

No. R-15506/2007 (33-36806-101)

Dated :- 31/03/00

To

M/s. Allied Resources Management Services India Pvt Ltd.
 Office No.24, Tata Motors Rd., Rachana Indl. Complex, Bhosari
 Pune-411 026. (Y D Shinde/R Y Shinde/ P Y Shine)
 (Phone No. : 020-27123272)

Subject:- Implementation of the E.S.I. Act, 1948, (as amended)
 Registration of factories/establishments coverable
 under the Act.

Sir,

I have to inform you that u/s. 1(3) of the E.S.I. Act, 1948, the Central Govt. vide Notification No. N 15/13/9/5/90 P&D dated 09/01/91 has made the provisions of the Act applicable to all the factories coverable u/s 2(12) of the Act, within the area specified in the notification w.e.f. 01/01/91.

I have further to inform you that the appropriate government has extended the provisions of the Act, to other establishments u/s 1(5) of the Act w.e.f. 27/11/76 vide Notification No. ESI-1875/800/ PH-15 dated 19/11/76.

I have also to inform you that by virtue of proviso to sec 1(5) of the Act which was brought into force with effect from 16/05/90 vide Notification No. S-38012/6/89-SSI dated 16/05/90, the provisions of the Act, stand extended with effect from 01/01/91 to the following class of establishments, namely i) Hotels, ii) Shops, iii) Road Motor Transport Establishments, iv) Cinemas including Preview Theatres, v) Newspaper Establishments as defined in section 2(d) of Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955, located within the areas specified in the Notification No. N/15/13/9/5/90 P&D dated 09/01/91 as the appropriate government has already extended the provisions of the Act, u/s. 1(5) to the above class of establishments vide Notification No. ESI-1875/800/PH-15 dated 19/11/76.

Under section 2-A of the Act such establishment to which the Act is applicable is required to register itself under the Act, and Chapter IV thereof casts a responsibility on the principal employer thereof to insure its employees and to pay contribution in respect of such employees covered under the Act.

On the basis of the particulars in respect of your establishment submitted by you, your establishment falls within the purview of sec. 1(5) of the E.S.I. Act, 1948 w.e.f. 16/01/09 (Prov.). In case, however, subsequent facts reveal that your establishment was coverable from a date prior to the date mentioned above you shall be liable to comply with the provisions of the Act from such earlier date.

You are requested to take immediate steps for :

1. Registration of your employees (whose wages excluding remuneration for overtime are Rs.10000/- or below per month) under the Act by filling in and submitting Declaration Forms alongwith the photographs of employees and their family members within 10 days of the receipt of this letter to Branch Office Bhosari.
2. Payment of contribution and submission of Returns.
3. Maintenance of all the relevant records as per the provisions of the Act and the Regulations framed thereunder, from the date of coverage of your establishment under the Act.

For the sake of convenience, your establishment has been allotted the Code No.33-36806-101, which may be used in all communications sent to this office and all forms at the places indicated for the purpose.

You are attached to Branch Office Bhosari of the Corporation situated at 690, Pune-Nashik Road, Bhosari 411 026.

The Branch Office Manager has been instructed to render necessary assistance to you in connection with the registration of your employees etc. In case you find any difficulty or for any other purpose which may be necessary in connection with the scheme, you are requested to contact the Manager of the above Branch Office who will render necessary help in the matter.

Correspondence with this office in future may please be addressed to the Director(Ins.V), ESI Corporation, Panchdeep Bhavan, Bibvewadi, Pune 37.

The branches of State Bank of India, as specified in the list enclosed are authorised to receive the payment of contributions and other dues payable, in any of the branches specified in the list, through challans, which will be available free of cost with the Branch Office Manager.

It is requested that publicity may kindly be given to enable your employees to choose their panel doctor / ESI dispensary, and the required forms may please be collected from the above Branch Office to which your employees will also be attached. To facilitate this, a list of area-wise IMPs/Dispensaries of Pune area is also enclosed.

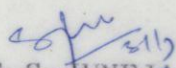
Rule 51 of the ESI (Central) Rules, 1950 has been amended w.e.f. 01/10/04 which provides for rounding both the employer's contribution and employees contribution to the next higher rupee in each respect of each employee. You are, therefore, requested to pay monthly contributions as per the amended provisions of Rule 51.

Regulation 10-C has been inserted in the ESI (General) Regulations, 1950, w.e.f. 01/01/2005 which provides that the employer in respect of a factory or establishment to which this Act applies shall furnish to the appropriate Regional/Sub Regional/Divisional Office by 31st of January every year, a return in form 01-A. You are requested to submit the said return in form 01-A every year so as to reach this office before 31st January of each year. A copy of form 01-A is enclosed. You are requested to submit the said return for the current year to this office immediately.

The Corporation officials would be pleased to render all necessary and possible assistance to you in discharging your duties and obligations under the E.S.I. Act 1948, and I am confident of prompt and timely compliance with the provisions of the Act and the Regulations on your part.

Yours faithfully,

Encl:- As above.


(S.S. JUNEJA)
DEPUTY DIRECTOR

PRINCIPAL EMPLOYERS ARE NOT ABSOLVED OF THEIR LIABILITY U/S.40(1) AND 41 OF THE E.S.I. ACT, 1948, IN RESPECT OF EMPLOYEES ENGAGED THROUGH A CONTRACTOR WITH OR WITHOUT ESI CODE NUMBER.