

- (a) in case of a change of management including transfer of undertaking(s) to worker's co-operative(s) or in case of merger or amalgamation of sick industrial company with a healthy company, completely waive the damages levied or leviable;
- (b) in other cases, depending on its merits, waive upto 50 per cent damages levied or leviable;
- (c) in exceptional hard cases, waive either totally or partially the damages levied or leviable.]

1[32. Register of Employee:-(1) Every employer shall maintain a register in ²[Form 6] in respect of every employee of his factory or establishment.

³[(1A) Register or employees engaged by immediate employer.—Every immediate employer shall maintain a register in ⁴[Form 6] in respect of every employee engaged by him and submit the same to the principal employer before the settlement of any amount payable under sub-section (1) of section 41 of the Act.]

(2) Every employer shall preserve every register maintained under this regulation after it is filled, for a period of five years from the date of last entry therein.

(3) The employer shall give a reasonable opportunity to any of his employees, if he so desires, to see entries in respect of such employee in this register once a month.]

33. Other modes of payments of contribution:-Subject to the directions of the Standing Committee, the Director-General may, if he thinks fit and subject to such terms and conditions as he may impose, approve of any arrangement, ⁵[***], whereby contributions are paid at times or in a manner other than those specified in these regulations and such arrangement may include provision for the payment to the Corporation of such fees as may be determined by him to represent the estimated additional expenses to Corporation, and may require such deposit of money by way of security as he may determine.

⁶[***]

⁷[***]

⁸[36. Employment for part of a wage period:-Where an employee is employed by an employer for part of a wage period, the contributions in respect of such wage period, shall fall due on the last day of the employment by such employer in that wage period.]

1 Subs. by Notification No. 12/13/1/84-P&D, dated 5th January, 1985 (w.e.f. 27-1-1985).

2 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 6A and Form 7" (w.e.f. 1-1-2005).

3 Ins. by Notification No. N-12/13/1/90-P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

4 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 6A and Form 7" (w.e.f. 1-1-2005).

5 Omitted by Notification No. N-12/13/19/79- P&D, dated 9th March, 1983 (w.e.f. 26-3-1983).

6 Regulation 34 omitted by Notification No. N-12/13/19/79- P&D, dated 9th March, 1983 (w.e.f. 26-3-1983).

7 Regulation 35 omitted by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).

8 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).

1[***]

38. Scheme by joint employers:-Where an employee is ordinarily employed by two or more employers in a ²[wage period] the employers of such an employee may, if they think fit, submit to the Corporation a scheme for the payment of the contributions in respect of such employee and the Corporation may, if it is satisfied that the scheme is such as will secure the due payment of the contributions, approve such a scheme subject to such terms and condition as it may think necessary:

Provided that if no such scheme is submitted to or approved by the Corporation, the Corporation may specify that any one of such employers shall be treated as the employer for the purposes of the provisions of the Act and the regulation relating to contributions, and in such a case the contribution for any ³[wage period] shall fall due on the last day of the ⁴[wage period] on which an employee was employed by the employer so specified.

39. Reckoning of wages of employee employed by two or more employers in the same ⁵[wage period]:-Where an employee is employed by an employer for only a part of the ⁶[wage period] or where an employee is employed by two or more employers in a ⁷[wage period], only the wages payable to him for the days upto and including the day on which the contribution falls due for that ⁸[wage period] shall be taken into account in reckoning wages for the purposes of determining the average daily wages of the employee for that ⁹[wage period.]

40. Refund of contribution erroneously paid:-(1) Any contribution paid by a person under the erroneous belief that the contributions were payable by that person under the Act may be refunded without interest by the Corporation to that person, if application to that effect is made in writing before the commencement of the benefit period corresponding to the contribution period in which such contribution was paid.

(2) Where any contribution has been paid by a person at a rate higher than that at which it was payable the excess of the amount so paid over the amount payable may be refunded without interest by the Corporation to that person, if application to that effect is made before the commencement of the benefit period corresponding to the contribution period in which such contribution was paid.

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- 1 Regulation 37 omitted by Notification No. N-12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).
 - 2 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).
 - 3 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).
 - 4 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).
 - 5 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).
 - 6 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).
 - 7 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).
 - 8 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).
 - 9 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).

(3) In calculating the amount of any refund to be made under this regulation there may be deducted the amount, if any, paid to any person by way of benefit on the basis of the contribution erroneously paid and for the refund of which the application is made.

(4) Where the whole or part of the amount of any contribution referred to in sub-regulations (1) and (2), was recovered from an immediate employer or deducted from the wages of an employee by the principal employer, he shall, on getting the refund of the amount from the Corporation be liable to pay back the amount so recovered or deducted to the person from whom the amount was so recovered or deducted.

(5) Applications for refund under this regulation shall be made in such form and in such manner and shall be supported by such documents as the Director-General may, from time to time, determine.]

1[***]

CHAPTER III BENEFITS CLAIMS

44. Claims for benefits:-Every claim for a benefit payable under the Act shall be made in writing, in accordance with these regulations, to the appropriate ²[Branch Office] on the form appropriate for the purpose of the benefit for which the claim is made or in such other manner as the appropriate office may, subject to its being in writing, accept as sufficient in the circumstances of any particular case or class of cases. Assistance for filling in the form of claim in case of insured persons who cannot do so themselves shall be provided at the ³[Branch Office] of the Corporation.

45. When claim becomes due:-A claim for any benefit under the Act shall for the purposes of section 77 of the Act, become due on the following days :—

- (a) For sickness benefit or for disablement benefit for temporary disablement for any period, on the date of the issue of the medical certificate in respect of such periods; provided that in cases where a person is not entitled to sickness benefit for the first two days of sickness, the due date shall be deferred by such days.
- (b) For maternity benefit—
 - (i) in case of confinement, on the date of issue, in accordance with these regulations, of certificate of excepted confinement or on the day six weeks preceding the expected date of confinement so certified whichever is later or, if no such certificate is issued, on the date of confinement; and
 - (ii) in case of miscarriage and in case of sickness arising out of pregnancy, confinement, premature birth of child or miscarriage, on the date of issue of the medical certificate of such miscarriage or sickness, as the case may be;

1 Regulation 41 to 43 omitted by Notification No. 12/13/19/79- P&D, dated 9th March, 1983 (w.e.f. 26-3-1983).

2 Subs. for "local office" by ESI (General) (Amendment) Regulations, 2004, dt. 1-10-2004 (w.e.f. 1-1-2005).

3 Subs. for "local office" by ESI (General) (Amendment) Regulations, 2004, dt. 1-10-2004 (w.e.f. 1-1-2005).

- (c) for ¹[first payment of] disablement benefit for permanent disablement, on the date in which an insured person is declared as permanently disabled in accordance with the Act and these regulations; and
- ²[(d) for ³[first payment of] dependents' benefit, on the date of the death of the insured person in respect of whose death the claim for such benefit arises or, where disablement benefit was payable for that date, on the date following the date of death or, where the beneficiary becomes entitled to a claim on any subsequent date, on the date on which he becomes so entitled;]
- (e) for subsequent payments of disablement benefit for permanent disablement and for subsequent payment of dependents benefit, the last date of the month to which the claim relates;]
- (f) for ⁴[funeral expenses] on the date of the death of the insured person in respect of whose death the claim for such benefit arises.

46. Availability of claim forms:-Claim forms shall be available to intending claimants from such persons and such offices of the Corporation as it may appoint or authorise for that purpose, and shall be supplied free of charge.

47. Claim on wrong form:-Where a claim for any benefit has been made on an approved form other than the form appropriate to the benefit claimed, the Corporation may treat the claim as if it was made on the appropriate form; provided that the Corporation may in any such case require the claimant to complete the appropriate form.

48. Evidence in support of claim:-Every person who makes a claim for any benefit shall in addition to the medical certificate and other forms specifically required under these regulations, furnish such other information and evidence for the purpose of determining the claim as may be required by the appropriate office, and, if reasonably so required, shall for that purpose attend at such office or place as the appropriate office may direct.

49. Defective claim:-If, in absence of due signature or of due certification, a claim is defective on the date of its receipt by an office of the Corporation the office of the Corporation may in its discretion refer the claim to the claimant and if the form is returned duly signed and/or certified within three months from the date on which it was so referred, the office may treat the claim as if it had been duly made in the first instance.

50. Claim for inappropriate benefit:-Where it appears that a person who has made a claim for any benefit payable under the Act, may be entitled to a benefit other than that which he has claimed, any such claim may be treated as a claim in the alternative for that other benefit.

51. Authority for certifying eligibility of claimants:-The authority which is to certify the eligibility of claimants shall be the appropriate ¹[Branch Office] in

1 Ins. by the Employees State Insurance (General))Amendment) Regulations, 1961.

2 Ins. by the Employees State Insurance (General))Amendment) Regulations, 1956.

3 Ins. by the Employees State Insurance (General))Amendment) Regulations, 1961.

4 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

respect of maternity, sickness, temporary disablement ²[benefits and funeral expenses] and the appropriate Regional Office, in respect of permanent disablement and dependent's benefits.

52. Benefits when payable:⁻³[(1) Any benefit payable under the Act shall be paid—

- (a) in the case of sickness benefit not later than 7 days;
- ⁴[(b) in the case of funeral expenses not later than 15 days;]
- (c) in the case of first payment in respect of maternity benefit not later than 14 days;
- (d) in the case of the first payment in respect of Temporary Disablement Benefit not later than one month;
- (e) in the case of first payment of Permanent Disablement Benefit not later than one month;
- (f) in the case of first payment of Dependents' Benefits not later than 3 months, after the claim therefor together with the relevant medical or other certificates and any other documentary evidence which may be called for under these Regulations has been furnished complete in all particulars to the appropriate office.]

(2) Second and subsequent payments in respect of any maternity, temporary disablement, permanent disablement or dependents' benefit shall be paid along with the first payment in respect thereof or within the calendar month following the month to the whole or part of which they relate, whichever is later subject to production of any documentary evidence which may be required under these regulations.

(3) Where a benefit payment is not made within the time limits specified in sub-regulations (1) and (2) above, it shall be reported to the ⁵[appropriate Regional Office] and shall be paid as soon as possible.

⁶[(4) Benefits under the Act shall be paid in cash at a ⁷[Branch Office] on such days and working hours, as may be fixed by the Director-General, or such other officer of the Corporation, as may be authorised by him from time to time in this behalf, or, at the option of the claimant and subject to deduction of the cost of remittance, by means of postal money orders or other orders payable through a post office, or by any other means, which the appropriate office may in the circumstances of any particular case consider appropriate:

Provided that the Corporation may waive the deduction of the cost of remittance in such cases as the Director-General may, from time to time, specify.]

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

2 Subs. by Notification No. N-12/13/1/99- P&D, dated 13th May, 2002 (w.e.f. 29-6-2002).

3 Subs. by Notification No. Genl./Amdt./32, dated 25th April, 1972.

4 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

5 Subs. by the Employees State Insurance (General)Amendment) Regulations, 2004, dt. 1-10-2004 (w.e.f. 1-1-2005).

6 Subs. by the Employees State Insurance (General)Amendment) Regulations, 2004, dt. 1-10-2004 (w.e.f. 1-1-2005).

7 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

(5) Where the payment of a benefit is to be made at a ¹[Branch Office], such office may insist upon the production of the Identity Card or other document issued in lieu thereof in respect of the insured person.

²**52A. Abstention verification:-**³[(1)] Every employer shall furnish to the appropriate office such information and particulars in respect of the abstention of an insured person from work for which sickness benefit ⁴[***] or disablement benefit for temporary disablement, as provided under the Act has been claimed or paid, in ⁵[Form 10] and within such time as the said office may in writing require in the said form.]

⁶[(2) Every employer shall furnish to the appropriate office such information and particulars in respect of the abstention of an insured woman from work for which maternity benefit as provided under the Act has been claimed or paid, in ⁷[Form 10] and within such time as the said office may in writing require in the said Form.]

CERTIFICATION AND CLAIMS FOR SICKNESS AND TEMPORARY DISABLEMENT

53. Evidence of sickness and temporary disablement:-Every insured person, claiming sickness benefit or disablement benefit for temporary disablement, shall furnish evidence of sickness or temporary disablement in respect of the days of his sickness or temporary disablement by means of a medical certificate given by an Insurance Medical Officer in accordance with these regulations in the form appropriate to the circumstances of the case:

⁸[Provided that in areas where arrangement for medical benefit under the Employees' State Insurance Act have not been made or otherwise if in its opinion the circumstances of a particular case so justify, the Corporation may accept any other evidence of sickness or temporary disablement in the form of a certificate issued by the medical officer of the State Government, local body or other medical institution, or a certificate issued by any registered medical practitioner containing such particulars and attested in such manner as may be specified by the Director-General in this behalf.]

54. Persons competent to issue medical certificate:-No medical certificate under these regulations shall be issued except by the Insurance Medical Officer to whom an insured person has been allotted or by an Insurance Medical Officer attached to a dispensary, hospital, clinic or other institution to which and insured person is allotted and such Insurance Medical Officer shall examine and if in his opinion the condition of the insured person so justifies, issue to such insured person free of charge, any medical certificates reasonably

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

2 Ins. by Notification No. Genl./Amdt./26, dated 6th April, 1970 (w.e.f. 18-4-1970)..

3 Regulation 52A re-numbered as sub-regulation (1) thereof by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

4 Omitted by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

5 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 28, Form 28A" (w.e.f. 1-1-2005).

6 Added by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f.15-6-1991).

7 Subs. by Notification No. N 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 28, Form 28A" (w.e.f. 1-1-2005).

8 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968.

required by such insured person under or for the purposes of the Act or any other enactment or these regulations:

Provided that an Insurance Medical Officer may issue a medical certificate under these regulations to an insured person who is not allotted to him or to the dispensary, hospital, clinic or other institution to which he is attached, if such officer is satisfied that in the circumstances of any particular case the insured person cannot reasonably be expected to get medical benefit from the Insurance Medical Officer or the dispensary, hospital, clinic or other institution to which such insured person has been allotted; and such certificate shall also be issued free of charge :

Provided further that an insured person shall not be granted a medical certificate unless he produces to the Insurance Medical Officer his Identity Card or such other "Documents" as under these regulations, may have been issued in lieu thereof.

55. Medical certificate:-The appropriate form of a medical certificate shall be filled in ink or otherwise as may be specified by the Director-General by the Insurance Medical Officer in his own handwriting and shall contain a concise statement of the disease or disablement which in the opinion of the Insurance Medical Officer necessitates abstention from work on medical grounds or renders the person temporarily incapable of work. The statement of the disease or disablement in the medical certificate shall specify the nature thereof as precisely as the Insurance Medical Officer's knowledge of the condition of the insured person at the time of the examination permits.

56. Time of granting medical certificate:-(a) An Insurance Medical Officer shall give the medical certificate to an insured person at the time of the examination to which it relates; where he is prevented from so doing he shall send the certificate to the insured person within twenty-four hours thereafter.

(b) No further medical certificate relating to the same examination shall be issued, except where a duplicate of such certificate is required, in which case it shall be issued free of charge and clearly marked "Duplicate".

1[57. Medical certificate on first examination:-Where the examination is the first examination in respect of a spell of sickness or a spell of temporary disablement, the medical certificate shall be in the form of a first certificate ²[(Form (7))] and shall be only in respect of the date of examination:

³[Provided that where the insured person, who needs abstention from work on the day of examination, states that he has been actually sick or temporarily disabled on a day earlier than the date of his first examination, the Insurance Medical Officer may, if he is satisfied as to the truth of the statement that the insured person was unable to present himself for medical examination earlier for reasons beyond his control, certify incapacity for work on the date preceding the date of examination:]

Provided further that where in the opinion of the Insurance Medical Officer, the insured person is likely to become fit to resume work on a date not later than the third day after the date of the examination, the first certificate may be issued in respect of the entire spell of sickness or temporary disablement, and, in such a

1 Subs. by the Employees' State Insurance (General) Amendment Regulations, 1953.

2 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 8" (w.e.f. 1-1-2005).

3 Ins. by the Employees' State Insurance (General) Amendment Regulations, 1957.

case, it shall specify the date on which the insured person will, in his opinion, be fit to resume work; such a certificate shall, notwithstanding anything contained in the regulations, be also treated as a final certificate.]

58. Final medical certificate:-If at the date of the examination to which a medical certificate other than a first certificate relates, the insured person in the opinion of the Insurance Medical Officer is, or will become on a date not later than the third day after that date, fit to resume work, that certificate shall be in the form of a final certificate ¹[(Form 7)].

59. Intermediate certificate:-If the final certificate is not issued within seven days of the date of the first certificate, an insured person shall, except where the case is covered by regulation 61, submit certificates in the form of intermediate certificates ²[(Form 7)] at intervals of not more than seven days each, commencing from the date of the first certificate.

60. Final medical certificate before commencing work for wages:-Every insured person shall obtain a medical certificate in the form of a final certificate before he takes up any work for wages.

61. Intermediate certificate for a longer period:-When temporary disablement or sickness has continued for not less than twenty-eight days and the Insurance Medical Officer is satisfied that such disablement or sickness is likely to continue for a long period and that, owing to the nature of the disablement or sickness examination and treatment at intervals of more than one week will be sufficient, the insured person may, unless otherwise directed by the appropriate office, furnish medical certificates in the form of special intermediate certificates ³[(Form 8)] at intervals of such longer periods not exceeding four weeks as may be specified by the Insurance Medical Officer.

⁴[***]

63. Form of claim for sickness or temporary disablement:-An insured person intending to claim sickness benefit or disablement benefit for temporary disablement shall submit to the appropriate ⁵[Branch Office] by post or otherwise, a claim for benefit in ⁶[Form 9] appropriate to the circumstances of the case together with the appropriate medical certificates:

⁷[Provided that where only one claim in ⁸[Form 9] is submitted in respect of more than one certificate, such ¹[Form 9] shall be deemed to be appropriate to all such certificates.]

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 9, 10" (w.e.f. 1-1-2005).

2 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 8" (w.e.f. 1-1-2005).

3 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 11" (w.e.f. 1-1-2005).

4 Regulation 62 omitted by Notification No. Genl./Amdt./20, dated 20th January, 1968.

5 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

6 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "one of the Forms 12, 13 and 14" (w.e.f. 1-1-2005).

7 Ins. by Notification No. Genl./Amdt./12, dated 12th April, 1961.

8 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 13 and 14" (w.e.f. 1-1-2005).

64. Failure to submit medical certificate:-If a person who intends to claim sickness benefit or disablement benefit for temporary disablement fails to submit to the appropriate ²[Branch Office] by post or otherwise the first medical certificate or any subsequent medical certificate within a period of three days from the date of issue of such certificate he shall not be eligible for that benefit in respect of any period-

- (i) in the case of a first certificate, more than three days before the date on which the certificate is submitted to the appropriate ³[Branch Office];
- (ii) in the case of a subsequent certificate, more than fourteen days before the date on which such subsequent certificate is submitted to the appropriate ⁴[Branch Office] :

⁵[Provided that the appropriate Regional Office or other office as authorised by the Director-General may relax all or any of the provisions of this regulation in any particular case, if it is satisfied that the delay in submitting a certificate was due to bona fide reasons.]

DISABLEMENT BENEFIT

65. Notice of accident:-(i) Every insured person who sustains personal injury caused by accident arising out of and in the course of his employment in a factory or establishment shall give notice of such injury either in writing or orally, as soon as practicable after the happening of the accident:

Provided that any such notice require to be given by an insured person may be given by some other person acting on his behalf.

⁶[*Explanation:-*No such notice shall be required to be given by an insured person if an employment injury is caused by any Occupational Disease specified in ⁷[Schedule III to the Workmen's Compensation Act, 1923.]

- (ii) Every such notice shall be given to the employer or to a foreman or to other official under whose supervision the insured person is employed at the time of the accident or any other person designated for the purpose by the employer and shall contain the appropriate particulars.
- (iii) Any entry of the appropriate particulars of the accident made in a book kept for that purpose in accordance with the next following regulation shall, if made as soon as practicable after the happening of the accident by the insured person or by some other person acting on his behalf, be sufficient notice of the accident for the purposes of these regulations.
- (iv) In this regulation and the next following regulation, the expression 'appropriate particulars' means the particulars indicated below—

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "local Office" (w.e.f. 1-1-2005).

2 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

3 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

4 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

5 Ins. by the Employees' State Insurance (General) Amendment) Regulations, 1957.

6 Ins. by the Employees' State Insurance (General) Amendment) Regulations, 1962.

7 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968

- (a) full name, insurance number, sex, age, address, occupation, department and shift of the injured person;
- (b) date and time of accident;
- (c) place where accident happened;
- (d) cause and nature of injury;
- (e) name, address and occupation of the person giving the notice, if he is other than the injured person;
- (f) a statement of what exactly the injured person was doing at the time of injury;
- (g) name, address and occupation of two persons who were present at the spot when accident happened; and
- (h) remarks, if any.

66. Maintenance of accident book:-Every employer shall—

- (i) keep a book readily accessible (hereinafter called 'the Accident Book') in ¹[Form 11], in which the appropriate particulars of any accident causing personal injury to an insured person may be entered;
- (ii) Preserve every such book when it is completed for a period of five years from the date of the last entry thereon:

²[Provided that it shall not be necessary to enter in the said Accident Book particulars of any employment injury caused by an Occupational Disease specified in ³[Schedule III to the Workmen's Compensation Act, 1923.]

67. Notice otherwise than by an entry in accident book:-If notice of an employment injury under regulation 65 is given otherwise than by an entry in the Accident Book it shall be the duty of the employer or any other person to whom such notice is given under that regulation to make an appropriate entry in the book in respect of the accident to which the notice relates immediately after such notice is received, and where the notice is received otherwise than in writing, read over the particulars to the person who gives the notice and obtains his signature or thumb-impression on the Accident Book.

68. Report of accident by an employer:-Every employer shall send a report in ⁴[Form 12] to the nearest ⁵[Branch Office] and to the nearest Insurance Medical Officer—

- (i) immediately if the injury is serious, i.e., it is likely to cause death or permanent disablement or loss of a member; and
- (ii) in any other case within 24 hours after the receipt of the notice under regulation 65 or of the time when the accident came to the notice of the employer or of a foreman or other official under whose supervision the insured person was employed at the time of the accident or any other person designated for the purpose by the employer:

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 15" (w.e.f. 1-1-2005).

2 Ins. by Notification No. Genl./Amdt./14, dated 3rd October, 1962

3 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968

4 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 15, Form 16" (w.e.f. 1-1-2005).

5 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

Provided that in case of a serious injury, and particularly when the injury results in death at the place of employment, the report to the Insurance Medical Officer and the ¹[Branch Office] shall be sent through a special messenger, or otherwise, as speedily as may be practicable under the circumstances:

Provided further that where a report of the accident is made by the employer under the Factories Act, 1948, the report to the ²[Branch Office] and to the Insurance Medical Officer may be made in the same form as is prescribed under the Factories Act, 1948, provided that all the additional information required under ³[Form 11] is added thereto:

Provided further that it shall not be necessary for the employer to send a report in ⁴[Form 12] if an employment injury is caused by any Occupational Disease specified in Schedule III to the Workmen's Compensation Act, 1923; but the employer shall furnish on demand to the appropriate Local Office, within such reasonable period as may be specified, such information and particulars as shall be required of the nature of and other relevant circumstances relating to any employment specified in ⁵[Schedule III to the Workmen's Compensation Act, 1923].

69. Employer to arrange first aid:-Every employer shall arrange for such first aid and medical care and transport for obtaining such aid and care as the circumstances of the accident may require till the injured person is seen by the Insurance Medical Officer and such employer entitled to reimbursement in respect of expenses thereby incurred by him but not exceeding such scale of expenses as may be specified by the Corporation from time to time:

Provided that if the employer is required to provide such medical aid free of charge under any other enactment, he shall not be entitled to any reimbursement of expenses.

70. Employer to furnish further particulars of accident:-Every employer shall furnish to the appropriate office such further information and particulars of an accident and within such time as the said office may, in writing, require.

71. Directions by the Corporation:-Every claimant for and every beneficiary in receipt of disablement benefit shall comply with every direction given to him by the appropriate Regional Office which requires him either—

- (i) to submit himself to a medical examination by such medical authority as may be appointed by that office for the purpose of determining the effect of the relevant employment injury or the treatment appropriate to the relevant injury or loss of faculty, or
- (ii) to attend any vocational training courses or industrial rehabilitation courses provided by any institution maintained by any Government, local authority or any public or private body, recognised for the purpose by the Corporation and considered appropriate by it in his case.

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

2 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

3 Subs. for "Form 15" by Noti. No. N-11/13/2/2003-P&D, dated 1st October, 2004, (w.e.f. 1-1-2005).

4 Subs. for "Form 15" by Noti. No. N-11/13/2/2003-P&D, dated 1st October, 2004, (w.e.f. 1-1-2005).

5 Ins. by Notification No. Genl./Amdt./20, dated 20th January, 1968

72. Reference to a Medical Board:-A reference to the Medical Board may be made—

- ¹[(a) at any time not later than twelve months, in cases where claim for temporary disablement benefit is made for an employment injury, from the date of the final certificate issued in respect of the spell of temporary disablement commencing on or immediately after the day of the occurrence of that injury, or from the date of the occurrence of an employment injury in cases where temporary disablement benefit not having been claimed for permanent disablements is made on the basis thereof, by the appropriate Regional Office at the instance of the disabled person or the employer or any recognised employee's union:

Provided that such reference may be made by the appropriate Regional Office after the expiry of the period prescribed as aforesaid if it is satisfied that the applicant was prevented by sufficient cause from applying for the making of the reference in time:

Provided further that in the event of the claim for Temporary Disablement Benefit being rejected by the Corporation but afterwards granted by the Employees' Insurance Court in respect of injuries resulted in Permanent disablement, the limit of 12 months will apply from the date of the order of the Employees' Insurance Court granting the claim of the insured person for Temporary Disablement Benefit, or]

- (b) by the Corporation,
(i) at any time, on the recommendation of an Insurance Medical Officer, and
(ii) on its own initiative, after the expiry of the period of twenty-eight days from the first date on which the claimant was rendered incapable of work by the relevant employment injury.

²**73. Report of Medical Board:-**The Medical Board shall after examining the disabled person send its decision on such form as may be specified by the Director-General, to the appropriate Regional Office. The disabled person shall be informed in writing of the decision of the Medical Board and the benefit, if any, to which the disabled person shall be entitled.

³**74. Occupational Disease:-**Any question whether an employment injury is caused by an Occupational disease specified in the Third Schedule to the Act shall be determined by a Special Medical Board which shall examine the disabled person and send a report in such form as may be prescribed by the Director General in this behalf to the appropriate Regional Office stating :—

- (a) whether the disabled person is suffering from one or more of the diseases specified in the said schedule;
(b) whether the relevant disease has resulted in permanent disablement;
(c) whether the extent of loss of earning capacity can be assessed provisionally or finally;

1 Subs. by Notification No. Genl./Amdt./15, dated 13th April, 1964

2 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968.

3 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968

- (d) the assessment of the proportion of loss of earning capacity and in case of provisional assessment, the period for which such assessment shall hold good.

All assessments which are provisional may be referred to the Special Medical Board for review by the appropriate Office not later than the end of the period taken into account by the provisional assessment. Any decision of the Special Medical Board may be reviewed by it at any time. The disabled person shall be informed in writing of the decision of the Special Medical Board by the appropriate Regional Office and the benefit, if any, to which the insured person shall be entitled.

¹[75. Constitution of Medical Board/Special Medical Boards:-Medical Boards for the purposes of the Act and the Special Medical Boards for the purposes of regulation 74 shall be constituted by the Corporation and where it so desires it may approach the State Government for setting up the same and shall consist of such persons, have such jurisdiction and follow such procedure as the Director-General may from time to time decide.]

²[76. Appeal Tribunals:-For the purposes of regulation 74, an Appeal Tribunal shall be constituted by the State Government and shall consist of a judicial officer of the State Government being a person other than the judge of an Employees' Insurance Court, who shall be assisted by the following persons to be selected by him as assessors :—

- (a) One or more medical experts;
- (b) One or more officials of or members of Trade Union or Unions.]

³[76A. ⁴[Submission of claims for permanent disablement benefit:-An insured person who has been declared to be permanently disabled by a Medical Board or by a Medical Appeal Tribunal or an Employees' Insurance Court shall submit, by post or otherwise, to the appropriate ⁵[Branch Office] a claim, covering, except in the case of a first payment, a period of one or more complete calendar months in ⁶[Form 14] for claiming permanent disablement benefit.]

⁷[76B. ⁸[Commutation of permanent disablement benefit.]:- [(1) An insured person whose permanent disablement has been assessed as final and who has been awarded permanent disablement benefit at a rate not exceeding ⁹[Rs. 5.00] per day may apply for commutation of permanent disablement benefit into a lump sum:

1 Subs. by Notification No. Genl./Amdt./33, dated 27th April, 1972

2 Subs. by Notification No. Genl./Amdt./14, dated 3rd October, 1962

3 Ins. by the Employees State Insurance (General) Amendment) Regulations, 1957.

4 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

5 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

6 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 25" (w.e.f. 1-1-2005).

7 Ins. by the Employees State Insurance (General) Amendment) Regulations, 1958.

8 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

9 Subs. by Notification No. N-12/13/3/2002- P&D, dated 27th March, 2003 for "Rs. 1.50" (w.e.f. 19-4-2003).

Provided that the insured person whose permanent disablement has been assessed as final and the benefit rate exceeds ¹[Rs. 5.00] per day may also apply for commutation of permanent disablement benefit into lump sum subject to the condition that the total commuted value of the lump sum permanent disablement benefit does not exceed ²[Rs. 30,000] at the time of commencement of final award of his permanent disability :

Provided further that the cases falling under clause (3) of this regulation where commutation has been refused because the insured person did not have average expectation of life, shall not be reopened.]

(2) Where such an application is made within 6 months of the date on which he can opt for commutation hereafter called the "date of possible option" ³[permanent disablement benefit] shall be commuted into a lump sum.

(3) Where such an application is made after expiry of six months from the date of possible option, ⁴[permanent disablement benefit] may be commuted into a lump sum if the corporation is satisfied that the insured person has an average expectation of life for his age. For this purpose, the insured person shall, if so required by the appropriate office, present himself for examination by such medical authority as the Director-General may, by general or special order, specify.

(4) For the purpose of this regulation, the date of possible option shall mean—

- (i) in the case of a person who, on the date on which this regulation comes into force, is in receipt of permanent disablement benefit covered by sub-regulation (1) the date of coming into force of this regulation;
- (ii) in the case of any other insured person, the date on which assessment of permanent disablement covered by sub-regulation (1), is communicated to him by the appropriate Regional Office.

(5) The amount of lump sum admissible under this regulation shall be determined by multiplying the daily rate of permanent disablement benefit by the figure indicated in Column 2 of the Schedule III to these regulations, corresponding to the age on last birthday of the insured person on the date on which his application for commutation is received in the appropriate office and on and from that date ⁵[The] permanent disablement benefit shall cease to be payable to him :

⁶[Provided that where no proof of age has been submitted as required by the appropriate office or if submitted, has not been accepted as satisfactory by the appropriate office, the corresponding age as aforesaid of the insured person shall be the age as estimated by the Medical Board on the date of examination adjusted by the period intervening between the date of examination by the Medical Board and the date on which the application for commutation was received in the appropriate office:

1 Subs. by Notification No. N-12/13/3/2002- P&D, dated 27th March, 2003 for "Rs. 1.50" (w.e.f. 19-4-2003).

2 Subs. by Notification No. N-12/13/3/2002- P&D, dated 27th March, 2003 for "Rs. 10,000" (w.e.f. 19-4-2003).

3 Subs. by Noti. No. N-12/13/3/2002- P&D, dated 27-3-2003 (w.e.f. 19-4-2003).

4 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

5 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

6 Ins. by Notification No. Genl./Amdt./128, dated 22nd April, 1972.

Provided further that the age so estimated by the Medical Board shall also operate against any proof of age that may be submitted after the time allowed for the purpose to the insured person by the appropriate office before reference of his case to the Medical Board.]

DEPENDENTS' BENEFIT

77. Report of death of insured person by employment injury:-In case of death of an insured person as a result of an employment injury—

- (a) if the death occurs at the place of employment the employer shall, and
 - (b) if the death occurs at any other place, a dependent intending to claim dependants' benefit shall, or
 - (c) any other person present at the time of death may,
- immediately report the death to the nearest ¹[Branch Office] and to the nearest dispensary, hospital, clinic or other institution where medical benefit under the Act is available.

78. Disposal of body of an insured person dying by employment injury:-Where an insured person dies as a result of an employment injury sustained as an employee under the Act, the body of the insured person shall not be disposed of until the body has been examined by, an Insurance Medical Officer, who will also arrange a post-mortem examination, if considered necessary, in co-operation with any other existing agency:

Provided that if an Insurance Medical Officer is unable to arrive for the examination within 12 hours of such death the body may be disposed of after obtaining a certificate from such medical officer or practitioner as may be available:

Provided further that nothing contained in this regulation shall be in derogation of any power conferred on a coroner under any law for the time being in force or on the officer-in-charge of a police station or some other police officer under ²[section 174 of the Code of Criminal Procedure, 1973 (2 of 1974).]

79. Issue of death certificate:-An Insurance Medical Officer attending the disabled person at the time of his death or the Insurance Medical Officer who examines the body after the death or the Medical Officer who attended the insured person in a hospital or other institution where such disabled person dies, shall issue free of charge a death certificate in ³[Form 13] to the dependants of the deceased and shall send a report to the appropriate Regional Office.

80. Submission of claim for dependants' benefit:-(1) A claim for dependants' benefit shall be submitted to the appropriate ⁴[Branch Office] by post or otherwise in ⁵[Form 15] by the dependant or dependants concerned or by their legal representative or, in case of a minor, by his guardian, and such claim shall be supported by documents proving—

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

2 Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).

3 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 17" (w.e.f. 1-1-2005).

4 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

5 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 18" (w.e.f. 1-1-2005).

- (i) that the death is due to an employment injury;
- ¹[(ii) that the person claiming is a dependent entitled to claim as provided in rule 58 of the Employees' State Insurance (Central) Rules, 1950;]
- (iii) the age of the claimant;
- (iv) the infirmity of the dependent claiming to be infirm within the purview of ²[rule 58 of the Employees' State Insurance (Central) Rules, 1950] by a certificate of such medical or other authority as the Director-General may, by a general or special order specify in this behalf :

Provided that where the appropriate Regional Office is satisfied about the bona fides of the applicant or about the truth of the facts relating to any of the matters mentioned above, one or more of the documents may be dispensed with.

(2) The following may be accepted as proof of age—

- (a) certified extract from an official record of births showing the date and place of birth and father's name;
- (b) original horoscope prepared soon after birth;
- (c) certified extract from baptismal register;
- (d) certified extract from school record showing the date of birth and father's name;
- (e) such other evidence as may be acceptable to the appropriate Regional Office in the circumstances of a particular case.

81. Notice for dependants' benefit:—On receipt of a claim or claims for dependants' benefit in respect of the death of an insured person and, after making such inquiries as may be necessary about the circumstances and cause of death and about all persons, who may be entitled to dependants' benefit, the appropriate Regional Office shall issue by registered post to such other persons, if any, as appears on enquiry to be entitled to dependants' benefit, and who have not yet submitted a claim for such benefit a notice for submission of claims for dependants' benefit within a period of thirty days from the date of such notice. The notice shall indicate inter alia the relevant provisions of the Act and regulations and the procedure for submission of a claim for dependants' benefit.

82. Intimation of decision regarding dependants' benefit:—As soon as possible after the expiry of the period during which claims can be submitted in terms of the notice issued under regulation 81, the appropriate Regional Office shall intimate by registered post the decision of the Corporation in regard to the claim of each of the dependants in writing to the dependants concerned or to his legal representative, or, in the case of a minor, to his guardian.

83. Date of accrual of dependants' benefit:—The dependant's benefit shall accrue from the date of the death in respect of which the benefit is payable, ³[or, where disablement benefit was payable for that date from the date following the date of death.]

1 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

2 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

3 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968

¹[83A. Submission of claims for periodical payments of dependants' benefit:-Each dependant whose claim for dependants' benefit is admitted under regulation 82, shall submit to the appropriate ²[Branch Office], by post or otherwise, a claim covering, except in the case of first or a final payment a period of one or more complete calendar months in ³[Form 16]. Such claim may be made by the legal representative of a beneficiary or in the case of a minor, by his guardian.]

84. Review of dependants' benefit:-(1) The amounts payable as dependents' benefit in respect of the death of any insured person may be reviewed by the appropriate Regional Office at its own initiative, and shall be so reviewed if an application is made to that effect, under any of the following circumstances—

- (a) if any of the beneficiaries ceases to be entitled to the dependants' benefit by reason of marriage, re-marriage, death, age or otherwise, or
- (b) if a fresh dependant is admitted to the claim for dependants' benefit by the birth of a posthumous child, or
- (c) if, after the previous decision as to the distribution of the dependents' benefit was taken, some facts materially, affecting such distribution come to light.

(2) Any review under this regulation shall be made after giving due notice by registered post to each of the dependants, stating therein the reasons for the proposed review and giving them an opportunity to submit objections, if any, to such review.

(3) Subject to the provisions of the Act and these regulations, the appropriate Regional Office may, as a result of such review, commence, continue, increase, reduce or discontinue from such date as it may decide the share of any of the dependants.

⁴[***]

86. Appointment of another guardian:-If at any time the appropriate Regional Office is satisfied that a child who is in receipt of dependants' benefit is being neglected by his guardian, not being a guardian appointed under the Guardian and Wards Act, 1890, and the child's share of the dependants' benefit is not being properly spent on his or her maintenance, the appropriate Regional Office may direct that such share may be paid subject to such conditions as it may specify to such other person as it deems fit and as in its opinion would utilise it for the care and maintenance of the child.

MATERNITY BENEFIT

87. Notice of pregnancy:-An insured woman, who decides to give notice of pregnancy before confinement, shall give such notice in ⁵[Form 17] to the appropriate ⁶[Branch Office] by post or otherwise and shall submit, together with

1 Ins. by the Employees State Insurance (General) Amendment Regulations, 1957

2 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

3 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 18A" (w.e.f. 1-1-2005).

4 Regulation 85 omitted by Notification No. Genl./Amdt./4, dated 11th December, 1977.

5 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 19, 20" (w.e.f. 1-1-2005).

6 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

such notice, a certificate of pregnancy in ¹[Form 17] given in accordance with these regulations on a date not earlier than seven days before the date on which such notice is given.

88. Claim for maternity benefit commencing before confinement:-Every insured woman claiming maternity benefit before confinement shall submit to the appropriate ²[Branch Office] by post or otherwise—

- (i) a certificate of expected confinement in ³[Form 18] given in accordance with these regulations, not earlier than fifteen days before the date of confinement;
- (ii) a claim for maternity benefit in ⁴[Form 19] stating therein the date on which she ceased or will cease to work for remuneration; and
- (iii) within thirty days of the date on which her confinement takes place, a certificate of confinement in ⁵[Form 18] given in accordance with these regulations.

⁶[89. Claim for maternity benefit only after confinement or for miscarriage:-Every insured woman claiming maternity benefit for miscarriage shall within 30 days of the date of the miscarriage, and every insured woman claiming maternity benefit after confinement, shall submit to the appropriate office by post or otherwise a claim for maternity benefit in ⁷[Form 19] together with a certificate of confinement or miscarriage in ⁸[Form 18] given in accordance with these regulations.

⁹[89A. Claim for maternity benefit after the death of an insured woman leaving behind the child:-For the purposes of the proviso to sub-section (2) of section 50 of the Act, the person nominated by the deceased insured woman on Form 1 or on such other Form as may be specified by the Director-General in this behalf and if there is no such nominee, the legal representative, shall submit to the appropriate office by post or otherwise a claim for maternity benefit, as may be due, in ¹⁰[Form 20] within 30 days of the death of the insured woman together with a death certificate in ¹¹[Form 21] given in accordance with these Regulations.

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 19, 20" (w.e.f. 1-1-2005).

2 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

3 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 21, 22 23" (w.e.f. 1-1-2005).

4 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 21, 22 23" (w.e.f. 1-1-2005).

5 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 21, 22 23" (w.e.f. 1-1-2005).

6 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968

7 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 21, 22 23" (w.e.f. 1-1-2005).

8 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 21, 22 23" (w.e.f. 1-1-2005).

9 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968

10 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 24A, 24-B" (w.e.f. 1-1-2005).

11 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 24A, 24-B" (w.e.f. 1-1-2005).

1[89B. Claim for maternity benefit in case of sickness arising out of pregnancy, confinement, premature birth of child or miscarriage:-(1) Every insured woman claiming maternity benefit in case of sickness arising out of pregnancy, confinement, premature birth of child or miscarriage, shall submit to the appropriate office by post or otherwise a claim for benefit in one of the Forms ²[Form 9] appropriate to the circumstances of the case together with the appropriate medical certificate in ³[Form 7 or 8], as the case may be, given in accordance with these Regulations.

(2) The provisions of regulations 55 to 61 and 64 shall, so far as may be, apply in relation to a claim submitted and a certificate given in accordance with this regulation as they apply to certification and claims under those regulations.

90. Other evidence in lieu of a certificate:-The Corporation may accept any other evidence in lieu of a certificate of pregnancy, expected confinement, confinement, death during maternity, miscarriage or sickness arising out of pregnancy, confinement, premature birth of child or miscarriage by an Insurance Medical Officer, if in its opinion, the circumstances of any particular case so justify.

91. Notice of work for remuneration:-⁴[Except as provided in regulation 89B every insured woman who has claimed maternity benefit shall give notice in ⁵[Form 19] if she does work for remuneration on any day during the period for which maternity benefit would be payable to her but for her working for remuneration.

92. Date of payment of maternity benefit:-Maternity benefit shall be payable from the date from which it is claimed provided that such date does not precede the expected date of confinement by more than forty-two days, and that no work is undertaken by the insured woman for remuneration.

93. Disqualification for maternity benefit:-An insured woman may be disqualified from receiving maternity benefit if she fails without good cause to attend for or to submit herself to medical examination when so required; and such disqualification shall be for such number of days as may be decided by the authority authorised by the Corporation in this behalf:

Provided that a woman may refuse to be examined by other than a female doctor or midwife.

94. Authority which may issue certificate:-No certificate required under any of the regulations 87 to 89B shall be issued except by the Insurance Medical Officer to whom the insured woman has or had been allotted or by an Insurance Medical Officer attached to a dispensary, hospital, clinic or other institution to which the insured woman is or was allotted and such Insurance Medical Officer shall examine and if in his opinion the condition of the woman so justifies or in case of death of the insured woman or the death of the child, if satisfied about

1 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968

2 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 12A, 13A and 14A" (w.e.f. 1-1-2005).

3 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 8, 9, 10, 11" (w.e.f. 1-1-2005).

4 Subs. by Notification No. Genl./Amdt./20, dated 20th January, 1968.

5 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 24" (w.e.f. 1-1-2005).

such death issue to such insured woman or in case of her death to her nominee or legal representative as the case may be, free of charge any such certificate when reasonably required by such insured woman or her nominee or legal representative, as the case may be, under or for the purpose of the Act or any other enactment of these Regulations :

Provided that such Officer may issue a certificate, as aforesaid, under these Regulations, to or in respect of an insured woman who is or was not allotted to him or to the dispensary, hospital, clinic or other institution to which such officer is attached, if such Officer is attending the woman for prenatal care, for confinement, for miscarriage or for sickness arising out of pregnancy, confinement, premature birth of child or miscarriage or in case of death, was attending the deceased insured woman or the child at the time of death of the insured woman or the child:

Provided further that a certificate of pregnancy, of expected confinement, or confinement or miscarriage required under these Regulations may be issued by a registered midwife which shall be accepted by the Corporation on counter-signatures by the Insurance Medical Officer:

Provided that such officer may issue a certificate of pregnancy, expected confinement or confinement under these regulations to an insured woman who is not allotted to him or to the dispensary, hospital, clinic or other institution to which such officer is attached, if such officer is attending the woman for prenatal care or for confinement:

Provided further that a certificate of pregnancy, of expected confinement or of confinement required under these regulations may be issued by a registered midwife which shall be accepted by the Corporation on counter signature by the Insurance Medical Officer.

95. Obligations of Insurance Medical Officer:-Nothing in these regulations shall relieve an Insurance Medical Officer to whom an insured woman has been allotted, or an Insurance Medical Officer attached to the dispensary, hospital, clinic or other institution to which an insured woman is allotted of the obligation to examine and if in her opinion the condition of the woman so justifies, issue free of charge a certificate of emergency, of expected confinement, or confinement or miscarriage or of sickness arising out of pregnancy, confinement, premature birth of a child or miscarriage during any period in which such insured woman is obtaining treatment or attendance from any other person or from any other hospital or institution.

¹[MEDICAL BENEFIT TO FAMILIES]

95A. Medical benefit to families of insured persons:-(1) Medical benefit may be extended to the families of insured persons from such date as the Corporation may, in consultation with State Government, notify.

(2) The family of an insured person shall become entitled to medical benefit ²[from the day the insured person himself] becomes entitled to medical benefit and shall continue to be so entitled so long as the insured person is entitled to receive medical benefit for himself or in the case of death of the insured person till such date upto which the insured person would have remained entitled to medical care, had he survived.

1 Ins. by the Employees State Insurance (General)Amendment) Regulations, 1957.

2 Subs. by Notification No. 12/13/8/77-P&D, dated 28th November, 1977
(w.e.f.17-12-1977).

(3) The nature and scale of medical benefit to which the family of an insured person shall be entitled shall be such as may be specified by the State Government in consultation with the Corporation from time to time.

¹[(4) The appropriate office shall arrange to add in Form 4, ²[Form 4-A], the particulars of the family entitled to medical benefits.]

³[***]

⁴[FUNERAL EXPENSES]

95B. Report of death of insured person:-In case of death of an insured person—

- (a) if the death occurs at the place of employment, the employer shall, and
- (b) if the death occurs at any other place, the person entitled and intending to claim ⁵[funeral expenses] shall, or
- (c) any other person present at the time of death may, immediately report the death to the ⁶[Branch Office] of the deceased insured person.

95C. Issue of death certificate:-An Insurance Medical Officer attending the insured person at the time of death or the Insurance Medical Officer who examines the body after the death or the Medical Officer who attended the insured person in a hospital or other institution where such insured person died, shall issue free of charge a death certificate in ⁷[Form 13] to the person entitled and intending to claim ⁸[funeral expenses].

95D. Other evidence in lieu of a certificate:-The Corporation may accept any other evidence in lieu of a death certificate by Insurance Medical Officer if in its opinion, the circumstances of any particular case so justify.

95E. Submission of claim for ⁹[funeral expenses]:-(1) A claim to ¹⁰[funeral expenses] shall be submitted to the appropriate ¹¹[Branch Office] by post or otherwise in ¹²[Form 22] by the claimant entitled under the Act and in case of a

1 Subs. by Notification No. Genl./Amdt./28, dated 11th May, 1972.

2 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, (w.e.f. 1-1-2005).

3 Sub-rule (5) omitted by Notification No. Genl./Amdt./28, dated 11th May, 1972.

4 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

5 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

6 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

7 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 17" (w.e.f. 1-1-2005).

8 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

9 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

10 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

11 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office" (w.e.f. 1-1-2005).

12 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 25A" (w.e.f. 1-1-2005).

minor, by his guardian, and such claim shall be supported by documents proving:—

- (i) the death of the deceased person,
- (ii) that the person claiming is the eldest surviving member of the family of the deceased insured person and incurred the expenditure necessary for the funeral of the deceased, or
- (iii) in case the claimant is other than the eldest surviving member of the family:—
 - (a) that the deceased insured person did not have a family or that the deceased insured person was not living with his family at the time of his death; and
 - (b) that the claimant actually incurred the expenditure claimed on the funeral of the deceased insured person :

Provided that where the appropriate office is satisfied about the bona fides of the applicant or about the truth of the facts relating to any of the matters mentioned above, one or more of the documents may be dispensed with.

(2) The following may be accepted as proof for purposes of clauses (ii) and (iii) of sub-regulation (1) of this regulation—

A declaration of the claimant duly countersigned by—

- (i) an officer of the Revenue, Judicial or Magisterial Departments of Government; or
- (ii) a Municipal Commissioner; or
- (iii) a Workmen's Compensation Commissioner; or
- (iv) the Head of Gram Panchayat under the official seal of the Panchayat; or
- (v) the employers of the deceased insured person; or
- (vi) any other evidence or declaration acceptable to the appropriate office in the circumstances of a particular case.

CHAPTER IV MISCELLANEOUS

96. Authority for determining benefits:—The authority for determining for purposes of sub-section (2) of section 70 of the Act, the value of benefits other than cash payment shall be the Medical Commissioner of the Corporation.

1[96A. Reimbursement of expenses incurred in respect of Medical treatment:—Claims for reimbursement of expenses incurred in respect of medical treatment of insured person and (where such medical benefit is extended to his family) his family may be accepted in circumstances and subject to such conditions as the Corporation may by general or special order specify.]

97. Discontinuation or reduction of benefits:—An employer may discontinue or reduce benefits payable to his employees under conditions of their service which are similar to the benefits conferred by the Act to the extent specified below, namely—

- (a) from the date of the commencement of the first benefit period following the appointed day for his factory or establishment—
 - (i) sick leave on half pay to the full extent;
 - (ii) such proportion of any combined general purposes and sick leave on half pay as may be assigned as sick leave but in any case not exceeding 50 per cent of such combined leave;

- (b) any maternity benefits granted to women employees to the extent to which such women employees may become entitled to the maternity benefit under the Act:

Provided that where an employee avails himself of any leave from the employer for sickness, maternity or temporary disablement, the employer shall be entitled to deduct from the leave salary of the employee the amount of benefit to which he may be entitled under the Act for the corresponding period.

98. Discharge, etc., of employee under certain conditions:-If the conditions of service of any employee so allow, an employer may discharge or reduce on due notice an employee—

- (i) who has been in receipt of disablement benefit for temporary disablement, after he has been in receipt of such benefit for a continuous period of six months or more;
- (ii) who has been under medical treatment for sickness or has been absent from work as a result of illness duly certified in accordance with these regulations to arise out of the pregnancy or confinement rendering the employee unfit for work, after the employee has been under such treatment or has been absent from work for a continuous period of six months or more;
- ¹[(iii) who has been under medical treatment for any of the following diseases, duly certified in accordance with these regulations, after the employee has been under such treatment for a continuous period of 18 months or more, notwithstanding provisions of clauses (i) and (ii):

DISEASES

2[I. Infectious Diseases

1. Tuberculosis
2. Leprosy
3. Chronic Empyema
4. Bronchiactesis
5. Interstitial Lung Disease
6. AIDS

II. Neoplasma

7. Malignant Diseases

III. Endocrine Nutritional and Metabolic Disorders

8. Diabetes mellitus with proliferative retinopathy/dieabetic foot/nephropathy

IV. Disorders of Nervous System

9. Monoplegia
10. Hemiplegia
11. Paraplegia
12. Hemiparesis
13. Intracranial Space Occupying Lesion
14. Parkinson's disease
15. Spinal Cord Compression
16. Myaesthesia Gravis/Neuromuscular Dystrophies

V. Diseases of Eye

17. Immature Cataract with vision 6/6 or less

¹ Subs. by Notification No. 12/13/2/76-P&D, dated 11th March, 1977.

² Subs. by Notification No. N-12/13/2/99- P&D, dated 13th May, 2002 (w.e.f. 29-6-2002).

18. Detachment of Retina
19. Glaucoma
- VI. Diseases of Cardiovascular System
 20. Coronary Artery Disease
 - (a) Unstable Angina
 - (b) Myocardial infraction with ejection less than 45 per cent
 21. Congestive Heart Failure:
 - Left
 - Right
 22. Cardiac Vascular Diseases with failure/complications
 23. Cardiomyopathies
 24. Heart Disease with Surgical Intervention along with complications
- VII. Chest Diseases
 25. Chronic Obstructive Lung Disease (COPD) with congestive heart failure (Cor Pulmonale)
- VIII. Diseases of the Digestive System
 26. Cirrhosis of liver with ascities/chronic active hepatitis
- IX. Orthopaedic Diseases
 27. Dislocation of vertebra/prolapse of intervertebral disc
 28. Non-union or delayed union of fracture
 29. Post Traumatic Surgical amputation of lower extremity
 30. Compound fracture with chronic osteomyelitis
- X. Psychoses
 31. Sub-groups under this are listed for clarification
 - (a) Schizophrenia
 - (b) Endogenous depression
 - (c) Manic Depressive psychosis (MDF)
 - (d) Dementia
- XI. Others
 32. More than 20 per cent burns with infection/complication
 33. Chronic Renal Failure.
 34. Reynaud's disease/Burger's disease.]

99. Suspension of sickness or temporary disablement benefit:-Sickness benefit of disablement benefit for temporary disablement may be suspended, if a person who is in receipt of such benefit fails to comply with any of the requirements of section 64 of the Act, and such suspension shall be for such number of days as may be decided by the authority authorised by the Director-General in this behalf.

1[99A. Sickness or temporary disablement benefit during strike:-No person shall be entitled to sickness benefit or disablement benefit for temporary disablement on any day on which he remains on strike except in the following circumstances:—

- (i) if a person is receiving medical treatment and attendance as an indoor patient in any Employees' State Insurance Hospital or a hospital recognised by the Employees' State Insurance Corporation for such treatment; or

1 Added by Notification No. N-12/13/3/91- P&D, dated 9th December, 1991 (w.e.f. 28-12-1991).

- (ii) if a person is entitled to receive extended sickness benefit for any of the diseases for which such benefit is admissible; or
- (iii) if a person is in receipt of sickness benefit or disablement benefit for temporary disablement immediately preceding the date of commencement of notice of the strike given by the employees' Union(s) to the management of the factory/establishment; or
- ¹[(iv) if an insured person/insured woman has undergone operation on account of vasectomy/tubectomy, he/she be entitled to enhanced sickness benefit on any day on which he/she remains on leave during the period of strike or remains on leave, or on holiday for which he/she receives wages.]

100. Relaxation:-The Director-General may by special or general order relax any regulation under such circumstances and subject to such conditions, as he may deem fit.

²[***]

102. Certain officers to have powers of inspection:-The Director-General, the Insurance Commissioner, the Joint Insurance Commissioner, a Deputy Insurance Commissioner, a Regional Director, a Deputy Regional Director, an Assistant Insurance Commissioner, an Assistant Regional Director and a ³[Branch Manager] shall have all the powers of an Inspector specified in sub-section (2) of section 45 of the Act. In addition to the officers mentioned above, the Director-General may, by a written order, confer upon any employee of the Corporation or any Government officer the powers of an Inspector for such period or periods as he may think fit.

⁴[102A. Inspection book:-(i) Every principal employer shall maintain a bound inspection book and shall be responsible for its production, on demand by an Inspector or any other Officer of the Corporation duly authorised to exercise the powers of an Inspector irrespective of the fact whether the principal employer is present in the factory or establishment or not during the inspection.

(ii) A note of all irregularities and illegalities discovered at the time of inspection indicating therein the action, if any, proposed to be taken against the principal employer together with the orders for their remedy or removal passed by an Inspector or any other officer of the Corporation duly authorised to exercise the powers of an Inspector, shall be sent to the principal employer who shall enter the note and orders in the inspection book.

(iii) Every principal employer shall preserve the inspection book maintained under this regulation, after it is filled for a period of 5 years from the date of the last entry therein.]

103. Medical benefit during disablement:-A person who is in receipt of disablement benefit shall be entitled to medical benefit while he is in receipt of such benefit:

Provided that after the disablement has been declared as a permanent disablement, the person shall not be entitled to medical benefit, if he is not

1 Ins. by Notification No. N-12/13/1/92- P&D, dated 12th February, 1993 (w.e.f. 1-3-1993).

2 Regulation 101 omitted by Notification No. Genl./Amdt./20, dated 20th January, 1968

3 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office Manager" (w.e.f. 1-1-2005).

4 Ins. by the Employees' State Insurance (General) Amendment Regulations, 1954.

otherwise entitled to such benefit, except, in respect of any medical treatment which may be rendered necessary on account of the employment injury from which the disablement resulted.

¹[103A. Medical benefit after contribution ceases to be payable:-(1) A person on becoming an insured person for the first time shall be entitled to medical benefit for a period of ²[three months] provided that where such a person continues for ³[three months] or more to be an employee of a factory or establishment to which the Act applies, he shall be entitled to medical benefit till the beginning of the corresponding benefit period.

⁴[(2) The person in respect of whom contributions have been paid in a contribution period for not less than seventy-eight days in the said contribution period shall be entitled to medical benefit till the end of the corresponding benefit period:

Provided that in case of a person who becomes an employee within the meaning of the Act, for the first time, and for whom a shorter contribution period of less than 156 days is available, he shall be entitled to medical benefit till the end of the corresponding benefit period if the contributions in respect of him were payable for not less than half the number of days available for working in such contribution period:

Provided further that where a person suffering from any of the following diseases, before the commencement of the spell of sickness in which any such disease was diagnosed being in continuous service for a period of two years or more or where he did not have two years continuous service but by virtue of relaxation granted by the authority competent in this behalf, the insured person qualifies to claim extended sickness benefit, he shall be entitled to medical benefit till the end of the relevant extended benefit period:

⁵[I. Infectious Diseases

1. Tuberculosis
2. Leprosy
3. Chronic Empyema
4. Bronchiactesis
5. Interstitial Lung Disease
6. AIDS

II. Neoplasma

7. Malignant Diseases

III. Endocrine Nutritional and Metabolic Disorders

8. Diabetes mellitus with proliferative retinopathy/dieabetic foot/nephropathy

IV. Disorders of Nervous System

9. Monoplegia
10. Hemiplegia

1 Ins. by the Employees' State Insurance (General))Amendment) Regulations, 1956.

2 Subs. by Notification No. N-12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).

3 Subs. by Notification No. N-12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).

4 Subs. by Notification No. N-12/13/2/98-P&D, dated 21st June, 2001 (w.e.f. 28-7-2001). Earlier it was Subs. by Notification No. 12/13/1/84-P&D, Col. II, dated 5th January, 1985 (w.e.f. 27-1-1985).

5 Subs. by Notification No. N-12/13/2/99- P&D, dated 13th May, 2002 (w.e.f. 29-6-2002).

11. Paraplegia
12. Hemiparesis
13. Intracranial Space Occupying Lesion
14. Parkinson's disease
15. Spinal Cord Compression
16. Myaesthesia Gravis/Neuromuscular Dystrophies
- V. Diseases of Eye
 17. Immature Cataract with vision 6/6 or less
 18. Detachment of Retina
 19. Glaucoma
- VI. Diseases of Cardiovascular System
 20. Coronary Artery Disease
 - (a) Unstable Angina
 - (b) Myocardial infraction with ejection less than 45 per cent
 21. Congestive Heart Failure:
 - Left
 - Right
 22. Cardiac Valvular Diseases with failure/complications
 23. Cardiomyopathies
 24. Heart Disease with Surgical Intervention along with complications
- VII. Chest Diseases
 25. Chronic Obstructive Lung Disease (COPD) with congestive heart failure (Cor Pulmonale)
- VIII. Diseases of the Digestive System
 26. Cirrhosis of liver with ascities/chronic active hepatitis
- IX. Orthopaedic Diseases
 27. Dislocation of vertebra/prolapse of intervertebral disc
 28. Non-union or delayed union of fracture
 29. Post Traumatic Surgical amputation of lower extremity
 30. Compound fracture with chronic osteomyelitis
- X. Psychoses
 31. Sub-groups under this are listed for clarification
 - (a) Schizophrenia
 - (b) Endogenous depression
 - (c) Manic Depressive psychosis (MDF)
 - (d) Dementia
- XI. Others
 32. More than 20 per cent burns with infection/complication
 33. Chronic Renal Failure.
 34. Reynaud's disease/Burger's disease.]

¹[(3) An insured person, whose title to medical benefit has ceased under this regulation shall again be entitled to medical benefit from the date of his re-employment as an employee under the Act by a factory or establishment to which the Act applies, if he produces a certificate from the employer in the form which may be specified by the Director-General for the purpose. Such an insured person shall, unless he is covered by sub-regulation (2), be entitled to medical benefit till the commencement of the benefit period corresponding to the contribution period in which he is re-employed.

¹ Sub-regulation (5) renumbered as sub-regulation (3) by Notification No. N-12/13/2/82-P&D, dated 9th March, 1983 (w.e.f. 26-3-1983).

¹[(4)] An employer shall, on demand, issue the certificate referred to in ²[sub-regulation (3)] to an employee who has been employed by him after cessation of his previous insurable employment.]

3[103B. Medical benefit to insured person who ceases to be in insurable employment on account of permanent disablement:-(1) An insured person who ceases to be in insurable employment on account of permanent disablement caused due to employment injury shall continue to receive medical benefit for himself and his/her spouse till the date on which he would have vacated the employment on attaining the age of superannuation had he not sustained such permanent disablement, if he produces a certificate from the employer/a declaration in the form which may be specified by the Director-General for the purpose.

(2) Medical benefit to retired insured persons:-An insured person who has attained the age of superannuation shall be eligible to receive medical benefit for himself and his/her spouse, if he produces a certificate from the employer in the form which may be specified by the Director-General for the purpose.

(3) An employer shall, on demand, issue the certificate as referred to in sub-regulations (1) and (2) to an employee who had been employed by him.]

104. Production of document for medical benefit:-A person intending to claim medical benefit, and who is otherwise entitled to such benefit, shall produce his Identity Card or such other document as may have been issued in lieu thereof at the time of claiming such benefit if demanded by the Insurance Medical Officer and if he fails to do so medical benefit may be refused to him.

105. Further certificates:-Where any question arises as to the correctness of any certificate by virtue of which an insured person claims, or is entitled to, any benefit under the Acts, he shall, on being so required in writing or otherwise by the appropriate office submit himself, with a view to obtaining a further certificate, to medical examination by such medical authority as the Corporation may appoint in this behalf. ⁴[If the further certificate specifies the date on which the insured person is or will be fit to resume work, any certificate which is or has been issued by the Insurance Medical Officer for the same spell of incapacity shall, to the extent to which it relates to any period after and including the said date on the further certificate, be deemed not to have been issued in accordance with these Regulations and such further certificate shall, notwithstanding anything contained in these regulations, be deemed to be a final certificate issued under regulations 58 and 60.]

Notwithstanding anything contained in these Regulations, such further certificate insofar as it relates to sickness or temporary disablement, may be issued at such interval and in respect of such periods as may be specified by such medical authority.

106. Change of circumstances to be notified:-Every person to whom any benefit is payable under the Act shall, as soon as may be practicable, notify the appropriate office of any change of circumstances which he may be expected to

1 Sub-regulation (6) renumbered as sub-regulation (4) by Notification No. N-12/13/2/82-P&D, dated 9th March, 1983 (w.e.f. 26-3-1983).

2 Subs. by Notification No. N-12/13/19/79- P&D, dated 9th March, 1983 (w.e.f. 26-3-1983).

3 Ins. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).

4 Subs. by the Employees' State Insurance (General) Amendment Regulations, 1959.

know and which might affect the continuance of his right to receipt of such benefit.

1[107. Certificate in respect of a person claiming permanent disablement benefit:-Every person whose claim for any permanent disablement benefit has been admitted shall submit at six-monthly intervals, with the claim for December and June every year, a certificate in ²[Form 23] attested by such authority or persons and in such manner as may be specified by the Director-General.

3[107A. [Declaration by and certificate in respect of a person claiming dependants' benefit:-Every person whose claim for any dependants' benefit has been admitted shall submit at six monthly intervals, with the claim for December and June every year, a declaration and a certificate in ⁴[Form 24] attested by such authority or person and in such manner as may be specified by the Director-General.

5[107B. Personal attendance of a person claiming permanent disablement benefit or dependents' benefit:-In the case of claimant for permanent disablement benefit or dependants' benefit, the appropriate ⁶[Branch Manager] may require personal attendance and due identification of any claimant, other than a person incapacitated by bodily illness or infirmity or a purdanashin lady at the appropriate ⁷[Branch office] or at any other office of the Corporation provided that such appearance shall not be required more frequently than once in every six months.]

⁸[***]

9[109. Submission of additional information by employer or insured person:-The employer or insured person, as the case may be, shall, on demand from the appropriate office, submit information in such form as may be specified by the Director-General.]

**¹⁰FORM 01
EMPLOYER'S REGISTRATION FORM
(REGULATION 10-B)**

*Employer's Code No.

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1 Subs. by the Employees' State Insurance (General) Amendment Regulations, 1959.
2 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Form 26, 27" (w.e.f. 1-1-2005).
3 Subs. by the Employees' State Insurance (General) Amendment Regulations, 1959.
4 Subs. by Notification No. 11/13/2/2003-P&D, dated 1st October, 2004, for "Form 26, 27" (w.e.f. 1-1-2005).
5 Subs. by the Employees' State Insurance (General) Amendment Regulations, 1959.
6 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office Manager" (w.e.f. 1-1-2005).
7 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Local Office Manager" (w.e.f. 1-1-2005).
8 Regulation 108 omitted by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).
9 Added by Notification No. N-12/13/2/92- P&D, dated 22nd April, 1994 (w.e.f. 1-4-1994).
10 Form Nos. 01, 01-A, 1, 2, 5, 5-A and 6 to 24 are the revised forms as per Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, (w.e.f. 1-1-2005).

1. Name of the Factory/Establishment :.....
2. Complete postal address of the :.....
Factory/ Establishment :.....PIN.....
3. (a) Telephone No., if any :.....
(b) Fax No if any . :.....
(c) E-mail address, if any. :.....
4. Location of Factory/Establishment :.....
(a) State. :.....
(b) District :.....
(c) Municipality/Ward :.....
(d) Name of Town/Revenue Village :.....(Taluk/Tahsil)
(e) Police Station :.....
(f) Revenue Demarcation/Hudbast No. :.....
5. (a) Whether the building/premises of :.....
factory/establishment is owned or hired :.....
(b) If hired or there is a change in :.....
the name of unit/ownership, :.....
please indicate:—
(i) ESI Code No., if covered earlier :.....
(ii) Date from which earlier :.....
factory/ establishment :.....
closed down :.....
(iii) Terms and conditions :.....
under which property acquired/ :.....
taken on lease (Enclose copy :.....
of agreement/relevant deed) :.....
6. (a) Details of Bank A/c: (b)Name of Bank and Branch
(a) Account No. (i).....
(b) Account No. (ii).....
(c) Account No. (iii).....
7. (a) Income Tax PAN/GIR No. :.....
(b) Income Tax Ward/Circle/Area :.....
8. Exact nature of work/business carried on :.....
9. Date of commencement of Factory/
Establishment :.....
- 10.(a) Whether registered under Licence No. Date Licensing
Authority
Factories/Shop and Establishment/
Other Act (Please specify)
(b) Factory Licence No./Trade
Licence No./Catering Estt.
Licence No./Shop Estt.
Registration No./Licence No.
under Cinematography Act etc.
(c) Please give whichever is No. Date Issuing
applicable Authority
(i) Commercial Tax No. (i)
(ii) State Sales Tax No. (ii)
(iii) Central Sales Tax No. (iii)
(iv) Any other Tax No. (iv)
(d) Maximum number of persons that :.....
can be employed on any one day,

as per licence

11.(a) Whether power is used for manufacturing process as per Section 2(K) of the Factory Act.

If so, since when

.....

(b) In case of factory whether licence issued under Section 2(m)(i) or 2(m)(ii) of the Factories Act, 1948

.....

(c) Power connection No. No.

Sanctioned Power load Issuing Authority

12.(a) Whether it is Public or Private. Ltd. Company/Partnership/Proprietorship/Co-operative Society/Ownership (Attach copy of Memorandum and Articles of Association/Partnership Deed/Resolution)

.....

(b) Give name, present and permanent residential address (i) of present Proprietor/Managing Directors, Director/Managing Partners, Partners/Secretary of the Co-operative Society. (ii) (iii) (iv) (v) (vi) (vii)

Name Designation Address

13.	Address(es) of the Registered Office/ Head Office/ Branch Office/Sales Office/Administrative Office/other offices, if any, with number of employees attached with each such office and person responsible for the office	Address as on date	No. of employees	Phone No. Fax No.	Function	Person responsible for day-to-day functioning of office

(Give details on a separate sheet, if required)

14.(a) Whether any work/business carried out through contractor/immediate employer

.....

(b) If yes, give nature of such work/business

.....

15. (a) EPF Code No.: No. (If covered under EPF Act)

Issuing Authority

16. Total number of employees employed for wages directly and through immediate employers on the date of application (Whether manual/clerical/supervisor, connected with the administration or purchase of raw materials or distribution or sale of product/service, whether permanent or temporary)

As on date	Total No. of employees			No. of employees drawing wages Rs 7500 or less		
	Male	Female	Total	Male	Female	Total
Employed directly by the Principal Employer						
Through Immediate employer/ Contractor						
Total						

17. Total wages paid in the preceding month

	Total wages	Wages paid to employees drawing wages Rs 7500 or less
To employees employed directly by the Principal employer		
To employees employed through immediate employer/Contractor		
18. Give first date since when 10/20** or more coverable employees under ESI Act were employed for wages	

I hereby declare that the statement given above is correct to the best of my knowledge and belief. I also undertake to intimate changes, if any, promptly to the Regional Office/Sub-Regional Office. ESI Corporation is soon as such changes take place

Date
Place

Name and Signature.....
Designation with seal.....

(Should be signed by principal employer under section 2(17) of ESI Act)

* Please mention the Employer's Code No. if previously allotted in case the factory/establishment was covered under the ESI Act.

** Score out whichever is not applicable. In case of factory/an establishment using power in the manufacturing process the number applicable is 10 persons or more. In the case of a factory not using power or an establishment engaged in manufacturing process without using power or any other establishment, the number applicable is 20 or more persons.

Instructions

Note 1:-Please enclose photocopy of the following deeds / agreements / documents / certificate:

- (a) Registration Certificate/Licence issued under Shops and Establishments Act or Factories Act.
- (b) Latest Rent Bill of the premises you are occupying indicating the capacity in which the premises is occupied, if applicable.
- (c) Latest Building Tax/Property Tax receipt (Zerox).

- (d) Memorandum and Articles of Association/Partnership Deed/Trust Deed.
- (e) Zerox copy of certificate of commencement of production and/or Registration No. of CST/ST.

Note 2:-"Power" shall have the meaning assigned to it in the Factories Act, 1948 which is as under:—

'Power' means electrical energy, or any other form of energy which is mechanically transmitted and is not generated by human or animal agency.

Note 3:-Manufacturing process as defined in Section 2(k) in Factories Act is as under:—

"Manufacturing process" means any process for—

- (i) making, altering, repairing, ornamenting, finishing, packing, oiling, washing, cleaning, breaking up, demolishing, or otherwise treating or adapting any article or substance with a view to its use, sale, transport, delivery or disposal;
- (ii) pumping oil, water, sewage or any other substance;
- (iii) generating, transforming or transmitting power;
- (iv) composing types for printing, printing by letter press, lithography photogravure or other similar process or book binding;
- (v) constructing, reconstructing, repairing, refitting, finishing or breaking up ships or vessels;
- (vi) preserving or storing any article in cold storage.

Note 4:-"Immediate Employer" in relation to employees employed by or through him, means a person who has undertaken the execution, on the premises of the factory or an establishment to which this Act applies or under the supervision of the principal employer or his agent, of the whole or any part of any work which is ordinarily part of the work of the factory or establishment of the principal employer or is preliminary to the work carried on in, or incidental to the purpose of, any such factory or establishment and includes a person by whom the services of an employee who has entered into a contract of service with him are temporarily lent or let on hire to the principal employer and includes a contractor.

Note 5:-"Principal Employer" means—

- (a) In a factory the owner or occupier of the factory and includes the managing agent of such owner or occupier, the legal representative of a deceased owner or occupier and where a person has been named as the manager of the factory under the Factories Act, 1948, the person so named;
- (b) In any establishment under the control of any department of any Government, in India the authority appointed by such Government in this behalf or where no authority is so appointed, the head of the Department;
- (c) In any other establishment, any person responsible for the supervision and control of the establishment.

Note 6:-"Occupier" of a factory/establishment means the person who has ultimate control over the affairs of the factory/establishment and when the said affairs are entrusted to a managing agent shall be the occupier of the factory/establishment

Note 7:-"Employees" means any person employed for wages in or in connection with the work of a factory or an establishment to which this Act applies, and

- (i) who is directly employed by the principal employer on any work of, or incidental or preliminary to or connected with the work of, the factory or establishment whether such work is done by the employee in the factory or elsewhere; or
- (ii) who is employed by or through an immediate employer on the premises of the factory or establishment or under the supervision of the principal employer or his agent on work which is ordinarily part of the work of the factory or establishment or which is preliminary to be carried on in or incidental to the purpose of the factory or establishment; or
- (iii) whose services are temporarily lent or let on hire to the principal employer by the person with whom the person whose services are so lent or let on hire has entered into a contract of service;

and includes any person employed for wages on any work connected with the administration of the factory or establishment or any part department or branch thereof with the purchase of raw materials for, or the distribution or sale of the products of, the factory or establishment; [or any person engaged as an apprentice, not being an apprentice engaged under the Apprentices Act, 1961 (52 of 1961), or under the standing orders of the establishment, but does not include]—

- (a) Any member of the Indian Naval, Military or Air Force; or
- (b) Any person so employed whose wages excluding remuneration for overtime work exceeds such wages as may be prescribed by the Central Government, a month:

Provided that an employee whose wages excluding remuneration for overtime work exceeds such wages as may be prescribed by the Central Government, a month at any time after and not before the beginning of the contribution period, shall continue to be an employee until the end of that period.

Note 8:—"Wages" means all remuneration paid or payable in cash to an employee, if the terms of the contract of employment, express or implied, were fulfilled and includes any payment to an employee in respect of any period of authorized leave, lock-out, strike which is not illegal or lay-off and other additional remuneration, if any, paid at intervals not exceeding two months, but does not include:

- (a) any contribution paid by the employer to any pension fund or provident fund, or under this Act;
- (b) any travelling allowance or the value of any travelling concession;
- (c) any sum paid to the person employed to defray special expenses entailed on him by the nature of his employment; or
- (d) any gratuity payable on discharge.

¹[FORM-01(A)
FORM OF ANNUAL INFORMATION ON FACTORY/
ESTABLISHMENT COVERED UNDER ESI ACT
(REGULATION 10-C)

*Employer's Code No.

--	--	--	--	--	--	--	--	--	--	--

¹ Added by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, (w.e.f. 1-1-2005).

--	--	--	--	--	--	--	--	--	--

1. Name of the Factory/Establishment :
2. Complete postal address of the :
- Factory/ Establishment :PIN.....
3. (a) Telephone No., if any :
- (b) Fax No if any . :
- (c) E-mail address, if any. :
4. Location of Factory/Establishment :
- (a) State. :
- (b) District :
- (c) Municipality/Ward :
- (d) Name of Town/Revenue Village :(Taluk/Tahsil)
- (e) Police Station :
- (f) Revenue Demarcation/Hudbast No. :
5. (a) Details of Bank A/c: (b)Name of Bank and Branch
- (a) Account No. (i).....
- (b) Account No. (ii).....
- (c) Account No. (iii).....
6. (a) Income Tax PAN/GIR No. :
- (b) Income Tax Ward/Circle/Area :
7. (a) In case of factory whether licence issued under Section 2(m)(i) or 2(m)(ii) of the Factories Act, 1948 :
- (c) Power connection No. No. Sanctioned Issuing
Power load Authority
:
8. (a) Whether it is Public or Private. Ltd. Company/Partnership/Proprietorship/Co-operative Society/Ownership (Attach copy of Memorandum and Articles of Association/Partnership Deed/Resolution) :
- (b) Give name, present and permanent residential address (i) Name Designation Address
of present Proprietor/Managing (ii)
Directors, Director/Managing (iii)
Partners, Partners/Secretary (iv)
of the Co-operative Society. (v)
(vi)
(vii)

9.	Address(es) of the Registered Office/ Head Office/ Branch Office/Sales Office/Administrative Office/other offices, if any, with number of employees attached with each such office and person responsible for the office	Address as on date	No. of employees	Phone No. Fax No.	Function	Person responsible for day-to-day functioning of the office

- 10.(a) Whether any work/business carried out through contractor/immediate employer
- (b) If yes, give nature of such work/business

I hereby declare that the statement given above is correct to the best of my knowledge and belief. I also undertake to intimate changes, if any, promptly to the Regional Office/Sub-Regional Office. ESI Corporation as soon as such changes take place

Date _____ Name and Signature.....
 Place _____ Designation with seal.....

(Should be signed by principal employer under section 2(17) of ESI Act)

[HeÀece& 1

¹[Form 1

lees<eCee He\$e

DECLARATION FORM

**lees<eCee He\$e keÀce&®eejer Üeje Yeje peeSiee~
 HeÀece& kesÀ meeLe HeemeHeesi& DeekeÀej kesÀ
 oes HeÀesiesûeeHeÀ Yeer ueieeS peeves ®eeefnSb~
 HeÀece& Yejvesmes Henues Heerp He=<þ Hej oer
 ieF& efnoe³eleeW keÀeW Yeueer-Yeebefle Heæ{
 uesvee ®eeefnS~ ³en HeÀece& efve: MegukeÀ nw~**

To be filled by employee after reading instructions overleaf. Two postcard size photographs to be attached with the form. The form is free of cost

(keÀ) yeerceeke=Àle J³eeqkelle keÀe efJeJJeCe

(A) Insured Person's Particulars

1. yeercee meBK ³ ee/Insurance No.					
2. veece (mHe<i De#ejeW ceW) Name (In block letters)					
3. efHelee/Heefle keÀe veece Father's /Husband's Name					
4. pevce efleefLe/ Date of Birth	efov e D	ceefn vee M	Je <e & Y	5. JewJee fnkeÀ mlej Marital Status	6. efJeJeeefn le /DeefJeJee efnle /efJeOeJe e M/U/W

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for Form 1 (w.e.f. 1-1-2005).

					efuebie /Sex	Heg.ce./M . F.
7.	Jele&ceeve Address	HeĒĒe /Present	8	mLee ³ eer Address	HeĒĒe /Permanent	
		
		
		
	efHeve keĀes[Pin Code			efHeve keĀes[Pin Code		
	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>			<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		
	isueerHeĀesve vecyjej	vecyjej/F&-cesue		isueerHeĀesve cesue vecyjej	vecyjej/F&-	
	e-mail address			e-mail address		
	MeeKee keĀe ³ ee&ue ³ e Branch Officer			Deew<eOeeue ³ e Dispensary		

(Ke) efve³eespekeĀ keĀe efJeJeiCe
(B) Employer's Particulars

9.	efve ³ eespekeĀ keĀer ketĀi mebK ³ ee Employer's Code No.			
10	efve ³ egeqkelle keĀer leerLeer Date of Appointment	efove Day	ceefnvee Month	Je<e& Year
11	efve ³ eespekeĀ keĀe veece Deewj HeĒĒe Employer	/Name & Address of the Employer		
		
		
12	³ eefo Henues efve ³ eespeve ceW jnW lees ke=Āhe ³ ee efvecveefueefKele efJeJeiCe oerefpeS In case of any previous employment please fill up the details as under:- (keĀ) efHeiueer yeercee mebK ³ ee Previous Ins. No. (a) (Ke) efve ³ eespekeĀ ketĀi mebK ³ ee Employer's Code No. (ie) efve ³ eespekeĀ keĀe veece Je HetCe& HeĒĒe Name & Address of the Employer (c)			
	isueerHeĀesve vecyjej/F&-cesue vecyjej/e-mail address			

(ie) ce=l³eg keÀer efmLeleer ceW vekeÀo efnleueeYe kesÀ Yegieleeve kesÀ efueS keÀ.je.yeer. DeefOeeve³ece 1948 keÀer Oeeje 71/keÀ.je.yeer. (kesÀvêe³e) efve³ece 1950 kesÀ efve³ece 56(2) kesÀ Devleie&le veeefcele kesÀ y³eesjs~

(C) Details of Nominee u/s. 71 of ESI Act 1948/Rule 56(2) of ESI (Central) Rules, 1950 for payment of cash benefit in the event of death.

veece /Name	mebyebOe/Relationship	HeÈee /Address

ceQ lees<eCee keÀjlee/keÀjleer ntB efkeÀ cesjs Üeje Òemlegle efkeÀ³ee ie³ee y³eewje cesjer peevekeÀejer Deewj efJeMJeeme kesÀ Devegmeej mener nw~ ceQ DeHeves HeefjJeej kesÀ meodm³eeW ceW ngS HeefjJele&ve keÀer met@veve 15 efove kesÀ Yeerlej Òemlegle keÀjves keÀe Je@eve oslee/osleer ntB~

I hereby declare that the particulars given by me are correct to the best of my knowledge and belief. I undertake to intimate the Corporation any changes in the membership of my family within 15 days of such change.

efve³eespekeÀ kesÀ Òeeflenmlee#ej
 yeerceeke=Àle J³eeqkelle kesÀ nmlee#ej/Debietpe efveMeeve
 Counter-signature by the employer Signature/T.I. of IP

nmlee#ej/meerue
 Signature with seal

(le) yeerceeke=Àle J³eeqkelle kesÀ Heefjpevees keÀ efJeJejCe
 (D) Family Particulars of Insured Person

-eÀ. meb. S. No.	Veece Name	pevce keÀer leejerKe/HeÀece& Yejves keÀer leejerKe keÀes Dee³eg Date of Birth/Age as on date of filling form	keÀce&@eejer kesÀ meeLe mebyebOe Relationship with the Employee	kel³ee GvekesÀ meeLe jn jns nw Whether residing with him/her.		³eefo vener lees DeeJeeme keÀe mLeeve oMee&Sb If 'No' State place of Residence	
				neB Yes	Vener No	Ghe veiej Town	jep³e State
1.							
2.							
3.							
4.							
5.							
6.							

7.							
8.							

keÀ.je.yeer. efve³ece DemLee³eer Hen@eeve He\$e
 (efve³egeqkeille keÀer efleefLe mes 3 ceeme lekeÀ JewOe)
 ESI Corporation Temporary Identity Card (Valid for 3 months from the date of appointment)

veece /Name		
yeercee meBK³ee /Ins. No.		efve³egeqkeille keÀer efleefLe /Date of appointment
MeeKee keÀe³ee&ue³e/ Branch Office		Deew<eOeeu e³e/ Dispensary
efve³eespekeÀ keÀer ketÀi meBK³ee Je HeÉee /Employer's Code No. & Address		

mJe³eb
 SJeced
 HeefjJeej
 keÀe
 HeÀesiesû

JewOelee
 Validity

DevegosMe
 Instructions

1. HeÀece& 1 keÀe Òes<eCe keÀ.je.yeer. (meeOeejCe) efJeefve³ecceJeu eer, 1950 kesÀ efJeefve³ece 11 Je 12 kesÀ Devleie&le efJeefve³eefcele efkeÀ³ee peelee nw~

Submission of Form-1 is governed by Regulations 11 and 12 of ESI (General) Regulations, 1950.

HeefjJeej keÀe DeLe& nw (1) Heefle/Helveer; (2) yeerceeke=Àle J³eeqkeille keÀer Dee³e Hej DeeefPele JewOe DeLeJee ieeso efue³es DeJe³emkeÀ ye@@es/DeefJeJeeefnle Heg\$eer; (3) 21 Je<e& keÀer Dee³eg lekeÀ yeerceeke=Àle J³eeqkeille Hej DeeefPele JewOe DeLeJee ieeso efue³ee ngDee Je³emkeÀ ye@@ee ³eefo efMe#ee ÖeeHle keÀj jne nes; (4) Hetjer lejn yeerceeke=Àle J³eeqkeille keÀer Dee³e Hej efveYe&j DeMekelle ye@@ee; (5) DeDeefPele ceeleefHelee keÀ.je.yeer. DeefOeeefve³ece keÀer Oeeje 2 kesÀ Devleie&le HeefjYeef<ele Deewj mLeeveer³e HeefjJeejpeve ef@eefkeÀl mee osKejsKe kesÀ nkeÀoej nQ~

"Family" means all or any of the following relatives of an Insured Person, namely:-

(i) a spouse; (ii) a minor legitimate or adopted child dependant upon the I.P.; (iii) a child who is ,wholly dependant on the earnings of the I.P. and who is (a) receiving education, till he or she attains the age of 21 years (b) an unmarried daughter; (iv) a child who is infirm by reason of any physical or mental abnormality or injury and is wholly dependant on the earnings of the I.P. so long as the infirmity continues; (v) dependant parents (Please see Section 2 Clause 11 of the ESI Act, 1948 for details).

3. Hen@eeve He\$e DenmleevlejCe nw~ Identity Card is not-Transferable.

4. Hen@eeve-He\$e iegce nesves keÀer efmLeefle ceW efve³eespeve/MeeKee keÀe³ee&ue³e ÒeyebOekeÀ keÀes lelkeÀeue metef@ele efkeÀ³ee peeS~

Loss of Identity Card be reported to Employer/Branch Manager immediately.

5. efkeÀmeer ÒekeÀej keÀer ieuete met@evee osves keÀer efmLeefle ceW keÀ.je.yeer. DeefOeeve³ece, 1948 keÀer Oeeje 84 kesÀ lenle keÀevetveer keÀe³e&Jeener keÀer pee mekeÀleer nw~

Submission of false information attracts penal action under Section 84 of ESI Act, 1948.

6. ve³eer efve³egeqkelle keÀer efmLeefle ceW Yeueer-Yeebefle Yeje ngDee ³en HeÀece& efve³egeqkelle kesÀ ome efove ces Yeerlej mebyebefOele mLeeveer³e keÀe³ee&ue³e ceW DeJeM³e ner Òemlegle efkeÀ³ee peevee @eeefnS~ efJeuecye keÀer efmLeefle ceW efve³eespekeÀ kesÀ efJe@x Oeeje 85 kesÀ lenle keÀevetveer keÀe³e&Jeener keÀer pee mekeÀleer nw~

This form duly filled in must reach the concerned Branch Office within 10 days of appointment of an Employee. Delay attracts penal action under Section 85 of the Act against employer.

7. yeerceeke=Àle J³eeqkelle DebMeoe³eer Melex Hetjer keÀjves Hej efvecveefueefKele efnleueeYe ÒeeHle keÀj mekesÀiee (1) yeerceejer efnleueeYe (2) DemLee³eer DeHebielee efnleueeYe (3) mLee³eer DeHebielee efnleueeYe (4) DeefPele peve efnleueeYe (5) Òemetefle efnleueeYe (ceefnuee keÀce&@eejer kesÀ efueS)

As an insured person you and your dependent family members are entitled to full medical care from today itself. The other benefits in cash include (1) Sickness Benefit (2) Temporary Disablement benefit (3) Permanent disablement benefit (4) Dependents benefit and (5) Maternity benefit (in case of women employees) subject to fulfillment of contributory conditions.

8. DeefOekeÀ peevekeÀejer kesÀ efue³es efveiece kesÀ JesyemeeFì www.esic.org.in keÀes osKeW ³ee mLeeveer³e keÀe³ee&ue³e mes mecHeke&À keÀjW~

For more details please contact website of ESIC at www.esic.org.in or contact Regional Office or Branch Office.

kesÀJeue MeeKee keÀe³ee&ue³e ceW Òe³eesie nsleg

For Branch Office use only

1. yeercee mebK³ee Deeyebive keÀer leejerKe :

Date of allotment of Ins. No. :

2. De.He.He. peejer keAjves keAer leejerKe :

Date of issue of T.I.C. :

3. Deew<eOeeue³e keAe veece/mebK³ee :

3. Name/No, of Disp. :

4. kel³ee Dev³e ef@eefkeAlmee J³eJemLee GheueyOe nw? ³eefo neb, lees GuuesKe keAjW:
Whether reciprocal medical arrangements involved. If yes, please indicate:
.....

OeyebOekeA nmllee#ej
Signature of Branch Manager

-eA. meb. S. No.	veece Name	pevce keAer leejerKe/HeAe&ce& Yejves keAer leejerKe keAes Dee ³ eg Date of Birth/Age as on date of filling form	keAce&@eejer kesA meeLe mebyebOe Relationship with the Employee	kel ³ ee GvekesA meeLe jn jns nw Whether residing with him/her. say		³ eefo vener lees DeeJeeme keAe mLeeve oMee&Sb If 'No' State place of Residence	
				neB Yes	vener No	Ghe veiej Town	jep ³ e State
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							

**¹[FORM 1A
[REGULATION 15A]
FAMILY DECLARATION FORM**

Name of the insured person

Insurance No.

Serial No.	Name	Date of birth	Relationship with insured person	² [Whether residing with him/her or not]

¹ Ins. by the Employees State Insurance (General) Amendment) Regulations, 1957

² Subs. by the Employees State Insurance (General) Amendment) Regulations, 1962

--	--	--	--	--	--

I hereby declare that the particulars above have been given by me and are true to the best of my knowledge and belief. I also undertake to intimate to the Corporation any changes in the membership of my family within 15 days of such changes having occurred.

Date.....

Signature/Thumb-impression of the insured person.....
 Countersigned
 Date
 Designation

Name, Address and Code No. of Employer

¹[Note:-According to section 2, clause (11) of the Employees' State Insurance Act, 1948, "family" means all or any of the following relatives of an insured person, namely, (i) a spouse; (ii) a minor legitimate or adopted child dependent upon the IP; (iii) a child who is wholly dependent on the earnings of the IP and who is - (a) receiving education, till he or she attains the age of 21 years, (b) an unmarried daughter; (iv) a child who is infirm by reason of any physical or mental abnormality or injury and is wholly dependent on the earnings of the IP, so long as the infirmity continues; (v) dependent parents.]

²[FORM-2

ADDITION/DELETION IN FAMILY DECLARATION FORM (REGULATION 15-B) EMPLOYEES' STATE INSURANCE CORPORATION

Name of the Insured Person..... Insurance No.

I declare that the person/persons whose particulars are given below has/have now become/ceased to be member(s) of my family.*

Sl. No.	Name	Date of birth	Reason(s) for change and date	Relationship with the Insured person	Whether residing with him/her or not, state		If no, where residing		Name of IMP/Disp. attached
					Yes	No	Distt.	State	

1 Subs. by Notification No. N-12/13/1/90- P&D, dated 17th May, 1991 (w.e.f. 15-6-1991).
 2 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for Form 1B (w.e.f. 1-1-2005).

I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Necessary changes may kindly be made in my Declaration Form submitted earlier.

Passport size photographs of the members who are added to family is/are enclosed.

Place.....
Date..... Signature/thumb impression of the employee
Name in Block Letters.....

Particulars of the Employer:
Name.....
Address.....
.....
Code No.

Counter-signature of the employer

.....
Designation with Rubber Stamp

Note.—"Family" means all or any of the following relatives of an Insured Person, namely:—

- (i) a spouse; (ii) a minor legitimate or adopted child dependant upon the I.P.; (iii) a child who is wholly dependant on the earnings of the I.P. and who is (a) receiving education, till he or she attains the age of 21 years (b) an unmarried daughter; (iv) a child who is infirm by reason of any physical or mental abnormality or injury and is wholly dependant on the earnings of the I.P. so long as the infirmity continues; (v) dependant parents (Please see Section 2, Clause 11 of the ESI Act, 1948 for details).

* Please submit duly attested copy of the Birth/Death Certificate.

FORM 3
[REGULATION 14]
RETURN OF DECLARATION FORMS

Name and address of the.....
Factory or Establishment.....
Employer's Code Number.....

I send herewith the Declaration Forms in respect of the employees mentioned below. I hereby declare that every person employed as an employee within the meaning of section 2(9) of the Employees' State Insurance Act, 1948, onin this factory or establishment and in receipt of a remuneration not exceeding 1[Rs. 7,500] per month has been included in this list (excepting only those in respect of whom declarations have been sent to the Corporation in the past).

Place..... Signature.....
Date..... Designation.....

1 Subs. by Notification No. N-11/13/2/2003-P&D, dated 1st October, 2004, for "Rs. 1600" (w.e.f. 1-1-2005).

Serial No.	Name of the employee	Distinguishing No. with the employer, if any	Father's or Husband's name	Insurance No. allotted by the Corporation (to be entered at the Appropriate Office)
1	2	3	4	5

Signature.....
 Designation.....

Enclosures:
 Declaration Forms
 Continuation sheets

**¹[FORM 4
 IDENTITY CARD
 EMPLOYEES' STATE INSURANCE CORPORATION
 [REGULATIONS 17 & 95A]**

Insurance No Ex and status	Employee's Code No.
Name	Yr. Bth. Set Date of Entry
Father or Husband's Name	Local Office
Present address	Dispensary..... ----- Identification marks.....

Employment changes

Date	Code No.	Date	Code No.

Particulars of Members of Family

Sl. No.	Name	Date of Birth	Relationship with I. P.	Identification marks	Attestation by I.M.O./O.M.P.

Signature or thumb impression of the I. P.

Issued by.....

(i) I. P. will ;be printed in full.

(ii) Bigger column will be provided for identification marks at the time of printing.

**²FORM 4A
 (REGULATION 95A)**

Family Identity Card

Insurance No.

Name of the insured person

1 Subs. by the Employees' State Insurance (General) Amendment Regulations, 1957.
 2 Ins. by the Employees' State Insurance (General) Amendment Regulations, 1957

Sex.....
 Son of /daughter of /wife of
 Address.....
 Dispensary

PARTICULARS OF MEMBERS OF FAMILY

S. No.	Name	Date of Birth	Relationship with Insured person	Identification Marks
1				
2				
3				
4				
5				
6				

Prepared by
 Signature of Inspector or Authorised Official

Signature or thumb impression of the insured person]

¹[FORM 5

*Due Date for submission:-

Name of Branch Office..... Employer's Code No.....

**RETURN OF CONTRIBUTIONS
 EMPLOYEES' STATE INSURANCE CORPORATION
 (REGULATION 26)**

Name and address of the factory or establishment:

Particulars of the Principal employer(s)

(d) Name :
 (e) Designation :
 (f) Residential Address :

Contribution Period from..... to

I furnish below the details of the Employer's and Employee's share of contributions in respect of the undermentioned insured persons. I hereby declare that the return includes each and every employee, employed directly or through an immediate employer or in connection with the work of the factory/establishment or any work connected with the administration of the factory/establishment or purchase of raw materials, sale or distribution of finished products etc. to whom the Act, 1948 applies, in the contribution period to which this return relates and that the contributions in respect of employer,s and employee's share have been correctly paid in accordance with the provisions of the Act and regulations.

Employee's Share.....
 Employer's Share.....

¹ Substituted by Noti. No. N-12/13/1/2008-P&D dated 11th March, 2008 (w.e.f. 01-04-2008).

Total Contribution.....

Details of Challans:--

Sl. No.	Month	Date of Challan	Amount	Name of the Bank and Branch
1.				
2.				
3.				
4.				
5.				

Total amount paid Rs.....

I declare that-

- (w) All the Records and Registers have been maintained as per provisions contained in ESI Act, rules and regulations framed therein.
- (x) During the period of return..... No. of Declaration forms have been submitted.
- (y) During the above period..... No. of TICs have been received.
- (z) During the above period..... No. of PICs have been received.
- (aa) During the above period.....No. of PICs have been distributed amongst the eligible IPs.
- (bb) During the above period.....accidents have been reported to the concerned Branch Office.
- (cc) During the period.....No. of employees directly employed by us have been covered and a total wages of Rs.....have been paid to such employees.
- (dd) During the period.....No. of employees directly employed by us have not been covered and a total wages of Rs.....have been paid to such employees.
- (ee) During the period.....No. of employees employed through immediate employer have been covered and a total wages of Rs.....have been paid to such employees.
- (ff) During the period.....No. of employees employed through immediate employer have not been covered and a total wages of Rs.....have been paid to such employees.
- (gg) Following components of wages have been taken into consideration for the purpose of payment of contribution-
- 1.
 - 2.
 - 3.
 - 4.
 - 5.
- (j) Following components of wages have not been taken into consideration for the purpose of payment of contribution-
- 1.
 - 2.
 - 3.
 - 4.
 - 5.

The abovementioned information is based on records and any information if found incorrect will render me liable for prosecutions under provisions of ESI Act

Sl. No.	Insurance Number	Name of Insured Person	No. of days for which wages paid	Total amount of wages paid (Rs.)	Employees' contributions deducted (Rs.)	Average Daily Wages (Rs.)	Whether still continues working	Remarks ¹
1	2	3	4	5	6	7	8	9
Total								

Signature of the Employer

(FOR OFFICIAL USE)

4. Entitlement position marked.

5. Total of Column 5 of Return checked and found correct/correct amount is indicated.

6. Checked the amount of Employer's/Employee's contribution paid which is in order/observation memo enclosed.

Countersignature.....

U.D.C.

Head Clerk

Branch Officer]

2[FORM 5-A

STATEMENT OF ADVANCE PAYMENT OF CONTRIBUTIONS MADE FOR THE CONTRIBUTION PERIOD ENDED.....

(REGULATION 31 — SECOND PROVISO)

EMPLOYEES' STATE INSURANCE CORPORATION

Total contribution amounting to Rs.....comprising of..... Rs..... as employer's share and Rs..... as employees' share paid as under:

Sl. No.	Details of Advance Payment	Amount		Details of actual contribution paid	Amount		Balance	
		Rs.	P.		Rs.	P.	Rs.	P.
1	2	3	4	5	6	7	8	9
1.	Opening Balance							
2.	Challan dated			*April/October				
3.	Challan dated			*May/November				
4.	Challan dated			*June/December				
5.	Challan dated			*July/January				
6.	Challan dated			*August/February				
7.	Challan dated			*September/March				

Sl. No.	Details of Advance Payment	Amount		Details of actual contribution paid	Amount		Balance		
		Rs.	P.		Rs.	P.	Rs.	P.	
1	2	3		4		5		6	
		Rs.	P.			Rs.	P.	Rs.	P.
	Total (i)		Total (ii)					
	Total due for contribution period								
	Total amount paid in Advance.....								
				Balance					

Total (ii) should not be less than total (i) at any time

*Strike out which is not applicable

Place.....

Date.....

Signature.....

Designation.....

³[FORM-6
REGISTER OF EMPLOYEES
(REGULATION 32)
EMPLOYEES' STATE INSURANCE CORPORATION

Contribution Period : From to.....

Sl. No.	Insurance No.	Name of the Insured Person	*Name of dispensary to which attached	Occupation	Department and shift, if any	If appointed during the contribution period, date of appointment/leaving service	Month.....		
							No. of days for which wages paid/payable	Total amount of wages paid/payable	Employees' share of contribution
1	2	3	3(A)	4	5	6	7	8	9
							Total		
								Employer's share	
								Grand total	
								Paid on	

Month	Month	Month
-------------	-------------	-------------

The Employees' State Insurance (General)
Regulations, 1950

No. of days for which wages paid/payable	Total amount of wages paid/payable (Rs)	Employees' share of contribution (Rs)	No. of days for which wages paid/payable	Total amount of wages paid/payable (Rs)	Employees' share of contribution (Rs)	No. of days for which wages paid/payable	Total amount of wages paid/payable (Rs)	Employees' share of contribution (Rs)
10	11	12	13	14	15	16	17	18
Total			Total			Total		
	Employers' share			Employers' share			Employers' share	
	Grand Total			Grand Total			Grand Total	
	Paid on			Paid on			Paid on	

The Employees' State Insurance (General)
Regulations, 1950

Month			Month			Summary			
No. of days for which wages paid/payable	Total amount of wages paid/payable (Rs)	Employees' share of contribution (Rs)	No. of days for which wages paid/payable	Total amount of wages paid/payable (Rs)	Employees' share of contribution (Rs)	Total No. of days for which wages paid/payable in Contribution period	Total amount of wages paid/payable in Contribution period (Rs)	Total Employees' share of Contribution in Contribution period (Rs)	Daily Wage (25/26/28)
19	20	21	22	23	24	25	26	27	28
Total			Total						
	Employers' share			Employers' share					
	Grand Total			Grand Total					
	Paid on			Paid on					

Note:- The figures in Columns 7 to 24 shall be in respect of wage periods ending in a particular calendar month.

4[FORM 7

(Confidential)

(Deposit this certificate within 3 days with the appropriate Branch Office to avoid possible loss of benefit under Regulation 64)

FIRST/INTERMEDIATE/FINAL CERTIFICATE (REGULATIONS 57, 58, 59 AND 89B) EMPLOYEES' STATE INSURANCE CORPORATION

Book No..... []
Serial No..... Stamp of Dispensary Signature or Thumb impression of the I.P.

Date of First Certificate of spell of Sickness or Disablement..... Employer's Code No.....

Name.....s/w/d of..... Insurance. Branch Office.....

No.....

Certified that I have examined you today and that in my opinion:-

Table with 2 columns: Any other remarks by the Medical Officer and (i)* You now need medical treatment... (ii)* You have continued to need medical treatment... (iii)* In my opinion you will be fit to resume work tomorrow/on.....

Note:-The date of fitness must in no case be later than the third day after the date of the examination in case of First and Final Certificate.

Date..... Signature..... [] Insurance Medical Officer Rubber stamp Name in Block Letters.....

Strike out whichever is not applicable

IMPORTANT:

- 1. Any person who makes false statement or representation for the purpose of obtaining benefit... 2. This form should be completed and submitted WITHOUT DELAY... 3. Insured person must sign, with date, the claim form to avoid delay and inconvenience.

**5FORM-8
SPECIAL INTERMEDIATE CERTIFICATE
(REGULATIONS 61 AND 89-B)
EMPLOYEES' STATE INSURANCE CORPORATION**

(Deposit this certificate within 3 days with the appropriate Branch Office to avoid possible loss of benefit under Regulation 64)

(Confidential)

Book No.....
Serial No..... Stamp of Dispensary Signature or Thumb impression of the I.P.

Date of First Certificate of spell of Sickness or Disablement..... Employer's Code No.....
To.....s/w/d of..... Branch Office.....
Insurance No.....

<p>Any other remarks by the Medical Officer</p> <p>Attestation by Medical Officer</p>	<p>Certified that I have examined you today and that in my opinion you have continued to need medical treatment and have remained incapable to work upto and including this day by reason of.....I further certify that by judging your present condition it is found that your sickness is of such a character that it will be unnecessary to see you for the purpose of treatment more frequently than once in weeks, and you will require medical treatment and will remain incapable to work at least upto the end of.....weeks from this date.....I propose to issue certificates in this form at the interval stated above, so long as your condition does not require more frequent attendance. In my opinion you should now/need not be referred to a Medical Board to determine if you are permanently disabled</p>
---	--

Date..... Signature.....
Insurance Medical Officer Name in block letters
with rubber stamp

**6[FORM 9
CLAIM FOR SICKNESS/T.D.B./MATERNITY
BENEFIT FOR SICKNESS
(REGULATIONS 63 AND 89-B)
EMPLOYEES' STATE INSURANCE CORPORATION**

I.....Insurance No.....s/w/d of.....hereby claim Cash Benefit for the period overleaf and state.

- (i)* That because of sickness/temporary disablement/sickness due to pregnancy/confinement/premature birth of child/miscarriage, I have not been at work since.....
- (ii)* I no longer claim to be sick/temporary disabled/sick due to pregnancy/confinement/premature birth of child/miscarriage

from and I shall/did not take up any work for remuneration before that date.

(iii)* I have not been in receipt of any wages for the days of leave/holiday(s).

(iv)* I was not on strike during the period of certified abstention on account of sickness/temporary disablement i.e. from.....to.....for which the benefit is claimed.

I desire payment in *cash at Branch Office/By Money Order.

Signature or T.I of Claimant
Name in Block Letters.....
Address.....
.....

Notes:-

1. Any person who makes false statement or representation for the purpose of obtaining benefit whether for himself/some other person shall be punishable with imprisonment upto 6 months or fine upto Rs 2000 or both.

2. This form should be completed and submitted WITHOUT DELAY to the appropriate Branch Office.

3. A final certificate must be obtained before resuming work.

* Strike out whichever is not applicable.

7[FORM 10

(CONFIDENTIAL)

**ABSTENTION VERIFICATION IN RESPECT OF SICKNESS BENEFIT/
TEMPORARY DISABLEMENT BENEFIT/MATERNITY BENEFIT
(REGULATION 52-A)**

CONFIDENTIAL

EMPLOYEES' STATE INSURANCE CORPORATION

From:
The Manager
.....Branch Office
E.S.I. Corporation,

To:
M/s.....
.....

Subject:-Verification of abstention from work in respect of Shri/Smt/Km.....Ins. No.....Department.....

Dear Sir(s)

The above named employee of your factory has submitted a certificate of incapacity for the period from..... to and has declared that he/she has not worked on any day during the above period.

He/She has further declared that he/she has not received wages as defined under section 2(22) of ESI Act, 1948 for any leave/holiday/weekly off/lay off and strike in respect of any day during the above period and that he/she was not on strike on any day during the above period.

I shall be grateful if you confirm the exact position, in this regard, on the form, appended within 10 days of the receipt of this form.

Yours faithfully,

Manager
.....Branch Office

CONFIDENTIAL
REPLY TO BE FURNISHED BY THE EMPLOYER IN RESPECT OF
FORM NO. 10

Name of the Insured Person/Insured Woman.....

Insurance No.

Returned with the remarks that the employee in question has not worked on any day during the period from..... to.....or* that he/she has worked on.....during the period from.....to

1. It is further confirmed that—

- (a) He/She remained on leave with wages for the period fromto...
- (b) He/She remained on holidays with wages fromto
- (c) He/She was on weekly off with wages for
- (d) He/She was on lay-off with wages fromto
- (e) He/She was on strike fromto

2. In case, the IP/IW is paid any wages for any of the days falling during the abovementioned period subsequently, the same will be notified to you in due course.

3. The day proceeding the first day of absence was*/was not a holiday for the Insured Person/Insured Woman.

Date:.....

Signature

Name in block letters and designation

.....

Code No.

* Strike out if any not applicable

⁸[FORM-11
ACCIDENT BOOK
(REGULATION 66)
EMPLOYEES' STATE INSURANCE CORPORATION

S. No.	Date of Notice	Time of Notice	Name and Address of Injured Person	Sex	Age	Insurance No.	Shift, Department & Occupation of the employee	Details of Injury				
								Cause	Nature	Date	Time	Place
1	2	3	4	5	6	7	8	9	10	11	12	13

What exactly was the injured person doing at the time of accident	Name, occupation, address and signature or the thumb impression of the person(s) giving notice	Signature and designation of the person who makes the entry in the Accident Book	Name, address and occupation of two witnesses	Remarks, if any
14	15	16	17	18

FORM-12
ACCIDENT REPORT FROM EMPLOYER
(REGULATION 68)
EMPLOYEES' STATE INSURANCE CORPORATION

1. Name and Address of Factory/Establishment and Telephone No.			
2. Nature of Industry or business			
3. Employer's Code No.		4. Branch Office	
5. Name and address of injured person			
6. Sex and Age		7. Occupation	
8. Insurance No.		9. Department	
10. Shift/Hrs. of work on the date of accident		11. Hour at which he started work on the day of accident	
12. Date and hour of accident		13. Exact place of accident	
14. Nature and extent of injury (e.g. fatal, loss of finger, fracture of leg, scald etc.)		15. Location of injury (right leg, left hand or left eye etc.)	
16. Address of premises where accident happened		17. Date of death in case the injured person dies	
18. In case the accident happened while meeting an emergency, please state:—			
(i) Its nature —		(ii) Whether the injured person, at the time of the accident was employed for the purpose of his employer's trade or business in or about the premises at which the accident took place—	
19. Dispensary/IMP allotted to injured person		20. Dr or Dispensary or Hospital from where injured person received or is receiving treatment	
21. Name and Address of witness:—			
1.			
2.			

Note:-Accident Report is required to be submitted to the appropriate Branch Office as well as to Insurance Medical Officer/I.M.P. within 24 hours of the receipt of notice of injury. In case of fatal or serious accidents, it must be submitted IMMEDIATELY to avoid legal penal action under section 85.

	Yes	No
22. Whether wages in full or part are payable to him for the day of accident		
23. Whether the injured person was an employee under section 2(9) of the Act on the day of accident		
24. Whether contribution was payable by him for the day on which accident occurred		
25. Cause of accident—		
(a) State exactly what the injured person was doing at the time of accident i.e. brief description of how the accident occurred		
(b) Was the injured person, at the time of accident, acting in contravention of—	Yes	No
(1) the provision of any law applicable to him		
or		
(2) any orders given by or on behalf of his employer		
or		
(3) acting without instructions from his employer.....		
(c) In case reply to b(1), (2) or (3) is YES, state whether the act was done for the purpose of and in connection with the employer's trade or business		
26. In case the accident happened while TRAVELLING in the employer's transport, state whether the injured person was travelling:—		
(1) as a passenger to or from his place of work		
(2) with the express or implied permission of his employer		
(3) the transport is being operated by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangement made with the employer, and		
(4) The vehicle was being/not being operated in the ordinary course of public transport service		

I certify that to the best of my knowledge and belief, the above particulars are correct in every respect

Date of despatch of report.....

Signature of the Employer.....

Name in block letters.....

Designation.....

(with Stamp)

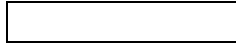
(For Official Use)

Diary No. of accident register and date.....Signature of B.M.....

10[FORM-13

(In Duplicate)*

**DEATH CERTIFICATE
(FOR DEPENDANT'S BENEFIT OR FUNERAL EXPENSES)
(REGULATIONS 79 AND 95-C)
EMPLOYEES' STATE INSURANCE CORPORATION**



Book No.....

Stamp of
Dispensary

S1. No.....

Name of the deceased Insured Person.....s/w/d
of..... Insurance No.....

I certify that in my opinion the above named deceased Insured Person died on the.....day of.....20.....as a result of an injury/due to*..... I **had been attending him/her for providing medical benefit before his/her death and I attended him/her for the last time on the.....day of.....20.....

Signature.....
Insurance Medical Officer/I.M.P.
Name in block letters and rubber stamp

Any other remarks
by the Medical Officer

Dated:.....

*Please indicate the name of the disease

** May be suitably amended if the Insurance Medical Officer/I.M.P. has not attended the deceased person before his/her death

11[FORM-14

**CLAIM FOR PERMANENT DISABLEMENT BENEFIT
(REGULATION 76-A)
EMPLOYEES' STATE INSURANCE CORPORATION**

I.....s/w/d
Insurance No. [.....] having been declared as permanently disabled by the Medical Board/Medical Appeal Tribunal /Employees' Insurance Court, claim Permanent Disablement Benefit accordingly for the period from to

The amount due may be paid to me by money order/in cash at Branch Office

.....
Signature or thumb impression
of the Claimant
Name in block letters
and Address
.....

Dated

Important: Any person who makes a false statement or representation for the purpose of obtaining benefit, whether for himself or for some other person, commits an offence punishable with imprisonment for a term which may extend upto six months or with a fine upto Rs 2000, or with both

12[FORM-15
CLAIM FORM FOR DEPENDANT'S BENEFIT
(REGULATION 80)
EMPLOYEES' STATE INSURANCE CORPORATION

Name of the deceased Insured Person.....Ins. No.....S/w/d ofDate of Death.....Last employed as..... by

I/We the following, being dependants of the abovenamed deceased Insured Person, hereby claim and accordingly apply for dependant's benefit on account of his/her death:

Name of the dependant	Sex	Age or year of birth	Marital status	Relationship with the deceased	Present Address	Name of guardian in case of minor
1	2	3	4	5	6	7

I/We declare that the particulars given above are true to the best of my/our knowledge and belief.

I/We also declare that to the best of my/our knowledge and belief, there is no other dependant entitled to claim Dependant's Benefit in r/o the death of the above noted deceased I.P., save and except those mentioned above

Signature

- 1.
- 2.
- 3.
- 4.

Signature

.ATTESTATION**

Certified that the declarations, as made above, are true to the best of my knowledge and belief

Name in block letters and Rubber Stamp or Seal of the Attesting Authority

Signature

Designation

*All major dependants should sign individually and the guardian to sign in case of a minor dependant

**This certificate is to be given by (i) an officer of the Revenue, Judicial or Magisterial Departments of Government, or (ii) a Municipal Commissioner, or (iii) a Workmen's Compensation Commissioner, or (iv) the Head of the Gram Panchayat under the official seal of the Panchayat, or (v) M.L.A./M.P., (vi) Gazetted Officer, or (vii) a member of Local Committee/Regional Board of the ESI Corporation, or (viii) any other authority considered appropriate by the Branch Manager.

Important: Any person who makes a false statement or representation for the purpose of obtaining benefit, whether for himself or for some other person,

commits an offence punishable with imprisonment for a term which may extend upto six months or with a fine upto Rs 2000, or with both

13[FORM-16

CLAIM FOR PERIODICAL PAYMENTS OF DEPENDANTS' BENEFIT (REGULATION 83-A)

EMPLOYEES' STATE INSURANCE CORPORATION

Name of the deceased Insured PersonIns. No

I..... being the of the above named deceased Insured Person and also being his/her dependant, do hereby claim Dependants' Benefit for the period from.....to

The amount due may be paid to me by money order

----- In cash/by cheque at Branch Office

I also declare that—

- (i) I have not married*/re-married, so far (Applicable only in case of a female dependant)
(ii) I have not attained the age of 18 years (Applicable in case of minor male/female dependant)
(iii) I am still infirm (Applicable only in case of a legitimate/adopted* infirm son or a legitimate/adopted* unmarried infirm daughter who has attained 18 years of age. The claim to be accompanied, if required, by a certificate of specified authority)

Date

**Signature or Thumb impression of the Claimant Present Address

Name in block letters of Claimant/Guardian

or ***Signature/Thumb impression of the Guardian for (Name of the minor Dependant) through .(Name of the Guardian) his/her (relationship with the Minor)

* Please strike out whichever is not applicable
** Applicable in the case of a claim by a major dependant
*** Applicable in the case of a claim for a minor dependant [Please refer to Rule 58 of the ESI (Central) Rules, 1950]

14[FORM-17

CERTIFICATE/NOTICE OF PREGNANCY MATERNITY BENEFIT (REGULATION 87) EMPLOYEES' STATE INSURANCE CORPORATION

Employer's Code No

Signature or thumb impression of the Insured Woman Book No. Serial No.

Insured Woman's Name

Insurance No

[Empty rectangular box]

Stamp of the Dispensary

Certified that I have examined the above mentioned Insured Woman today and that in my opinion she pregnant and her pregnancy appears to beweeks old

Signature of midwife, if any

Dated:

Signature or counter-signature of the Insurance Medical Officer

Name in block Letters and Rubber Stamp

Any other remarks

I,.....Insurance No.....Wife/daughter of hereby give notice of pregnancy

Present address:

Present/last employer

Date:

Signature or thumb impression of the Insured Woman

**15[FORM-18
CERTIFICATE OF EXPECTED CONFINEMENT/CONFINEMENT/
MISCARRIAGE MATERNITY BENEFIT
(REGULATIONS 88 AND 89)**

Signature or thumb impression of the Insured Woman
Book No.
Serial No.

Employer's Code No.

Insured Woman's Name
Insurance No
Wife/Daughter of

Stamp of the Dispensary

I*. Certified that I have examined the abovementioned Insured Woman today and that in my opinion she may expect to be confined on or about

II*.Certified that I attended the abovementioned Insured Woman in connection with her confinement/ miscarriage at(address) and that she was there delivered of a child on the day of

Signature of midwife, if any

Date:.....

Any remarks

Signature or counter-signature of the Insurance Medical Officer
Name in Block Letters and Rubber Stamp

*Delete whichever is not applicable

16[FORM-19 CLAIM FOR MATERNITY BENEFIT AND NOTICE OF WORK (REGULATIONS 88, 89 AND 91) EMPLOYEES' STATE INSURANCE CORPORATION

Signature or thumb impression of the Insured Woman

Employer's Code No..... Book No. Serial No.

Insured Woman's Name Insurance No.....

Wife/Daughter of



Stamp of the Dispensary

I, the abovementioned Insured Woman hereby claim Maternity Benefit for expected confinement/ confinement*/miscarriage with effect from.....

I further declare that I have ceased*/shall cease to work for remuneration with effect from the aforesaid date.

*I do hereby give notice that I have taken up/shall take up work for remuneration with effect from.....I have drawn maternity benefit only up to.....

Present Employer** Department, shift and occupation Present address

Signature/Thumb impression of the Insured Woman Name of the Branch Office.....

Date:

* Please delete whichever is not applicable ** If not in employment, mention the particulars of last employer

IMPORTANT:

- 1. No work for remuneration shall be taken up during the period for which Maternity Benefit is being claimed or is to be claimed
2. Notice for resumption of work must be sent before any work is taken up
3. Any person who makes a false statement or representation for the purpose of obtaining benefit, whether for herself or for some other person, commits an offence punishable with imprisonment for a term which may extend upto six months, or with a fine upto Rs 2000, or with both.]

17[FORM 20 CLAIM FOR MATERNITY BENEFIT AFTER THE DEATH OF AN INSURED WOMAN LEAVING BEHIND THE CHILD (REGULATION 89-A) EMPLOYEES' STATE INSURANCE CORPORATION

Claim arising from the death onof Ms..... wife of/daughter of.....,having Insurance No..... and last employed by M/s

I *being related to the above named deceased Insured Person as her.....and being her nominee/being her legal representative (applicable if the I.W. dies leaving no nominee), hereby claim Maternity Benefit for the period from..... to

I also declare that—

- ** (i) the deceased Insured Woman died on..... leaving behind the child who is still alive; or
- ** (ii) the deceased Insured Woman died on.....leaving behind the child who also died on

The amount due may be paid to me by Money Order/or in cash at Branch Office

I further declare that the particulars, as given hereinabove, are true to the best of my knowledge and belief

Date

Signature/Thumb impression of the Claimant

Name in block letters and..... Address of claimant.....

ATTESTATION

***Certified that the declarations, as made hereinabove, are true to the best of my knowledge and belief

Name in block letters and Rubber Stamp or Seal of the Attesting Authority

Signature Designation.....

* Strike out this line if not applicable

** Delete either (i) or (ii), as may not be applicable in the case

*** This certificate is to be given by (i) an officer of the Revenue, Judicial or Magisterial Department; or (ii) a Municipal Commissioner, or (iii) a Workmen's Compensation Commissioner; or (iv) the Head of Gram Panchayat under the official seal of the Panchayat, or M.L.A./M.P.; or (v) a Gazetted Officer of the Central/State Government/Member of the Local Committee/Regional Board; or (vi) any other authority considered as appropriate by the Branch Manager concerned.

IMPORTANT:

1. This claim form, duly filled up, is required to be submitted to the appropriate Branch Office, together with a death certificate in Form 24-B, within 30 days of the death of the Insured Woman

2. Any person who makes a false statement or representation for the purpose of obtaining benefit, whether for himself or for some other person, commits an offence punishable with imprisonment for a term which may extend upto six months or with a fine upto Rs 2000 or with both

18[FORM-21 DEATH CERTIFICATE IN CASE OF CONFINEMENT FOR CLAIMING MATERNITY BENEFIT (REGULATION 89-A) EMPLOYEES' STATE INSURANCE CORPORATION

Stamp of the Dispensary

Book No. Name of the deceased Insured woman
Serial No. w/d of Insurance No.

I certify that in my opinion—

- (i) the above named deceased Insured Woman died on.....as a result of.....during her confinement/*during a period of.....weeks(Cause of death) immediately following her confinement, leaving behind the child
*(ii) the said child also died on.....as a result of

Also certified that I had been attending her*/and also her said child for providing medical benefit before *her death/her said child's death and I attended her for the last time onand her said child for the last time on

Any other remarks

Date

Signature of Insurance Medical Officer/ Insurance Medical Practitioner

Rubber Stamp and name in block letters

Note:-(1)* Please delete whichever is not applicable

(2) The language may be suitably amended if the Insurance Medical Officer/Insurance Medical Practitioner had not attended the deceased person before her/her child's death

19[ORM-22 FUNERAL EXPENSES CLAIM FORM (REGULATION 95-E) EMPLOYEES' STATE INSURANCE CORPORATION

Claim arising out of death on.....ofs/w/d of.....aged.....years, having Insurance No.and last employed as by M/s.....Code No.....

I s/w/d of aged years declare:—

- *(i) that I am the eldest surviving member of the family of the deceased Insured Person, whose particulars are furnished here-in-above, and that I actually incurred an expenditure of Rs(Rupees.....only) necessary for the funeral of the said deceased person

or

- *(ii) that the deceased Insured Person, whose particulars are furnished thereinabove, did not have a family/was not living with his/her family at the time of his/her death and that I actually

incurred an expenditure of Rs.(Rupeesonly) on the funeral of the deceased Insured Person

Accordingly, I do hereby claim funeral expenses for the amount of Rs (Rupees only)

Date

Name in block Letters.....

Signature/Thumb impression of the Claimant

ATTESTATION

**Certified that the declarations, as made hereinabove, are true to the best of my knowledge and belief.

Name in block letters and Rubber Stamp or Seal of the Attesting Authority

Signature Designation..... Date.....

* Delete either (i) or (ii), which may not be applicable in the case

** This certificate is to be given by (i) an officer of the Revenue, Judicial or Magisterial Department; or (ii) a Municipal Commissioner; or (iii) a Workmen's Compensation Commissioner; or (iv) the Head of Gram Panchayat under the official seal of the Panchayat, or M.L.A./M.P.; or (v) a Gazetted Officer of the Central/State Government, Local Committee/Regional Board; or (vi) any other authority considered as appropriate by the Branch Manager concerned

Important:-Any person who makes a false statement or representation for the purpose of obtaining benefit, whether for himself or for some other person, commits an offence punishable with imprisonment for a term which may extend upto six months or with a fine up to Rs 2000 or with both

Note:-In the case of a minor, the guardian should sign the claim form on behalf of the minor and then add the following below his/her signature:

(Name of the Minor) through..... (Name of the Guardian) his/her..... (Relationship with the Minor)

FORM-23 LIFE CERTIFICATE FOR PERMANENT DISABLEMENT BENEFIT (REGULATION 107)

EMPLOYEES' STATE INSURANCE CORPORATION (To be submitted along with claim of June and December)

[Empty box]

Insurance No. of Permanently disabled person

*Certified that Shri/Smtw/s/d of is alive this..... day of 20

Name in block letters of signing Claimant

Signature

Date.....

Designation with Rubber Stamp/
Seal of the Attesting Authority

IMPORTANT:-Any person who makes a false statement or representation for the purpose of obtaining benefit whether for himself or for some other person, commits an offence punishable with imprisonment for a term which may extend up to six months or with a fine up to Rs 2000 or with both

* This certificate is to be given by (i) an officer of the Revenue, Judicial or Magisterial Department; or (ii) a Municipal Commissioner; or (iii) a Workmen's Compensation Commissioner; or (iv) the Head of Gram Panchayat under the official seal of the Panchayat; or (v) M.L.A./M.P.; or (vi) a Gazetted Officer of the Central/State Government; or (vii) a member of Local Committee/Regional Board of the ESIC; or (viii) any other authority considered as appropriate by the Branch Manager concerned.

21[FORM-24

DECLARATION AND CERTIFICATE FOR DEPENDANT'S BENEFIT (REGULATION 107-A)

EMPLOYEES' STATE INSURANCE CORPORATION

(To be submitted along with claim of June and December)

Name of the deceased Insured Person.....

Ins. No.

I....., being the.....of the above named deceased Insured Person and also being his dependant, do hereby solemnly declare:—

- * (i) that I have not married/remarried so far.
(to be given only by a female dependant)
- * (ii) that I have not yet attained the age of eighteen years.
(to be given only in respect of a minor male or female dependant)
- * (iii) that I have attained the age of eighteen years but continue to be infirm.
(to be given by a legitimate/adopted infirm son or by a legitimate/adopted infirm daughter. Certificate as specified, to be attached, if required)

Present Address:.....

Date.....

Signature or thumb impression of the dependant

or

Name in block letters of signing claimant

.....
Signature or thumb impression of the Guardian in case of a minor dependant
Name of the minor.....
Through.....
(Name of the Guardian)
his/her.....
(relationship with the Minor)

CERTIFICATE

**Certified that Shri/Smt/Kumari.....w/s/d of
.....is alive this day, the..... day of.....20..... and
that the declarations made above are true to the best of my knowledge and belief

Date.....

Name in block letters and Rubber Stamp or Seal of the Attesting Authority

Signature.....
Designation.....

* Strike out whichever is not applicable

** This certificate is to be given by (i) an officer of the Revenue, Judicial or Magisterial Department; or (ii) a Municipal Commissioner; or (iii) a Workmen's Compensation Commissioner; or (iv) the Head of Gram Panchayat under the official seal of the Panchayat; or (v) M.L.A./M.P.; or (vi) a Gazetted Officer of the Central/State Government; (vii) a member of the Local Committee/ Regional Board of the ESIC; or (viii) any other authority considered appropriate by the Branch Manager concerned.]

IMPORTANT:-Any person who makes a false statement or misrepresentation for the purpose of obtaining benefit, whether for himself or some other person, commits an offence punishable with imprisonment for a term which may extend upto six months or with a fine upto Rs 2000 or with both

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²³[**SCHEDULE III**
COMMUTATION VALUES FOR PERMANENT DISABLEMENT BENEFIT
[REGULATION 76B]

Age last birthday of insured person on the date on which the application for commutation is received in the appropriate office	The factor with which the daily rate of benefit is to be multiplied
1	2
17 years and below	5690
18 years	5670
19 years	5660
20 years	5640
21 years	5620
22 years	5600
23 years	5580
24 years	5560
25 years	5540
26 years	5510
27 years	5480
28 years	5460
29 years	5420
30 years	5390
31 years	5360
32 years	5320
33 years	5280

Age last birthday of insured person on the date on which the application for commutation is received in the appropriate office	The factor with which the daily rate of benefit is to be multiplied
1	2
34 years	5240
35 years	5200
36 years	5160
37 years	5110
38 years	5070
39 years	5020
40 years	4970
41 years	4910
42 years	4860
43 years	4800
44 years	4740
45 years	4670
46 years	4610
47 years	4540
48 years	4470
49 years	4400
50 years	4330
51 years	4250
52 years	4180
53 years	4100
54 years	4020
55 years	3930
56 years	3850
57 years	3760
58 years	3670
59 years	3590
60 years	3500
61 years	3400
62 years	3310
63 years	3220
64 years	3130
65 years	3030
66 years	2940
67 years	2850
68 years	2750
69 years	2660
70 years	2570
71 years	2470
72 years	2380
73 years	2290

Age last birthday of insured person on the date on which the application for commutation is received in the appropriate office	The factor with which the daily rate of benefit is to be multiplied
1	2
74 years	2200
75 years	2120
76 years	2030
77 years	1950
78 years	1860
79 years	1780
80 years	1700]

THE EMPLOYEES' STATE INSURANCE CORPORATION (GENERAL PROVIDENT FUND) RULES, 1995²⁴

[GSR 431 (E), DATED 6-9-1995]

In exercise of the powers conferred by section 95 of the Employees' State Insurance Act, 1948 (34 of 1948), and in supersession of the Employees' State Insurance Corporation (General Provident Fund) Rules, 1973, except as respects things done or omitted to be done before such supersession, the Central Government, after consultation with the Employees' State Insurance Corporation hereby makes the following rules, namely:—

1. Short title and commencement:-(1) These rules may be called the Employees' State Insurance Corporation (General Provident Fund) Rules, 1995.
(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions:-(1) In these rules unless the context otherwise requires—

- (a) "Accounts Officer" means the Financial Commissioner of the Employees' State Insurance Corporation or such other officer as may be specified in this behalf;
- (b) "Act" means the Employees' State Insurance Act, 1948 (43 of 1948);
- (c) "Corporation" means Employees' State Insurance Corporation;
- (d) "emoluments" means pay, leave salary or subsistence grant if admissible and any remuneration of the nature of pay received in respect of deputation;
- (e) "employee" means a person appointed to or borne on the cadre of the staff of the Corporation, other than persons on deputation;
- (f) "Family" means—
 - (i) In the case of a male-subscriber the wife or wives, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parent of the subscriber is alive, a paternal grandparent:

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently intimates in writing to the Accounts Officer that he shall continue to be so regarded;

- (ii) In the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parent of the subscriber is alive, a paternal grandparent:

Provided that if a subscriber by notice is writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently cancels such notice in writing.

Explanation:-In this clause, child means legitimate child and includes an adopted child, where adoption is recognised by the personal law governing the subscriber;

- (g) 'Fund' means the Employees' State Insurance Corporation General Provident Fund;
- (h) 'Leave' means any kind of leave recognised by the Employees' State Insurance Corporation (Staff and Conditions of Service) Regulations, 1959;
- (i) 'Service' means service under the Corporation;
- (j) 'Year' means a financial year

(2) Any other expression used in these rules which is defined either in the Provident Funds Act, 1925 (19 of 1925) or Employees' State Insurance Act, 1948 or in the Fundamental Rules, is used in the sense thereon defined but not defined herein shall have the meaning respectively assigned to them in the Provident Funds Act, 1925 (19 of 1925), the Employees' State Insurance Corporation (Central) Rules, 1950, Employees' State Insurance Corporation (Staff and Conditions of Service) Regulations, 1959 or the Fundamental Rules, as the case may be.

(3) Nothing in these rules shall be deemed to have the effect of terminating the existence of the General Provident Funds as heretofore existing or of constituting any new fund.

3. Constitution of the Fund:-(1) The Fund shall be maintained in Rupees.

(2) All sums paid into the Fund under these rules shall be credited to a Fund called 'The Employees' State Insurance Corporation General Provident Fund'. Sums of which payment has not been taken within six months after they become payable under these rules shall be transferred to the Deposit Account at the end of the year and treated under the ordinary rules relating to deposits.

4. Operation of Fund by the Accounts Officer:-The Fund shall be operated upon by the Accounts Officer who is hereby authorised to arrange for all payments required to be made under these rules.

5. Investments:-All monies belonging to the Fund shall be invested in the manner specified in the Employees' State Insurance (Central) Rules, 1950, for investment of monies belonging to the Employees' State Insurance Fund.

6. Conditions of eligibility:-All temporary employees after a continuous service of one year, all re-employed pensioners (other than those eligible for admission to CPF) and all permanent employees shall subscribe to the Fund:

Provided that no such employee as has been required or permitted to subscribe to a Contributory Provident Fund shall be eligible to join or continue as a subscriber to the Fund while he retains his right to subscribe to such a Fund:

Provided further that such of the temporary employees who have completed continuous service of one year before the 31st March, 1960 shall not subscribe to the Fund from a date earlier than the 1st April, 1960.

*Explanation:-*A temporary employee who completes one year of continuous service on any day of a month shall subscribe to the fund with effect from the subsequent month.

Note 1:-Apprentices and Probationers shall be treated as temporary employees for the purpose of this rule.

Note 2:-A temporary employee who completes one year of continuous service during the middle of a month shall subscribe to the Fund from the subsequent month.

Note 3:-Temporary employee (including Apprentices and Probationers) who have been appointed against regular vacancies and are likely to continue for

more than a year may subscribe to the General Provident Fund any time before completion of one year's service.

7. Nominations:-(1) A subscriber shall, at the time of joining the Fund, send to the Accounts Officer a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund in the event of his death before that amount has become payable or having become payable has not been paid:

Provided that where a subscriber is a minor he shall be required to make the nomination only on his attaining the age of majority:

Provided further that a subscriber who has a family at the time of making the nomination shall make nomination only in favour of a member or members of his family:

Provided also that the nomination made by the subscriber in respect of any other provident fund to which he was subscribing before joining the Fund shall if the amount to his credit in such other fund has been transferred to his credit in the Fund, be deemed to be a nomination in accordance with this rule.

(2) If a subscriber nominates more than one person under sub-rule (1) he shall specify in the nomination the amount or share payable to each of the nominees, in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be made in the Forms set forth in the Schedule I appended to these rules.

(4) A subscriber may at any time cancel a nomination made by him by sending a notice in writing to the Accounts Officer. The subscriber shall, along with such notice or separately, send a fresh nomination made in accordance with the provision of this rule.

(5) A subscriber may provide in a nomination—

(a) That in the event of his predeceasing the subscriber, the right conferred upon the specified nominee shall pass to such other person or persons as may be specified in the nominations:

Provided that such other person or persons shall, if the subscriber has any other members in his family, be such member or members of the family:

Provided further that where the subscriber confers the right under this clause on more than one person, he shall specify the amount or share payable to each of such persons in such a manner as to cover the whole of the amount payable to the nominee.

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein:

Provided that if at the time of making the nomination the subscriber has only one member of his family he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of his subsequently acquiring other member or members in his family.

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-rule (5) or the proviso thereto the subscriber send a notice in writing to the Accounts Officer cancelling the nomination, together with the fresh nomination made in accordance with the provisions of this rule.

(7) Every nomination made, and every notice of cancellation given by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Accounts Officer.

Note.—In this rule, unless the context otherwise requires, 'person' or 'persons' shall include a company or association or body of individuals, whether incorporated or not. It shall also include a Fund such as the Prime Minister's National Relief Fund or any Charitable or other Trust or Fund, to which nomination may be made through the Secretary or other executive of the said Funds or Trust authorised to receive payments.

8. Subscriber's Account:—An account shall be opened in the name of each subscriber to show-

- (i) his subscriptions;
- (ii) interest, as provided in Rule 13 on subscriptions;
- (iii) advances and withdrawals from the Fund.

9. Conditions and rates of subscriptions:—(1) A subscriber shall subscribe to the Fund every month except during the period when he is under suspension:

Provided that a subscriber on reinstatement after a period of suspension shall be allowed the option of paying in one lump sum or in instalments any sum not exceeding the maximum amount of arrear of subscription payable in respect of the said period:

Provided further that a subscriber may, at his option not subscribe during any period of leave which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay.

Note 1:—The holder of a seasonal post in an establishment need not subscribe to the Fund, during the period of his employment.

Note 2:—A subscriber need not subscribe during a period treated as dies non.

(2) The subscriber shall intimate his option not to subscribe during leave referred to in the second proviso to sub-rule (1) in the following manner:—

- (a) If he is an officer who draws his own pay bills, by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave.
- (b) If he is not an officer who draws his own pay bills, by written communication to the head of office before he proceeds on leave. On failure to make due and timely intimation shall be deemed to constitute an option to subscribe.

Note:—The option of a subscriber once intimated under this sub-rule shall be final.

(3) A subscriber who has under Rule 17 withdrawn the amount standing to his credit in the Fund shall not subscribe to the Fund after such withdrawal unless he returns to duty.

(4) Notwithstanding anything contained in sub-rule (1) a subscriber shall not subscribe to the Fund for the month in which he quits service unless, before the commencement of the said month, he communicates to the Head of Office in writing his opinion to subscribe for the said month.

10. Rates of subscription:—(1) The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions, namely—

- (a) It shall be expressed in whole rupees.
- (b) It may be any sum, so expressed which shall not be less than 6 per cent of his emoluments and not more than his total emoluments:

Provided that in the case of a subscriber who has previously been subscribing to the Employees' State Insurance Corporation Contributory Provident Fund at the higher rate of $8\frac{1}{3}$ per cent, it may be any sum so

expressed which shall not be a less than $8\frac{1}{3}$ per cent of his total emoluments and not more than his total emoluments.

- (c) When an employee opts to subscribe at the minimum rate of 6%, or $8\frac{1}{3}$ per cent, as the case may be, the subscription shall be rounded to the nearest whole rupee and for this purpose, 50 paise and more shall be rounded to the next higher rupee.
- (2) For the purpose of sub-rule (1) the emoluments of a subscriber shall be—
- (a) in the case of subscriber who was in service on the 31st March of the preceding year, the emoluments to which he was entitled on that date; provided that—
- (i) if the subscriber was on half day leave on the said date and opted not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;
- (ii) if the subscriber was on deputation out of India on the said date or was on half pay leave on the said date and continues to be on leave and has opted to subscribe during such leave, his emoluments to which he would have been entitled had he been on duty abroad or on duty in India as the case may be;
- (b) In the case of a subscriber who was not in service on the 31st March of the preceding year, the emoluments to which he was entitled on the day he joins the Fund.
- (3) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner, namely:—
- (a) if he was on the 31st March of the preceding year, by the deduction which he causes to be made in this behalf from his pay bill for that month;
- (b) if he was on leave on the 31st March of the preceding year and opted not to subscribe during such half pay leave or was under suspension on that date, by the deduction which he makes in this behalf from his first pay bill after his return to duty;
- (c) if he was on leave on the 31st March of the preceding year, and continues to be on half pay leave and has opted to subscribe during such leave by the deduction which he makes or causes to be made in this behalf from his salary for the month;
- (d) if he has entered into service for the first time during the year, by the deduction which he makes or causes to be made in this behalf, from the salary bill for that month during which he joins the Fund;
- (e) if he was on deputation on the 31st March of the preceding year by the amount credited by him in the Fund of the Corporation on account of subscription for the month of April in the current year.
- (4) The amount of subscription so fixed may be,—
- (a) reduced once at any time during the course of the year;
- (b) enhanced twice during the course of the year; or
- (c) reduced and enhanced as aforesaid:

Provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed in sub-rule (1):

Provided further that if a subscriber is on leave without pay or leave on half pay or half average pay for part of a calendar month and he has opted not to

subscribe during such leave, the amount of subscription payable shall be proportionate to the number of days spent on duty including leave, if any, other than those referred to above.

11. Transfer on deputation to a post under the Government or any other organisation or deputation out of India:-When subscriber is transferred or sent on deputation out of India, he shall remain subject to these rules in the same manner as if he were not so transferred or sent on deputation.

12. Realisation of subscriptions:-(1) When the emoluments are drawn from the Fund, recovery of subscriptions and the principal and interest of advances, if any, granted from the Fund shall be made direct from the emoluments.

(2) When emoluments are drawn from any other source, the subscriber shall forward his dues monthly to the Accounts Officer:

Provided that in the case of a subscriber on deputation to a body corporate owned or controlled by Government the subscription shall be recovered and forwarded to the Accounts Officer by such body.

(3) If a subscriber fails to subscribe with effect from the date on which he is required to join the Fund or is on default in any month or months during the course of a year otherwise than as provided in Rule 9, the total amount due to the Fund on account of arrears or subscription shall, with interest thereon at the rate provided in Rule 13, forthwith be paid by the subscriber to the Fund or in default be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under sub-rule (2) of Rule 14:

Provided that the subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

13. Interest:-(1) Subject to the provisions of sub-rule (5), the Corporation shall pay to the credit of the account of a subscriber interest at such rate as may be determined for each year by the Central Government in respect of the General Provident Fund for the Central Government Employees:

Provided that if the rate of interest determined for a year is less than 4 per cent, all subscribers to the Fund in the year preceding that for which the rate has for the first time been fixed at less than 4 per cent, shall be allowed interest at the rate of 4 per cent:

Provided further that a subscriber who was previously subscribing to any other Provident Fund of the Central Government and whose subscriptions, together with interest thereon, have been transferred to his credit in his Fund under Rule 26 shall also be allowed interest at the rate of 4 per cent, if he had been receiving that rate of interest under the rules of such other Fund under a provision similar to that of the first proviso to this rule.

(2) Interest shall be credited with effect from the last day in each year in the following manner:

- (i) on the amount to the credit of a subscriber on the last day of the preceding year, less sums, if any, withdrawn during the current year, interest for twelve months;
- (ii) on sums withdrawn during the current year interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal;
- (iii) on all sums credited to the subscriber's account after the last day of the preceding year interest from the current year;

- (iv) the total amount of interest shall be rounded to the nearest whole rupee (fifty paise and more counting as the next higher rupee):

Provided that when the amount standing to the credit of a subscriber has become payable, interest shall thereupon be credited under this rule in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, upto the date on which the amount standing to the credit of the subscriber becomes payable.

(3) In this rule, the date of deposit shall, in the case of recovery from emoluments, be deemed to be the first day of the month in which it is recovered, and in the case of an amount forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, if it is received by the Accounts Officer before the fifth day of that month, but if it is received on or after the fifth day of that month, the first day of the next succeeding month:

Provided that where there has been a delay in the drawal of pay or leave salary and allowances of a subscriber and consequently the recovery of his subscription towards the Fund, the interest on such subscriptions shall be payable from the month in which the pay or leave salary of the subscriber was due under the rules, irrespective of the month in which it was actually drawn:

Provided further that in the case of an amount forwarded in accordance with the proviso to sub-rule (2) of Rule 12, the date of deposit shall be deemed to be the first day of the month if it is received by the Accounts Officer before the fifteenth day of that month:

Provided also that where the emoluments for a month are drawn and disbursed on the last working day of the same month the date of deposit shall, in the case of recovery of his subscriptions, be deemed to be the first day of the succeeding month.

(4) In addition to any amount to be paid under Rule 20, 21 or 22 interest thereon upto the end of the month preceding that in which the payment is made or upto the end of the sixth month after the month in which such amount becomes payable whichever of these periods be less, shall be payable to the person to whom such amount is to be paid:

Provided that where the Accounts Officer has intimated to that person (or his agent) a date on which he is prepared to make payment in cash or has posted a cheque in payment to that person, interest shall be payable only upto the end of the month preceding the date so intimated or the date of posting the cheque, as the case may be:

Provided further that where a subscriber on deputation to a body corporate, owned or controlled by the Government of an autonomous organisation registered under the Societies Registration Act, 1860 (21 of 1860) is subsequently absorbed in such body corporate or organisation with effect from a retrospective date, for the purpose of calculating the interest due on the Fund accumulations of the subscriber the date of issue of the orders regarding absorption shall be deemed to be the date on which the amount to the credit of the subscriber became payable subject to the condition that the amount recovered as subscription during the period commencing from the date of absorption and ending with the date of issue of orders of absorption shall be deemed to be subscription to the Fund only for the purpose of awarding interest under this sub-rule.

(5) Interest shall not be credited to the account of a subscriber if he informs the Accounts Officer that he does not wish to receive it; but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it.

(6) The interest on amount which under sub-rule (3) of Rule 12, Rule 20 or Rule 21 are replaced to the credit of the subscriber in the Fund, shall be calculated at such rates as may be successively prescribed under sub-rule (1) of this rule and so far as may be in the manner prescribed in this rule.

(7) In case a subscriber is found to have drawn from the Fund an amount in excess of the amount standing to his credit on the date of the drawal, the overdrawn amount, irrespective of whether the overdrawal occurred in the course of an advance or a withdrawal or the final payment from the Fund, shall be repaid by him with interest thereon in one lump sum, or in default be ordered to be recovered by deduction one lump sum, from the emoluments of the subscriber. If the total amount to be recovered is more than half of the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount together with interest, is recovered. For this sub-rule the rate of interest, to be charged on overdrawn amount would be 2½ per cent over and above the normal rate on Provident Fund balance under sub-rule (1). The interest realised on the overdrawn amount shall be credited to Corporation account under a distinct sub-head 'Interest on overdrawals from Provident Fund' under the head "049-Interest Receipts-C—Other interest receipts of Corporation—other Receipts".

14. Advance from the Fund:-(1) The Director General or any other Officer authorised by him in this behalf, may sanction the payment to any subscriber in the prescribed Form as specified in Schedule II of an advance consisting of a sum of whole rupees and not exceeding in amount three months' pay or half the amount standing to his credit in the Fund, whichever is less, for one or more of the following purposes, namely:—

- (a) to pay expenses in connection with the illness, confinement or a disability including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him.
- (b) to meet the cost of higher education including where necessary, the travelling expenses of the subscriber and member of his family or any person actually dependent on him; in the following cases, namely:—
 - (i) for the education outside India in respect of an academic, a technical, a professional or vocational course beyond the High School stage; and
 - (ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage, provided that the course of study is of not less than three years duration;
- (c) to pay obligatory expenses on a scale appropriate to the subscribers' status which, by customary usage the subscribers have to incur in connection with betrothal or marriages, funerals or other ceremonies;
- (d) to meet the cost of legal proceedings instituted by or against the subscriber or any person actually dependent upon him, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source;
- (e) to meet the cost of his defence where the subscriber engages a legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on his part;

- (f) to meet the cost of plot or construction of a house or flat for his residence or to make any payment towards the allotment of a plot or flat by the Delhi Development Authority or a State Housing Board or a House Building Co-operative Society.

(2) The Director General may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-rule (1).

(3) An advance shall not, except for special reasons to be recorded in writing, be granted to any subscriber in excess of the limit laid down in sub-rule (1) or until repayment of the last instalment of any previous advance.

(4) When an advance is sanctioned under sub-rule (3) before repayment of last instalment of any previous advance is completed, the balance of any previous advance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

(5) After sanctioning the advance, the amount shall be drawn on an authorisation from the Accounts Officer in cases where the application for final payment had been forwarded to the Accounts Officer under clause (ii) of sub-rule (3) of Rule 25.

Note 1:-For the purpose of this rule pay includes dearness pay, where admissible.

Note 2:-A subscriber shall be permitted to take an advance once in every six months under clause (b) of sub-rule (1) of Rule 14.

15. Recovery of advance:-(1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct; but such number shall not be less than twelve unless the subscriber so opt and in any case not more than twenty four. In special cases where amount of advance exceeds three months' pay of the subscriber under sub-rule (2) of Rule 14, the sanctioning authority may fix such number of instalments exceeding twenty four but not exceeding thirty six, a subscriber may, at his option, repay more than one instalment in a month. Each instalment shall be fixed in whole rupees, the amount of the advance being raised or reduced if necessary, to admit the fixation of such instalments.

(2) Recovery of advances shall be made in the manner specified in Rule 12 for the realisation of subscription, and shall commence with the issue of pay for the month following the one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent while he is in receipt of subsistence grant or is on leave for ten days or more in a calendar month which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay, as the case may be. The recovery may on the subscriber's written request, be postponed by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.

(3) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or balance of amount withdrawn shall be forthwith repaid by the subscriber to the Fund. Or in default, be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly instalments not exceeding twelve as may be directed by the Accounts Officer:

Provided that before such advance is disallowed, the subscriber shall be given reasonable opportunity to explain to the sanctioning authority in writing within 15 days of the receipt of the communication, why the repayment shall not be enforced and if an explanation is submitted by the subscriber within the said

period of 15 days, it shall be referred to the Director General for decision and if no explanation within the said period is submitted by him, the repayment of the advance shall be enforced in the manner prescribed in the sub-rule.

(4) Recoveries made under this rule shall be credited to the subscriber's account in the Fund.

16. Wrongful use of advance:-Notwithstanding anything contained in these rules, if the sanctioning authority has reason to doubt that money drawn as an advance from the Fund under Rule 14 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, he shall communicate to the subscriber the reasons for his doubt and require him to explain in writing and within 15 days of the receipt of such communication whether the advance has been utilised for the purpose for which sanction was given to the drawal of the money. If the sanctioning authority is not satisfied with the explanation furnished by the subscriber within the said period of 15 days, the sanctioning authority shall direct the subscriber to repay the amount in question to the Fund forthwith or, in default, order the amount to be recovered by deduction in one sum from the emoluments of the subscriber even if he be on leave. If, however, the total amount to be repaid be more than half the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.

Note:-The term 'emoluments' in this rule shall not include subsistence grant.

17. Withdrawal from the Fund:-(1) Subject to the conditions specified therein, withdrawals may be sanctioned to the subscriber in the prescribed Form as specified in Schedule II by the authorities competent to sanction an advance for special reasons under sub-rule (2) of Rule 14, at any time, after the completion of twenty years of service (including broken period of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes, namely:—

- (a) meeting the cost of higher education, including where necessary the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely:—
 - (i) for the education outside India for academic, technical, professional or a vocational course beyond the High School stage; and
 - (ii) for any medical, engineering or other technical or specialized course in India beyond the High School stage;
- (b) meeting the expenditure in connection with the betrothal/marriage of the subscriber or his sons or daughters and of any other family relation actually dependent on him;
- (c) meeting the expenses in connection with the illness, including where necessary, the travelling expenses, of the subscriber and members of his family or any person actually dependent on him.

(2) After the completion of ten years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, a subscriber will be allowed withdrawals from the amount standing to his credit in the Fund for one or more of the following purposes, namely:

- (i) building or acquiring a suitable house or ready built flat or his residence including the cost of the site;
- (ii) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or readybuilt flat for his residence;
- (iii) purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose;
- (iv) reconstructing or making additions or alternations to a house or a flat already owned or acquired by a subscriber;
- (v) renovating, additions or alternations or upkeep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from Government at a place other than the place of duty;
- (vi) constructing a house on a site purchased under clause (iii);
- (vii) within six months before the date of the subscriber's retirement for the amount standing to his credit in the Fund for the purpose of acquiring a farm land or business premises of both;
- (viii) once during the course of a financial year, an amount equivalent to one year's subscription paid for by the subscriber towards the Group Insurance Scheme for the Corporation employees on self financing and contributory basis.

Note 1:-A subscriber who has availed himself of an advance under the scheme of the Ministry of Urban Development for the grant of advance for house building purpose, or has been allowed any assistance in this regard from any other Government source shall be eligible for the grant of final withdrawal under clauses (i), (iii), (iv), (vi) or sub-rule (2) for the purpose specified therein and also for the purpose of repayment of any loan taken under the aforesaid scheme subject to the limit specified in the proviso to sub-rule (1) of Rule 18.

If a subscriber has an ancestral house or built a house at a place other than the place of his duty with the assistance of loan taken from the Government he shall be eligible for the grant of a final withdrawal under clauses (i), (iii) and (vi) of sub-rule (2) for the purpose of a house-site or for construction of another house or for acquiring a readybuilt flat at the place of his duty.

Note 2:-Withdrawal under clauses (i), (iv), or (vi) of sub-rule (2) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made, duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.

Note 3:-The amount of withdrawal sanctioned under clause (ii) of sub-rule (2) shall not exceed $\frac{3}{4}$ th of the balance on date of application together with the amount of previous withdrawal under clause (i) reduced by the amount of previous withdrawal. The formula to be followed is $\frac{3}{4}$ th of (the balance as on date plus amount of previous withdrawal(s) for the house in question) minus the amount of the previous withdrawal(s).

Note 4:-Withdrawal under clause (i) or (iv) of sub-rule (2) shall also be allowed where the house site or house is in the name of wife or husband provided she or he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.

Note 5:-Only one withdrawal shall be allowed for the same purpose under this rule. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flats covered by a fresh plan duly approved by the local municipal body of the area where the house or

flat is situated shall not be treated as the same purpose. Second or subsequent withdrawal under clause (i) or (vi) of sub-rule (2) for completion of the same house shall be allowed upto the limit laid down under Note 3.

Note 6:-A withdrawal under this rule shall not be sanctioned if an advance under Rule 14 is being sanctioned for the same purpose and at the same time.

(3) After sanctioning the withdrawal the amount shall be drawn on an authorisation from the Accounts Officer in cases where the application for final payment had been forwarded to the Accounts Officer under clause (ii) of sub-rule (3) of Rule 25.

18. Conditions for withdrawal:-(1) Any sum withdrawn by a subscriber at any one time for on or more of the purposes, specified in Rule 17 from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six months' pay, whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit upto 3/4th of the balance at his credit in the Fund having regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to this credit in the Fund:

Provided that in no case the maximum amount of withdrawal for purposes specified in sub-rule (2) of Rule 17 shall exceed the maximum limit prescribed from time to time under Rule 2(a) and Rule 3(b) of the Scheme of the Ministry of Urban Development for the grant of advances for house building purposes:

Provided further that in the case of a subscriber who has availed himself of an advance under the scheme of the Ministry of Urban Development for the grant of advances for house building purposes, or has been allowed any assistance in this regard from any other Government sources, the sum withdrawn under this sub-rule together with the amount of advance taken under the aforesaid scheme or the assistance taken from any other Government source shall not exceed the maximum limit prescribed from time to time under rules 2(a) and 3(b) of the aforesaid scheme.

Note 1:-A withdrawal sanctioned to a subscriber under clause (i) of sub-rule (2) of Rule 17 may be drawn in instalments, the number of which shall not exceed four in a period of twelve calendar months counted from the date of sanction.

Note 2:-In cases where a subscriber has to pay in instalments for a site or a house or flat purchased, or a house or flat constructed through the Delhi Development Authority or a State Housing Board or a House Building Co-operative Society he shall be permitted to make a withdrawal as and when he is called upon to make a payment in any instalment. Every such payment shall be treated as a payment for a separate purpose for Rule 16.

(2) A subscriber who has been permitted to withdraw money from Fund under Rule 17 shall satisfy the sanctioning authority within such reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn, or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in lump sum or in such number of monthly instalments as may be determined by the Director General:

Provided that, before repayment of a withdrawal is enforced under this sub-rule, the subscriber shall be given a reasonable opportunity to explain in writing and within 15 days of the receipt of the communication why the repayment shall

not be enforced and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of 15 days the sanctioning authority shall enforce the repayment in the manner prescribed in this sub-rule.

(3) (a) A subscriber who has been permitted under clauses (i), (ii) (iii) of sub-rule (2) of Rule 17 to withdraw money from the amount standing to his credit in the Fund, shall not part with the possession of the house, built or acquired, or house-site purchased with the money so withdrawn, whether by way of sale mortgage (other than mortgage of the Director General), gift, exchange or otherwise, without the previous permission of the Director General:

Provided that such permission shall not be necessary for—

- (i) the house or house-site being leased for any term not exceeding three years, or
 - (ii) its being mortgaged in favour of a Housing Board, Nationalised Banks, the Life Insurance Corporation or any other Corporation owned or controlled by the Central Government which advances loans for the construction of a new house or for making additions or alteration to an existing house.
- (b) The subscriber shall submit a declaration not later than the 31st day of December of every year as to whether the house or the house-site as the case may be, continues to be in his possession or has been mortgaged, otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based.
- (c) If at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the Director General, he shall forthwith repay the sum so withdrawn by him in default of such repayment, the sanctioning authority shall, after giving the subscriber a reasonable opportunity for making a representation in the matter cause the said sum to be recovered from the emoluments of the subscriber either in lump sum or in such number of monthly instalments, as may be determined by it.

Note A:-A subscriber who has taken loan from ESI Corporation in lieu thereof mortgaged the house or house-site to the Corporation shall be required to furnish the declaration to the following effect, namely:—

DECLARATION

"I do hereby certify that the house or house-site for the construction of which or for the acquisition of which I have taken a final withdrawal from the Provident Fund continues to be in my possession but stands mortgaged to Corporation."

19. Conversion of an advance into a withdrawal:-A subscriber who has already drawn or may draw in future an advance under Rule 14 for any of the purposes specified therein may convert, at his discretion by written request addressed to the Accounts Officer through the sanctioning authority, the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in Rules 17 and 18.

Note 1:-The Head of office in case of non-gazetted subscribers and the Treasury Officer concerned in the case of gazetted subscribers may be asked by the administrative authority to stop recoveries from the pay bills. When the application for such conversion is forwarded to the Accounts Officer that authority shall endorse a copy of the letter forwarding the subscriber's intimation to the Treasury Officer from where he draws his pay in order to permit stoppage of further recoveries.

Note 2:-For the purpose of sub-rule (1) of Rule 18, the amount of subscription with interest thereon standing to the credit of the subscriber in the account at the time of conversion plus the outstanding amount of advance shall be taken as the balance. Each withdrawal shall be treated as a separate one and the same principle shall apply in the event of more than one conversion.

20. Final withdrawal of accumulations in the Fund:-When a subscriber quits the service of the Corporation the amount standing to his credit in the Fund shall become payable to him:

Provided that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service, shall if required to do so by the Director General, repay any amount paid to him from the fund in pursuance of this rule, with interest thereon at the rate provided in Rule 13 in the manner prescribed in the proviso to Rule 21. The amount so repaid shall be credited to his account in the Fund.

Explanation I:-A subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed, with or without a break in service shall not be deemed to quit the service, when he is transferred without any break in service to a new post under a State Government or in another department of the Central Government (in which he is governed by another set of provident fund rules) and without retaining any connection with his former cost, in such case, his subscriptions together with interest thereon shall be transferred—

- (a) to his account in the other Fund in accordance with the rules of that Fund, if the new post is in another department of the Central Government, or
- (b) to a new account under the State Government concerned if the new post is under a State Government and the State Government consents, by general or special order, to such transfer of his subscriptions and interest.

Note:-Transfer shall include cases of resignation from the service in order to take up appointment in another department of the Central Government or under the State Government without any break and with proper permission of the Central Government. In cases where there has been a break in service it shall be limited to the joining time allowed on transfer to a different station. The same shall hold good in cases of retrenchments followed by immediate employment whether under the same or different Government.

Explanation II:-When a subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed or is transferred, without any break, to the service under a body corporate owned or controlled by Government, or an autonomous organisation, registered under the Societies Registration Act, 1860 (21 of 1860), the amount of subscriptions together with interest thereon, shall not be paid to him but shall be transferred with the consent of that body to his new Provident Fund Account under that body.

Transfers shall include cases of resignation from service in order to take up appointment under a body corporate owned or controlled by Government or an autonomous organisation, registered under the Societies Registration Act, 1860, without any break and with proper permission of the Central Government. The time taken to join the new post shall not be treated as a break in service if it does not exceed the joining time admissible to a Government servant on transfer from one post to another:

Provided that the amount of subscription together with interest thereon, of a subscriber opting for service under a public Enterprise may, if he so desires, be transferred to his new Provident Fund Account under the Enterprise if the concerned Enterprise also agreed to such a transfer. If, however, the subscriber does not desire the transfer or the concerned Enterprise does not operate a Provident Fund, the amount aforesaid shall be refunded to the subscriber.

21. Retirement of Subscriber:-When a subscriber—

- (a) has proceeded on leave preparatory to retirement or if he is employed in a vacation department on leave preparatory to retirement combined with vacation, or
- (b) while on leave, has been permitted to retire or been declared by a competent medical authority to be unfit for further service the amount standing to his credit in the Fund shall, upon application made by him in that behalf to the Accounts Officer, become payable to the subscriber:

Provided that the subscriber, if he returns to duty, shall if required to do so by the Director General, repay the Fund, for credit to his account, the amount paid to him from the fund in pursuance of this rule with interest thereon at the rate provided in Rule 13 in cash or securities by instalments or otherwise, by recovery from his emoluments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under sub-rule (2) or Rule 14.

22. Procedure on death of subscriber:-On the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable before payment has been made—

- (i) When the subscriber leaves a family—
 - (a) if a nomination made by the subscriber in accordance with the provisions of Rule 7 or of the corresponding rule heretofore in force in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;
 - (b) if no such nomination in favour of member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family become payable to the members of his family in equal shares:

Provided that no share shall be payable to—

- (1) sons who have attained majority;
- (2) sons of a deceased son who have attained majority;

- (3) married daughters whose husbands are alive;
- (4) married daughters of a deceased son whose husbands are alive;
 - (c) if there is any member of the family other than those specified in clauses (1), (2), (3) and (4):

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) to the first proviso;

- (ii) when the subscriber leaves no family, if a nomination made by him in accordance with the provisions of rule 7 or of the corresponding rule heretofore in favour of any person or persons subsist, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

23. Deposit Linked Insurance Scheme:-On the death of a subscriber on or before 30th September, 1991 and to whom rule 24 does not apply, the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Accounts Officer an additional amount equal to the average balance in the account during the 3 years immediately preceding the death of such subscriber subject to the condition that—

- (a) the balance at the credit of such subscriber shall not at any time during the three years preceding the month of death have fallen below the limits of—
 - (i) Rs. 4000 in the case of a subscriber who has held for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 1300 or more in the pre-revised scale;
 - (ii) Rs. 2500 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post of the maximum of the pay scale of which is Rs. 900 or more but less than Rs. 1300 in the pre-revised scale;
 - (iii) Rs. 1500 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 291 or more but less than Rs. 900 in the pre-revised scale;
 - (iv) Rs. 1000 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs. 291 in the pre-revised scale.
- (b) the additional amount payable under this rule shall not exceed Rs. 10,000;
- (c) the subscriber has put in at least five years service at the time of his death.

Note 1:-The average balance shall be worked out on the basis of the balance at the credit of the subscriber at the end of each of the 36 months preceding the month in which the death occurs. For this purpose, as also for checking the minimum balances prescribed above:—

- (a) the balance at the end of March shall include the annual interest credited in terms of Rule 13;
- (b) if the last of the aforesaid 36 months is not March, the balance at the end of the said last month shall include interest in respect

of the period from the beginning of the financial year in which death occurs, to the end of the said last month.

Note 2:-Payments under this scheme should be in whole rupee. If an amount due includes a fraction of a rupee it should be rounded to the nearest rupee (50 paise counting as the next higher rupee).

Note 3:-Any sum payable under this scheme is in the nature of insurance money and, therefore, the statutory protection given by section 3 of the Provident Funds Act, 1925 (19 of 1925), does not apply to sums payable under this scheme.

Note 4:-This scheme also applies to those subscribers to the Fund who are transferred to an autonomous organisation consequent upon conversion of a Government Department into such a body and who, on such transfer, opt, in terms of option given to them, to subscribe to this Fund in accordance with these rules.

Note 5:-(a) In case of a Government servant who has been admitted to the benefit of the Fund under Rule 26 or 27, but dies before completion of three years service, or as the case may be, five years service from the date of his admission to the fund, that period of his service under the previous employer in respect whereof the amount of his subscriptions and the employer's contribution, if any, together with interest have been received, shall count for purposes of clause (a) and clause (c) of this rule.

(b) In case of persons appointed on tenure basis and in the case of re-employed pensioners, service rendered from the date of such appointment of re-employment, as the case may be, only will count for the purpose of this rule.

(c) This scheme does not apply to persons appointed on contract basis.

Note 6:-The budget estimates of expenditure in respect of this scheme will be prepared by the Accounts Officer responsible for maintenance of the accounts of the Fund having regard to the trend of expenditure in the same manner as estimates are prepared for other retirement benefits.

24. Deposit Linked Insurance Revised Scheme:-On the death of a subscriber, the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Accounts Officer an additional amount equal to the average balance in the account during the 3 years immediately preceding the death of such subscriber, subject to the condition that—

(a) the balance at the credit of such subscriber shall not at any time during the 3 years preceding the month of death have fallen below the limits of—

(i) Rs. 12,000 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post of maximum of the pay scale of which is Rs. 4000 or more.

(ii) Rs. 7500 in the case of a subscriber who has held for the greater part of the aforesaid period of three years a post the maximum of the pay scale of which is Rs. 2900 or more but less than Rs. 4000.

(iii) Rs. 4500 in the case of a subscriber who has held for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 1151 or more but less than Rs. 2900.

- (iv) Rs. 3000 in the case of a subscriber who has held for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs. 1151.
- (b) the additional amount payable under this rule shall not exceed Rs. 30,000.
- (c) the subscriber has put in at least 5 years service at the time of his/her death.

Note 1:-The average balance shall be worked out on the basis of the balance at the end of each of the 36 months, preceding the month in which the death occurs. For this purpose, as also for checking the maximum balance prescribed above:—

- (a) the balance at the end of March shall include the annual interest credited in terms of Rule 13;
- (b) if the last of the aforesaid 36 months is not March, the balance at the end of said last month shall include interest in respect of the period from the beginning of the financial year in which death occurs to the end of the said last month.

Note 2:-Payment under this scheme will be in whole rupee. If an amount due includes a fraction of a rupee it should be rounded to the nearest rupee (50 paise counting as the next higher rupee).

Note 3:-Any sum payable under this scheme is in the nature of insurance money and therefore, the statutory protection given by section 3 of the Provident Funds Act, 1925 (19 of 1925) does not apply to sums payable under this scheme.

Note 4. - The scheme also applies to those subscribers to the funds who are transferred to an autonomous organisation consequent upon conversion of a Government Department into such a body and who, on such transfer, opt in terms of option given to them to subscribe to the Fund in accordance with these rules.

Note 5:-(a) In case of a Government servant who has been admitted to the benefits of the fund under Rule 26 or 27 but died before completion of three years of service or as the case may be, five years of service from the date of his admission to the Fund, the period of his service under the previous employer in respect whereof the amount of his subscription and the employer's contribution, if any, together with interest have been recovered, shall count for the purpose of clause (a) and clause (c) of this rule.

- (b) In case of persons appointed on tenure basis and in the case of re-employed pensioners, service rendered from the date of such appointment on re-employment, as the case may be, only will count for the purposes of this rule.

- (c) The scheme does not apply to persons appointed on contract basis.

Note 6:-The Budget Estimates of expenditure in respect of this scheme will be prepared by the Accounts Officer responsible for maintenance of the account of the Fund having regard to the trend of expenditure, in the same manner as estimates are prepared for other retirement benefits.

25. Manner of payment of amount in the Fund:-(1) When the amount standing to the credit of a subscriber in the Funds become payable, it shall be the duty of the Accounts Officer to make payment on receipt of a written application in this behalf as provided in sub-rule (3).

(2) If the person whom, under these rules, any amount of policy is to be paid, assigned or reassigned or delivered; is a lunatic for whose estate a manager has been appointed in this behalf under the Lunacy Act, 1912 (4 of 1912), the

payment or reassignment or delivery shall be made to such manager and not to the lunatic:

Provided that where no manager has been appointed and the person to whom the sum is payable is certified by a magistrate to be lunatic, the payment shall under the orders of the Collector be made in terms of sub-section (1) of section 93 of the Lunacy Act, 1912 (4 of 1912), to the person having charge of such lunatic and the Accounts Officer shall pay only the amount which he thinks fit to the person having charge of the lunatic and the surplus, if any, or such part thereof, as he thinks fit shall be paid for the maintenance of such members of the lunatic's family as are dependent on him for maintenance.

(3) Payment of the amount to be withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive payment in India. The following procedure shall be adopted for claiming payment by a subscriber, namely:—

- (i) to enable a subscriber to submit an application for withdrawal of the amount in the Fund, the Head of Office shall send to every subscriber necessary Forms either one year in advance of the date on which the subscriber attains the age of superannuation, or before the date of his anticipated retirement if earlier, with instructions that they should be returned to him duly completed within a period of one month from the date of receipt of the forms by the subscriber. The subscriber shall submit the application to the Accounts Officer through the Head of Office or Department for payment of the amount in the Fund. The application shall be made:—
 - (a) for the amount standing to his credit in the Fund as indicated in the Accounts Statements for the year ending one year prior to the date of his superannuation, or his anticipated date of retirement, or
 - (b) for the amount indicated in his ledger account in case of the Accounts Statement has not been received by the subscriber.
- (ii) the Head of Office or Department shall forward the application to the Accounts Officer indicating the recoveries effected against the advances which are still current and the number of instalments yet to be recovered and also indicate the withdrawals, if any, taken by the subscriber after the period covered by the last statement or the subscriber's accounts sent by the Accounts Officer.
- (iii) The Accounts Officer shall, after verification with the ledger account, issue an authority for the amount indicated in the application at least a month before the date of superannuation but payable on the date of superannuation.
- (iv) The authority mentioned in clause (iii) will constitute the first instalment of payment. A second authority for payment will be issued as soon as possible after superannuation. This will relate to the contribution made by the subscriber subsequent to the amount mentioned in the application submitted under clause (i) plus the refund of instalments against advances which were current at the time of the first application.
- (v) after forwarding the application for final payment to the Accounts Officer, advance/withdrawal may be sanctioned but the amount of advance/withdrawal shall be drawn on an

authorisation from the Accounts Officer concerned who shall arrange this as soon as formal sanction of sanctioning authority is received by him.

Note:-When the amount standing to the credit of a subscriber has become payable under Rules 20, 21 and 22 the Accounts Officer shall authorise prompt payment of the amount in the manner indicated in sub-rule (3).

26. Procedure on transfer of a Government servant from one Department to another:-(a) If a Government servant who is a subscriber to any other non-contributory Provident Fund of the Central Government or of a State Government is permanently transferred to pensionable service in a Department of the Central Government in which he is governed by these rules, the amount of subscriptions, together with interest thereon, standing to his credit to such other Fund on the date of transfer shall be transferred to his credit in the Fund:

Provided that where a subscriber was subscribing to a non-contributory Provident Fund of a State Government the consent of that Government shall be obtained.

- (b) If a Government servant who is a subscriber to the State Railways Provident Fund or any other contributory Provident Fund of the Central Government or a State Contributory Provident Fund is permanently transferred to pensionable service in a Department of Central Government in which he is governed by these rules and unless such a subscriber elects to continue to be governed by the rules of such Fund, when the rules option is given:—
- (i) the amount of subscriptions with interest thereon, standing to his credit in such Contributory Provident Fund on the date of transfer shall with the consent of the other Government, if any, be transferred to his credit in the Fund;
 - (ii) the amount of Government contributions, with interest thereon, standing to his credit in such contributory Provident Fund shall, with the consent of the other Government, if any, be credited to the Central Revenue (Civil);
 - (iii) he shall thereupon be entitled to count towards pension, service rendered prior to the date of permanent transfer, to the extent permissible under the relevant pension rules.

Note 1:-The provisions of this rule does not apply to a subscriber who has retired from service, or to a subscriber who was holding the former appointment on contract.

Note 2:-The provisions of this rule shall, however apply to persons, who are appointed without break whether temporarily or permanently to a post carrying the benefits of these rules after resignation or retirement from service under another Department of Central Government or under the State Government.

27. Procedure on transfer:-On transfer to Government service of a person from the service under a body corporate owned or controlled by Government or an autonomous organisation, registered under the Societies Registration Act, 1860. If a Government servant admitted to the benefit of the Fund was subscriber to any Provident Fund of a body corporate owned or controlled by Government or an autonomous organisation, registered under the Societies Registration Act, 1860, the amount of his subscriptions and the employer's contribution, if any, together with the interest thereon shall be transferred to his credit in the Fund with the consent of that body.

28. Transfer of amount to the Contributory Provident Fund (India):-If a subscriber to the Fund is subsequently admitted to the benefits of the Contributory Provident Fund (India) the amount of his subscriptions, together with interest therein, shall be transferred to the credit of his account in the Contributory Provident Fund (India).

Note:-The provisions of this rule do not apply to a subscriber who is appointed on contract or who has retired from service and is subsequently re-employed with or without a break in service in another post carrying Contributory Provident Fund benefits.

29. Relaxation of the provisions of the rules in individual cases:-When the Standing Committee is satisfied that the operation of any of these rules causes or is likely to cause undue hardship to a subscriber, it may, notwithstanding anything contained in these rules after recording its reasons for so doing deal with the case of such subscriber in such manner as may appear to it to be just and equitable.

30. Number of account to be quoted at the time of the payment of subscription:-When paying a subscription in India, either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the Fund which shall be communicated to him by the Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Accounts Officer.

31. Annual statement of account to be supplied to subscriber:-(1) As soon as possible after the close of each year, the Accounts Officer shall send to each subscriber a statement of his account in the Fund showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st March of the year and closing balance on that date. The Accounts Officer shall attach to the statement of accounts an enquiry whether the subscriber—

- (a) desires to make any alteration in any nomination made under Rule 7; or under the corresponding rule heretofore in force.
- (b) has acquired a family, in cases where the subscriber has made no nomination in favour of a member of his family under the proviso to sub-rule (1) of Rule 7.

(2) Subscribers should satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Accounts Officer within three months from the date of receipt of the Statement.

(3) The Accounts Officer shall, if required by a subscriber, once but not more than once in a year inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

32. Interpretation:-If any question arises relating to interpretation of these rules, it shall be referred to the Central Government, the Ministry of Labour shall decide the same.

**SCHEDULE I
[SEE RULE 7(3)]
FORM OF NOMINATION**

Account No.

I,hereby nominate the person(s) mentioned below who is/are member(s) of my family as defined in Rule 2 to receive the amount that may stand to my credit in the Fund as indicated below, in the event

of my death before that amount has become payable or having become payable has not been paid.

FORM OF NOMINATION

1. Name and full address of the nominee(s)
2. Relationship with the subscriber
3. Age of the nominee(s)
4. Share payable to each nominee
5. Contingencies on the happening of which the nomination will become invalid
6. Name, address & relationship of the person(s) if any to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber
7. If the nominee is not a member of the family as defined indicate the reasons

Dated thisday of.....20.....at.....

Signature of subscriber.....
Name in block letters.....

Two witnesses to signature

Signature

1. Signature.....
- Name & address.....
2. Signature.....
- Name & address.....

1.
2.

(Reverse of The Form)

SPACE FOR USE BY THE HEAD OF OFFICE/PAY AND ACCOUNTS OFFICE

Nomination by Shri/Smt/KumariDesignation

Date of receipt of nomination

Signature of Head of Office/Accounts Officer
Designation
Date

INSTRUCTIONS FOR THE SUBSCRIBER

- (a) Your name may be filled in.
- (b) Name of the Fund may be completed suitably.
- (c) Definition of term "family" as given in the General Provident Funds (CS) Rules, 1960 is reproduced below :

Family means :—

- (i) in the case of a male subscriber, the wife or wives, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parent of the subscriber is alive, a paternal grandparent :

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently intimates in writing to the Accounts Officer that she shall continue to be so regarded.

- (ii) In the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased

son's widow and children and where no parent of the subscriber is alive, a paternal grandparent :

Provided that if a subscriber by notice in writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently cancelled such notice in writing.

Note.—Child means legitimate child and includes an adopted child where adoption is recognised by the personal law governing the subscriber.

- (d) Column 4 If only one person is nominated the words "in full" should be written against the nominee. If more than one person is nominated, the share payable to each nominee over the whole amount of the Provident Fund shall be specified.
- (e) Column 5 Death of nominee(s) should not be mentioned as contingency in this column.
- (f) Column 6 Do not mention your name.
- (g) Draw a line across the blank space below last entry to prevent insertion of any name after you have signed.

SCHEDULE II

[SEE RULE 14(3) AND 17(1)]

APPLICATION FOR ADVANCE/WITHDRAWAL FROM GENERAL PROVIDENT FUND

1. Name of the subscriber
2. Account Number
3. Designation
4. (1) Pay Rs.
- (2) Monthly subscription Rs.
5. In case of withdrawal
 - (i) Date of Birth.....
 - (ii) Date of appointment
 - (iii) Date of superannuation

Balance at credit of the subscriber on the date of application as below :—

 - (i) Closing balance as per statement for the year 20.....Rs.
 - (ii) Credit from.....to.....on account of monthly subscription Rs.....
 - (iii) Refund Rs.....
 - (iv) Withdrawals during the period fromto.....Rs.
 - (v) Net balance at credit Rs.
6. Amount of advance outstanding, if any, and the purpose for which advance was taken by them :—
 - Amount of advance taken Rs.
 - Balance outstanding as on date Rs.....
7. Amount of advance required Rs.
8. (a) Purpose for which the advance is required
- (b) Rules under which the request is covered.....
- (c) If advance is sought for House Building, etc. following information may be given:—
 - (1) Location and measurement of the plot
 - (2) Whether plot is freehold or on lease.
 - (3) Plan for construction
 - (4) If the flat or plot being purchased is from a H.B. Society, the name of the Society, the location and measurements, etc.

- (5) Cost of construction
- (6) If the purchase of flat is from DDA or any Housing Board, etc. the location, dimension, etc. may be given..
- (d) If advance is required for education of children, following details may be given:—
 - (1) Name of the son/daughter.
 - (2) Class and Institution/College where studying..
 - (3) Whether a day-scholar or a hosteler.
- (e) If advance is required for treatment of ailing family members, following details may be given:—
 - (1) Name of the patient and relationship.
 - (2) Name of the Hospital/Dispensary/Doctor where the patient is undergoing treatment.....
 - (3) Whether outdoor/indoor patient..
 - (4) Whether reimbursement available or not.

Note.—In case of advance under 8(c) to 8(e), no certificate or documentary evidence would be required.

9. Amount of the consolidated advance (Items 6 and 7) and number of monthly instalments in which the consolidated advance is proposed to be repaid Rs. in instalments.

10. Full particulars of the pecuniary circumstances of the subscriber, justifying the application for the advance.

I certify that the particulars given above are correct and complete to the best of my knowledge and belief and that nothing has been concealed by me.

Signature of Applicant
 Name
 Designation
 Section/Branch

Dated :

Recommendation/Remarks of the Competent Authority
 Signature
 Designation

Dated:

THE OTHER BENEFICIARIES AND MEMBERS OF THEIR FAMILIES MEDICAL FACILITIES SCHEME, 2008

G.S.R 558(E), dated 28th July 2008 – In exercise of the powers conferred by Section 73-B read with Section 73-D of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following scheme, namely –

1. Short title and commencement – (i) This scheme may be called The Other Beneficiaries and Members of their Families Medical Facilities Scheme, 2008.

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

2. Application – This scheme shall apply only to the persons registered under the Rashtriya Swasthaya Bima Yojana and members of their families.

3. Definitions – In this scheme, unless the context otherwise requires,-

- (a) "Act" means the Employees' State Insurance Corporation Act, 1948 (34 of 1948);
- (b) "Corporation" means the Employees' State Insurance Corporation;
- (c) "person" means a person registered under the Rashtriya Swasthaya Bima Yojana and members of their families;
- (d) all other words and expressions used and not defined in this scheme shall have the meanings respectively assigned to them in the Act.

4. Registration – A person desirous of availing medical treatment and attendance under the scheme shall be required to:

- (a) fill a registration form containing such particulars in respect of him and members of his family as may be specified by the Corporation;
- (b) produce the Identity Card issues to him under the Rashtriya Swasthaya Bima Yojana.

5. Benefits – Persons registered under this scheme shall be provided medical treatment and attendance from the underutilized Employees' State Insurance Hospitals.

6. User Charges – (1) Persons availing medical treatment and attendance under this Scheme shall be required to pay user charges at such rates as may be notified by the Corporation in consultation with the Central Government.

(2) The user charges collected under sub-paragraph (1) shall be deemed to be contribution and shall form part of the Employees' State Insurance Fund.

7. Maintenance of Register and Records – The concerned hospitals shall maintain separate register and record of the persons availing medical treatment and attendance under this scheme and user charges collected from them.

8. Power to remove difficulties – If any difficulty arises in giving effect to the provisions of this scheme, the Central Government may, by order published

in the Official Gazette, make such provisions or give such direction, as appears to it to be necessary or expedient for removing difficulty.
