governments/Union Territories to be declared/provided under different benevolent schemes.
 - b. No application for Ex-Gratia assistance of Rs. 50,000/- to the next of kin of the deceased died due to Covid-19 can be denied solely on the ground that in the death certificate issued by the appropriate authority, the cause of death is not mentioned as "Died due to Covid-19".
 - c. It is also directed that:
 - i) Covid-19 cases, for the purpose of considering the deaths of the deceased due to Covid-19, are those which are diagnosed through a positive RT-PCR/Molecular Tests/RAT or clinically determined through investigations in a hospital/in-patient facility by a treating physician, while admitted in the hospital/in-patient facility;
 - ii) The deaths occurring within 30 days from the date of testing or from the date of being clinically determined as a Covid-19 case shall be treated as "Deaths due to Covid-19", even if, the death takes place outside the hospital/in-patient facility;

- iii) Also, the Covid-19 case, while admitted in the hospital/in-patient facility and who continued to be admitted beyond 30 days and died subsequently, shall also be treated as a Covid-19 death;
- iv) Covid-19 cases, which are not resolved and have died either in the hospital settings or at home, and where a Medical Certificate of Cause of Death (MCCD) in Form 4 & 4A has been issued to the registering authority, as required under Section 10 of the Registration of Birth & Death (RBD) Act, 1969, shall also be treated as Covid-19 death. However, it is observed and made clear that irrespective of the cause of death mentioned in the death certificate, if a family member satisfies the eligibility criteria mentioned in paragraphs c(i) to c(iv) above, shall also be entitled to the Ex-Gratia payment of Rs. 50,000/- on production of requisite documents as observed herein above, and no district shall deny the Ex-Gratia payment of Rs. 50,000/- on the ground that in the death certificate the cause of death is not mentioned as "Died due to Covid-19";
- v) All concerned hospitals, where the patient was admitted and given treatment, shall provide all the necessary documents of treatment etc. to the family member of the deceased, as and when demanded, and if any hospital and/or the place where the deceased had taken treatment, refuses to furnish such documents, it will be open for the Grievance Redressal Committee to call for such information and the concerned hospital/institution, where the deceased was admitted, shall have to furnish such particulars as required for the purpose of establishing that the death was due to Covid-19;
- vi) A family member of the deceased, who committed suicide within 30 days from being diagnosed as Covid-19 positive, shall also be entitled to avail of the financial help/Ex-Gratia assistance of Rs. 50,000/-, as granted under the SDRF in accordance with the guidelines dated 11.09.2021, issued by the NDMA, under Section 12(iii) of DMA, 2005;
- vii) If any family member/kin of the deceased died due to Covid-19 has any grievance with respect to non-receipt of the Ex-Gratia payment of Rs. 50,000/-, it will be open for the aggrieved claimant to approach the Grievance Redressal Committee constituted as herein above, and the Grievance Redressal Committee shall examine the contemporaneous medical record of the deceased patient, and take a decision within a period of 30 days

from approaching the said Grievance Redressal Committee and as observed herein above, such Grievance Redressal Committee shall have powers to call for the details/documents from the concerned hospital/hospitals from where the deceased took the treatment;

- viii) All endeavours shall be made by the District Disaster Management Authority/District Administration and even the Grievance Redressal Committee to avoid any technicalities and all concerned authority shall act as a helping hand, so as to wipe off the tears of those who have suffered due to loss of a family member died due to Covid-19;
- ix) In cases of the death certifications already issued and any family member of the deceased is aggrieved by the cause of death mentioned in the death certificate already issued, it will be open for the aggrieved person to move the appropriate authority, who issued the death certificate and/or registering authority and on production of the necessary documents, as observed herein above, including production of documents, such as, positive RT-PCR/ Molecular Tests/ RAT OR clinically determined through investigations in a hospital/ in-patient facility by a treating physician, while admitted in the hospital/ in-patient facility, the concerned authority shall modify/amend such death certificates. If the person is still aggrieved, it will be open for the aggrieved person to approach the Grievance Redressal Committee mentioned as herein above and the concerned registering authority shall ratify/amend the death certificate as directed by the Grievance Redressal Committee.

10. Wide publicity for the scheme shall be made. Information for the scheme shall be published in the prominent offices of the village/tehsil/district, such as, Gram Panchayat Office, Tehsil Office, Deputy Commissioner Office, Municipal Council/Committee/Corporation Office etc. as the case may be.

Process Flow of the Service

