



P-11/14/Amnesty Scheme/2023-Rev II

Date: 25.03.2026

To,
All Additional Commissioners/Regional Directors/SRO I/c
ESI Corporation
Regional Office/Sub-Regional Office

Sub: Clarification on The New Amnesty Scheme, 2025 -regarding

Sir /Madam,

In continuation of letter No. P-11/14/Amnesty Scheme/2023-Rev.II dated 24.07.2025, it is clarified that the provision in the Scheme stating that *"the employer shall file a petition before the Hon'ble Court and seek permission for out-of-court settlement"* is procedural in nature and requires contextual interpretation.

2. It is clarified that the *New Amnesty Scheme, 2025* is an administrative framework enabling settlement of disputes, and does not mandate obtaining prior permission of the Hon'ble Court as a pre-condition for availing the benefits of the Scheme.
3. The intent of the said clause is only that, in cases where matters are pending before any Court, the parties shall place the fact of settlement before the Hon'ble Court for:
 - a. recording of settlement, and
 - b. passing appropriate orders for disposal/withdrawal of the pending proceedings;
4. Accordingly, the expression **"seek permission"** used in Para (ii), sub para (i) of the *New Amnesty Scheme, 2025* shall be read as seeking appropriate orders for disposal of the matter, and not as a requirement of prior approval to enter into settlement.
5. This position is consistent with Section 89 of the Code of Civil Procedure, 1908, which encourages out-of-court settlements, while requiring that such settlements be brought on record before the Court for appropriate orders.
6. Further, the employers who apply pro forma for the *New Amnesty Scheme, 2025* shall undertake before ESIC that if their disputes are settled under this Amnesty scheme then they will submit an affidavit in their appeal / petition pending before the Hon'ble Court. Such an undertaking would record that their affidavit would pray the Court to unconditionally withdraw their appeal / petition in terms of the settlement.

7. Field offices shall ensure that settlements are processed strictly as per Scheme conditions and that appropriate applications/affidavits are filed before the Hon'ble Courts for closure of proceedings in terms of settlement.
8. This clarification shall not affect cases already settled under the New Amnesty Scheme, 2025.

This issues with the approval of Director General.

Yours Faithfully

(Ashish Dixit)
Asstt. Director (Revenue)