



मुख्यालय
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No. T-11/12/38/2017-Legal-Part(1)

To,

All Regional Directors/ Directors/Joint Director/DD-In Charge of ROs/SROs
All Medical Superintendents, ESIC Hospitals
All Deans, ESIC Medical Colleges,

Sub:- Transfer of cases/ Entry of new cases under Sub Category of cases identified under case category of Labour Matters and Criminal Matter in r/o ESIC.

Sir,

Please refer to the training session (online) held on 02.05.2024 regarding the LIMBS Portal at Hqrs. office. Many references were made by the field offices regarding limited options available on LIMBS Portal in Sub-Category of cases identified under the case category of Labour Matters and Criminal Matters in respect of ESIC. Now the following changes have been made in LIMBS Portal :-

1. LABOUR MATTERS:- Earlier there was a sub-category of EMPLOYEES' STATE INSURANCE ACT, in this case category. Most of the cases (approximately 16500) pertaining to ESIC were entered on LIMBS Portal in the combination of LABOUR MATTERS - EMPLOYEES' STATE INSURANCE ACT.
 - The sub-category of EMPLOYEES' STATE INSURANCE ACT has been removed from the LIMBS Portal and replaced with two new sub-categories of ESI ACT BENEFIT and ESI ACT REVEUNE.
 - All the cases which were earlier entered in the sub-category of EMPLOYEES STATE INSURANCE ACT have now been transferred to the sub-category of ESI ACT REVENUE.

Thus, there is a need of correct categorization of the cases which are currently reported under sub-category of ESI ACT REVENUE.

2. CRIMINAL MATTERS:- A new sub-category of ESI ACT OTHER

OFFENCES has been added under this case category.

The list of existing sub-categories currently being used by ESIC under the case category of CRIMINAL MATTERS is as under:

- i. NON PAYMENT OF CONTRIBUTION
 - ii. NON PRODUCTION OF RECORDS
 - iii. NEGOTIABLE INSTRUMENT ACT
 - iv. CRIMINAL MATTERS
 - v. BAIL/INTERIM BAIL/ANTICIPATORY BAIL/SENTENCES
 - vi. COMPLAINANT/APPEAL/REVISION AGAINST ACQUITTAL
 - vii. QUASHING OF CRIMINAL PROCEEDINGS
 - viii. CODE FOR CRIMINAL PROCEDURE
3. In view of the above and for better categorization of pending court cases to generate useful insights, following SOP has to be followed by all the field offices of ESIC:-
- i. All the prosecution cases which are currently in case category- sub-category combination of LABOUR MATTERS –ESI ACT REVENUE have to be moved in the case category of CRIMINAL MATTERS against the relevant sub-category(refer to point iv below).
 - ii. All the benefit related cases which are currently in case category- sub-category combination of LABOUR MATTERS –ESI ACT REVENUE has to be moved in the case category- sub-category combination of LABOUR MATTERS –ESI ACT BENEFIT.
 - iii. The case category- sub-category combination of LABOUR MATTERS –ESI ACT REVENUE must contain only those cases which pertain to revenue matters (such as those pending in EI Courts or where appeal in Higher Judicial Forums has been filed by either Parties and is pending).
 - iv. All the prosecution cases (Pending in any court/Judicial Forum) have to be entered in the case category of CRIMINAL MATTERS in the following manner-
 - All section 85(a) cases are to be entered in the sub-category of NON PAYMENT OF CONTRIBUTION.
 - All section 85(e) cases are to be entered in the sub-category of NON PRODUCTION OF RECORDS.
 - All other offences which are mentioned in ESI ACT 1948 for which prosecution case is filed are to be entered in the sub-category of ESI ACT OTHER OFFENCES.
 - All the cases which are filed for violation of provision of Negotiable Instrument Act, 1881 has to be entered in the sub-category of NEGOTIABLE

INSTRUMENT ACT.

- v. All the cases entered under sub-categories of CRIMINAL MATTERS, BAIL/ INTERIM BAIL/ ANTICIPATORY BAIL/ SENTENCES, COMPLAINANT/ APPEAL / REVISION AGAINST ACQUITTAL, QUASHING OF CRIMINAL PROCEEDINGS and CODE FOR CRIMINAL PROCEDURE needs to be re-categorized in accordance with procedure mentioned at point no. iv, above.
 - vi. Cases entered in the category of CIVIL MATTERS needs to be examined and they are to be moved in categories of LABOUR MATTERS/CRIMINAL MATTERS/SERVICE MATTERS in relevant sub-categories.
4. At the time of entering new cases on LIMBS Portal or at the time of editing details of cases already entered on LIMBS Portal, it must be ensured that the field of “subject matter/description of case” should not be filled in mechanical manner and it should contain a brief description of the case.

This exercise should be completed before 29.07.2024 and compliance of the same has to be submitted to Hqrs. office by the Head of the Office certifying that action has been completed by his unit.

This issue with the approval of the Insurance Commissioner (Legal).

Yours sincerely,

Shreyas Singh
Deputy Director (Legal)

Copy to:

- 1. IC (Benefit & Revenue)**
- 2. IC (NTA)**