

Finin2min

[Labour Publication Series](#)

Labour & Manpower Law Publication Series

Part 3 - Benefits and certification

ESI Regulations and Benefits | Statutory text/source record, practical procedure, controls, remedies and Q&A.

Review date: 2026-07-18 Authors: CA Nikhil Gupta & Kajri Singh Source modules:

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ESI Regulations and Benefits Benefits and certification four-step compliance flowchart

Finin2min decision flow — identify the law, complete the statutory process and preserve evidence.

Source protocol. Retained provision/rule pages and official documents are consolidated below. The signed Gazette and current authority portal prevail over normalised formatting.

Decision flow

Coverage→Statutory trigger→Procedure/form→Evidence→Remedy/appeal

Official source

[Open current official source](#)

Finin2min Summary - Chapter in 2 Minutes

This chapter turns benefits and certification into an operational control file. It covers Contributions Compliance, Dependants Benefit, Disablement Medical Board, Disputes Esi Court; the practical sequence is to classify coverage and event date, apply the provision and mapped Rule, complete the form/register, calculate the entitlement or exposure, and retain evidence for inspection, claim or appeal.

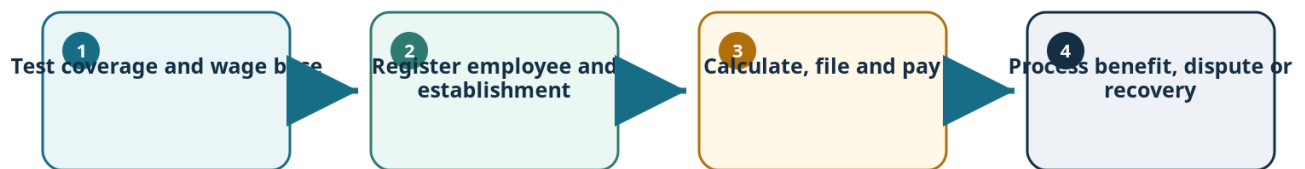
Who is covered

Factories and establishments, insured persons, employers, dependants and ESIC authorities must identify coverage, wage/contribution periods and benefit eligibility.

Part 3 - Benefits and certification

FININ2MIN LEGAL FLOW

ESI Regulations and Benefits — Benefits and certification



Law → trigger → procedure → evidence. Confirm the operative Central/State instrument on the event date.

Use this flow with the chapter provision map, implementation controls, evidence checklist, limitation/forum review and remedy framework. Confirm the operative Central and State instruments on the event date.

Part 3 - Benefits and certification

Finin2min implementation explanation

Maintain a controlled implementation file for Part 3 - Benefits and certification: coverage and event date, operative Central/State instrument, responsible owner, approval and authority, form/portal step, due date, calculation basis, supporting evidence, exception, escalation and closure proof. Reconcile payroll, HR, finance, contractor and legal records before sign-off.

Practical example

A benefit claim spans contribution and benefit periods. Build a date table linking insurable employment, contributions, certification and the claimed benefit; do not assume recent payment cures an earlier eligibility gap.

Calculation / control template

Control calculation: verified population or transaction base $\times$ applicable notified rate/amount $\times$ eligible period, adjusted for statutory inclusions, exclusions, ceilings, interest, compensation and prior payments. Reperform the calculation from retained source data.

Current-law control: verify the operative Central/State instrument, notification, form, portal and binding judgment on the event date. Numerical amounts in examples are illustrative unless expressly sourced.

Main obligations and rights

- Contributions Compliance
- Dependants Benefit
- Disablement Medical Board
- Disputes Esi Court
- Funeral Expenses
- Insurance Registration

Key thresholds and timelines

- Use only the threshold, rate and limitation period effective on the event date; verify the Central/State instrument before acting.

Forms, registers and evidence

- Register
- Return
- Nomination
- Retain classification, calculation, approval, communication, acknowledgement and payment/filing proof.

Employer risk snapshot

Highest practical risks: coverage, contribution, accident reporting, certification or benefit-period errors.

Employee/worker remedy snapshot

Core protection: medical and cash benefits, employment-injury protection and access to ESIC/Employees Insurance Court remedies. Confirm the authority, limitation and appeal route stated in this chapter.

Old law / transition

Apply the instrument effective on the event date and preserve any accrued right, saved notification, pending proceeding or scheme-specific transition.

Five-point professional checklist

1. Freeze the event date, establishment, location and person/worker classification.
2. Identify the controlling section/paragraph, mapped Rule, notification and appropriate Government.

3. Reperform the calculation or decision test and document every exception or approval.
4. Complete the prescribed form/register/portal step and retain acknowledgement, payment and communication evidence.
5. Record the remedy, forum, limitation, appeal path and State variation before sign-off.

Finin2min takeaway: for benefits and certification, the defensible answer is not a policy label - it is the event-date law, the mapped procedure, the calculation and a complete evidence trail.

[Download one-page Finin2min cheat sheet](#)

Contributions Compliance

Contributions, contractor reconciliation and recovery — ESIC Detailed Guide | Finin2min Labour ESIC › Contributions, contractor reconciliation and recovery ESIC implementation journey Contributions, contractor reconciliation and recovery Current Code, 2026 Central Rules, saved regulation controls, evidence and remedies. Code sections 29, 31, 42, 47, 127, 128, 129 Central Rules 19, 53 Saved regulations Review 2026-07-17 Decision path Step 1 Wage And Coverage Calculation Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 2 Principal/Immediate-Employer Reconciliation Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 3 Due-Date And Payment Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 4 Interest, Damages And Recovery Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Implementation controls Lock the insured-person, employer and event identifiers before computation or claim. Separate current Code/Rule law from saved 1950 procedure and later ESIC directions. Reconcile payroll/contractor, medical, family and contribution data according to the benefit. Preserve submission, deficiency, decision, payment, review and appeal timestamps. Restrict medical/dependant data access and retain a reasoned exception trail. Current Code and Rules Code section 29 Current provision Code section 31 Current provision Code section 42 Current provision Code section 47 Current provision Code section 127 Current provision Code section 128 Current provision Code section 129 Current provision Central Rule 19 2026 Rule Central Rule 53 2026 Rule Saved operational regulations Regulation 26 Return of contributions to appropriate office Regulation 29 Payment of contribution Regulation 31 Time for payment of contribution Regulation 31A Interest on contribution due but not paid in time Regulation 31B Recovery of interest Regulation 31C Damages for contribution or other amount not paid in time Regulation 32 Register of employees engaged by immediate employer

Regulation 36 Employment for part of a wage period Regulation 38 Scheme by joint employers Regulation 39 Reckoning wages where employee works for two or more employers in same wage period Regulation 40 Refund of contribution erroneously paid

Finin2min implementation decode

A multi-location employer prepares a legal classification memo, identifies the appropriate Government, maps the operative provision and Rule, records the decision owner and retains the documents needed to prove compliance during inspection or litigation.

- Identify actor, trigger, threshold and territorial authority.
- Map form, record, portal, fee and due date.
- Separate substantive entitlement from procedure, remedy and penal consequence.
- Retain the official instrument and event-date evidence.

Dependants Benefit

Dependants' benefit — ESIC Detailed Guide | Finin2min Labour ESIC ›
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Disablement Medical Board

Employment injury, disablement and Medical Boards — ESIC Detailed Guide | Finin2min Labour ESIC › Employment injury, disablement and Medical Boards ESIC implementation journey Employment injury, disablement and Medical Boards Current Code, 2026 Central Rules, saved regulation controls, evidence and remedies. Code sections 32, 34, 35, 36, 37 Central Rules 22, 23, 24 Saved regulations Review 2026-07-17 Decision path Step 1 Accident Reporting Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 2 Employment Nexus Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 3 Medical Board Assessment Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 4 Appeal And Commutation Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Implementation controls Lock the insured-person, employer and event identifiers before computation or claim. Separate current Code/Rule law from saved 1950 procedure and later ESIC directions. Reconcile payroll/contractor, medical, family and contribution data according to the benefit. Preserve submission, deficiency, decision, payment, review and appeal timestamps. Restrict medical/dependant data access and retain a reasoned exception trail. Current Code and Rules Code section 32 Current provision Code section 34 Current provision Code section 35 Current provision Code section 36 Current provision Code section 37 Current provision Central Rule 22 2026 Rule

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Disputes Esi Court

Medical appeals, ESI Court and High Court — ESIC Detailed Guide | Finin2min
 Labour ESIC › Medical appeals, ESI Court and High Court ESIC implementation
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Funeral expenses — ESIC Detailed Guide | Finin2min Labour ESIC › Funeral expenses ESIC implementation journey Funeral expenses Current Code, 2026 Central Rules, saved regulation controls, evidence and remedies. Code sections Central Rules 21, 22 Saved regulations Review 2026-07-17 Decision path Step 1 Death Evidence Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 2 Claimant/Expenditure Proof Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 3 Current Benefit Limit Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 4 Claim And Payment Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Implementation controls Lock the insured-person, employer and event identifiers before computation or claim. Separate current Code/Rule law from saved 1950 procedure and later ESIC directions. Reconcile payroll/contractor, medical, family and contribution data according to the benefit. Preserve submission, deficiency, decision, payment,

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Insurance, registration and identity — ESIC Detailed Guide | Finin2min Labour
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Maternity Benefit

Maternity benefit — ESIC Detailed Guide | Finin2min Labour ESIC › Maternity benefit ESIC implementation journey Maternity benefit Current Code, 2026 Central Rules, saved regulation controls, evidence and remedies. Code sections 32, 39, 41 Central Rules 22, 25 Saved regulations Review 2026-07-17 Decision path Step 1 Pregnancy/Confinement Event Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 2 Medical Evidence Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 3 Claim Timing Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 4 Payment And Disqualification Controls Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Implementation controls Lock the insured-person, employer and event identifiers before computation or claim. Separate current Code/Rule law from saved 1950 procedure and later ESIC directions. Reconcile payroll/contractor, medical, family and contribution data according to the benefit. Preserve submission, deficiency, decision, payment, review and appeal timestamps. Restrict medical/dependant data access and retain a reasoned exception trail. Current Code and Rules Code section 32 Current provision Code section 39 Current provision Code section 41 Current provision Central Rule 22 2026 Rule Central Rule 25 2026 Rule Saved operational regulations Regulation 87 Notice of pregnancy Regulation 88 Claim for maternity benefit commencing before confinement Regulation 89 Claim for maternity benefit after confinement or miscarriage Regulation 89A Claim after death of insured woman leaving behind child Regulation 89B Claim for maternity benefit for sickness arising from pregnancy, confinement, premature birth or miscarriage Regulation 90 Other evidence in lieu of certificate Regulation 91 Notice of work for

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Medical Benefit

Medical benefit and treatment administration — ESIC Detailed Guide | Finin2min
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- Identify actor, trigger, threshold and territorial authority.
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- Retain the official instrument and event-date evidence.

Sickness Benefit

Sickness benefit and medical certification — ESIC Detailed Guide | Finin2min
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Forms, records, portal and due-date control

Control	Evidence
Coverage and registration	Entity, location, headcount/category, registration number and portal acknowledgement.
Recurring compliance	Attendance/service, wage/benefit calculation, return/register, payment and employee communication.
Event compliance	Complaint, injury, termination, nomination, claim, inspection or dispute file with limitation diary.

Employer, employee and professional checklists

Employer

- Assign responsible officer and backup.
- Configure HRIS/payroll/portal controls.
- Complete statutory communication and retain proof.

Employee/worker

- Retain contract, identity, attendance, payment and correspondence.
- Use the prescribed complaint/claim route within limitation.

Professional

- Confirm current text, Rules, notification and State variation.
- Reconcile calculation, form, authority, remedy and evidence.

Penalties, remedies, appeals and limitation

Create a remedy matrix rather than one combined conclusion: entitlement or arrears; interest/damages; administrative order; civil penalty; prosecution; compounding; company/officer liability; claim forum; appeal; writ/judicial review; and event-date limitation.

Case-law principles

Decision	Current-use principle
ESIC v. Ramanuja Match Industries	Coverage provisions receive a beneficial construction, but statutory thresholds and factual control remain essential.
Royal Talkies v. ESIC	Employees connected with establishment operations may be covered despite contractual arrangements, depending on the statutory control test.

State variation alert

Verify the appropriate Government and final State instrument. State forms, authorities, fees, rates and portal routes must be maintained in the location compliance register.

Finin2min Q&A

Which law and version should be applied?

Use the current text of ESI Regulations and Benefits, the commencement notification, the applicable Central or State Rules and any later instrument effective on the event date.

How is the appropriate Government identified?

Classify ownership/control, sector, establishment and contractor relationship before selecting the Central or State authority.

Can a company policy override the statutory protection?

No. A policy may improve a benefit or control, but it cannot contract out of a mandatory statutory floor.

What evidence should be retained?

Retain the classification memo, source instrument, form/portal record, calculation, approval, employee communication, acknowledgement and payment or authority proof.

Do the Central Rules apply to every establishment?

No. They govern the Central sphere. State Rules and State notifications must be checked where the State is the appropriate Government.

How should a historical event be tested?

Apply the law and subordinate instrument effective on the event date, then use the repeal-and-savings provision for pending rights and proceedings.

What happens when portal practice conflicts with the statute?

Record the conflict, follow the higher legal instrument, seek authority clarification where necessary and preserve screenshots and correspondence.

Can criminal and monetary consequences arise together?

They may. Separate wages/benefits, interest, damages, civil penalty, prosecution, compounding and director/officer liability.

Is a contractor arrangement enough to shift liability?

No. Principal-employer and contractor liabilities depend on the specific provision and facts; the contract should allocate evidence and recovery without diluting worker rights.

What is the first professional review step?

Freeze the event date and facts, identify the applicable provision, then map Rules, forms, notification status, authority, limitation and evidence.

What is the operational focus of section 1 - contributions-compliance?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 2 - dependants-benefit?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 3 - disablement-medical-board?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 4 - disputes-esi-court?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 5 - funeral-expenses?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 6 - index?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 7 - insurance-registration?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 8 - maternity-benefit?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

[← Previous: Wage and contribution periods](#)[Next: Employment injury and disablement →](#)

Practical transaction application

Use the chapter for coverage, registration, contribution periods, wage classification, accident reporting, sickness/maternity/disablement/dependants benefits, contractor compliance and claims management.

Authority, consent and execution controls

Map employer, principal employer, immediate employer, authorised branch officer and medical/benefit authority. Contract terms do not remove principal-employer exposure where the statute places responsibility on it.

Stamp duty and registration alerts

ESI registrations and returns are regulatory records, not substitutes for stamping of service, contractor, lease or settlement instruments under State law.

Evidence and document-retention checklist

Retain the operative law/rule version, classification note, approvals, signed instruments, statutory forms, portal acknowledgements, registers, calculations, bank proof, correspondence, inspection records, service proof, decision and appeal file. Apply the longer of the statutory retention rule, litigation hold, tax/audit need and contractual requirement; restrict access to personal and sensitive data.

Performance, delivery and payment controls

Reconcile insured-person records, contribution file, challan, bank debit, attendance, accident report, medical certificate and benefit claim. Escalate identity, wage and contribution mismatches before the benefit window closes.

Breach, loss, mitigation and remedy framework

On detecting a breach, stop continuing exposure, preserve evidence, quantify employee and government dues, identify affected persons, make lawful corrective payment/filing, notify the authorised decision-maker, assess self-disclosure or compounding where available, and reserve contractual recovery against responsible vendors without delaying statutory remediation.

Limitation and forum controls

Use the Employees' Insurance Court and statutory appeal/recovery framework where applicable. Track contribution, accident, benefit rejection and order-service dates separately.

Arbitration and mediation interface

Employer-contractor allocation may be mediated or arbitrated, but statutory contributions, employee benefits and Corporation powers remain outside private waiver.

Company, partnership, GST and tax overlays

For a company, align board/delegation and officer-in-default controls; for an LLP or partnership, identify the designated partner/partner and authorised employer representative. Labour dues can affect transaction price, indemnities, director/partner exposure and insolvency claims. Salary/TDS, perquisite, contractor TDS, GST on outsourced services and accounting provisions must be reconciled without treating tax treatment as proof of labour-law classification.

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