

HEAD QUARTER
EMPLOYEES STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN: C.I.G. ROAD: NEW DELHI-110002

587/c

No:-A-12(11)3/2015-E.I

Dated: - 29.1.2018
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To,

The Under Secretary (RR),
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi.

[Kind attention ; Shri B.S. Heeth, Under Secretary (RR)]

Subject: - Amendments in Recruitment Regulations for the post of Regional Director Grade
'A'/Director in ESI Corporation.

Sir,

I am directed to state that the MoL&E vide their letter No. A-12034/07/2016-SS.I dated 10.11.2016(copy enclosed) had directed the ESI Corporation to send a proposal to the Ministry for amendments in the recruitment regulations for the post of Regional Director Grade 'A'/Director in consultation with UPSC. The ESI Corporation in its 172nd meeting held on 6.12.2017 has approved the amendments in the Recruitment Regulations for the said post as per the seventh CPC recommendations.

As per sub-section (1) of section 97 read with clause (xxi) of sub-section (2) and sub-section (2A) of that section and Section 17(2) of the ESI Act, 1948 the ESI Corporation has been conferred power to make regulations regarding the method of recruitment, pay and allowances, discipline and other conditions of service of the members of the staff of the Corporation in accordance with the rules and orders applicable to the officers and employees of the Central Government drawing corresponding scales of pay. Only in case of departure from the said rules and orders, the prior approval of the Central Government is required under proviso clause of section 17(2) (a) of the Act. The revised proposed RRs of the aforesaid post have been prepared as per extant DoP&T instructions on framing of RRs. Hence prior approval of the Central Government is not required.



It is certified that no court case is pending regarding amendments in RRs for the aforesaid post.

Further, in compliance of the DoP&T OM No. AB-14017/61/2008-Estt. (RR) dated 13.10.2015, draft RRs of the posts were put up on the official website of ESIC vide Memorandum No. A-12(11)3/2015-E.I. dated 3.3.2017, for seeking comments of the stakeholders within 30 days of the issue of the Memorandum. In this regard four representations have been received and the same have been examined.

Copy of the draft Recruitment Regulations for the post of Regional Director Grade 'A'/Director in **Annexure I**, comparative statement in **Annexure-III**, along with other relevant papers are sent herewith with the request that the approval of the Commission under Section 17(3) of ESI Act, 1948 may kindly be communicated at the earliest.

Yours faithfully

- Encl:- (I) Draft RRs for the post in Annexure-I
(II) Annexure-III
(III) Copy of Agenda item & minutes of meeting of ESI Corporation


(MANISH GUPTA)
DEPUTY DIRECTOR

29/1/18

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Copy to: - Under Secretary, SS.I, Ministry of Labour & Employment, Government of India, Shram Shakti Bhawan, New Delhi, along with a copy of proposal submitted to the UPSC, for information.


DEPUTY DIRECTOR

589/c

RECRUITMENT RULES BRANCH

CHECK LIST FOR THE MINISTRIES/DEPARTMENTS/SUBORDINATE OFFICES WITH RESPECT TO AMENDMENTS OF RECRUITMENT REGULATIONS FOR THE POST OF REGIONAL DIRECTOR GRADE I/DIRECTOR IN ESI CORPORATION.

ITEM OF CHECK LIST:

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| (A) 1 | Whether the Department of Personnel and Training have concurred to the proposal of the department. | Not necessary in view of amendment made on 8.11.1989 in the provisions under Rule 17 (2) of ESI Act. Establishment Branch (RR) Division of DoP&T vide their Note DY. No. 1064/US/RR/II/01 dated 12.12.01 (copy enclosed) has advised ESIC to finalise RRs directly in consultation with UPSC. ESI Corporation has approved the proposal in its 172 nd meeting held on 6.12.2017. Copy of agenda item and minutes of the said meeting are enclosed. |
| 2 | For a proposal relating to framing of Recruitment Rules for new posts whether information in Annexure-I & II has been furnished. | Not applicable |
| 3 | For a proposal relating to amendment to the rules, whether information in Annexure-III and revised Annexure-I has been furnished | Yes |
| 4 | Whether all the Columns in Annexure-III have been filled including the reason for amendment | Yes |
| 5 | Whether previous reference number of the Commission is indicated whereby Recruitment Rules for the post were approved by the Commission. | Yes. |
| 6 | Whether Annexure I, II & III are authenticated and signed by the competent authority or not. | Yes, Annexure-I & III Annexure-II – Not applicable |
| 7 | In case of framing of RRs whether the copy of sanction letter creating the post has been enclosed. | Not applicable |
| 8 | Whether the RRs were earlier approved by the Commission and notified by the Ministry. Whether a copy of the same has been furnished. | Yes |

- 9 (i) Whether present sanctioned strength of post & (ii) revised pay scales indicated or not Yes
- 10 Whether detailed list of duties with respect to the post under consideration as well as with respect to feeder posts is furnished. Yes
- 11 Whether detailed hierarchy of similarly related posts in the functional hierarchy has been submitted. Yes
- 12 Whether the department has indicated the telephone number of the officer who is forwarding the proposal and who is competent to discuss. Yes
- (B) 1 In case of promotion, whether Recruitment Rules for the feeder posts have been approved by the Commission and if so, whether Commission's reference has been quoted by the Ministry. Yes.
- 2 In case feeder posts are not within the purview of the Commission, whether copies of notified Recruitment Rules have been furnished by the Ministry. Not applicable
- 3 In case the feeder posts are filled by promotion, whether Recruitment Rules for the still lower posts (including the lowest post to which direct Recruitment is one of the methods of recruitment) have been furnished. Yes.
- 4 In case promotion is being proposed whether the department has 3 to 5 times effective grade post (excluding deputationists). Yes.
- 5 In case the department proposes higher promotion quota than prescribed in the guidelines the department may indicate
 (i) extent to stagnation
 (ii) service particulars of the feeder officers including the date of regular appointment
 (iii) cause of stagnation. Not applicable
- 6 Whether the feeder posts are already included or are proposed to be included in the field of promotion to any other posts. Not applicable
- 7 In case the educational qualifications prescribed for direct recruits are not to be insisted upon, whether qualifications possessed by the officers in the feeder grade posts are mentioned. Not applicable

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- c) 1 In case the post is to be filled primarily by the method of transfer on deputation from Central Govt. employees whether the Ministry has considered, reemployment as alternate mode of recruitment. Not applicable
- 2 In case direct Recruitment/absorption is being proposed as mode of Recruitment, whether further promotional avenues are available to the incumbents or not and if so whether the details have been provided. Not applicable.
- 3 Whether the revised scales indicated by the Ministry are upgraded pay scales or equivalent pay scales. If upgraded, whether the suitability clause has been proposed or not Equivalent pay scale
- 4 If Recruitment Rules relates to a post which is proposed to be downgraded whether safeguards have been suggested in respect of the existing incumbents. Not applicable
- 5 If the Recruitment Rules relate to posts which have been upgraded from Group 'C' to Group 'B' or Group 'B' to Group 'A' or within the same group whether Ministry have proposed necessary provision of initial constitution. Not applicable
- (d) 1 Whether Eqs proposed are recognised by the Universities. Not applicable.
- 2 In case diploma/Certificate/Training is proposed in EQ/DQ whether the duration/relevance have been indicated. Not applicable
- 3 Whether Eqs are to be prescribed in accordance with any Act(s). If so, whether the relevant Acts under which it is necessary have been quoted and the relevant extracts from the Act(s) have been furnished. Not applicable
- 4 Whether the rules have been framed/amended in accordance with the model Recruitment Rules circulated by DOPT. No Model RRs for the post. However amended RRs are as per DoP&T guidelines.


(K.G. SURESH)
JOINT DIRECTOR
E.S.I.CORPORATION

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(To be published in the Gazette of India, Part III, Section 4)

EMPLOYEES' STATE INSURANCE CORPORATION

NOTIFICATION

New Delhi, the _____, 2018.

A-12(11)3/2015-Estt. I.— In exercise of the powers conferred by sub-section (1) of section 97 read with clause (xxi) of sub-section (2) and sub-section (2A) of that section and proviso to clause (a) of sub-section (2) of section 17 of the Employees' State Insurance Act, 1948 (34 of 1948) and in supersession of the Employees' State Insurance Corporation, Regional Director Grade 'A'/Director Recruitment Regulations, 2013 except as respects things done or omitted to be done before such supersession, the Employees' State Insurance Corporation hereby makes, with the approval of the Central Government, the following regulations regulating the method of recruitment to the posts of Regional Director Grade 'A'/Director in the Employees' State Insurance Corporation, namely:-

1. Short title and commencement.— (1) These regulations may be called the Employees' State Insurance Corporation, Regional Director Grade 'A'/Director Recruitment Regulations, 2018.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Number of posts, classification and level in the Pay Matrix.— The number of posts, their classification and level in the Pay Matrix attached thereto, shall be as specified in columns (2) to (4) of the Schedule annexed to these regulations.
3. The method of recruitment, age limit, qualifications, etc.— The method of recruitment, age limit, qualifications and other matters relating thereto shall be as specified in columns (5) to (13) of the said Schedule.
4. Disqualification.— No person, —
 - (a) who has entered into or contracted a marriage with a person having spouse living; or
 - (b) who, having a spouse living, has entered into or contracted a marriage with any person,shall be eligible for appointment to the said post:

Provided that the Director General of the Employees' State Insurance Corporation may, if satisfied that such marriage is permissible under the personal law applicable to such person and to the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this regulations.
5. Power to relax.— Where the Director General of the Employees' State Insurance Corporation is of the opinion that it is necessary or expedient to do so, he may after taking prior approval of the Central Government and in consultation with the Union Public Service Commission, by order, for reasons to be recorded in writing, relax any of the provisions of these regulations, with respect to any class or category of persons.
6. Residuary matters.— Subject to the provisions of these regulations, all other regulations and instructions, laid down in the Employees' State Insurance Corporation (Recruitment) Regulations, 1965 applicable to the corresponding category of posts in the Employees' State Insurance Corporation, shall apply to the post specified in the Schedule above referred to.
7. Savings.— Nothing in these regulations shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled castes, the Scheduled Tribes, the Other Backward Classes, Ex-Servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time, in this regard.