

Supdt. for r/s pls.

**GOVERNMENT OF MEGHALAYA
DEPARTMENT OF LABOUR, EMPLOYMENT & SKILL DEVELOPMENT
Room No.511 (A), Addl. Secretariat Building, Shillong-793001**

Notification

Dated: Shillong, the 29th January, 2026

No.LE&SD.36/2025/120 : - In exercise of the instructions of the Hon'ble Supreme Court in its Ruling dated 22/04/2025, in the matter of Suo Moto Writ Petition (C) No. 7/2024, the Governor of Meghalaya is pleased to notify the following Employees Compensation Agreed Procedure under the Employees Compensation Act, 1923 in the State of Meghalaya for the settlement of all claims relating to motor accidents to an employee arising out of and in the course of his employment filed before the Commissioner, Employees Compensation:

"EMPLOYEES COMPENSATION AGREED PROCEDURE"

1. (i) Scope: This procedure shall be applicable for all claims relating to motor accidents to an employee arising out of and in the course of his employment filed before the Commissioner in the State of Meghalaya.

(ii) This shall come into force on the date of publication in the Official Gazette of Meghalaya.

2. **Definitions.**-(1) In this procedure, unless the context otherwise requires,

(a) "Act" means the Employee's Compensation Act 1923:

(b) "accident" means an accident involving use of motor vehicle at a public place;

(c) "Commissioner" means a Commissioner for the Employee's Compensation appointed under section 20 of the Act.

(d) "Clause" shall refer to the Clauses of this Agreed procedure:

(e) "insurance company" means the insurance company with which a motor vehicle involved in an accident was insured on the date of the accident;

(f) "investigating police officer" means the station house officer of a police station within whose jurisdiction an accident involving a motor vehicle occurs, and includes any police officer subordinate to him entrusted with the investigation of the case:

(g) "legal representative" shall have the same meaning assigned to it under clause (11) of section 2 of the Code of Civil Procedure, 1908 (5 of 1908)

(2) All other words and expressions used herein but not defined and defined in Employees Compensation Act 1923 shall have the meanings respectively assigned to them in that Act.

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3. **Investigation of Accidents arising out of and in the course of employment by the Police:** Immediately upon the receipt of the information of an accident, from any source, the Investigating Officer of Police shall inspect the site of the accident, take photographs of the site of the accident from all angles, prepare a site plan and collect the relevant evidence/ documents especially relating to the proof of employment and last drawn salary of the employee. In injury cases, the Investigating Officer shall also take the photograph(s) of the injured in the hospital. The Investigating Officer shall conduct an on the spot enquiry by examining the eye-witnesses.

4. **Duty of the police to complete the investigation and file EDAR before the Commissioner, Employee's Compensation within 30 days:** The police shall make complete the investigation and shall submit the ***Employee Detailed Accident Report (EDAR)*** with the Commissioner, Employee's Compensation within 30 days of the accident. The ***EDAR*** shall be in the form attached hereto as ***Form-I*** and shall be accompanied with the documents mentioned therein. The investigating Officer shall verify the authenticity of the documents by obtaining confirmation in writing from the office or authority or person purporting to have issued the same or by such further investigation or verification as may be deemed necessary for arriving at a conclusion regarding the authenticity of the documents in question.

Copy of ***EDAR*** shall also be forwarded to the Nodal Officer identified by Insurance Company and Employer.

The Commissioner, Employees Compensation shall create an email id to facilitate the online transmission of report. This email id shall be displayed at the Commissions and Website of the District Court and shall also circulate the same to the police stations and Insurance companies.

5. **Commissioner, Employee's Compensation to treat EDAR as information under Section 10A(1) of the Employee's Compensation Act:** The Commissioner shall treat ***EDAR*** as information under Section 10A(1) of the Employee's Compensation Act. Where the claimants have filed a separate claim application, the ***EDAR*** shall be tagged to the claim application.

If a claimant opts to claim compensation under the Motor Vehicles Act/or any other Act/Statute instead of Employee's Compensation Act, the Commissioner, Employee's Compensation shall record the option of the claimant/employee/dependants of the deceased employee and close the matter.

6. **Duty of the Investigating Officer to produce the employee/legal representatives of the deceased employee, employer and the eyewitnesses before the Commissioner, Employee's Compensation along with the EDAR:** The Investigating Officer shall produce the employee/legal representatives of the deceased employee, employer and the eye witnesses before the Commissioner, Employee's Compensation along with the ***EDAR***. However, if the Police is unable to produce the employer, claimants and eye-witnesses before the Commissioner, Employee's Compensation on the first date of hearing for reasons beyond its control, the Commissioner, Employee's Compensation shall issue notice to them to be served through the Investigating Officer for a date for appearance not later than 30 days. If the employer has taken an insurance policy, the Investigating Officer shall give an advance notice to the concerned Insurance Company about the date of filing of the ***EDAR*** before the Claims Tribunal so that the nominated counsel for the Insurance Company can remain present on the first date of hearing before the Commissioner, Employee's Compensation.

7. **Copy of EDAR to be furnished to the claimants, employer and the Insurance Company:** The Investigation Officer shall furnish the copy of EDAR to the employee/legal representatives of the deceased employee, employer and the insurance company (if the employer had taken an insurance policy).

8. **Extension of time to file EDAR:** Where the Investigating Officer is unable to complete the investigation within 30 days for reasons beyond his control, he shall seek appropriate extension of time to file EDAR from the Commissioner, Employee's Compensation.

9. **Investigating Officer to seek necessary directions from the Commissioner, Employee's Compensation:** In the event of failure of the employer, Insurance Company and/or employee/claimants to disclose the relevant information and documents required to complete the EDAR, the Investigating Officer shall seek necessary directions from the Commissioner, Employee's Compensation whereupon the Commissioner shall, in appropriate cases, direct the parties in default to disclose the relevant information on affidavit long with the original documents within 15 days.

10. **Duty of the police to complete the investigation of the criminal case and to file the copy chargesheet before the Commissioner, Employee's Compensation:** The police shall make endeavour to complete the investigation of the criminal case within 30 days and shall submit the copy of charge sheet before Commissioner, Employee's Compensation.

11. **Duty of the hospital to issue MLC and Post-mortem Report expeditiously of the accident:** The concerned hospital shall issue the MLC and Post-Mortem Report, if any, to the Investigating Officer within 30 days of the accident.

12. **Duty of the Insurance Company to appoint a Designated Officer within 10 days of the receipt of the copy of EDAR:** In cases where the employer has taken an insurance policy, the Insurance Company shall appoint a Designated Officer within 10 days of the receipt of copy of the EDAR. The Designated Officer shall be responsible for dealing/processing of that case and to pass a reasoned decision in writing with respect to the liability of the Insurance Company in accordance with law.

13. **Duty of employer and/or Insurance Company to submit the response to EDAR within 30 days:** The employer/Insurance Company shall examine the EDAR and submit the response. The decision shall be taken by the employer/Designated Officer of the Insurance Company in writing and it shall be a reasoned decision. The employer/Designated Officer of the Insurance Company shall place the written reasoned decision before the Commissioner, Employee's Compensation within 30 days of the date of receipt of the copy of EDAR from the Investigating Officer.

14. **Award to be passed by the Commissioner, Employee's Compensation within 90 days of the intimation of the accident:** The Commissioner, Employee's Compensation shall complete the inquiry and pass the award within 90 days of the intimation of the accident whereupon the employer/Insurance Company shall make the payment of the award amount within 30 days. However, before passing the award, the Commissioner, Employee's Compensation shall ensure that the claimants are awarded compensation according to the Section 4 read with Schedule-IV of the Employee's Compensation Act. The Commissioner, Employee's Compensation shall also pass an order with respect to the respective shares of the individual claimants, where there are more than one, and the mode of disbursement.

It is clarified that in injury cases, where the treatment is continuing and more particularly cases where the injured is hospitalised and surgery has to be performed, the time limit of three months for passing the award shall stand suitably extended and the Commissioner, Employee's Compensation shall pass the award within such time period as considered appropriate to do complete justice to the victim(s).

15. **The Commissioner, Employee's Compensation shall incorporate the compliance of this Scheme in the award:** The Commissioner, Employee's Compensation shall incorporate the compliance of this Scheme in the opening para of the award in the following format:-

COMPLIANCE OF THE PROVISIONS OF THE SCHEME TO BE MENTIONED IN THE AWARD

<ol style="list-style-type: none">1. Date of the accident2. Date of filing of EDAR in Form-13. Date of appointment of the Designated Officer by the Insurance Company4. Date of response of the employer and Insurance Company5. Date of the award6. Date of show cause notice to the employer as to why the penalty be not imposed7. Date of the order imposing penalty8. Date of order by which claimant(s) was/were directed to open savings bank account(s) near his place of residence and produce PAN Card and Aadhaar Card and the direction to the bank not issue any cheque book/debit card to the claimant(s) and make an endorsement to this effect on the passbook9. Date on which the claimant(s) produced the passbook of their savings bank account near the place of their residence along with the endorsement, PAN Card and Adhaar Card10. Permanent Residential Address of the claimant(s)11. Whether the claimant(s) savings bank account(s) is near his place of residence12. Whether the claimant(s) was/were examined at the time of passing of the award to ascertain his/their financial conditions.13. Date of disbursement order.14. Whether the amount has been released to the victim(s) in a phased manner	
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16. **Examination of the claimants before passing of the award:** Before or at the time of passing of the award, the Commissioner, Employee's Compensation shall examine the claimants to ascertain their financial condition/needs to determine their share, mode of disbursement, amount to be kept in fixed deposit and period of fixed deposit. The Commissioner, Employee's Compensation shall also ascertain the complete address and Bank Account details of the claimants. The Commissioner, Employee's Compensation shall take on record the following documents from the claimants:

- (i) Proof of residence;
- (ii) Details of the Bank Account of the Claimants; and
- (iii) Two sets of photographs and specimen signatures of the claimants.

17. **Deposit of the award amount:** In the award, the Commissioner, Employee's Compensation shall specifically direct the employer/Insurance Company, as the case may be, to deposit the award amount with the Commissioner, Employee's Compensation along with the interest upto the date of notice of deposit to the claimants with a copy to their counsel within 30 days of the award. The names and addresses of the claimants and their counsel for issuance of notice of deposit be mentioned in the award.

The Commissioner shall email an authenticated copy of the award to the parties.

The Commissioner, Employee's Compensation shall keep the amount deposited by the owner/insurance company in fixed deposit till the disbursement of the amount to the claimants. The Commissioner, Employee's Compensation shall ensure that the amount deposited is kept in fixed deposit within three working days of the deposit.

18. **Protection of the award amount:** The Commissioner, Employee's Compensation shall, depending upon the financial status and financial need of the claimant(s), release such amount as may be considered necessary and direct the remaining amount to be kept in fixed deposits in phased manner (For example, if a sum of Rs. 5,50,000/- has been awarded to the claimants, Rs. 50,000/- may be released immediately and the remaining amount of Rs. 5,00,000/- may be kept in 10 fixed deposits of Rs. 50,000/- each for periods of six months, one year, one and a half years, two years and so on till five years or one year, two years, three years and so on till ten years). The Commissioner, Employee's Compensation shall also consider imposing the following conditions with respect to the fixed deposits:

- (i) The interest on the fixed deposits be paid monthly to the Claimant(s).
- (ii) The monthly interest be credited automatically in the saving account of the claimant(s).
- (iii) Original fixed deposit receipts be retained by the bank in safe custody. However, a passbook of the FDRs be given to the claimant(s) along with the photocopy of the FDR. At the time of maturity, the fixed deposit amount shall be automatically credited in the savings bank account of the Claimant(s).
- (iv) No cheque book be issued to the claimant(s) without permission of the Commissioner, Employee's Compensation. However, a photo identity card be issued to the claimant(s) and the withdrawal be permitted upon production of the identity card.
- (v) No loan, advance or withdrawal be allowed on the fixed deposits without permission of the Commissioner, Employee's Compensation.

(vi) The Bank shall not permit any joint name(s) to be added in the savings bank account or fixed deposit accounts of the victim.

(vii) Half yearly statement of account be filed by the Bank with the Commissioner. Employee's Compensation.

19. **Penalty for delay in deposit of compensation amount under Section 4A(3):** In cases where the employer has not deposited the compensation amount within 30 days from the day it fell due, the show cause notice for imposition of penalty shall be issued by the Commissioner, Employee's Compensation to the employer immediately after the filing of the written statement and the issue with respect to the imposition of penalty be framed and decided at the time of passing of the award. However, if the show cause notice could not be issued before passing of the award, the Commissioner, Employee's Compensation shall issue the show cause notice in the award or after the award and the issue of penalty be decided within 30 days of the award.

20. **Commissioner, Employee's Compensation shall fix a date for reporting compliance:** The Commissioner, Employee's Compensation shall fix a date for reporting compliance in the award itself. The Commissioner, Employee's Compensation shall also direct the employer/Insurance Company to place on record the proof of deposit of the award amount, the notice of deposit and the calculation of the interest deposited on the date fixed for compliance. Upon such proof being filed, the Commissioner, Employee's Compensation shall ensure that the interest upto the date of notice of deposit has been deposited.

The Commissioner, Employee's Compensation shall close the matter only after the release of the award to the claimant. The order closing the case shall be in the following format:

- (i) Case title and number.
- (ii) Date of award.
- (iii) Award amount.
- (iv) Date of deposit of the award amount
- (v) Date on which the amount was kept in fixed deposit.
- (vi) Date of notice by the employer/insurance company to the claimant.
- (vii) Date of notice by the Commissioner, Employee's Compensation to the claimant.
- (viii) Period for which the claimant is entitled to interest under Order XXI Rule 1(4), CPC.
- (ix) Amount of interest to which the claimant is entitled under Order XXI Rule 1(4), CPC.
- (x) Amount of interest actually received by the claimant under Order XXI Rule 1(4), CPC.
- (xi) Date of release of the award amount to the claimant.

21. **Recovery certificate to be issued within 30 days of the award:** If the award amount is not deposited within the stipulated period, the Commissioner, Employee's Compensation, after notice to the respondent, shall issue a Recovery Certificate to the SDM/Recovery Officer within 30 days of the award.

22. **Duties of Police shall be construed to be part of State Police Act:** The duties of police enumerated above shall be construed as if they are included in the respective State Police Act and any breach thereof shall entail consequences envisaged in that law.

FORM-I

FORMAT OF EMPLOYEES DETAILED ACCIDENT

REPORT (EDAR)

By Investigating Officer to Commissioner, Employee's Compensation

Within 30 days of the receipt of intimation of the Accident

Copy to Employee(s)/Victim(s)/Dependant(s), Employer and Insurance

Company

PART I PARTICULARS OF THE ACCIDENT

1.	FIR No	
2.	Date	
3.	Under Section	
4.	Police Station	
5.	Date of accident	
6.	Time of Accident	
7.	Place of accident	
8.	Who reported the accident to the Police? (Give name, address & contact no.) (a) Employer	

	<p>(b) Victim</p> <p>(c) Witness</p> <p>(d) Hospital/Medical facility</p> <p>(e) Any other (Specify)</p>	
9.	Name of the person who took the victim to the hospital, name of the hospital and at what time	
10.	<p>Nature of the accident:</p> <p>(a) Whether resulted in death or injury or both?</p> <p>(b) Number of persons injured/died</p>	
11.	Name and contact no. of the Investigating Officer	
12.	Names of witnesses of the accident	
13.	Whether accident recorded in a CCTV footage/other electronic device etc.	
14.	Date of preparation of the site plan	
15.	Brief description of the accident:	

**PART II INFORMATION RELATING TO DECEASED/INJURED
EMPLOYEE**

<p>16. Death Cases:</p> <p>(a) Name and address of the deceased</p> <p>(b) Age</p> <p>(c) Gender</p> <p>(d) Education</p> <p>(e) Occupation</p> <p>(f) Income (monthly)</p> <p>(g) Legal heirs/Guardian:</p> <p>(i) Name</p> <p>(ii) Relationship</p> <p>(iii) Age</p> <p>(iv) Address</p> <p>(v) Contact No.</p>	
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17. **Injury Cases:**

(a) Name and address of injured

(b) Age

(c) Gender

(d) Education

(e) Occupation

(f) Income (monthly)

(g) Details of family/dependants of the victim.

(h) MLC No.

(i) Nature of injuries

(j) Name of hospital(s) where injured treated?

(k) Whether victim refused medical treatment

(l) Period of hospitalization

(m) Period of treatment

	<p>(n) Whether treatment continuing</p> <p>(o) Name, address and contact number of the doctor(s) who treated the injured</p> <p>(p) Whether injured underwent any surgery(s)? If so, give particulars?</p> <p>(q) Whether suffered any permanent disability? If yes, give details</p>	
18.	Any other relevant information	

PART III INFORMATION RELATING TO EMPLOYMENT

19.	Job Profile of injured/deceased employee	
20.	Date of joining of injured/deceased employee	
21.	Salary drawn by injured/deceased on day of accident	
22.	Name of employer (including name of manager/concerned person)	
23.	Address of employers including owner of the Establishments, Principal Employer, Contractor etc.	
24.	Details of Registration of employer or establishment	

25.	Account no. with name and address of the Bank in which the employer is having its account	

Note: [Employer, in this Form would mean, but not limited to, Company, Partnership, Proprietorship, Co-operative or any other entity or association]

PART IV PARTICULARS OF THE INSURANCE

26.	Policy Number	
27.	Period of policy	
28.	Issued by (give name and address of the Insurance Company)	
29.	Nature of policy	
30.	Date of intimation of the accident by the Investigating Officer to the Insurance Company	

PART V RELEVANT DOCUMENTS TO BE ATTACHED

31.	First Information Report or Daily Diary Entry	
32.	Site plan of the location where the accident took place	
33.	Statements of the witnesses recorded by the police under Section 161 CrPC	
34.	Photographs of the scene of accident from all angles.	
35.	Documents relating to registration of the Employer or Establishment	
36.	Proof of employment of the injured/deceased employee such as appointment letter, salary slips, duty register etc.	
37.	Insurance Policy	
38.	Report under Section 173 CrPC	
39.	In case of Death (a) Post Mortem Report (b) Death certificate (c) Photograph and proof of the identity of the dead	

(d) Proof of age of the deceased which may be in form of:

(i) Birth certificate

(ii) School certificate

(iii) Certificate from gram panchayat (in case of illiterate)

(e) Proof of Occupation and income of the deceased

(f) Proof of the legal representatives of the deceased

(i) Names

(ii) Age

(iii) Address

(iv) Relationship

(v) Contact no.

(g) Photographs, specimen signatures attested by the bank and identity proof of the legal representatives of the deceased

(h) AADHAR details

	<p>(i) PAN Card</p> <p>(j) Email id</p> <p>(k) Treatment record, medical bills and other expenditure</p> <p>(l) Bank Account no. of the legal representatives of the deceased with name and address of the bank</p>	
40.	<p>In case of Injury</p> <p>(a) MLC of the deceased/injured</p> <p>(b) Multi angle photographs of the injured</p> <p>(c) Photographs, specimen signatures attested by the bank and identity proof of the injured</p> <p>(d) Proof of age of the injured which may be in form of:</p> <p>(i) Birth certificate</p> <p>(ii) School certificate</p> <p>(iii) Certificate from Gram Panchayat (in case of illiterate)</p> <p>(e) Proof of occupational income of the injured at the time of the accident</p>	

<p>(f) AADHAR details</p> <p>(g) PAN Card</p> <p>(h) Email id</p> <p>(i) Treatment record, medical bills and other expenditure In case of long-term treatment, the SHO/IO shall also record the details so that the claimant may furnish documents before the Commissioner, Employees' Compensation.</p> <p>(j) Bank Account no. of the injured with name and address of the bank</p>	
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VERIFICATION

Verified at _____ on this _____ of _____, that the contents of the above report are true and correct as per information and documents gathered during investigation.
 Station House Officer

(Name and Stamp)
 Assistant Commissioner of Police

(Name and Stamp)

Sd/-
 Shri F.R.Kharkongor, IAS
 Principal Secretary to the Govt. of Meghalaya,
 Department of Labour, Employment & Skill Development.

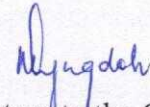
Memo.No. LE&SD.36/2025/120-A

Dated: Shillong the 29th January, 2026.

Copy forwarded to: -

1. P.A. to the Hon'ble Minister, i/c, Department of Labour, Employment & Skill Development, etc. for kind information of the Hon'ble Minister please.
2. P.S. to the Chief Secretary to the Government of Meghalaya for kind information of the Chief Secretary.
3. P.S. to the Principal Secretary to the Government of Meghalaya, Department of Labour, Employment & Skill Development for kind information of the Principal Secretary.
4. P.A. to the Commissioner & Secretary to the Government of Meghalaya, Department of Labour, Employment & Skill Development for kind information of the Commissioner & Secretary.
5. The Labour Commissioner, Meghalaya, Shillong for favour of information, & necessary action.
6. The Joint Secretary to the Govt. of Meghalaya, Department of Labour, Employment & Skill Development for favour of information.
7. The Joint Labour Commissioners, Shillong/i/c Tura for information and necessary action.
8. All Deputy/ Assistant Labour Commissioners/ District/Block Labour Inspectors for information and necessary action.
9. Under Secretary to the Govt. of Meghalaya, Law (B) Department. (consulted I/D vide No.570/2025 dated 11.12.2025).
10. The Director, Printing & Stationery, Meghalaya Shillong for favour of publication in the next issue of the Meghalaya Gazette.

By order, etc.



Deputy Secretary to the Govt. of Meghalaya
Department of Labour, Employment &
Skill Development
