

Employees State Insurance (ESI) Scheme

ESI NORMS

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Employees State Insurance (ESI) Scheme

Objectives:

Will be aware of the **rules and regulations** to be followed by the Employer while enrolling the employees into ESI scheme

Will be aware of the **penalties and the punishment** that the employer will face in case of failure

Employees State Insurance (ESI) Scheme

Introduction - All about the ESI ACT

- ❖ The E.S.I. Act (Employees State Insurance) passed in 1948 (amended in 1975, 1984, 1989 and 2010, 2016, 2017)
- ❖ Is an important measure of social security and health insurance in this country.
- ❖ It provides for certain cash and medical benefits to industrial employees in case of sickness, maternity and employment injury.
- ❖ The act extends to the whole of India.

Employees State Insurance (ESI) Scheme

APPLICABILITY

- ❖ The ESI Act of 1948
 - Covered all power using factories that employed 10 or more employees.

- ❖ The provisions of ESI Amendment Act of 1975 were gradually extended to the following:
 - Smaller power using factories with 10 – 19 persons
 - Non - power factories with 20 or more persons
 - Shops
 - Hotels and Restaurants

Employees State Insurance (ESI) Scheme

APPLICABILITY

- Cinema theatres
- Newspaper establishments
- Road motor transport employing 20 or more persons

State government may cover other establishments in consultation with the ESI corporation and with approval of the central government.

Employees State Insurance (ESI) Scheme

Coverage & Contribution

❖ According to The ESI (Central) Amendment Rules, 2016

Salary eligibility : wage limit for ESI subscribers was raised from Rs 15,000/- to Rs. 21,000/- per month.

Contribution : Employer's is 4.75% of the wages and that of employee's 1.75% .

Employees State Insurance (ESI) Scheme

DEFINITIONS

Employee:

- ❖ Employee refers to any **person employed on wages** in connection with the work of a factory or establishment to which this act applies.
- Includes **technical, manual, clerical and supervisory** functions.
- No distinction between **casual and temporary** employees or
- **Technical and non – technical** or
- those who work on **time – rate or piece – rate**.
- Does not include service organisations : **naval, military or air force** personnel.

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Employees State Insurance (ESI) Scheme

DEFINITIONS

Wages

- ❖ Means all remuneration paid in cash, including payment in period of leave, lockout or strike which is not illegal.

- ❖ Does not include:
 - Contribution paid to the provident fund or pension fund.
 - Travelling allowance.
 - Sum paid to defray special expenses.
 - Gratuity payable on discharge.

Employees State Insurance (ESI) Scheme

REGISTRATION PROCESS

- ❖ **Registration** of a factory / establishment with the Employees' State Insurance Corporation (ESI) is a **statutory responsibility** of the employer under **section 2-a and 10-b**.
- ❖ **Declaration** of registration in **form 01** to be furnished to the appropriate regional office **within 15** days of the act becoming applicable.
- ❖ Employer should get the **declaration form filled** in by every employee covered under the scheme along with a copy of his/her Adhar card with registered mobile number and the family Photo covering the spouse, children and the dependents (employee's parents)



EMPLOYEES' STATE INSURANCE CORPORATION

e-Pehchan Card

Insured Person : **Girija**
Insurance No. : **5607172610**
Date of Registration : **14/02/2018**

In case Aadhaar Number is not entered, this is valid upto
date: **15/03/2018** only

YOUR REGISTRATION DETAILS

Employee Name:	Girija	Type of Disability :	None
Name of Father / Husband:	KATHIRESAN	Date of Birth :	17/02/1997
Marital Status :	Unmarried	Gender :	Female
Present Address :	6/220,AVINASHIAPPAN, BANGALOW THOTTAM,,POST OFFICE OPP, AVINASHI,,Dist:Tiruppur,Tamilnadu,641654	Permanent Address :	6/220,AVINASHIAPPAN, BANGALOW THOTTAM,,POST OFFICE OPP, AVINASHI,,Dist:Tiruppur,Tamilnadu,6416 54
Aadhaar Number :	314618317041	Aadhaar Status :	Unverified
Dispensary / IMP for IP :	Avinashipalayam, TN (ESIS Disp.)	Dispensary / IMP for Family:	Avinashipalayam, TN (ESIS Disp.)
Current Employer Details		First Employer Details	
Employer's Code No. :	56001121480001401	Employer's Code No. :	None
Sub Unit's Code No. :	56561121480011401	Sub Unit's Code No. :	None
Date of Appointment :	01/01/2018	First Insurance No. :	None
Name of Employer :	THE EYE FOUNDATION LTD, Harvey Road,Tirupur,641602,Dist:TiruppurTamilnad u641602	Name of Employer :	None
Address of Employer :		Address of Employer :	None

Family Details:

Name	Relationship with the Employee	Date of Birth	Whether Residing with Insured Person	State	District	Aadhaar	Aadhaar Status
—	—	—	—	—	—	—	—

Nominee Details:

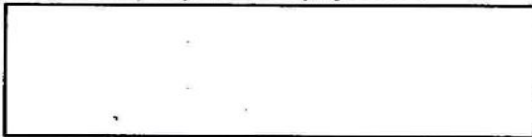
Name of Nominee	Relationship with IP	Percentage	Address of Nominee	Aadhaar	Aadhaar Status
KATHIRESAN	Dependant father	100	6/220,AVINASHIAPPAN,,BANGA LOW THOTTAM,POST OFFICE (OPP),,AVINASHI, TIRUPUR - 641654,TamilnaduDist:Tiruppur	NA	NA

Employees State Insurance (ESI) Scheme

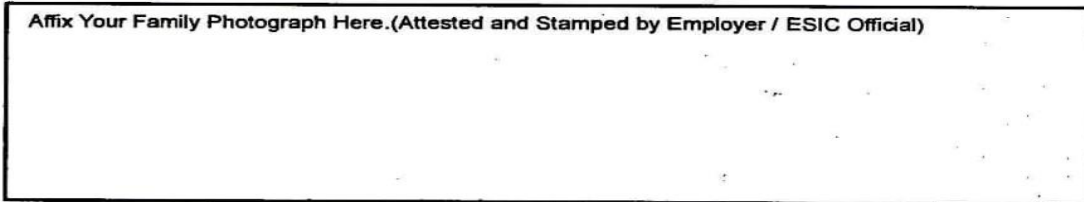
Documents Uploaded:

none

Signature / LTI of Registered Employee / IP :



Affix Your Family Photograph Here.(Attested and Stamped by Employer / ESIC Official)



Mobile Number :

NOTE:

1. Please keep this printout for future reference and bring this along with your Photo ID for all your Claim Benefits and Medical Benefits.
2. Employer to please affix employee and his family photo here and attest with official stamp across .

Signature / Stamp of ESIC Officer / Employer

Employees State Insurance (ESI) Scheme

H.P. Cal.-6/92/1,00,000

ESIC-MED-7B

MEDICAL ACCEPTANCE CARD

Full Name GIRIJA

Father or Husband's Name KATHIRESAN

Factory Name THE EYE FOUNDATION LTD,

Present Residential address

6/220, AVINASHIAPPAN, BANGALOW THOTTAM,, POST OFFICE OPP, AVINASHI,, Dist: Tiruppur, Tai

Ins. No./

Ref. No.

5607172610

Employees State Insurance (ESI) Scheme

EMPLOYEES' STATE INSURANCE CORPORATION

I apply to be included in the list of Dr.....
I declare that I am not already in the list of a doctor in this or any other area.

Date.....

Signature or thumb impression of
Insured Person

To be completed by Doctor:

Doctor's Code No.	
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I accept this person for inclusion in my list

Date:

Signature of the Doctor.

Employees State Insurance (ESI) Scheme

Employees' State Insurance Corporation is a premier organization providing Social Security to workforce in the form of Medical and Cash Benefits in the contingencies of Sickness, Maternity, Disablement or death due to employment injury.

Sl.No	Benefits	Entitlement	Duration	Rate of Benefit
1	Medical Benefit	One should be an insured person	From day one of entering into insurable employment to till date in insurable employment and during the corresponding benefit period.	Reasonable medical care, Super Speciality treatment, comprehensive medical care & clinical investigation as per eligibility
2(a)	Sickness Benefit	78 days in relevant Contribution Period	Up to 91 days in two consecutive Benefit Period	70% of average Daily wages
2(b)	Enhanced Sickness Benefit	78 days in one Contribution Period	7 days/ 14 days for male/female insured person respectively for undergoing sterilization operation	100% of average Daily wages
3	Extended Sickness Benefit	156 days in 4 consecutive Contribution Period	124 to 309 days may be extended to 730 days in case of specified long term diseases	80% of average Daily wages
4(a)	Temporary Disablement Benefit	From day one of entering Insurable employment	As long as temporary disablement lasts	90% of average Daily wages
4(b)	Permanent Disablement Benefit	From day one of entering Insurable employment	For whole life	Depending upon loss of earning capacity of Insured
5	Dependents Benefit	From day one of entering Insurable employment	Paid to the dependents of the Insured Person. Who dies as a result of employment injury, in manner as detailed in Rule 58	90% of average Daily wages. Shareable in fixed proportion.
6	Maternity Benefit	70 days in immediately preceding 1 or 2 consecutive Contribution Periods	26 weeks in case of normal delivery for 1st two surviving child thereafter 12 weeks. 6 weeks in case of miscarriage. 12 weeks for commissioning/adopting mother.	100% of average Daily wages
7	Rajiv Gandhi Shramik Kalyana Yojana	Insurable employment for the last 2 years with 78 days contribution paid/ payable in each Contribution Period. Involuntary Unemployment due to closure of factory, retrenchment or permanent disablement due to non-employment injury>40%	For a maximum period of 24 months. Vocational training of up to 1 year for upgrading skill of Insured Persons receiving unemployment allowance.	I. Unemployment allowance at the rates of <ol style="list-style-type: none"> i. 50% of last avg. daily wages - 0 to 12 Months. ii. 25% of last avg. daily wages - 13 to 24 Months 2. Medical care for self and family during receipt of unemployment allowance.
8	Funeral Expenses	From day one of entering Insurable employment	For defraying expenses on funeral of an Insured Person	Actual expenses subject to a maximum of Rs. 10000/-
9	Confinement expenses	No condition other than insurable employment.	Up to two confinements	Rs. 5000/- per case of confinement to an Insured Women or an Insured person in respect of his wife in case facilities for confinement are not available in ESI institutions.
10	Medical Care to retired Insured Persons	Superannuated/permanently retired/retired under VRS /Pre-mature retirement/ permanently retired due to employment injury after being in insurable employment for 5 years/spouses of such deceased Insured Persons/spouses receiving Dependent Benefit.	On yearly basis.	Medical facility within ESIC on payment of Rs. 120/- for self

For detailed information on benefits you are requested to visit website www.esic.nic.in or call toll free number 1800112526

Employees State Insurance (ESI) Scheme

Protection

- ❖ An employer cannot dismiss or punish an employee under treatment /receipt of any benefit / absent from work due to illness and the notice of dismissal is invalid.
- ❖ However, the employer can discharge or punish the employee if :
- ❖ He has received temporary disablement benefit and remained
- ❖ absent for 6 months or more.

Employees State Insurance (ESI) Scheme

Protection

- ❖ Is under treatment for sickness other than TB or arising out of pregnancy and remained absent for 6 months or more.
- ❖ Is under medical treatment for TB or a malignant disease and has remained absent continuously for 18 months or more.

Employees State Insurance (ESI) Scheme

Miscellaneous

- ❖ Cash benefits payable under the ESI Act are **not liable to sale** in execution of any court decree or order.
- ❖ Right to receive benefits is **not transferable**.
- ❖ Disputes to be decided by the **Employees' Insurance Court (EIC)** and not by a civil court.
- ❖ **Appeals to the high court only by an order of the EIC** on a question of law.

Employees State Insurance (ESI) Scheme

BENEFITS AVAILABLE TO INSURED EMPLOYEE

The following benefits are provided to the insured persons or their dependents.

- ❖ Sickness benefits
- ❖ Mental Illness: (It even covers the siblings other than the dependents if they have no body in the family to take care of them on the discretion of the ESI doctor.)
- ❖ Maternity benefits
- ❖ Disablement benefits
- ❖ Dependents benefits
- ❖ Medical benefits
- ❖ Funeral expenses

Employees State Insurance (ESI) Scheme

Offences and penalties

- ❖ In this case any **false statement or false representation**, shall be punishable with fine up to Rs.2000/- or with both.

In case of **dismisses, discharges, reduces or otherwise punishes an employee**, shall be punishable with imprisonment up to one year or with fine up to Rs.4000 or with both.

Employees State Insurance (ESI) Scheme

OBLIGATION OF THE EMPLOYERS

- ❖ Grant leave to insured employees on the basis of **sickness certificates** issued by any authorized **ESI doctor**. Authorise their leave as and when needed.
- ❖ Maternity leave period is **extended from 3 months to 6 months**. Employers have to educate their employees about these provisions and claims have to be signed and leave particulars have to be authorised by the HR department.

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THANK YOU

