



कर्मचारी राज्य बीमा निगम
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)
EMPLOYEES' STATE INSURANCE CORPORATION
(Ministry of Labour & Employment, Govt. of India)



मुख्यालय
Headquarters
पंचदीप भवन सी०आई०जी रोड, नई दिल्ली-110002
PANCHDEEP BHAWAN, C.I.G. MARG, NEW DELHI-110 002
Phone: 011-23604700 Email: dir-gen@esic.nic.in
Website: www.esic.nic.in / www.esic.in

No. P-11/14/19/Misc/02/2022-Rev. II

Dated: 21.11.2022

To

All RDs/Directors (I/c)/JDs (I/c)/DD (I/c)

All ROs/SROs

Sub: Online registration through MCA Portal and inspection of the units - regarding.

Sir,

It has been brought to the notice from various Regional Offices/Sub Regional Offices that the inspection of units which have been registered through MCA portal with zero no. of employees are being generated through Shram Suvidha Portal and the SSO after checking the records are reporting that such units are not coverable as per provisions of the Act. In addition to this ROs/SROs are finding difficulty to take defaulter action against the defaulting units within the prescribed time limit.

In view of this, Competent Authority has directed that all Regions/SROs, to issue standard mass mails to MCA registered units for starting the compliance of various provisions of ESI Act from the date of reaching the threshold limit of employees. In case, the companies registered through MCA portal are found not coverable as per the Statutory Provisions of the ESI Act, they need not make compliance for next 6 months or till they reach the threshold of ESIC coverage, whichever is earlier. If the company does not reach the threshold in six months, it has to login on the ESIC website to further extend the 'dormant' mode. In case, it does not extend the same, the registration will automatically activate and company has to start compliance under ESIC Act (copy of the note attached for ready reference). If it is not followed by the respective employers, necessary actions under the existing provisions of ESI Act may be taken against the defaulting units. Further, ROs/SROs are requested to inform this office about total no. of units registered through MCA portal having employees less than threshold limit or zero no. of employees for the coverage under ESIC Schemes as on 31.10.2022.

This issues with the approval of Insurance Commissioner(Revenue).

Encl: As above

Yours faithfully,


(Niraj Kumar)

Asstt. Director(Revenue)

Copy to:

Website Content Manager with the request to upload the letter on website of ESIC.


Asstt Director(Revenue)

Note for PR Branch

Following changes have been made in the Registration/Insurance module to avoid unnecessary defaulter action on the newly registered companies through AGILE (MCA platform). Corporation is in the process of adopting mandatory registration of 'Public Ltd, Pvt Ltd, and one man company through AGILE only and option for their registration at Shram Suvidha Portal (SSP) has been discontinued, once option of mandatory registration through AGILE becomes operational. MCA has informed that the registration would be mandatory for new companies under the MCA through AGILE, irrespective of whether these companies are coverable under ESI Act or not. Therefore, as these companies would not be filing requisite returns/challans on making payments since the ESI Act, would not be applicable to these units. In order to avoid unnecessary defaulter action till the companies become coverable under ESI Act, following changes have been made in the system

Identify companies registered through MCA (The System is already identifying them separately). Initially the registration will be in 'active' mode and companies can immediately start compliance. Companies can make the registration number dormant by logging in the system in case they are not immediately coverable under ESI act to avoid defaulter action, in one go maximum period it can choose is six months. company has to login on the ESIC website to further extend the 'dormant' mode after expiry of the above period. In case company does not extend the dormant mode the registration it will automatically activate again and company has to start compliance/file returns under ESIC Act, defaulter action will also get activated.

The Screen which will appear at the time of initial login, employer will have to tick appropriate box option 1 will appear only on the first login.

1. Company has not reached threshold limit for compliance under ESI Act. kindly allow relaxation from filing the monthly return of contribution for the following period from [] to []
2. Kindly extend the relaxation for filing of the return of contribution for the following period from [] to [] .as the company has not reached threshold limit for compliance under ESI Act.

in the above case the to date will be editable and employer can extend the dormant status of the filing of registration (at one go maximum relaxation will be of 180 days)

Apart from above following message has been displayed in the ESIC website for the awareness of the employers.

Registration of new Public, private Limited Companies and One Person Company has been stopped on Shram Suvidha portal (SSP) from 15.02.2020. These Companies may visit the website of MCA (www.mca.gov.in) for registration under EPFO/ESIC through Spice+ ..In case you are not coverable as per the statutory provisions of ESI Act, you need not make compliance for next 6 months or till you reach the threshold of ESIC coverage whichever is earlier. The same can be extended by visiting ESIC website. For details please login to www.esic.in.

PR branch is requested to give wide publicity to these changes for awareness of the new companies.