

कर्मचारी राज्य बीमा निगम

Employees' State Insurance Corporation

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

(Ministry of Labour & Employment, Government of India)

प्रभागीय कार्यालय
पार्श्वनाथ टावर, द्वितीय तल,
निकट शाहदरा मेट्रो स्टेशन,
शाहदरा, दिल्ली - 110032



Divisional Office
Parsvnath Tower, Second Floor,
Near Shahdara Metro Station,
Shahdara, Delhi-110032

ई मेल—dir-nandnagri@esic.in

दूरभाष: 011-22328685, फ़ैक्स : 011-22326948

File No. D/DO/Shd/P.G./11/8/2017/1136

Date: 28.09.2017

To,

The Addl. Commissioner cum Regional Director
ESIC, Regional Office, Rajendra Place,
Delhi - 110008

Sub: Investigation into wrongful registration of deceased Sh. Rakesh Mishra.

Sir,

Kindly refer to your letter no. D/Bft./Complaints/2017 dated 20.09.2017 vide which this office was directed to investigate on the matter mentioned above.

In this regard, it is informed that on 9.8.17, a complaint was received in this office from Ms. Anjali Dhawan, Advocate regarding wrong case submitted to claim the ESIC benefits by cheating.

The matter was under consideration by this office, in between a letter dated 28.08.2017 received from Regional Office, Delhi for not to take any action in the matter till further orders. In view of contributions for 18 months paid (from January 2015 to June 2016) on a single date 17.10.2017 that too after the date of accident, the matter looked suspicious. Hence CAIU, ESIC Hqrs. was requested for allowing inspection of Employer Code No. 10001173890000502 (M/s Anmol Enterprises) vide this office letter

On 12.09.2017, Sh. S.K. Garg, IC (P&D), Hqrs. was requested to provide certain ERP details vide letter dated 12.09.2017.

The Regional Office, Delhi vide email dated 19.09.2017 forwarded a preliminary report in this case to this office with the intimation that Hqrs. vigilance has been requested for detailed investigation. Preliminary Report of Sh. S.K. Garg, IC (P&D), Hqrs. Office was attached with the email.

The Regional Office vide letter dated 20.09.2017 directed this office for conducting investigation in the case. Hence a team of three officers namely Sh. Azad Singh, Assistant Director, Sh. Amit Bhalla, SSO and Sh. Snehil Lodhi, Asstt. was constituted for the purpose.

The report of the committee is attached herewith (ANNEXURE A) which evident the fraud committed by Employer of Code No. 10001173890000502 (M/s Anmol Enterprises, Shahdara, Delhi) by forging the identity of actual Rakesh Mishra S/o Sh. Shashikant Mishra (IP No. 1114274369) working in Employer Code No. 11001157430000699 (M/s Indigo Engineering, Janakpuri, Delhi).

It was observed from the ERP reports that Employer Code No. 10001173890000502 (M/s Anmol Enterprises) created on 14.01.2014 (ANNEXURE B) with the proprietor as Sh. Sachin Malik S/o Sh. Jaipal Singh Malik (ANNEXURE C). The address of this firm was mentioned as 8/61A, Ram Gali, Vishwas Nagar, Shahdara, Delhi – 110 032 with email id of iyotimetal16@gmail.com (ANNEXURE D). The code number was generated from Internet Protocol Address (IPA) 10.52.129.2 which pertains to Branch Office, Shahdara. The code number was generated by employer user name and user id.

On 10.09.2014 name of the firm was changed to M/s Jyoti Metal with same proprietor credentials namely Sh. Sachin Malik (ANNEXURE B & C). Mobile Number (9212598516) of the employer was updated on 10.09.2014 (ANNEXURE D) by user name Snehil Lodhi and user id snehlodh from IPA 10.50.120.51 which pertain to Divisional Office, Shahdara. It was approved on 10.09.2014 by user name Delhida100 and user id delhida100 from IPA 10.50.32.11 (ANNEXURE D), exact location can be

... was done in whole or in part by ESIC to verify the credentials of employer.

On 26.06.2016 a death accident of one Sh. Rakesh Mishra S/o Sh. Ram Naresh Mishra happened in the premises of M/s Anmol Enterprises having address of 1/342B, Gali No. 1, Friends Colony, Industrial Area, Mansarovar Park, Delhi. Proprietor of the firm was Sh. Anmol Rattan Sharma S/o Sh. R.K. Sharma. Online accident report was submitted on 28.06.2016 for IP No.1114274369. **As per the records of ESIC retrieved through ERP, there was no firm registered with name of M/s Anmol Enterprises having proprietor Sh. Anmol Rattan Sharma on the date of accident with address as mentioned in the accident report submitted on 28.06.2016. The name of the firm registered as M/s Anmol Enterprises was already changed to M/s Jyoti Metals on 10.9.14.**

On 11.10.2016, for employer code number 10001173890000502, name change of the firm from M/s Jyoti Metal to again M/s Anmol Enterprises was requested (**ANNEXURE B**). The address of the firm was also requested to change which is the address of premises where actually the accident occurred (**ANNEXURE D**). The mobile number (9212598516) remains the same as that of M/s Jyoti Metals but email id was changed to jainconsultancy833@yahoo.co.in (**ANNEXURE D**). The change was requested by the employer from his user id.

On 13.10.2016 (09:37:48 AM) the changed address of the employer was approved by user id mohinsig from IPA 10.52.129.2 (**ANNEXURE C**). Bank detail was also approved by user id mohinsig at 09:37:48 AM (**ANNEXURE E**). On 13.10.2016 (09:52:25 AM), online request for change of owner of the firm from Sh. Sachin Malik to Sh. Anmol Rattan Sharma S/o Sh. R. K. Sharma was made by IPA 10.52.129.2 which pertains to Branch Office, Shahdara (**ANNEXURE C**). The change was requested with the user name and user id of the employer. This change was approved on 13.10.2016 itself (10:07:35 AM) by user name Mohinder Singh and user id mohinsig from same IPA 10.52.129.2 (**ANNEXURE C**). It is a fact that Mohinsig user id is allotted to Sh. Mohinder Singh, Asstt. working in Branch Office, Shahdara who was present on the date of approving changes.

... above mentioned address of the factory and bank details were approved for changes from premises of Branch Office, Shahdara. Also the online change in name of proprietor was requested and approved from the premises of Branch Office, Shahdara. All the crucial changes to help in fraud were approved from user id mohinsig from the premises of Branch Office, Shahdara. Further, requests for change in owner of the firm from Sachin Malik to Anmol Rattan, using user id of employer, that too from the premises of Branch Office, Shahdara evident free access to the employer in accessing the computer of ESIC and hand in glove approach of Sh. Mohinder Singh.

On 13.10.2016 also, the credentials like appointment date, employer code, address, dependant name etc. of original I.P Sh. Rakesh Mishra S/o Shashikant Mishra were deliberately changed to suit the credentials of deceased Rakesh Mishra S/o Ram Naresh Mishra by the employer user id. Though the IPA in these cases is not visible in the ERP Report.

It is shocking to see from the User Role Audit Trail, that user id mohinsig allotted to Sh. Mohinder Singh, Asstt. has been assigned the role of AD, RO and BO on 04.09.2015 by user name HC Sharma and user id hcshar from IPA 10.54.165.51 which pertains to ESIC Dispensary, Nandnagri (ANNEXURE F).

User id hcshar was created for JD Role at ESIC Hqrs. on 21.06.2013 by user name BhagChand and user id bhagch (ANNEXURE G). IPA not mentioned in the ERP report. As per the knowledge of undersigned, there was one officer in Hqrs. namely Sh. H.C. Sharma, who retired as Director in 2011. If he is the same person for user id hcshar, it raises suspicion why his ERP user id was created on 21.06.2013 after his retirement?

User name BhagChand and user id bhagch was also created on 21.06.2013 (ANNEXURE H) and deactivated on 13.10.2014 from IPA 10.50.96.73 which may pertain to Regional Office, Chandigarh. The undersigned is not aware about any Bhagchand working in ESIC. If he is / was working in RO Chandigarh, why he created a user id in 2013 for officer of Hqrs. who has retired in 2011?

Further details are to be investigated by the Hqrs. Office as full access to the ERP system is available to the officers of Hqrs. Office.

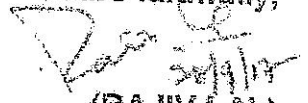
On the basis of investigation report by the team, available documents, audit trail as far as accessed, benefit case for the death accident is rejected by this office, as claim was made on the basis of forged identities to defraud ESIC.

Following actions are proposed to competent authority in this matter:-

1. Disciplinary action to be initiated against Sh. Nagender Kumar, the then Branch Manager for unwarranted delay in taking up the death accident case which allowed the time to affect crucial changes in the system. Lack of supervisory control was also observed as crucial details of employer was manipulated from the premises of Branch Office, Shahdara during his tenure.
2. FIR to be lodged and disciplinary action to be initiated against Sh. Mohinder Singh, Asstt., Branch Office, Shahdara for affecting the requisite changes in the ERP for giving undue benefit to the employer. No documentary proof has yet been forwarded to this office on the basis of which the details were changed in ERP. Three emails were sent by the Investigating Team in this regard to Sh. PR Jha, Branch Manager, BO Shahdara, no information has been received till date in this regard.
3. FIR to be lodged against the employer Sh. Anmol Rattan Sharma S/o Sh. R. K. Sharma, Proprietor, M/s Anmol Enterprises (Code No. 10001173890000502), 1/342B, Gali No. 1, Friends Colony, Industrial Area, Mansarovar Park, Delhi, for manipulating and impersonating the credentials of Sh. Rakesh Mishra S/o Sh. Shashikant Mishra who is still alive for Sh. Rakesh Mishra S/o Sh. Ram Naresh Mishra who died in his factory with the intent to defraud ESIC and shifting his liability on to ESIC.

4. Steps to be initiated to maintain the sanctity of access to the ERP against the assigned roles of all users.
5. Stringent password policy and flawless implementation of that is essentially required.
6. Immediate action on persons illegally accessing the system.

Yours faithfully,


(RAJIV LAL)
Dy. Director (I/c)

Encl:

1. Investigation Report alongwith all enclosures. (ANNEXURE A)
2. Audit Trail of factory details of employer code no. 10001173890000502.
(ANNEXURE B)
3. Audit Trail of stakeholder details of employer code no. 10001173890000502.
(ANNEXURE C)
4. Audit Trail of address details of employer code no. 10001173890000502.
(ANNEXURE D)
5. Audit Trail of Bank details employer code no. 10001173890000502.
(ANNEXURE E)
6. Audit Trail of user role of user id mohinsig. (ANNEXURE F)
7. Audit Trail of user role of user id hoshar. (ANNEXURE G)
8. Audit Trail of user role of user id bhagch. (ANNEXURE H)
9. Internet Protocol Address detail of Branch Office, Shahdara (ANNEXURE I)