

EMPLOYEES' STATE INSURANCE CORPORATION
'PANCHDEEP BHAWAN':C.I.G. MARG: NEW DELHI

No. P-11/14/4/2009-Bft.II

Date:-21.10.2010

To

All Regional Directors/Directors/Jt. Directors(I/c)
Regional/Sub-Regional/Divisional Offices
E.S.I. Corporation

Sub: - Delegation of Power to Regional Directors/Directors/Joint Directors(I/c) to relax the provision of Regulation 12 & 14 of ESI(Genl.) Regulations, 1950 – regarding.

Madam/Sir,

Kind attention of Regional Directors/Directors/Joint Directors (I/c) is invited to this office instruction issued vide this office letter of even number dated 29.09.2009 regarding timely submission of declaration forms in respect of employees joining insurable employment and consequential clarifications thereon issued on 23.12.2009 authorizing Regional Directors/Directors/Joint Directors (I/c) to accept, after thorough examination, Declaration Forms submitted by employer in respect of employee who sustains employment injury resulting in death/Temporary Disablement of the insured persons if the Declaration Form is duly signed by the deceased and submitted by employer within prescribed time limit.

Instances have come to Hqrs. notice that insured persons and their dependants' are deprived of benefits due to non-submission of Declaration Forms in time or submission without signature or thumb impression of coverable workers after fatal accident takes place. In this regard references are also being received in Hqrs. Office from filed offices for decision/guidance. Such references are being placed before Director General for relaxation of relevant regulations as the power to relax the provisions of any regulations is vested with Director General under Regulation 100 of ESI (Genl.) Regulations, 1950.

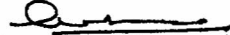
In order to avoid delay in the delivery of benefits and inconvenience to insured persons and their dependants', Director General exercising his power under Sub-Rule 2 of Rule 16 of ESI Central Rules, 1950 read with resolution passed by Standing Committee of Corporation in its meeting held in the year 1968 has been pleased to delegate his power

to Regional Directors/Directors/Joint Directors(I/c) of Regional/Sub-Regional Offices to relax the provisions of Regulations 12 & 14 for accepting Declaration Forms, if they are satisfied that Declaration Forms in respect of employee(s) of the factory/establishment who are/were clearly coverable under ESI Act are not submitted in time or submitted without signature/thumb impression is due to negligence/delay on part of employers, with the rider to use the provision of Section 68 of ESI Act, 1948 to recover the amount from the Principal Employer or Immediate Employer, as the case may be, besides prosecution action for non-submission of Declaration Form/non-compliance of relevant provision(s) of the Act.

This issues with approval of the Director General.

Hindi version will follow.

Yours faithfully


(Pranava Kumar)
Assistant Director(B)

Copy to:-

1. All Branches of Hqrs. Office
2. JD(OL) for translation
- ✓ 3. JD(System) for uploading the same on esic website
4. Zonal Training Officers/Zonal Vigilance Officers
5. Guard File


Assistant Director(B)