

[To be published in the Gazette of India, Part 2, Section 3, Sub-Section(i)]

Government of India/Bharat Sarkar  
Ministry of Labour & Employment

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New Delhi, dated 29/11/2010

### NOTIFICATION

G.S.R. --- The following draft of certain rules further to amend the Employees' State Insurance (Central) Rules, 1950, which the Central Government, after consultation with the Employees' State Insurance Corporation, proposes to make in exercise of the powers conferred by section 95 of the Employees' State Insurance Act, 1948 (34 of 1948), is hereby published as required by sub-section (1) of the said section, for information of all persons likely to be affected thereby, and notice is hereby given that the said draft rules will be taken into consideration after the expiry of a period of thirty days from the date on which copies of the Gazette of India in which this notification is published, are made available to the public;

Objection or suggestions, which may be received from any person in respect of the said draft rules within the period specified above, will be considered by the Central Government;

The objections and suggestions, if any, may be addressed to Shri S.D. Xavier, Under Secretary, Ministry of Labour and Employment, Government of India, Shram Shakti Bhavan, Rafi Marg, New Delhi-110001 (e-mail:sd.xavier(@)nic.in).

### DRAFT RULES

1. (1) These rules may be called the Employees' State Insurance (Central) (Fourth Amendment) Rules, 2010.

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. In the Employees' State Insurance (Central) Rules, 1950 (hereafter referred to as the principal rules), in rule 58, in sub-rule (1), in clause (A),--

(i) in sub-clause (b), for the words "eighteen years", the words "twenty-five years" shall be substituted;

(ii) in sub-clause (c):--

(A) the words "until she attains the age of eighteen years or until marriage, whichever is earlier" shall be omitted;

(B) for the first proviso, the following proviso shall be substituted namely:-

"Provided that in the case of legitimate or adopted unmarried daughter who is infirm and is wholly dependent on the earnings of the insured person at the time of his death, dependent's benefit shall continue to be paid while the family lasts."

3. In the principal rules, in rule 59, for the words "five thousand rupees", the words "ten thousand rupees" shall be substituted.
4. In the principal rules, in rule 61,--
  - (i) in the opening portion, for the words "on attaining the age of superannuation", the words "on attaining the age superannuation, who retires under a Voluntary Retirement Scheme or takes premature retirement" shall be substituted;
  - (ii) in term (i), after the words "proof of his superannuation", the words "or retirement under a Voluntary Retirement Scheme or as the case may be, premature retirement" shall be inserted.
5. In the principal rules, after rule 61, the following rule shall be inserted, namely:-

"61A. Income limit of dependent parents for eligibility to medical benefit.—  
The income of dependent parents for eligibility to medical benefit under sub-clause (v) of clause (11) of section 2 from all sources shall not exceed five thousand rupees in a month."

[No.S-38012/3/2010-SS-I]

*S. D. Xavier*  
(S. D. Xavier)

Under Secretary to the Government of India

To  
The Manager,  
Govt. of India Press,  
Mayapuri, Ring Road,  
New Delhi.

Note.---The principal rules were published in the Gazette of India, Part II, Section 3, Sub-section (i) vide notification number S.R.O.212, dated the 22<sup>nd</sup> June, 1950 and last amended vide notification number G.S.R.115, dated the 17<sup>th</sup> July, 2010

[To be published in the Gazette of India.  
Part II. Section 3. Sub-Section (ii)]

GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi: Dated: 29.11.2010

NOTIFICATION

S.O.- In exercise of the powers conferred by Sub-section (5) of section 1 of the Employees' State Insurance Act, 1948(34 of 1948), the Central Government, in consultation with the Corporation, hereby gives notice of its intention to extend the provisions of the said Act to the classes of establishments specified in the schedule annexed hereto, after the expiry of a period of one month from the date on which the copies of the Gazette in which this notification is published, are made available to the public;

Any objection or suggestion, which may be received from any person in respect of the said notification within the period specified above, will be considered by the Central Government:

The objections and suggestions may be addressed to Shri S.D. Xavier, Under Secretary, Ministry of Labour and Employment, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001.

SCHEDULE

Description of establishments	Areas in which the establishments are situated
(1)	(2)
The following establishments wherein ten or more persons are employed, or were employed on any day of the preceding twelve months, namely:- (i) shops; (ii) hotels;	All areas in the National Capital Territory of Delhi where provisions of the Employees' State Insurance Act, 1948, is in force.

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|---|--|
| (iii) restaurants;  |  |
| (iv) road motor transport establishments;   |  |
| (v) cinemas including preview theatres;   |  |
| (vi) newspaper establishments as defined in section 2(d) of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955).          |  |
| (vii) educational institutions (including Public, private, aided or partially aided) run by an individual, trust, society or other organisation;                          |  |
| (viii) medical institutions (including corporate, joint sector, trust, charitable and private ownership hospitals, nursing homes, diagnostic centres, pathological labs). |  |

(No. S- 38025/23/10-SSI)

*S. D. Xavier*  
(S.D. XAVIER)

UNDER SECRETARY

To

The Manager,

Govt. of India Press,

Mayapuri, Ring Road,

NEW DELHI.

[To be published in the Gazette of India, Part II, Section 3, Sub-Section (i)]

GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi: Dated: 29.11.2010

NOTIFICATION

G.S.R.- Whereas certain draft rules further to amend the Employees' State Insurance (Central) Rules, 1950, were published as required under sub-section (1) of section 95 of the Employees' State Insurance Act, 1948 (34 of 1948), in the notification of the Government of India in the Ministry of Labour and Employment number G.S.R. 745(E), dated the 9<sup>th</sup> September, 2010, in the Gazette of India, Part II, Section 3, Sub-section (i), dated the 9<sup>th</sup> September, 2010 for inviting objections and suggestions from all persons likely to be affected thereby till the expiry of the period of thirty days from the date on which the copies of the Gazette of India in which the said notification was published, were made available to the public;

And whereas, the copies of the said Gazette were made available to the public on the 9<sup>th</sup> September, 2010;

And whereas no objection or suggestion has been received from any person in this regard;

Now, therefore, in exercise of the powers conferred by section 95 of the Employees' State Insurance Act, 1948, the Central Government, after consultation with Employees' State Insurance Corporation, hereby makes the following rules further to amend the Employees' State Insurance (Central) Rules, 1950, namely:-

1. (1) These Rules may be called the Employees' State Insurance (Central) Third Amendment Rules, 2010.  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Employees' State Insurance (Central) Rules, 1950, in rule 5, in sub-rule (1),-
  - (i) in clause(i),-

- (a) In item (A), for the words "rupees fifty for each day on which he attends one or more meetings", the words "rupees one hundred and fifty for each day for travel within the city" shall be substituted;
- (b) In item (B), in sub-item (a), the word and brackets "(Tourist)" shall be omitted:
- (ii) in clause (ii), for item (B), the following item shall be substituted, namely:-  
"(B) A non-official member, not residing at the place where a meeting is held shall be paid, Rs. 1500 per day if member stays in a hotel and, not exceeding Rs.200 per day as expenses towards food:

Provided that the daily allowances shall be calculated for the entire absence from the normal place of residence of the non-official member on calendar day basis ;  
i.e.,

Midnight to midnight as under:

For absence not exceeding 6 hours .....Nil

For absence exceeding 6 hours but not exceeding 12 hours ....70%

For absence exceeding 12 hours .....100%

[F. No. S-38012/02/2010—SS-I]

  
(S.K. DEV VERMAN,)

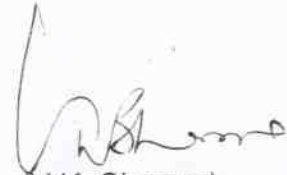
Joint Secretary to the Government of India

The Manager,  
Government of India Press,  
Mayapuri, Ring Road, New Delhi

Note :- The principal rules were published in the Gazette of India, Part II, Section 3, Sub-section (i) vide notification number S.R.O. 212, dated the 22<sup>nd</sup> June, 1950 and last amended vide notification number G.S.R. 115, dated the 17<sup>th</sup> July, 2010.

Copy forwarded for information to:

1. The Director General, ESI Corporation, New Delhi.
2. The Employers/Employees Organisation, New Delhi.
3. Guard file.



(V.K. Sharma)  
Section Officer