

**To providing financial assistance to the family members/successors of the persons that died due to COVID-19 in the state.**

**GUJARAT GOVERNMENT  
HEALTH AND FAMILY WELFARE DEPARTMENT  
RESOLUTION NO. JNM/102021/1009/B-1  
Sachivalaya, Gandhinagar  
Date: 28/11/2021**

**Read:**

1. The resolution with similar number passed by the health and family welfare department on 29/10/2021
2. The resolution no. CLS/102012/253/C.3 dated 20/11/2021 passed by the revenue department
3. The resolution with similar number passed by the health and family welfare department on 20/11/2021 & 21/11/2021.

**PREAMBLE:**

In view of directions of Hon'ble Supreme Court in Writ Petition (Civil) No. 539 and 554 of 2021 dated 30.06.2021, 3.10.2021 and 18.10.2021 and guidelines issued by the

- i) Ministry of Health and Family Welfare (M/o H&FW). Government of India vide. F.No.C. 18018/11/2021-DMCell dated 30.08.2021
- ii) Ministry of home affairs office of the registrar general, government of india india v.s. division, West Block -, R.K. Puram, New Delhi - 110066 circular No. 8/2/2017- VS (MCCD) Dated: 03-09-2021

On the issue of the ex-gratia assistance of Rs. 50,000/- to the deaths of the deceased due to Covid-19. Taking into account Hon'ble Supreme Court judgment in Writ Petition (Civil) No. 539 and 554 following resolution for procedure to release of ex-gratia benefit should be adopted.

In Supersession of earlier Resolutions dated 29.10.2021, 20.11.2021 and 21.11.2021, the following fresh guidelines are issued.

**RESOLUTION:**

1. For the purpose of the payment of COVID-19 deaths ex-gratia assistance, following are the mandatory guidelines:-
  - i) For the purpose of considering the deaths of the deceased due to Covid-19, those deceased 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 shall be eligible.
  - ii) That 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) The patient who was admitted in the hospital/in-patient facility and who continued to be admitted beyond 30 days and died subsequently of Covid-19 shall also be treated as a Covid-19 death;
  - iv) Covid-19 patients who 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 and shall be eligible.
  - v) 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 the financial help/ex-gratia assistance of Rs. 50,000/-.
2. If a family member satisfies the eligibility criteria mentioned in paragraphs either of (i) to (v) as above entitled to the ex-gratia payment of Rs. 50,000/- on production of requisite documents as observed hereinabove.
  3. 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;
  4. 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 Committee constituted as below,

Committee at the district level (other than the Mahanagarpalika):

No.	Details	Designation in the committee
1	Resident Additional Collector (RAC)	Chairman
2	Chief District Medical Officer (CDMO)	Member
3	Chief District Health Officer (CDHO)	Member secretary
4	Physician (District Hospital/ Medical College Attached Hospital)	Member
5	Professor for Community Medicine from attached medical college)	Member

The office of this committee shall be at the office of the collector.

Committee for the Mahanagarpalika:

No.	Details	Designation in the committee
1	Deputy Municipal Commissioner (Health)	Chairman
2	Chief District Medical Officer (CDMO)	Member
3	Health Officer (MoH) relevant Mahanagarpalika	Member secretary
4	Physician (District Hospital/ Medical College Attached Hospital)	Member
5	Professor for Community Medicine from attached medical college)	Member

The office of this committee shall be at the relevant Mahanagarpalika (Municipal Corporation).

This committee act as Grievance Redressal Committee.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 hereinabove 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;

5. 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 certification is aggrieved by the cause of death mentioned in the death certification including in MCCD (Form 4/4A or in any other format issued by the Hospital/In facility) 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 hereinabove, including production of documents, such as, positive TR-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 certification. If the person is still aggrieved, it will be open for the aggrieved person to approach the Grievance Redressal Committee constituted as hereinabove and the Grievance Redressal Committee will ratify/amend the death certification.
6. Applicants are required to apply directly to the District Collector/ Mamladar of the Taluka (who are the competent authorities under the Disaster Management Act) for Covid-19 death related assistance and District Disaster Management Authority / District Administration will release fund directly to beneficiary in accordance to above guidelines.
7. All concerned government departments/officers shall give top priority to matters related to this, so that successors of the deceased get assistance without facing any difficulty.



8. The resolution passed on similar number dated 29/10/2021, 20/11/2021 and 21/11/2021 stand cancelled with immediate effect.

This resolution is passed on the similar numbered file with the permission by the finance department, revenue department and government.

By the order and in the name of the governor of Gujarat.

  
(Atul Patel)

Health & Family Welfare Department

To,

- The Private Secretary to the Honourable Chief Minister, Office of The Honourable Chief Minister, Swarnim Sankul-1, Sachivalaya, Gandhinagar
- The Private Secretary to the Honourable Minister (Health), Swarnim Sankul-1, Sachivalaya, Gandhinagar
- The Private Secretary to the Honourable Minister Of State (Health), Health and Family Welfare Department, Sachivalaya, Gandhinagar
- The Private Secretary to the Additional Chief Secretary, Health and Family Welfare Department, Sachivalaya, Gandhinagar
- Commissioner-cum-Secretary (Health and Family Welfare Department), Health, Medical Service and Medical Education, Block No. 5, Dr. Jivraj Mehta Bhavan, Gandhinagar
- Commissioner, Municipal Corporation (All)
- Commissioner, Municipalities (All)
- Vice-President and Managing Director, GIDC, Udhyog Bhavan, Gandhinagar
- Principal Chief Conservator of Forest, Aranya Bhavan, Gandhinagar
- Additional Secretary (TS)/ Deputy Secretary (TS), Health and Family Welfare Department, Sachivalaya, Gandhinagar
- Section Officer-T, TH, V Branches, Health And Family Welfare Department, Sachivalaya, Gandhinagar
- Deputy Chief Registrar (Birth and Death) and Additional Director (Statistics), O/o the Commissioner of Health, Block No. 5, Dr. Jivraj Mehta Bhavan, Gandhinagar ...for information and necessary actions.
- Additional Director...All, Commissioner Health and Medical Services, Medical Education, Block No. 5, Dr. Jivraj Mehta Bhavan, Gandhinagar ...for information and necessary actions.
- District Collector... (All)
- District Development Officers... (All)
- The Regional Deputy Director, Health, Family Welfare, Medical Services and Medical Education, Gandhinagar/Ahmedabad/Vadodara/Surat/Bhavnagar/Rajkot
- District Registrar (B&D) and Chief District Health Officer (All)... for information and necessary actions.
- The Chief District Medical Officer (CDMO) (All)
- System Manager, Health and Family Welfare Department, Sachivalaya, Gandhinagar ...For Uploading on the Department's website.
- Select file-2021