

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

No. N-12/13/2003-Bft.II

Date: 16/06/2010

All Regional Directors/Directors/Jt. Directors I/c
SSMCs/SMCs/MSs,
Regional/Sub-Regional/Divisional Offices,
ESI Hospitals,
ESI Corporation

Sub: - Amendments in the Employees' State Insurance Act, 1948 vide Employees' State Insurance (Amendment) Act, 2010.

Sir/Madam,

Vide Employees' State Insurance (Amendment) Act, 2010 published in the Gazette of India, Extraordinary Part II Section-1 dated May 25, 2010 following amendments have been made in the ESI Act in regard to provisions relating to exemption of factories or establishments.

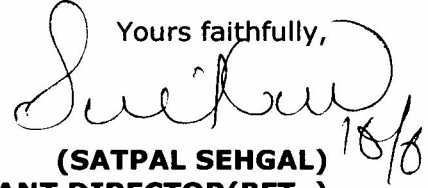
1. In Section 87 of the Act, the following provisos have been inserted at the end, namely:-
"Provided that such exemptions may be granted only if the employees in such factories or establishments are otherwise in receipt of benefits substantially similar or superior to the benefits provided under this Act:
Provided further that an application for renewal shall be made three months before the date of expiry of the exemption period and a decision on the same shall be taken by the appropriate Government within two months of receipt of such application".
2. In Section 91A of the Act, for the words "either prospectively or retrospectively", the word "prospectively" have been substituted.
3. Further, Section 91AA has been introduced which reads as under:-

"91AA. Notwithstanding anything contained in this Act, in respect of establishments located in the States where medical benefit is provided by the Corporation, the Central Government shall be the appropriate Government".

The above amendments are effective from **01.06.2010**.

You are requested that while giving your comments to respective State Government for exemption of a factory or establishment the above provisions may be kept in view. The Regional Director/Jt. Directors i/c is also requested to forward a copy of exemption notification, if any, issued by the State Govt. to this office for information and record.

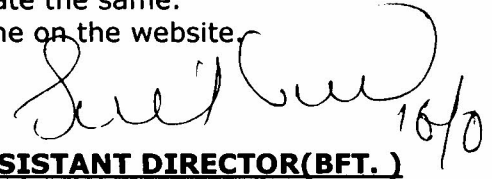
Yours faithfully,



(SATPAL SEHGAL)
ASSISTANT DIRECTOR(BFT.)

Copy to :

1. PS to DG/FC/IC/MC/CVO/AC(P&A)
2. All Officers of Hqrs. Office.
3. All Branches of Hqrs. Office.
4. Jt. Director, Official Language with a request to translate the same.
- ✓ 5. Jt. Director (System) with a request to upload the same on the website.



ASSISTANT DIRECTOR(BFT.)