



**REGIONAL OFFICE,
EMPLOYEES STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN, BHAWANI SINGH ROAD
JAIPUR-302001
(ISO 9001-2001 CERTIFIED)
Tel. 0141-2221631 Fax-0141-2222047
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-: FOR ATTENTION OF EMPLOYERS :-

EMPLOYEES STATE INSURANCE ACT. 1948 applies to your Factory :

1. If it is situated in an area where the ESI scheme has been implemented under section 1 (3) of the ESI Act and you on any day of the preceding 12 months employed 10 or more persons for salary/ wages in your factory where power is used in the manufacturing process.

'OR'

20 or more persons are/ were employed for salary/wages in your factory where manufacturing process is carried on without the aid of power.

'AND'

Employees State Insurance Act 1948 applies to your Establishment :

2. If it is one of the following classes of establishments and situated in an area where the ESI scheme has been implemented under section 1(3) of ESI Act and you have on any day during the preceding 12 months employed 20 or more persons for salary/wages.
 - a) Hotels and Restaurants (In case there is no manufacturing process)
 - b) Road Motor Transport establishments.
 - c) Cinemas including preview theatres.
 - d) News paper establishments.
 - e) Shops.
 - f) Educational Institutions.
 - g) Medical Institutions.
3. Employees of Factories/Establishments drawing salary/wages (excluding overtime) not exceeding Rs. 10000/- per month are covered under the Act. The rate of contribution by employer is 4.75% of the salary/wages payable to employees and the employee's contribution is at the rate of 1.75% of the salary/wages payable to an employee (rounded to the next higher rupee). Employees who are in receipt of daily wages up to Rs. 70/- will not be required to pay their share of contribution, only employer's share of contribution is payable in respect of such employees.
4. You, as principal employer, are responsible for compliance with the provisions of the ESI Act.
5. Employees as defined under section 2(9) of ESI Act, 1948 are coverable from the date of joining in insurable employment. The Corporation is not liable to pay benefits to the employees of factory/establishment, if application for registration of employees is submitted posthumously.
6. The wage limit for coverage of an employee, who is a person with disability, shall be twenty five thousand rupees a month. The employer shall not be required to pay employer's share of contribution up to a maximum period of three years from the date of commencement of the contribution period.
7. The Central Govt. in exercise of the powers conferred by Sub-Section 5 of Section 1 of the ESI Act, 1948 has extended the provisions of Act to all casual and contract employees of establishments belonging to or under the control of the Central Govt. vide notification No. S-38013/5/2008-SS.1 dated 20.07.2009

PLEASE ENSURE

- a) All the employers covered under the ESI scheme are advised to ensure compliance of provisions of ESI Act 1948 in respect of the coverable regular, casual & contractor's employees even if the Contractors are covered independently under separate code nos.
- b) Payment of the contributions within 21 days of last day of the calendar month in which the contributions falls due.

c) As per the amendment in ESI (General) Regulation 1950 vide notification No.-N12/13/1/2008 P&D dated 11.03.2008 every employer shall be required to submit Return of Contribution in the amended Regulation Form-5. Employers engaging up to 40 employees are required to submit self-declaration in the amended Regulation **Form - 5** (Return of Contribution) and employers engaging more than 40 employees are required to submit declaration form certified by Registered Chartered Accountant. This amendment is effected from 01.04.2008.

d) **Submission of Return of Contribution (in Quadruplicate) in Regulation Form -5 along with receipted copies of the Challans for the Contribution period ending 30.09.2009 to the appropriate Branch Office indicating Insurance Numbers in ascending order by 11.11.2009. The copy of revised Regulation Form-5 may be obtained either from concerned Branch Office or can be downloaded from the ESIC website www.esic.nic.in.**

(Return of Contributions not prepared in ascending order of Insurance Numbers along with other information laid down in Form-5 shall not be accepted. Name and No. of the dispensary may also be mentioned in the remarks column of Form-5)

e) Factories & Establishments covered in other Region and complying in Rajasthan in respect of Branch Offices situated in various places in Rajasthan may quote the complete Sub-code No. allotted by Rajasthan Region while depositing the contribution in Rajasthan and submit the Return of Contribution to the concerned Branch Office of ESI Corporation in Rajasthan Region.

PLEASE NOTE THAT

i) The employer in respect of a factory or an establishment to which this Act applies and to whom a code number has already been allotted, shall furnish to appropriate Regional Office or Sub-Regional Office, by 31st of January every year, a return in Form 01A. The employer shall be responsible for correctness of all particulars and information furnished in Form 01A.

ii) It will be in employer's interest to pay contribution within the prescribed time so as to avail permissible deductions under Section 43-B of the Income Tax Act.

iii) Your failure/delay in compliance as above shall cause inconvenience to your employees in receiving benefits under ESI Scheme and also render you liable to pay interest and damages besides criminal prosecution under the relevant provisions of the ESI Act and the Indian Penal Code.

iv) In case the ESI dues payable under the Act could not be paid by you for some reasons, suo moto in time, then it is your legal obligation to pay the dues immediately on demand by the Recovery Office of the Corporation on first notice (CP-2) so that unpleasant actions, like attachment of property, arrest and detention in prison, may be avoided.

For any assistance/guidance please contact the nearest Branch Office, Sub-Regional Office or Regional Office, E.S.I. Corporation, Jaipur. For more details please visit our website www.esicrajasthan.com.

ADDITIONAL COMMISSIONER AND REGIONAL DIRECTOR