



ALL INDIA ESIC SC/ST OFFICERS' & EMPLOYEES' FEDERATION

PANCHDEEP BHAWAN, WING NO. 4, SHIVPURI, PREM NAGAR, DEHRADUN, U.K. – 248007

EMAIL : heera@myesic.com & mahinder@myesic.com

www.myesic.com

(Regd.No. S/27858 of 1995)

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F.No. AIESIC.SC/ST.FED/2022/002

Dated: 15th August, 22.

To,

Shri Satyajit Kumar
Dy. Director (I/c)
Regional Office
Patna, (Bihar).

Subject : **Complaint against Shri Satyajit Kumar, Dy.
Director (I/c) for harassing members of SC/ST
category officers and staff of the Region.**

Sir,

I would like to refer to subject cited above and invite your kind attention on enclosed letter of General Secretary, ESIC SC/ST Officers' & Employees' Association, Bihar Region forwarding a copy of various unlawful Memos issued by your office in the matter of transfer and posting of our Chief Executive Officer of Member Association.

The facts provided by our Chief Executive Officer of our Member Association clearly establish that you are not only actively involved in harassment of our members of Member Association but you not even hesitate in harassing our local Chief Executive Officers also. You even do not hesitate in unconstitutionally transferring and stopping payment of salary due to our members in spite of various contrary directions of our Hon'ble Minister and Headquarters which lead to impose a social or economic boycott of our member who is a person belonging to a Scheduled Caste Category.

Hence, I take this as an opportunity to give you a chance to take immediate remedial action in the matter of Complainant and Chief Executive Officer of our Member Association before taking further action in the matter.

Hoping for a judicious action in the matter.

Yours faithfully,

(Heera Singh)
Secretary General

Enclosed: IV enclosures.

एसिक एस.सी./एस.टी. ऑफिसर्स एवं इम्प्लॉईज एसोसिएशन ESIC SC/ST OFFICERS & EMPLOYEES ASSOCIATION

पंचदीप भवन, जे० एल० नेहरू मार्ग, पटना (बिहार)
PANCHDEEP BHAWAN, J.L. NEHRU MARG, PATNA (BIHAR)
Affiliation to the all India ESIC SC/ST Officers & Employees Federation
(Regn. No. - 27858)

20/SC/ST/1/2022

21.20.04.22

सेवा में

महानिदेशक महोदय,
(स्थापना शाखा-1),
कर्मचारी राज्य बीमा निगम,
मुख्यालय,
नई दिल्ली।

विषय: श्री सत्यजीत कुमार, उप निदेशक, प्रभारी (बिहार) के द्वारा अनु.जाति/जन जाती संवर्ग से सम्बंधित कर्मचारियों / अधिकारियों के साथ पक्षपातपूर्ण कार्रवाई करने के सम्बन्ध में।
महोदय,

उपर्युक्त विषय के सन्दर्भ में सूचित करना कि बिहार क्षेत्रीय कार्यालय के प्रभारी द्वारा अनु. जाति / जन जाति संवर्ग के कर्मचारियों के प्रति दुर्भावनापूर्वक स्थानान्तरण/वेतन रोकने इत्यादि के कार्य किये जा रहे हैं, जिनसे सम्बंधित एसिक अनु. जाति / जन जाति अधिकारी एवं कर्मचारी एसोसिएशन द्वारा लगातार मुख्यालय से पत्राचार किया गया है, जिनकी प्रति संलग्न है। एसोसिएशन द्वारा राष्ट्रीय अनुसूचित जाति आयोग को भी इस वाबत लगातार अवगत कराया जाता रहा है (प्रति संलग्न)।

कुछ मामले जैसे श्री राकेश रंजन एवं श्री अशोक कुमार, शाखा प्रबंधक उदाहरणार्थ प्रस्तुत हैं, जिनमें प्रभारी ने ना केवल राष्ट्रीय अनुसूचित जाति आयोग को यह कह कर गुमराह किया कि ये संवर्ग चिकित्सा प्रणाली से सम्बंधित है अपितु मुख्यालय से स्पष्ट दिशानिर्देश ना होने की बात भी कही है (प्रति संलग्न)। मुख्यालय से स्पष्ट निर्देश होने के बावजूद उन्होंने उक्त संवर्ग के अधिकारियों को चुन चुन कर स्थानान्तरण किया है और ना केवल स्थानान्तरण किया है अपितु उनका वेतन भी रोका गया।

उक्त मामलों से स्पष्ट है कि उक्त अधिकारी क्योंकि पिछले लगभग पांच वर्ष से अधिक क्षेत्रीय कार्यालय में पदस्थापित हैं अतः वो हर कार्य में अपना मनमाना दृष्टिकोण रखते हैं।

अंत में आपसे करवद्ध प्रार्थना है कि कृपया उक्त दोनों कर्मचारियों के वकाया वेतन जारी करने के सम्बन्ध में आवश्यक दिशानिर्देश जारी करें और उन्हें कार्यालय प्रबंधन में सब के साथ समान व्यवहार करने की सलाह भी दी जाए अथवा उन्हें वहां से अन्यत्र स्थानान्तरण किया जाए ताकि कार्यालय का कार्य निर्बाध गति से जारी रह सके।

संलग्न: यथोपरि।

1. श्री एस.टी. ऑफिसर्स एस.जी. एम. इंडिया एसिक एस/एसटी ऑफिसर्स & एम्प्लॉयर्स फेडरेशन

भवदीय,
3pm
20/4/22
(अशोक कुमार)
महासचिव

3pm

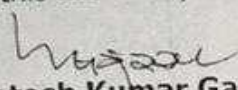
**OFFICE OF MINISTER OF STATE (IC) FOR
LABOUR & EMPLOYMENT**

Sub: Moratorium on rotational transfers of officers/staff in view of COVID-19 Pandemic.

In view of the extraordinary situation prevailing in the country due to outbreak of COVID-19 Pandemic causing serious disruptions in the life, it would not be appropriate to dislocate officers/staff of Ministry of Labour & Employment/its attached offices/subordinate offices/autonomous organisations for one year. Therefore, it is directed that no rotational transfers of officers/officials in different grades (Group 'A', 'B' and 'C') be carried till 30.04.2021 in Ministry of Labour & Employment, ESIC, EPFO, CLC(C), DGLW, VVG NLI, DGMS, DGFASLI, Labour Bureau etc. The exception to the moratorium on rotational transfers upto 30.04.2021 would be on following grounds:-

- (i) Administrative reasons to fill any vacancy due to promotion/retirement with general principles that minimum dislocation is caused to the officers/staff while deciding postings on promotion.
- (ii) Consideration of requests by officers/staff on compassionate grounds i.e. medical emergency with self or family members etc. However, the transfers being made on personal request and on compassionate ground will be without any cost to the Government i.e. no transfer grants/transfer allowance/travelling allowance would be paid to the officers/staff who have been transferred on their own request.

2. The transfer to be made in the above two categories would be recommended by the Transfer Committees and the transfer orders would be issued after the approval of the competent authority. These directions would come into effect with immediate effect and the necessary orders may be issued by different organisations accordingly. This step would lead to minimum inconvenience at this point of time of COVID-19 and would also curtail the expenditure of Government during this financial year.


(Santosh Kumar Gangwar)
MOS(IC), L&E
20.05.2020

Secretary(L&E)

Copy to:-

**DG,ESIC/CPFC/CLC(C)/DGLW/DG,VVG NLI/DGMS/DG,FASLI/DG,
Labour Bureau**



मुख्यालय
कर्मचारी राज्य बीमा निगम

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)
पंचदीप भवन, सी आई जी मार्ग, नई दिल्ली-110002

संख्या : ए-22/13(टी)/2020-चि.VI(कोविड-19)

दिनांक: 4 जून, 2020

कार्यालय ज्ञापन

विषय : Moratorium on rotational transfers of officers/staff in view of COVID-19 pandemic-regarding.

In view of the extraordinary situation prevailing in the country due to outbreak of COVID-19 Pandemic causing serious disruptions in the life, it would not be appropriate to dislocate officers/staff of ESI Corporation for one year. It has, therefore, been decided that:

- 1- No rotational transfers of officers/officials in different grades (Group 'A', 'B' and 'C') be carried till 30.04.2021.
- 2- The exception to this moratorium on rotational transfers, would, however, be administrative reasons to fill up any vacancy due to promotion/retirement and consideration of requests by officers/staff on compassionate grounds i.e. medical emergency with self or family members etc with general principles that minimum dislocation is caused to the officers/officials while deciding postings on promotion.
- 3- Transfers being made on personal request and on compassionate ground will be without any cost to the government i.e. no transfer grants/transfer allowance/travelling allowance/daily allowance would be paid to the officers/staff who have been transferred on their own request.
- 4- The transfer to be made in the above categories i.e. Para 2 would be recommended by the Transfer Committee.

This is in compliance to directions received from Government of India and meets approval of competent authority. All the immediate cadre controlling authorities are advised to circulate & bring contents of this O.M. to knowledge of all the concerned of their respective units.

(दीपक मलिक)
उप निदेशक(चि.प्रशा)

सेवा में,

1. नि.चि.)दि./नि.चि.)नाँएडा,
2. निगम के समस्त अस्पतालों/ शिक्षण संस्थानों के चिकित्सा अधीक्षक/डीन,
3. सभी क्षेत्रीय कार्यालयों के क्षेत्रीय निदेशक - उनके नियंत्रण में तैनात चिकित्सा, नर्सिंग व पैरामेडिकल स्टाफ के नियंत्रण हेतु।
4. वेबसाइट कंटेंट प्रबन्धक - इस ज्ञापन को निगम की वेबसाइट पर अपलोड करने हेतु



Headquarters Office
Employees' State Insurance Corporation
(Ministry of Labour & Employment, Govt. of India)
Panchdeep Bhavan
C.I.G. Marg, New Delhi-110002
(email – general-hq@esic.nic.in, Phone 011-23215487)

F.NO.D/36/11/ARM/2018-Genl.

Date : 15.05.2020

To,

1. All Additional Commissioners / Regional Directors, Regional offices
2. All Medical Superintendents, ESIC Hospitals
3. All Deans, ESIC Medical Colleges / Dental Colleges, Paramedical College
4. DMD/DMN/NTA

Subject : Payment of salary/wages to contractual manpower for the period of lockdown

Madam / Sir,

As you are aware that our country is combating with the threat of COVID-19 and Government of India took several measures starting first week of March 2020 for containing the spread of this pandemic. One among these measures, undertaken for this purpose, was complete lockdown declared by Government of India effective from 25.3.2020. Vide MHA order dated 24.3.2020, offices of the Government of India, its Autonomous / Subordinate offices were closed down in the country barring few exceptions wherein essential services were allowed to be continued. Gradually, based on the detection of COVID-19 positive cases, containment area / zones were identified in cities/districts and those areas were sealed for any movement to contain the spread of virus.

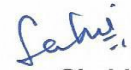
Department of Expenditure, Ministry of Finance issued directions vide OM No. 23(4)/E. Coord / 2020/1 dated 23.3.2020 stating that due to complete lockdown measures, there is a likelihood of a number of contractual, casual and outsourced staff such as housekeeping staff etc. being required to stay at home, which under normal circumstances would result in deduction in their pay / wages. In order to avoid any undue hardship under the prevailing extraordinary circumstances, it has been decided that wherever any such contractual, casual and outsourced staff of Ministries / Departments and other organizations of Government of India is required to stay at home in view of lockdown order regarding COVID-19 prevention, as announced by various States / UT Governments, they shall be treated as "on duty" during such period of absence and necessary pay / wages would be paid accordingly.

In view of above, I am directed to inform that Director General has accorded approval for

Sahit

payment of salary / wages to contractual manpower such as housekeeping, maintenance etc. deployed in the ESIC offices who could not attend the office due to either closure of office or lockdown measures implemented by Government of India / State Governments. However, it may be ensured that the strength of contractual employees will remain same which was prevailing as on 24.3.2020 ie. only those employees will be paid who were under deployment as on the date of declaration of lockdown. In case of ESIC Hospitals which are functioning during the lockdown period being essential services, the payment of wages may be made on the basis of attendance since manpower working in hospitals are supposed to perform duties during this period also. Only those contractual employees of hospitals can be considered on duty for payment of wages whose residential areas were sealed as containment zone and no movement was allowed in those areas due to which they could not attend their duties.

Yours faithfully,



(Sanjeev Kumar Shahi)
Assistant Director