

Hon'ble Supreme Court fixes timelines for filing of claims for payment of ex-gratia assistance to families of COVID-19 deceased

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- The Hon'ble Supreme Court vide its Order dated 24th March 2022 in the Miscellaneous Application No. 1805 of 2021 in Writ Petition (C) No. 539 of 2021 has fixed the following timelines for beneficiaries to file claims for payment of ex-gratia assistance to families of COVID-19 deceased as announced by National Disaster Management Authority.

The key directions issued by the Hon'ble Court are:

An outer time limit of sixty days shall be applicable from 24th March 2022 to file the claims for compensation in case the death occurred due to COVID-19 prior to 20th March 2022.

For any future deaths, ninety days' time shall be provided from the date of death due to COVID-19 to file the claim for compensation.

The earlier order to process the claims and to make the actual payment of compensation within a period of thirty days from the date of receipt of claim shall continue to be enforced.

The Hon'ble Court however directed that in case of extreme hardship where any claimant could not make an application within the time prescribed, it will be open for the claimant to approach the Grievance Redressal Committee and make the claim through Grievance Redressal Committee which shall be considered by the Grievance Redressal Committee on case to case basis and if it is found by the Grievance Redressal Committee that a particular claimant could not make the claim within the stipulated time which was beyond their control his/her case may be considered on merits.

Moreover, the Hon'ble Court also directed that in a bid to minimize the risk of fake claims, a random scrutiny of the 5% of the claim applications shall be made at the first instance. If it is found that anybody has made a fake claim, the same shall be considered under Section 52 of the DM Act, 2005 and liable to be punished accordingly.