

## **Jayaprada gets six-months imprisonment over ESI dues**

Actor and former MP Jayaprada, a partner of Jayaprada Cinema, was sentenced to six-months imprisonment by a Metropolitan Magistrate Court in Egmore for failing to comply with the statutory obligations of payment of contributions due to the Employees State Insurance (ESI) Corporation.

Ms. Jayaprada, her brothers Ramkumar and Raj Babu were partners of Jayaprada Cinema, which went defunct. Under Section 40 of the ESI Act, the Principal Employer should pay both the contributions - employer's share of contribution, and employees' share of contribution in respect of every employee in the first instance and the principal employer is entitled to recover from the employees, their share of contribution from their wages relating to the period in respect of which the contribution is payable.

Filing a complaint with II Metropolitan Magistrate Court against the cinema and partners, the ESI Corporation said the firm and partners failed to comply with the statutory obligations of payment of contributions due to the ESI in exercise of powers conferred under Section 45-A, determined the contribution due of ₹8,17,794 from January 1, 1991 to September 30, 2002.

T.N.C. Kaushik, standing counsel for ESI, submitted that the partners of the cinema, who were in charge and responsible for the conduct of the business at the time of the commission of offence and so were vicariously liable for the said offence. The II Metropolitan Magistrate C. Sundarapandian convicted Ms. Jayaprada and Mr. Raj Babu and sentenced them to six months imprisonment besides imposing a fine of ₹5,000. The court sentenced them to undergo six month simple imprisonment in four more cases filed ESI corporation against them for non-payment of contributions.