

**F. No. M-16011/34/2021-SS-III [127162]**  
**Government of India**  
**Ministry of Labour and Employment**

*Shram Shakti Bhawan, Rafi Marg,  
New Delhi, 110001, Date: 24.08.2023*

To

All the Principal Secretaries (Labour) of States/UTs

**Sub: Mechanism to provide ex-gratia payment to eligible e-Shram registrants.**

Sir/ Madam,

Ministry of Labour & Employment launched e-Shram portal on 26<sup>th</sup> August 2021 for creation of a comprehensive "National Database of Unorganised Workers" seeded with Aadhaar. As on 21<sup>st</sup> August 2023, over 29.04 crore unorganised workers have already registered on e-Shram portal.

2. At the time of launch, Ministry of Labour & Employment announced accidental risk coverage to all e-Shram registrants for the first year. Accordingly, Ministry of Labour & Employment has developed e-Shram ex-gratia module, through which claims of all eligible registrants will be recorded and settled through ex-gratia mode. This module will be made operational soon. However, to make all States/ UTs accustomed with the processes involved a training-of-trainers is scheduled on 28th August, 2023 at 3:00 pm through online mode. The guidelines to provide ex-gratia payment to eligible e-Shram registrants is enclosed herewith.

3. In this regard, you are requested to nominate 1-2 officials to join the training programme, who will ultimately train respective district level officials on the ex-gratia module. Ministry will also share a user manual on ex-gratia module which will provide hands-on guide to State officials.

Encl: As above

Yours faithfully,



(D. Guha)

Deputy Secretary to Govt. of India

Copy to –

1. PPS to Secretary(L&E)
2. PPS to AS(L&E)
3. PPS to DDG (E)

# **Guidelines for Accident Claims for unorganised workers registered on eShram**

## **1. Introduction**

1.1 The Ministry of Labour & Employment launched eShram portal on 26<sup>th</sup> August 2021 for creation of a comprehensive “*National Database of Unorganised Workers*” seeded with Aadhaar. After registration on eShram portal, a Universal Account Number (UAN) is issued to all unorganised workers. As on 30<sup>th</sup> June 2023, over 28.98 crore unorganised workers have already registered on eShram portal.

## **2. Background**

2.1 Ministry of Labour & Employment envisaged to provide accidental risk cover to all the unorganised workers registered on eShram portal, through Pradhan Mantri Suraksha Bima Yojana (PMSBY) for unorganised workers registered on eShram portal till 31<sup>st</sup> March 2022. As on 31<sup>st</sup> March 2022, around 27.05 crore unorganised workers had registered on eShram.

2.2 Considering that the unorganised workers were under distress during Covid-19 pandemic period, many benefits like Covid-19 ex-gratia, free ration, Aatmanirbhar Bharat Rojgar Yojana (ABRY), etc were extended to the unorganised workers by Government.

2.3 Since the PMSBY insurance benefits cannot be provided retrospectively, it is decided to pay the same benefits in the form of ex-gratia amount to the eligible claimants registered on eShram.

2.4 The unorganised workers are often vulnerable. Especially, in case of death of the workers, their families are vulnerable. The ex-gratia will be like a safety net to them as they rebuild their lives.

## **3. Scheme Benefits**

3.1 This scheme applies to accidental deaths/disability of unorganised workers already registered on the eShram portal till 31<sup>st</sup> March 2022. The operational instructions/ definition for providing ex-gratia benefit are as follows:

3.2 Under PMSBY, accident is defined as a “*sudden, unforeseen and involuntary event caused by external, violent and visible means*”. The Ministry of Labour & Employment will adhere to the same definition to settle the accidental claims initiated on eShram.

3.3 Details of benefits to be disbursed:

S. No	Death/ Disability	Sum Insured
i.	Death due to accident	Rs. 2 Lakh
ii.	a. Total and irrecoverable loss of both eyes, or b. Total and irrecoverable loss of use of both hands or both feet, or c. Total and irrecoverable loss of use of one hand & one foot, or d. Total and irrecoverable loss of sight of one eye and loss of use of one hand or one foot.	Rs. 2 Lakh
iii.	a. Total and irrecoverable loss of sight of one eye, or b. Total and irrecoverable loss of use of one hand or one foot.	Rs. 1 Lakh

**4. Eligibility criteria**

4.1 All unorganised workers who were registered on eShram portal on or before 31<sup>st</sup> March 2022 and are covered within the definition as mentioned above will be eligible to initiate claim.

4.2 Incidents occurred after registration on eShram and on or before 31<sup>st</sup> March 2022, will be considered for payment of ex-gratia.

4.3 An unorganised worker, on whose behalf the claim is to be initiated must be registered on the eShram portal prior to the incident and eShram UAN number needs to be produced and validated before initiating claim.

4.4 The unorganised worker registered on eShram should not have been an income tax payee or active member of EPFO/ ESIC during the period, from registration till 31<sup>st</sup> March 2022.

**5. Essential documents supporting the condition:**

S. No	Documents	
	Death	Disability
1.	Aadhaar Number of claimant and	Aadhaar Number of claimant and
2.	UAN Card/ Number and	UAN Card/ Number and
3.	Death certificate and	Hospital record which includes discharge summary indicating disability caused due to accident, and
4.	Medical Certificate of cause of death, and	Disability certificate issued by the authorised personnel of State/ UT Government or

5.	FIR/ Panchnama filed at the time of incident, and	Unique Disability Identity Card (permanent) issued by Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment, Government of India
6.	Post-mortem report supporting the cause of death due to accident	-
7.	In case claimant is minor, Guardian should produce certificate of guardianship issued by District Court while filling the claim.	-

- a. These documents are essential to be uploaded
- b. The documents will be verified against the original documents.

## 6. Claim process

### 6.1 Nomination of Authorised Officer

- a. District Magistrate will nominate/ authorise an officer at District level to accept and verify the claim.
- b. District Magistrate will fix working hours for receipt of the claims through dedicated helpdesk.

### 6.2 Online Ex-gratia Module

- a. A dedicated online module will be developed under eShram for ex-gratia process.
- b. The authorised officers will be provided with login ID and password to access the eShram ex-gratia module.
- c. The authorised officer shall ensure that the login credentials are not shared with any other person.
- d. The authorised officer will ensure to protect the data privacy and security of information provided by claimant.

### 6.3 Who will initiate the claim?

- a. In case of disability (Partial/ Complete): In case of disability due to accident, the registered beneficiary himself/ herself will initiate the claim.
- b. In case of accidental death: Only legal heir(s) of the unorganised worker registered on eShram will initiate the claim. If the legal heir(s) is/are minor, then the guardian of the minor will initiate the claim.
- c. Guardian here means a person having the care of the minor or of his property, or of both. Guardian of the minor will be required to produce certificate of guardianship issued by District Court.

#### 6.4 Steps to initiate claim

- a. Claimant/ legal heir will go to the dedicated helpdesk at District office authorised to accept the claims under eShram and submit filled-in claim form **(Annexure-I)** along with copy of the required supporting documents.
- b. Authorised officer will verify documents with original documents and establish the authenticity.
- c. After establishing the authenticity of the documents, claim will be submitted online through a dedicated module on eShram by authorised person at district level office. All the hard copies submitted by claimant will also be scanned and uploaded in online module.
- d. Authorised officer will generate claim receipt number and provide the same to the claimant.
- e. In case, any claim has been previously submitted by the claimant under PMSBY and the same was rejected, such claims will be summarily rejected by the Authorised officer.

#### 6.5 Approval of District Magistrate

- a. The District Magistrate will ensure 100% claims are checked and vetted by the authorised officer.
- b. The District Magistrate will record his/ her recommendation for each claim and the same shall be reflected on the online module.
- c. Before uploading any claim documents on eShram module, the authorised officer will affix a certificate **(Annexure-II)** as to the authentication and genuineness of the claim.
- d. District Magistrate will ensure that each claim submitted on the module is authentic.

#### 6.6 Timelines

- a. The District Magistrate shall ensure that adequate publicity through Gram Panchayat and Urban Local Bodies (ULBs) be made at least two weeks prior to setting up of claim receipt helpdesk.
- b. The authorised person should verify the claims/ documents within 3 working days from date of submission of claims by unorganised workers/ legal heirs.
- c. The claims shall be submitted online within 5 working days' time from the date of receipt of claims.
- d. The claims are required to be submitted within six months from the date of issue of these guidelines.

### 7. Monitoring & Oversight

7.1 District Level Committee Composition: A district level committee with following composition will be constituted in each district for monitoring of the process of ex-gratia under eShram:

S. No.	Officials	Position
1.	District Magistrate (DM)	Chairman
2.	Superintendent of Police / Deputy Superintendent of Police	Committee Member
3.	Civil Surgeon/ Chief District Medical Office (CDMO)	Committee Member
4.	Labour Inspector	Committee Member
5.	Additional District Magistrate (ADM) designated by DM	Member Secretary

7.2 Terms of Reference (ToR) of the District Level Committees will be as under-

- a. Monitoring and review of activities under these guidelines on weekly basis.
- b. Checking of under process claims and submitted claims.
- c. Resolving queries and grievances.

7.3 A State Level Monitoring Committee will be constituted as per the composition given below. A State level Nodal Officer will be designated by the Chairman of the committee who will coordinate with districts and place the status of claims and grievances before the State Level Committee. Composition of the committee will be as under:

S. No.	Officials	Position
1.	Additional Chief Secretary/ Pr. Secretary (Labour)	Chairman
2.	IG level officer nominated by DGP	Committee Member
3.	Insurance Commissioner, ESIC	Committee Member
4.	Welfare Commissioner (Centre) of the State, DGLW, M/o Labour & Employment	Committee Member
5.	Labour Commissioner	Member Secretary

7.4 Terms of Reference (ToR) of the State Level Committees will be as under-

- a. Periodical review status of claims & grievances.
- b. Act as appellate body for grievances related to claims.

Dedicated grievance redressal mechanism will be established by State/ UT with due publicity of telephone number and email ID of the officer handling the grievances.

**8. Miscellaneous**

8.1 In case of more than one legal heir, district level committee may determine the claimant based on an affidavit produced by legal heir(s).

8.2 In case if claimant/ legal heir is a minor, then claim amount will be issued in the bank account of minor only. If minor does not have a bank account already, guardian of the minor will ensure that bank account is opened in the name of minor.

**Annexure-I**

**eShram Ex-gratia Claim Form**

To be filled by the registered unorganised worker in case of his accidental disability claim or by his legal heir(s) in case of death of unorganised worker

1. Registered Worker's Universal Account Number (UAN):

\_\_\_\_\_

2. Name :

\_\_\_\_\_

3. Address :

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Gender :

\_\_\_\_\_

5. Sex :

6. Details related to accident

i. Brief description of the accident:

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ii. Place of accident : \_\_\_\_\_  
iii. Date of Accident : \_\_\_\_\_  
iv. Time of Accident : \_\_\_\_\_  
v. Whether the worker died in the accident :  Yes  No  
vi. If died, Date of Death : \_\_\_\_\_

vii. In case of disability :  Complete  Partial

4. Documents to be submitted to support death/ disability (as applicable):

- i. In case of Death:
  - Death certificate:
  - Medical Certificate of cause of death:
  - FIR/ Panchnama filed at the time of incident:
  - Post-mortem report supporting the cause of death due to accident:
  - Legal Heir(s) certificate:
  - In case of more than one Legal Heir, Affidavit for apportionment of claim amount:
- ii. In case of permanent disability
  - Hospital record which includes discharge summary indicating disability due to accident:
  - Disability certificate issued by the Civil surgeon, or Unique Disability Identity Card (Permanent) issued by Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment:
- iii. In case of claim is being filed by the guardian

• Guardianship certificate issued by District Court

8. In case of death claim, details of legal heir(s):

i. Name : \_\_\_\_\_  
ii. Sex : \_\_\_\_\_  
iii. Age (Year of Birth) : \_\_\_\_\_



- iv. Marital Status \_\_\_\_\_ ;
- v. Relationship with worker \_\_\_\_\_ ;
- vi. Present Address \_\_\_\_\_ ;
- vii. Aadhaar number \_\_\_\_\_ ;
- viii. Mobile Number \_\_\_\_\_ ;

**Bank Account Details (Aadhaar linked bank account only)**

- ix. Name of Account Holder \_\_\_\_\_ ;
- x. Name of Bank \_\_\_\_\_ ;
- xi. Bank Account Number \_\_\_\_\_ ;

(linked with Aadhaar)

- xii. Bank IFSC Code \_\_\_\_\_ ;

**Details of Guardian in case of a minor**

- xiii. Name of Guardian \_\_\_\_\_ ;
- xiv. Relationship with legal heir : \_\_\_\_\_

8. Whether the same claim has ever been filed under PMSBY:  Yes  No

9. Status of Claim filed under PMSBY:  Approved  Rejected  Pending

**Declaration by Claimant in case of disability**

I declare that the particulars given above are true to the best of my/ our knowledge and belief. If at a later stage, it is found that any information wilfully provided by me is not true, Government of India may recover any benefits provided to me under the scheme and may impose penalty, as applicable.

**Name and Signature**

**1** \_\_\_\_\_

**Declaration by legal heir(s) and/or or Guardian if Legal heir is a Minor**

I/ We declare that the particulars given above are true to the best of my/ our knowledge and belief. If at a later stage, it is found that any information wilfully provided by me is not true, Government of India may recover any benefits provided to me under the scheme and may impose penalty, if applicable.

I/ We also declare that to the best of my/ our knowledge & belief, there is no other legal heir entitled to claim.

**Name and Signature of Legal Heir(s) and/or Guardian if Legal Heir is a minor**

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

**Annexure-II**

**Certificate by Authorised Officer**

I, ..... hereby certify that the claim documents submitted by Shri/ Smt. .... having UAN Number (Shram) have been checked thoroughly and are found to be genuine and in line with requirements laid down in guidelines.

Office Seal

Signature:

Name

:

Designation

:

District

:

State

: