



HEAD QUARTERS OFFICE
EMPLOYEE'S STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN, CIG MARG, NEW DELHI 110002

Website: WWW.esic.in Tel. 011-23231675/10011072

No. P-12/11/11/38/2010/Rev -II

Date: 15.10.2015

To,

All Regional Director/Director I/c, Joint Director I/c
ESI Corporation, Regional/Sub Regional/Divisional Offices

Sub: **Period of Limitation for appeal u/s 45AA of the ESI Act**

Sir,

Please refer to the provisions u/s 45AA of the Act. Under this provision an employer, who is not satisfied with the order u/s 45A, can prefer an appeal before the Appellate Authority within sixty days of the date of such order. Any delay in communicating the order deprives the person concerned the actual time provided to him under the provision.

The matter has been examined. The expression "the date of such order" has to be construed as meaning the date of communication or knowledge of the order to the person concerned so that the remedy provided to a person under the law would not render the provision nugatory. The words, "the date of such order", therefore, mean and must be construed as meaning the date of communication or knowledge, actual or constructive, of the order sought to be reviewed.

The Authorized Officers passing order u/s 45A of the ESI Act are advised to ensure that the duly signed copy of the order is scanned and mailed to the registered e-mail of the employer/person(s) concerned, preferably on the day of passing such order, in addition to delivery of the order by post/other means.

This issues with the approval of the Director General.

Yours faithfully,

(KG Suresh)

Joint Director (Rev)

Copy to:

✓ WCM-for uploading on website.

वेबसाइट की विषय-सूची का प्रबन्धन.....
Website Contents Management.....
डायरी सं./Diary No. 758
दिनांक / Date 15/10/15