IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (L) No. 2661 of 2022

Tata Steel Limited (Earlier known as Tata Iron and Steel Company Limited), a registered company under the Indian Companies Act, 1956 having its registered office at 24, Homi Mody Street, Fort Mumbai, P.O. & P.S. & District Mumbai (Maharashtra) and having its works at Jamshedpur, P.O. & P.S. Jamshedpur, District-Singhbhum (East) through its Principal Legal namely Rajesh Kumar Jha aged about 50 years, son of Late Sri C.B Jha, resident of Sonari, P.O. Kadma and P.S Kadma, Jamshedpur, District East Singhbhum. **… … Petitioner**

-Versus-

1. State of Jharkhand through the Principal Secretary, Department of Labour, Government of Jharkhand, having its office at Shram Bhawan, Doranda, P.O. & P.S. Doranda, District Ranchi.
2. The Special Secretary, Department of Labour, Government of Jharkhand, having its office at Shram Bhawan, Doranda, P.O. & P.S. Doranda, District Ranchi.
3. Employees State Insurance Corporation through its Director, at Regional Office, Namkom, P.O. & P.S. Namkom, District Ranchi.
4. Deputy Director, Employees State Insurance Corporation, at Regional Office, Namkom, P.O. & P.S. Namkom, District Ranchi.
5. Assistant Director (Ins. IV), Employees State Insurance Corporation, at Regional Office, Namkom, P.O. & P.S. Namkom, District-Ranchi.

… … Respondents

With

W.P. (L) No. 2668 of 2022

Tata Steel Limited (Earlier known as Tata Iron and Steel Company Limited), a registered company under the Indian Companies Act, 1956 having its registered office at 24, Homi Mody Street, Fort Mumbai, P.O. & P.S. & District Mumbai (Maharashtra) and having its works at

Jamshedpur, P.O. & P.S. Jamshedpur, District-Singhbhum (East) through its Principal Legal namely Rajesh Kumar Jha aged about 50 years, son of Late Sri C.B Jha, resident of Sonari, P.O. Kadma and P.S Kadma, Jamshedpur, District East Singhbhum. **… … Petitioner**

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1. State of Jharkhand through the Principal Secretary, Department of Labour, Government of Jharkhand, having its office at Shram Bhawan, Doranda, P.O. & P.S. Doranda, District Ranchi.

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3. Employees State Insurance Corporation through its Director, at Regional Office, Namkom, P.O. & P.S. Namkom, District Ranchi.

4. Deputy Director, Employees State Insurance Corporation, at Regional Office, Namkom, P.O. & P.S. Namkom, District Ranchi.

5. Assistant Director (Ins. IV), Employees State Insurance Corporation, at Regional Office, Namkom, P.O. & P.S. Namkom, District-Ranchi.

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Indrajit Sinha, Advocate
Mr. Ankit Vishal, Advocate
For the Resp.-ESIC : Mr. Ashutosh Anand, Advocate

17/7th July 2026

1. Nobody appears on behalf of the respondent-State.

2. ***W.P. (L) No. 2661 of 2022*** has been filed for the following reliefs: -

> *"i. For the issuance of appropriate writ/order/direction from this Hon'ble Court for quashing of order dated 713-05.05.2022 contained in Memo No. 713 Ranchi, dated 06.05.2022 (Annexure-14) whereby and where under The Principal Secretary, Department of Labour, Employment and Training, Government of Jharkhand has rejected the application of the Petitioner for exemption from operation of*

Employees' State Insurance Act, 1948 for the period 08.08.2020 to 07.08.2021 i.e. year 2021;

AND/OR

ii. For the issuance of such other writ(s)/order(s)/direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case for doing conscionable justice to the petitioner."

3. ***W.P. (L) No. 2668 of 2022*** has been filed for the following reliefs: -

"i. For the issuance of appropriate writ/order/direction from this Hon'ble Court for quashing of order dated 05.05.2022 contained in Memo No. 711 Ranchi, dated 06.05.2022 (Annexure-12) whereby and where under The Principal Secretary, Department of Labour, Employment and Training, Government of Jharkhand has rejected the application of the Petitioner for exemption from operation of Employees' State Insurance Act, 1948 for the period 08.08.2021 to 07.08.2022 i.e. year 2022;

AND/OR

ii. For the issuance of such other writ(s)/order(s)/direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case for doing conscionable justice to the petitioner."

4. Learned counsel for the petitioner, in both these cases, has submitted that for all practical purposes, these writ petitions have become infructuous and the discussions with regard to the claim of exemption of the petitioner in these two writ petitions relating to the period from ***08.08.2020 to 07.08.2021*** and ***08.08.2021 to 07.08.2022*** in W.P. (L) No. 2661 of 2022 and W.P. (L) No. 2668 of 2022 respectively is academic and no demand has been raised for these periods.

5. The learned counsel has referred to the application seeking exemption in the prescribed form as annexed in the writ petition itself and has in particular referred to column no. 5 and submits that it has been clearly mentioned that no such person is working in the petitioner's company whose salary is up to Rs. 21,000/- per month and therefore there is no coverage and no employee is required to be given the benefit for this

period. The Employees State Insurance Corporation has not raised any demand for this period.

6. Column 5 of the application for exemption under the provisions of ESI Act, 1948 for the period commencing from 08.08.2019, at page no. 97 of W.P. (L) No. 2661 of 2022, is quoted as under: -

5	Total number of persons covered under the wage ceiling (upto Rs. 21,000/- p.m) of the E.S.I. Act and their percentage against the total manpower.	i) Total No. of persons within the wage ceiling up to Rs. 21,000/- p.m.-**0** ii) Percentage of employees covered under the Act against the total manpower-**0.0%.**

7. Column 5 of the application for exemption under the provisions of ESI Act, 1948 for the period commencing from 08.08.2021, at page no. 98 of W.P. (L) No. 2668 of 2022, is quoted as under: -

5	Total number of persons covered under the wage ceiling (upto Rs. 21,000/- p.m) of the E.S.I. Act and their percentage against the total manpower.	i) Total No. of persons within the wage ceiling up to Rs. 21,000/- p.m.-**0** ii) Percentage of employees covered under the Act against the total manpower-**0.0%.**

8. The learned counsel has submitted that the findings recorded with respect to claim of exemption for this period in the impugned order may not prejudice the case of the petitioner so far as other periods are concerned and since there is no demand, the writ petitions have practically become academic.

9. Learned counsel for the respondent-ESIC does not dispute the aforesaid submissions made by the learned counsel for the petitioner.

10. Considering the submissions, these writ petitions are disposed of as infructuous as admittedly no demand has been raised for the period involved in these cases.

11. It is sufficient to observe that any findings with regard to claim of exemption during these periods will have no bearing on the claim of exemption of other period which will be considered on their own merits.

12. Pending interlocutory application, if any, is dismissed as not pressed.

(Anubha Rawat Choudhary, J.)

Dated: 07.07.2026
Uploaded On: 11.07.2026
Mukul/-