



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

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

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www.myesic.com

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

(Regd.No. S/27858 of 1995)

WORKING PRESIDENT
JALIM SINGH AHIRWAL

VICE-PRESIDENT (NORTH)
MAHINDER SINGH

SECRETARY GENERAL
HEERA SINGH

Mob. No. 09868241160

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ANIL KUMAR JAGDISH

SECRETARY (FOR NCR)

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(W. ZONE)

INTERNAL AUDITORS
KULDEEP KUMAR
KAILASH CHAND

F.No.AIESIC.SC/ST.FED.2015-066

Dated 18thMay, 2020.

To,

The Director General,
Employees' State Insurance Corporation,
Headquarters Office,
CIG Road,
New Delhi – 110002.

Subject :**Request for taking stern action against Shri Hemant Kumar Pandey, General Secretary of ESIC Group 'A' Officers' Welfare Association for filing wrong, misleading and lopsided facts with the intention to mislead your good office.**

Madam,

With due regard, I would like to invite your kind attention on Shri Hemant Kumar Pandey's (General Secretary of ESIC Group 'A' Officers' Welfare Association) letter dated 29thApril 2020.

In this regard, I would like to submit that the letter referred in above captioned subject is nothing but a bundle of false, misleading and lopsided facts submitted with intention to mislead your good office.

The aim of this letter is also to bring undue support to himself and his fellow corrupt officer by criminally defaming me and my federation and while doing such an act the complainant had crossed all his limits.

In view of above, it is my humble duty to bring forward correct facts before your good self so that these corrupt officers could not be able to play any foul with dignity of your good office.

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Sr.No.	Allegations made by Shri Hemant Kumar Pandey, GS, EISC Group 'A' Officers' Welfare Association	My Reply to allegations
1.	<p>Sh. Heera Singh vide his letter dated AIESIC.SC/ST. FED.2015-055 dated 05-04-2019 (copy attached) addressed to the Chief Vigilance Commissioner, Central Vigilance Commission made false allegations of large scale corruption in the decision taken by the highest decision making body of ESIC in awarding work of portfolio manager. Not only this, he published his above-mentioned letter containing false allegations on a website namely www.addjd.com seriously damaging the goodwill of ESIC (copy attached)</p> <p>Above act of Shri Heera Singh, DD is prejudicial to the interests / reputation of ESIC which amounts to misconduct as per CCS (Conduct Rules) 1965.</p>	<p>I strongly re-affirm my views expressed in my complaint letter AIESIC.SC/ST. FED.2015-055 dated 05-04-2019 submitted in the office of CVC.</p> <p>My all allegations are supported by Annexures consisting of 107 pages.</p> <p>It is a established fact that the Gross violation of the ESI Act, 1948, GFR 2017 and RFP published for Appointment of Portfolio Managers for managing Employees' State Insurance Corporation's (ESIC) Fund are not approved by Standing Committee and Apex body of ESIC. Whatever approval are received, are received by keeping the Apex bodies in dark about these irregularities.</p> <p>The complainant himself was involved in these irregularities and had failed to establish his allegation that my above complaint is false. Rather he is trying to justify his irregularities on the ground that this has been approved by highest decision-making body of ESIC.</p>



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It is further submitted that my above referred complaint is prejudicial to the interests / reputation of Shri Raj Kumar, EX-DG, ESIC and Shri Hemant Kumar Pandey, EX-DD (Finance) Hqrs. Office who were hand in glove in these complained irregularities. The complaint against them is still under examination in CVC.

Apart from above referred complaint, I am examining the documents which were received while examining / inspecting files under the RTI Act, 2005 in the case of Appointment of consultant and Portfolio Managers for managing Employees' State Insurance Corporation's (ESIC) Fund. These documents clearly establish various irregularities and role of all officials involved in this process.

The documents provided are voluminous requiring intense study. I myself being a single parent of two kids, one of whom was appearing for 12th Board Examination in academic session 2019-20, could not spare time for this study. However now I am in position to spare my personal time and I am actively working on it.

I contemplate to file two more complaints in CVC. First complaint will cover all irregularities which are traced in official files of Appointment of consultant and Portfolio Managers for managing Employees' State Insurance Corporation's (ESIC) Fund.



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		Second complaint will be filed after some remaining records are made available under the RTI Act, 2005 which were not provided by Shri Hemant Kumar Pandey, EX- DD (Finance) in headquarters which included third party documents and Cash Book of A/c II Branch and A/c III Branch. 2 nd appeal in the matter is pending in CIC. There is a possibility that a lot of funds might have been expended on expenditures which are not authorized by the ESI Act, 1948 the way the coordinator of Association had proposed in his letter dated 08 th April, 2020.
2.	Through the website, Sh. Heera Singh, DD also attacked Shri Rajkumar, the then Director General of ESIC and UPSC to influence the decisions taken in accordance with laid down rules and procedures.	I strongly re-affirm my views expressed in my website and complaint letter No. AIESIC.SC/ST. FED.2015-055 dated 05-04-2019 against Shri Raj Kumar, DG ESIC which was submitted in CVC with supportive documentary evidences. The complainant in the instant case has acted as accomplice to Shri Raj Kumar, DG ESIC. It is false to state that I have attacked UPSC in my above referred website as they have no role in engaging consultant and portfolio manager to manage ESI Reserve Funds.
3.	Sh. Heera Singh, DD while working in SRO Nandnagri also involved in serious acts of commission and omission. ESIC Hqrs. Issued him a Memorandum No. A-22/13/1/2017-E.I dated 30.08.2018 (Copy attached) after an investigation conducted on the orders of Hqrs for :	The allegations levelled against me that I was involved in serious acts of commission and omission while working in SRO Nandnagri are also grossly false and misleading and are aimed to help corrupt officer Shri Rajiv Lal and defame me and my federation, the complainant has attached confidential copy of Memorandum No. A-22/13/1/2017-E.I dated 30.08.2018 issued to me, whereas he intentionally concealed the



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		<p>fact that the above confidential Memorandum was replied by me vide my application dated 28th September, 2018 consisting of ten pages. A copy of my reply is enclosed as Annexure -A for your kind perusal please.</p> <p>It is surprising that Shri Hemant Kumar Pandey who is not privy to the matter is having access to this document which is a supposed to be a confidential document containing defaming allegations levelled against me by E-I Branch.</p>
i)	Violating the CAIU instructions dated 20-09-2016 by asking the Social Security Officers to make inspection of the Units (Code no. 10001195210000999 and 10001178810001019) in respect of which inspection reports were already been uploaded / online submitted and	<p>The statement of complainant is grossly incorrect for following reasons:</p> <p>Both the units were inspected only once and only one Inspection Report is uploaded.</p> <p>The complainant is grossly misleading facts by terming Non-completion of Inspection report as Inspection Report. All inspection reports are filed only once in prescribed formats.</p>
ii)	For levelling baseless allegations against Shri Rajiv Lal, the then Deputy Director (I/c), SRO Nandnagri for demanding Rs. 2.00 lacs to get his transfer cancelled and for providing logistic support for meeting of Group A Officers association to 25 officers.	<p>This complaint was supported by circumstantial evidences which establish probability of happening of this act which was ignored by the PIO as he was himself a member of Shri Hemant Kumar Pandey's Association.</p> <p>Various other facts clearly established that the PIO was biased and mislead the authorities on various points to not only favour Shri Rajiv</p>



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		<p>Lal, DD I/c but also Shri K.G. Suresh, JD (E-I) which included following points :</p> <p>The complainant Shri Hemant Kumar Pandey, DD (I/c) and Shri Rajiv Lal, DD (I/c) are made to officiate against the post of Joint Director I/c without seeking consultation of UPSC as prescribed in provisio of Section 17 (3) of the ESI Act, 1948 which clearly prescribes that “provided that this sub-section shall not apply to an officiating or temporary appointment for a period not exceeding one year.” The PIO intentionally to favour these corrupt officers concealed this fact in his report.</p> <p>The PIO also intentionally concealed various other criminal conduct of Shri Rajiv Lal. These officers are also involved in expending of funds to the tune of Crores of Rupees without any lawful delegation of powers which are under investigation for administrative and disciplinary action in ESIC and CVC.</p>
	<p>The administrative and disciplinary actions against Shri Heera Singh are under process at ESIC Headquarters.</p>	<p>The allegation is grossly incorrect. As on date I have not been issued any SCN and hence stating that administrative and disciplinary actions are pending against me on date of filing of complaint i.e. 29-04-2020 is grossly incorrect and misleading.</p>



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4.	<p>It has also been observed that Shri Heera Singh, DD has used the platform of All India ESIC SC/ST Officers' and Employees' Federation as personal proprietorship for his own volition and keeps on changing the address of the Federation wherever he is transferred. Misusing the platform of SC/ST Federation wherever he is transferred. Misusing the platform of SC/ST Federation for creating pressure with the ill intention of personal gains has also been objected by ESIC SC/ST (Hqrs) Officers' and Employees' Welfare Association vide their letter No. ESIC (HQ) SCT/OES/7/19 dated 12-09-2019 (copy enclosed).</p>	<p>The allegation of Shri Hemant Kumar Pandey is grossly false and frivolous for following reasons :-</p> <p>The various constituents of Association of Shri Hemant Kumar Pandey themselves are not only writing their letter from various part of India with letter head showing no mention of their address and detail of portfolio holders against the mandate provided to them.</p> <p>Shri Hemant Kumar Pandey has projected a lopsided picture with respect to objection of ESIC SC/ST (Hqrs) Officers' and Employees' Welfare Association vide their letter No. ESIC (HQ) SCT/OES/7/19 dated 12-09-2019. He intentionally concealed the copy of my reply to above letter which is enclosed as Annexure - B. A copy of email through which the reply was sent to GS of ESIC SC/ST (Hqrs) Officers' and Employees' Welfare Association is also enclosed as Annexure - C.</p> <p>Madam, whenever we expose any act of corruption in ESIC which is the main reason for discrimination against SC/ST member, the disgruntled corrupt officer misuse their office to bring artificial unrest in few member association.</p> <p>Recently one more such issue was raised by one of our members which was also suitably responded. A copy of representation is enclosed as Annexure - D. A copy of reply of our Federation is enclosed as Annexure - E. A copy of email sent to this Association is enclosed as Annexure - F.</p>
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5.	Sh. Heera Singh, vide his above-mentioned letter dated 23.04.2020 again made a failed attempt to tarnish the image of one of our members namely Sh. Rajiv Lal, Dy. Director (I/c), SRO Noida by misquoting the real facts of a case of Shri Rakesh Mishra (M/s Anmol Enterprises) to defraud ESIC for gaining benefits by the non-entitled person. Because of the timely intervention by Shri Rajiv Lal, the then DD (I/c) SRO Nandnagri, FIR has been registered against the delinquent persons. Regional Office Delhi and Vigilance Branch Hqrs. are already having the knowledge of the case.	The complainant had involved himself in criminal offence of Shri Rajiv Lal by misleading the facts of the case : In the month of September, 2017, a case was detected in which it was found that one not covered unit M/s Anmol Enterprises was found to be involved in following criminal offences :- 1. M/s Anmol Enterprises unlawfully co-opted Employer Registration Code No. 10001173890000502 of M/s Jyoti Metal to show that it is registered with ESIC before date of accident i.e. 26-06-2016. 2. M/s Anmol Enterprises unlawfully transfers Employee Registration Insurance No. 1114274369 from Shri Rakesh Mishra son of Shri Shashikant Mishra of M/s Indigo Engineering to Shri Rakesh Mishra son of Shri Ram Naresh Mishra deceased employee of M/s Anmol Enterprises in order to establish that the deceased employee was registered well before the date of accident. 3. Shri Rajiv Lal, DD (I/c) only revealed 2 nd irregularity and concealed the first irregularity by providing false facts in the case. 4. Shri Rajiv Lal, DD (I/c) informed that on 'A' day the unit was registered in the name of M/s Anmol Enterprises where as the true fact is that on 'A' day M/s Jyoti Metal with address 8/61A Ram Gali Vishwas Nagar, Shahdara, Delhi was covered w.e.f. 01-12-2013 and allotted code No. 10001173890000502 (Copy of C-11 enclosed as
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Annexure - G.). **It was wrongly reported by Shri Rajiv Lal that this code No. was initially allotted to M/s Anmol Enterprises.**

5. A copy of Challan No. 01014102052763 of Rs. 3793/- regarding paying contribution with respect to initial month of December 2013 was made by M/s Joti Metal (Copy of Challan enclosed as **Annexure -H**). **It was wrongly reported by Shri Rajiv Lal that this initial compliance was made by M/s Anmol Enterprises.**
6. A copy of Challan Status Report for challan No. 01014102052763 of Rs. 3793/- regarding paying contribution with respect to initial month of December, 2013 was made by M/s Joti Metal (Copy of Challan enclosed as **Annexure - I**) which as per this report was realized on 23-01-2014.
7. Accidental death had occurred on 26-06-2016 in the premises of M/s Anmol Enterprises with address 1/342 B, Gali No. 1, Friends Colony, Industrial Area, Mansarovar Park, Delhi.
8. Between 11-13th October, 2016 the offence of changing name, address and various other details of code No. 10001173890000502 were changed from M/s Jyoti Metal to M/s Anmol Enterprises so that further manipulation could be achieved. **Shri Rajiv Lal concealed this fact that the Employer Registration code No. 10001173890000502 was wrongly transferred from M/s Jyoti Metal to M/s Anmol Enterprises in**



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order to create grounds for shifting liability of M/s Anmol Enterprises on ESIC without seeking action against both employer for this criminal misconduct. He only reported wrong transfer of Employee Registration Insurance No. 1114274369 from Shri Rakesh Mishra son of Shri Shashikant Mishra of M/s Indigo Engineering to Shri Rakesh Mishra son of Shri Ram Naresh Mishra deceased employee of M/s Anmol Enterprises.

9. The case was manipulated, and various wrong facts were submitted before the Hon'ble DG ESIC and approval for filing one FIR was procured on wrong facts. It is a well-known fact that any case built on wrong facts can never succeed in court of law.

Shri Rajiv Lal filed wrong and misleading facts before the DG, ESIC and Investigating Officer intentionally with aim to leave ground of defense for those who have committed corruption.



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-11-

Madam, whenever, I make any submission on any subject, I study all the facts of the case in detail so that none of my submissions could prove false. Hence, I strongly defend all my complaints and demand stern action against Shri Hemant Kumar Pandey, General Secretary of ESIC Group 'A' Officers' Welfare Association along with other perpetrators for filing wrong, misleading and lopsided facts with the criminal intention to mislead your good office and to defame me and my federation.

Shri Hemant Kumar Pandey, GS and Shri Rajiv Lal, DD (I/c), Coordinator of ESIC Group 'A' Officers' Welfare Association are enjoying patronage from Shri K.G. Suresh, Joint Director (E-I) who himself is facing dozens of criminal allegation of favouring these corrupt officers and commission of atrocities against SC/ST members.

Hence, you are requested to immediately remove Shri K.G. Suresh from the post of Joint Director (E-I) as he had misused his position repeatedly and initiate free and fair investigation of misconduct of these officers.

Thanking you,

Yours faithfully,

(Heera Singh)
Secretary General

Copy to :

1. The Chief Vigilance Officer, Hqrs. Office, ESIC, Panchdeep Bhawan, CIG Road, New Delhi – 110002 – for information and necessary action please.