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|  सत्यमेव जयते |  પેટા પ્રાદેશિક કચેરી/उपक्षेत्रीयकार्यालय /Sub Regional Office કર્મચારી રાજ્ય વીમા નિગમ/कर्मचारी राज्य बीमा निगम Employees' State Insurance Corporation (શ્રમ અને રોજગાર મંત્રાલય, ભારત સરકાર) (શ્રમ एवं रोजगार मंत्रालय, भारत सरकार) (Min. of Labour & Employment, Govt. of India) |
| બીજો માળ, "સમર્થ હાઉસ", સમર્થ સર્કલ, ન્યુ પાલ લેક રોડ, પાલ, સુરત, ગુજરાત - 394510 द्वितीयतल, "समर्थ हाउस", समर्थ सर्कल, न्यू पाल लेक रोड, पाल, सुरत, गुजरात-394510 2 nd Floor, "Samarth House", Samarth Circle, New Pal Lake Road, Pal, Surat, Gujarat - 394510 ☎ (0261)-2730124/5/6/7/8/9 📧 dir-surat@esic.gov.in www.esic.gov.in; www.esic.in | |

સં. 39/S/11/14/17/2020-IC-2

દિનાક: - 30/01/2025

Public Notice

The Govt. of India, Ministry of Labour issued notification No. S-38013-33-83-HI dated 24th December 1983 appointing the 1st of January, 1984 as the date on which the provisions of the ESI Act were brought into force in the following areas in the State of Gujarat i.e. "the area comprised within the Municipal limits and Revenue limit of Navsari and within the Panchayat limit and Revenue limit of village Vejalpur and Kabilpore, District Valsad."

Further it is publicly known that as per Govt. Of Gujarat, Urban Development and Urban Housing Department notification dated 1st January, 2025, the Municipal Corporation of the city of Navsari has been constituted with administrative jurisdiction of larger urban areas (viz. areas of Navsari-Vijalpor Municipality and Gram Panchayats as specified in the Schedule appended to the ibid notification) forming the city of Navsari.

The question as to whether the areas/villages subsequently added to the municipal limits of any municipal authority shall mutatis mutandis be treated as areas notified for the purpose of implementation of the ESI Act, 1948, has been answered as per following judgment.

In this regard findings of Hon'ble High Court of Jammu & Kashmir and Ladakh in order dated 27.08.2021 against MA 362/2014 are relied upon. While deciding a similar case, Hon'ble High Court observed that "any area subsequently included within the municipal limits of the city would be deemed to have become subject to the provisions of the Act on the premise that the applicability of notification (notifying implementation of the ESI Scheme in a municipal area) would deemed to be coextensive and coterminous with the issuance of any subsequent notification by the local government, either including or excluding any area from the municipal limits of the city, as such, fresh/new notification would not be required to be issued in this regard by the Central Government under sub section (3) of Section 1 of the Act. This would also be so in view of the principle that the construction furthering the policy and object of an Act, more beneficial to the employees has to be preferred, of course without doing violence to the language used by the legislature, as also in light of settled principle that a beneficial piece of legislation has to be interpreted in such a way as to assure a benefit and not to deny the same".

In light of the above, no fresh notification is necessary in this regard. Thus, any area(s) falling within the municipal limits of Navsari shall deemed to be treated as notified for the purpose of implementation of the ESI Scheme from the date

such area(s) is declared as part of the municipal limits of Navsari by the Competent Authority. This provision shall also apply to the areas included in the municipal limits of Navsari in future.

Therefore, establishments/factories/institutions falling within the municipal limits of Navsari and coverable under the provisions of the ESI Act shall immediately get themselves registered as per already defined procedure. This office can be contacted for assistance, if any required in the matter.

(दीपक मलिक)

संयुक्त निदेशक तथा उप क्षेत्रीय कार्यालय

प्रभारी

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