Finin2min
Labour Publication Series
Labour & Manpower Law Publication Series

Part 5 - Maternity and dependants benefits

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

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> ESI Regulations and Benefits Maternity and dependants benefits 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

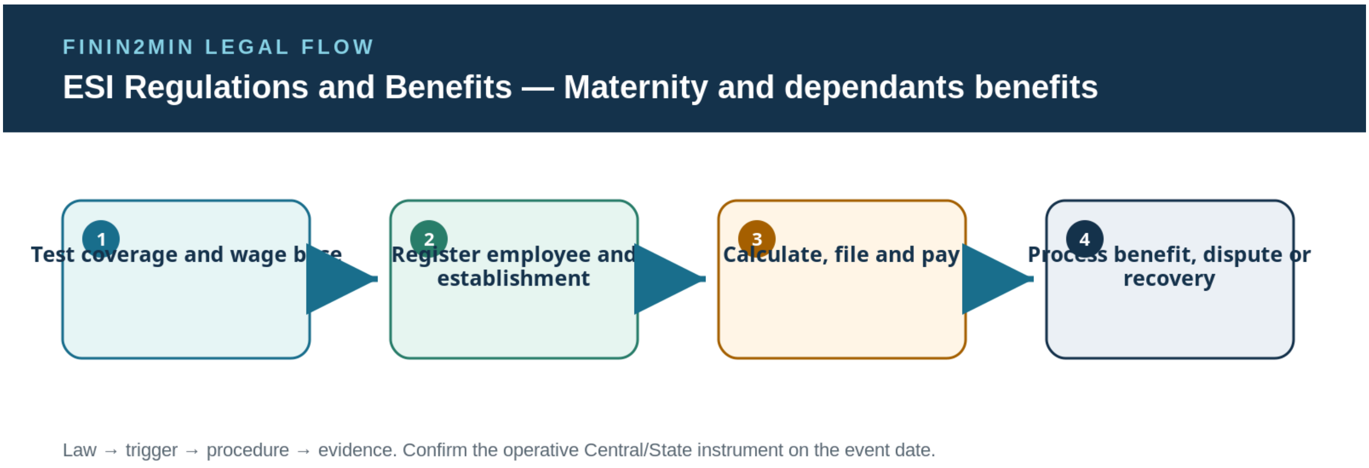
Official source

Open current official source

Finin2min Summary - Chapter in 2 Minutes

This chapter turns maternity and dependants benefits into an operational control file. It covers Dependants Benefit, Funeral Expenses, Maternity Benefit; 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.

Part 5 - Maternity and dependants benefits



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 5 - Maternity and dependants benefits

Finin2min implementation explanation

Maintain a controlled implementation file for Part 5 - Maternity and dependants benefits: 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

For maternity or dependants’ benefit, map the claimant, contribution history, qualifying condition, certification and payment period. Separate scheme entitlement from contractual employer benefits and avoid double counting.

Calculation / control template

Control calculation: verified population or transaction base × applicable notified rate/amount × 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.

Who is covered

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

Main obligations and rights

- Dependants Benefit
- Funeral Expenses
- Maternity Benefit

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: denial of protected benefit, incorrect qualifying service or adverse employment action.

Employee/worker remedy snapshot

Core protection: maternity and connected benefits, protection from prohibited dismissal and access to the competent authority. 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 maternity and dependants benefits, 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

Dependants Benefit

Dependants' benefit — ESIC Detailed Guide | Finin2min Labour ESIC › Dependants' benefit ESIC implementation journey Dependants' benefit Current Code, 2026 Central Rules, saved regulation controls, evidence and remedies. Code sections 32, 38, 41 Central Rules Saved regulations Review 2026-07-17 Decision path Step 1 Death And Employment Injury Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 2 Dependant/Guardian Status Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 3 Claim And Apportionment Identify the controlling facts, current Code/Rule requirement, saved operational detail, evidence and responsible owner. Step 4 Review And Continuing Entitlement 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 38 Current provision Code section 41 Current provision Central Rule 22 2026 Rule Saved operational regulations Regulation 77 Report of death of insured person by employment injury Regulation 78 Disposal of body of insured person dying by employment injury Regulation 79 Issue of death certificate Regulation 80 Submission of claim for dependants' benefit Regulation 81 Notice for dependants' benefit Regulation 82 Intimation of decision regarding dependants' benefit Regulation 83 Date of accrual of dependants' benefit Regulation 83A Submission of claims for dependants' benefit Regulation 84 Review of dependants' benefit Regulation 86 Appointment of another guardian Regulation 107A Declaration and certificate for person claiming dependants' benefit Regulation 107B Personal attendance of claimant for permanent disablement or dependants' benefit

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.

Funeral Expenses

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, review and appeal timestamps. Restrict medical/dependant data access and retain a reasoned exception trail. Current Code and Rules Code section 32 Current provision Central Rule 21 2026 Rule Central Rule 22 2026 Rule Saved operational regulations Regulation 95B Report of death of insured person Regulation 95C Issue of death certificate Regulation 95D Other evidence in lieu of certificate Regulation 95E Submission of claim for funeral expenses

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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.

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- Retain the official instrument and event-date evidence.

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 remuneration Regulation 92 Date of payment of maternity benefit Regulation 93 Disqualification for maternity benefit Regulation 94 Authority which may issue certificate Regulation 95 Obligations of Insurance Medical Officer

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.

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 - 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 2 - 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 3 - 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.

What is review control 14 for this chapter?

Confirm source currency, State variation, internal ownership, documentary proof and the next statutory deadline before closing the compliance ticket.

What is review control 15 for this chapter?

Confirm source currency, State variation, internal ownership, documentary proof and the next statutory deadline before closing the compliance ticket.

What is review control 16 for this chapter?

Confirm source currency, State variation, internal ownership, documentary proof and the next statutory deadline before closing the compliance ticket.

What is review control 17 for this chapter?

Confirm source currency, State variation, internal ownership, documentary proof and the next statutory deadline before closing the compliance ticket.

What is review control 18 for this chapter?

Confirm source currency, State variation, internal ownership, documentary proof and the next statutory deadline before closing the compliance ticket.

← Previous: Employment injury and disablementNext: Records, inspections, disputes and recovery →

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.