



EMPLOYEES STATE INSURANCE CORPORATION

PANCHDEEP BHAWAN, C.I.G ROAD,

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*E-mailed
on 25/11/10*

S no 6 (7)

No. T-11/14/Misc/2/2009-Rev-II

Dated : 22/11/10

To
All the Regional Director/Director Incharge/Jt Director Incharge
ESI Corporation
Regional Office/Sub-Regional Office/Divisional Office

**Sub : Enhancement of compounding fees for withdrawal of cases under
section 138 of N.I. Act**

Sir,

I am directed to draw your attention to the instructions issued by this office vide No. T-11/14/32/4/2002-Ins-IV dated 6th March 2003 whereby the powers have been delegated to RDs and JD Incharges to withdraw the criminal cases u/s 138 of N.I subject to the payment of total amount in the bounced cheque alongwith an additional liquidated compounding fee of Rs 2000/- or the actual fee that we are required to pay to our advocate, whichever is higher.

The existing rate of compounding fee has been reviewed in the light of rise in the price-index over the years and it has been decided, after obtaining the concurrence of Finance & Accounts, Hqrs, to enhance the **compounding fee from Rs. 2000/- to Rs. 5000/- or the actual fee that we are required to pay to our advocate whichever is higher** for withdrawing the criminal cases against the employer, only for the first offense.

All RDs/JD Incharges are requested to withdraw the case u/s 138 of N.I. Act on the lines of above instructions.

The other contents of the circular dated 6th March,2003 shall remain unchanged.

This issues with the approval of Insurance Commissioner.

Yours faithfully,

**(ARUN KUMAR)
DIRECTOR (REV)**

Copy to :

1. Officers of Hqrs
2. PA/PS to DG/FC/MC/IC/CVO
3. System Division for posting in ESIC Website
4. RD, Gujarat – w.r.t their letter no. G/legal/CRC/Misc/2003/L dated 8/21-12-09 for information and necessary action