

Government of India

National Disaster Management Authority

Guidelines for *Ex Gratia* Assistance to next of kin of the Deceased by Covid-19

(Issued in compliance to the Hon'ble Supreme Court Order dated 30.06.2021 in WP(Civil) No. 539 and WP(Civil) 554 of 2021)

1. The Hon'ble Supreme Court through its order dated June 30, 2021 in WP (Civil) No. 539 and WP (Civil) 554 of 2021 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.
2. The present guidelines are being issued in compliance with the above mentioned directions of the Hon'ble Supreme Court. These Guidelines should be read in conjunction with the "Guidelines for Official Document for Covid-19 Death" issued by Ministry of Health & Family Welfare (MoHFW) & Indian Council of Medical Research (ICMR) in compliance to the same order of the Hon'ble Supreme Court.
3. **Existing Norms:** The Existing Guidelines on Minimum Standards of Relief issued by NDMA in 2016, in accordance with Section 12(iii) of DMA 2005, in section 7 (e) stipulate that for *ex-gratia* assistance on account of loss of life, the norms provided by Government of India for Assistance from SDRF should be the minimum standard of relief. In this regard, the "Revised list of items & norms of assistance from State Disaster Response Fund (SDRF)/ National Disaster Response Fund (NDRF)" issued by the Ministry of Home Affairs on 8th April 2015 are the extant norms.
4. **Key considerations:** After broad consultations and due deliberations with key stakeholders, NDMA is of the view that for *ex-gratia* assistance related to Covid-19, different norms need to be applied for the following reasons:
 - a. COVID-19 is a disaster that has not abated. The total number of deaths continues to rise. There is uncertainty about new variants of the virus and likely future waves. Therefore, it is not possible to ascertain the total final financial burden emanating from *ex-gratia* assistance. Financial prudence demands that we plan in a manner that assistance can be provided to larger number of people should the number of deaths rise.
 - b. The state governments have already been incurring large expenditure from SDRF on various aspects of COVID-19 prevention, management and response. In addition, central government from the national budget has announced several measures to prevent Covid-19 (nationwide vaccination drive) as well as to provide relief assistance to those affected by Covid-19 (for example, support provided to the orphaned children, and PM Garib Kalyan Yojana Package). State

governments have also announced welfare measures from the state budgets. So, in effect, some financial and material assistance has already been provided in different forms to some of the most vulnerable sections.

- c. While Covid-19 is an unprecedented disaster, other natural disasters that occur more frequently have not abated. It is important that sufficient funds are available under SDRF to provide a timely and effective response to other disasters as well.
5. In view of the points mentioned in para 2, the **Authority recommends an *ex-gratia* payment to next of kin of the deceased** due to Covid-19, subject to cause of death being certified as Covid-19 as per the guidelines issued by MoHFW and ICMR.
6. **Amount of *ex-gratia* payment:** The Authority recommends an amount of Rs. 50,000/- (Fifty thousand only) per deceased person including those involved in relief operations or associated in preparedness activities, subject to cause of death being certified as Covid-19. With regards to such certification, and redressal of any grievances regarding the same, guidelines issued by MoHFW and ICMR on 30th August 2021, and referred to in Section 2 above, will be applicable.
7. **Source of funds:** The *ex-gratia* assistance shall be provided by States from the State Disaster Response Fund (SDRF).
8. **Disbursement:** The District Disaster Management Authority (DDMA)/ district administration would disburse the *ex-gratia* assistance to the next of kin of the deceased persons. The concerned families will submit their claims through a form issued by State Authority alongwith specified documents including the death certificate that certifies the cause of death to be Covid-19. The DDMA will ensure that the process of claim, verification, sanction, and the final disbursement of *ex-gratia* payment will be through a robust yet simple and people-friendly procedure. All claims must be settled within 30 days of submission of required documents, and disbursed through Aadhar Linked Direct Benefit Transfer procedures.
9. **Grievance redressal:** In case of any grievances with regards to certification of the death, as prescribed in the MoHFW and ICMR guidelines mentioned above a Committee at district level consisting of Additional District Collector, Chief Medical Officer of Health (CMOH), Additional CMOH/ Principal or HOD Medicine of a Medical College (if one existing the district) and a subject expert, will propose necessary remedial measures, including issuance of amended Official Document for COVID-19 death after verifying facts in accordance with these guidelines. In case the decision of the Committee is not in favour of the claimant, a clear reason for the same shall be recorded.
10. **Continuous scheme:** 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.
