



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

PANCHDEEP BHAWAN, CIG ROAD, NEW DELHI – 110002.

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

www.myesic.com

"Affiliated with All India Confederation of SC/ST Organisations"

(Regd.No. S/27858 of 1995)

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INTERNAL AUDITORS

KULDEEP KUMAR

KAILASH CHAND

F.No. AIESIC.SC/ST.FED. 2015-041. Dated 12th Sept., 2019

To,

The Chairman,
National Commission for Scheduled Tribes,
6th Floor,
Lok Nayak Bhawan, Khan Market,
New Delhi - 110003.

Subject: **Action Taken Report of ESIC on Minutes of Hearing held on 09-05-2019 - Our Grounds for expressing dissatisfaction on ATR.**

Respected Sir,

With due regard, I would like to refer to your Letter No. HS/1/2018/MLAB1/SEOTH/RU-III dated 21-08-2019, whereby, I was provided a copy of ESIC letter No. A-12(11)3/ 2017-E.I (Vol.III) dated 30.07.2019 addressed to Dr. Nand Kumar Sai, the Hon'ble Chairman of National Commission for Scheduled Tribes.

In this regard, I would like to submit that though the subject of letter written by ESIC is "Action Taken Report on the minutes of the hearing held on 09-05-2019", but practically the report is "Action Denial Report". The Administrative Ministry and ESIC had not taken any action in the matter.

All paras are still pending for compliance. ESIC had partially explained their stand against observation made in some paras of minutes only which were also not found to be satisfactory and in violation with commitment made during hearing. The reasons of dissatisfaction with ATR is enclosed as **Appendix - I.**

Historically, the approach of ESIC towards welfare of members of Scheduled Castes and Scheduled Tribes is found to be very unhealthy and the "Action Denial Report" dated 30-07-2019 is clear testimony of the same.

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In spite of verbal commitment made by DG, ESIC for getting the matter of conveying DPC for year 2016-17, 2017-18, 2018, 2019 examined through DoP&T for considering the adhoc service against regular vacancy as regular for purpose of promotion in view of various Supreme Court decisions, no action has been taken in the matter by either Administrative Ministry or ESIC. Apart from this, other matters which were clearly agreed by DG, ESIC in hearing are also not done on flimsy grounds.

The action in the matter has been kept pending since 09-05-2019 and on the other hand Shri K.G. Suresh, Joint Director (Establishment Branch – I) who is responsible for conducting DPC of Group A and B Officers is devoting his whole energy in processing his own case for promotion for the post of Regional Director Gr. A/Director against the vacancy year 2020 well in advance even though his case is suffering from following anomalies.

- 1) He is also anticipating to seek benefit of failing clause in RR of Regional Director Gr. A/Director which was treated as anomalous in case of RR for the post of Regional Director Gr. B/Joint Director.
- 2) He has devoted his whole energy for stopping process of notifying of amended RR for the post of Regional Director Gr. A/Director as he was adversely affected by new proposed RRs.
- 3) He is also anticipating to seek benefit of getting relaxation of two years as junior to him are eligible under failing clause.
- 4) He has been appointed to the post of Deputy Director against panel for recruitment year 2002-03.
- 5) He has joined to the post of Deputy Director on 14-06-2004 in recruitment year 2004-05.
- 6) He was wrongly allowed seniority against year 2002-03.
- 7) The DPC meeting is not conveyed for post of Regional Director Gr. 'B'/Joint Director, Deputy Director and Assistant Director since last six years



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A comparative statement consisting of facts provided by ESIC in so called "Action Taken Report" and our Grounds for expressing dis-satisfaction are enclosed in tabular form as **Appendix - I** for your convenience please.

In view of non-compliance of recommendations of National Commission for Scheduled Tribes by Administrative Ministry and ESIC, you are requested to kindly use your good office to sensitise the concerned officials of ESIC for their inaction in the matter and provide justice to all affected officers.

Yours faithfully,

Enclosed: Appendix – I.

(Heera Singh)
Secretary General

Copy to :

1. Secretary, Ministry of Labour and Employment, Shram Shakti Bhawan, Rafi Marg, New Delhi – for necessary action please.
2. DG, ESIC, CIG Road, New Delhi – for necessary action please.
3. CVO, ESIC, CIG Road, New Delhi – for information please.

(Heera Singh)
Secretary General