



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

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

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(Regd.No. S/27858 of 1995)

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RAM CHANDRA JATIA
(W. ZONE)

INTERNAL AUDITORS
KULDEEP KUMAR
KAILASH CHAND

F.No. AIESIC.SC/ST.FED.2015-073 Dated 09thJuly, 2020.

To,

The Hon'ble Minister of State
for Labour and Employment
and Chairman of ESIC,
Ministry of Labour and Employment,
Shram Shakti Bhawan, Rafi Marg,
New Delhi 110001.

Subject: **Act of Breach of Privilege of Parliament of India by Shri K.G. Suresh, JD (E-I).**

Large Scale Misuse of his position by Shri K.G. Suresh, JD (E-I), ESIC for his own volition by unlawfully delaying action of notifying RRs for the post of Regional Director Gr. 'A'/Director in violation of direction of Ministry of Labour and Employment, decision of apex body of ESIC, direction of UPSC and DoP&T Guidelines regarding notification of RR for over 20 months.

DPC Re-Scheduled to be held on 14-07-2020 – reg.

Sir,

With due regard, I would like to submit that just few days before scheduled date of above DPC i.e. 29-05-2020, we came to know about various misconducts of Shri K. G. Suresh, JD (E-I) with respect to delaying notifying of RRs with documentary evidences of noting of relevant office files which clearly established unreasonable withholding of file for long periods, tempering with noting in file, delaying action on false and frivolous grounds without approval of competent authority. Study of case file also revealed violation of direction of Ministry of Labour and Employment, decision of apex body of ESIC, direction of UPSC and DoP&T Guidelines regarding notification of RR for over 20 months. All allegations were supported by substantial documentary evidences.

2. In this regard, I would like to invite your kind attention on my earlier letter No. F.No. AIESIC.SC/ST.FED.2015-067 dated 26thMay, 2020 on subject cited above addressed to Chairman, UPSC and copy endorsed to DG, ESIC. Copy enclosed as **Annexure – I.**

3. In this regard, the UPSC had taken cognisance of facts and forwarded my representation to Administrative Ministry for Administrative action. Copy of letter of UPSC enclosed as **Annexure – II**. The DPC for the post of Regional Director Gr. 'A'/Director scheduled to be held on 29-05-2020 was deferred in the light of detected irregularities out of our disclosure letter.

4. Sir, four years tenure of Shri K.G. Suresh as JD (E-I) and 9 years in total in Hqrs. Was marked with various misconducts for ulterior motives. Prior to it while he was working as JD (Finance) his role in clearing project of PMD were also dubious. Apart from above he was also instrumental in motivating some finance Cadre officers to get themselves involved in various kind of irregularities related to procurement, expending of reserve funds of ESIC.

5. Misleading Apex Body of ESIC and Standing Committee of ESIC has been his regular feature in above activities. Nearly, a dozen of such known facts were revealed before DG, ESIC and various other forums on various occasions. The facts of all our complaints can be viewed in our website www.myesic.com/html/penissue.html.

6. In continuation of my previous complaints, I would like to invite your kind attention on reply of Ministry of Labour and Employment, Government of India on Lok Sabha Unstarred Question No. 178 answered on 17-07-2017 a copy enclosed as **Annexure - III**.

7. Out of seven questions raised, reply of three questions were false. The detail of falseness of reply to Unstarred Question No. 178 (f) is explained as follows.

Que178(f) the details of action taken to repatriate officers who were posted out of their zone and completed their tenure of 2 years;

Reply : Maximum tenure at one station as per Transfer Policy is 6 years. The policy does not stipulates repatriation of officers who are posted out of their zone on completion of 2 years to the old station as only maximum tenure at one station is specified in the Tenure Policy.

Observations :

1. The term "as only maximum tenure at one station is specified in the tenure policy" is grossly incorrect. The very first sentence of third guideline of transfer policy (**Annexure – IV**) clearly states that all posting of Group A & B Officers shall normally be for not less than two years provided there is no serious complaint of misconduct against the officer or it is expedient in public interest to transfer him/her before the completion of minimum tenure. It further states that if an officer is to be transferred before the completion of the normal tenure of two years, the reasons thereof will be recorded in file while ordering the Transfer.

2. The aim of giving above wrong reply was to built a false impression that the policy do not stipulates repatriation of officers who are posted out of their zone on completion of 2 years so that JD (E-I) could bring peril to life of anyone at his own whims and fancies.
 3. Those who have completed minimum/normal tenure in a posting are eligible to be considered for posting against those vacancies which are to be created by transfer of those officers who have attained maximum tenure of 6 years service in a posting.
 4. By giving such reply before Hon'ble Lok Sabha JD(E-I) had given wrong information.
8. The detail of falseness of reply to US Question No. 178 (g) is explained as follows.

178(g) whether any complaint has been received regarding large scale corruption in the Ministry regarding Administration issues of ESIC and if so, the action taken by the Government thereon ?

Reply : No, Madam.

Observations :

1. The reply of Ministry of Labour and Employment is false.
 2. Following Complaints on subject "Large Scale Corruption in ESIC and Ministry of Labour and Employment" were submitted by the undersigned in the Office of Hon'ble Prime Minister of India :
 - i) Letter No. AIESIC.SC/ST.FED. 2015-16 dated 13th October, 2015. (**Annexure - V**)
 - ii) Letter No. AIESIC.SC/ST.FED. 2015-25 dated 21st January, 2016. (**Annexure - VI**)
 - iii) Letter No. AIESIC.SC/ST.FED. 2015-26 dated 25th January, 2016. (**Annexure - VII**)
 3. All these complaints were forwarded to Ministry of Labour and Employment by PM's Office. A copy of PM's Office letter No. PMOPG/D/2015/0247735 dated 15-10-2015 and another letter No. PMOPG/D/2015/0247749 dated 15-10-2015 both addressed to the Secretary, Ministry of Labour and Employment is attached as **Annexure - VIII & IX** respectively which is still pending for action.
 4. The Administrative Ministry misguided by ESIC had concealed the above facts from the Hon'ble Parliament of India.
9. The detail of false reply to US Question No. 178 (e) is explained as follows.

178(e) the details of all ADs and DDs with their category that were posted out of their zone during 2011 to 2015.

Reply : No Option were called.

Observations :

1. The reply is vague and nonresponsive to question.
 2. The aim was not to reveal before Parliament the detail of officers who have completed minimum service of two years in a posting as per transfer policy.
10. From the above facts it is quite clear that Shri K.G. Suresh JD (E-I) was at the core of preparing these kinds of false and mischievous replies for manipulating transfer policy for ulterior motives. In this process he had given undue patronage to wrongly favoured officers who have completed their maximum tenure in a place of posting at the cost of those officers who have completed minimum normal tenure of two years who were made to suffer and most of the sufferers belonged to SC/ST category.
11. Sir, we had requested to Defer the DPC for the post of Regional Director Gr. 'A'/Director in ESIC scheduled to be held on 29-05-2020, and the matter of manipulation be examined by any senior officer of Administrative Ministry of ESIC i.e. Ministry of Labour and Employment and make the RRs affective from date when other RRs were made effective.
12. Here, it seems that the Administrative Ministry had accepted the self-investigated report submitted by guilty officers. I would like to submit that the Management of ESIC in place of taking action against guilty officers had rewarded Shri K.G. Suresh, JD (E-I) by posting him in RO Indore with additional charge of RO Chhattisgarh which is a posting of his choice.
13. It gives the impression that Shri K.G. Suresh, JD (E-I) is being rewarded for all kind of corruption and manipulation in framing of Recruitment Regulations, Transfer and Posting in all Cadre of SSO and above and financial bungling of Reserve Fund of ESIC.
14. Sir, we have raised nearly a dozen complaints with substantive documentary evidences which are readily available on our [website www.myesic.com/html/penissue.html](http://www.myesic.com/html/penissue.html) and still no action is being taken against Shri K.G. Suresh, JD (E-I) who has been key person instrumental in all kind of financial irregularities with Reserve Funds with the help of some Finance Cadre officers.
15. Hence, in the name of upholding probity in public administration you are requested to kindly
- a) Refer the matter to the **Central Bureau of Investigation** as the misconducts of Shri K.G. Suresh, Joint Director (E-I) are well established by documentary evidences and the vigilance machinery is inactive in the matter. On the contrary management is rewarding him by giving him posting of his choice.

- b) Defer the DPC for the post of Regional Director Gr. 'A'/Director in ESIC till investigation in the matter is complete and Recruitment Regulations are notified, and
- c) Initiate disciplinary action against Shri K.G. Suresh, JD (E-I) for showing utter disrespect to our temple of democracy i.e. Parliament of India.

Yours faithfully,



(Heera Singh)
Secretary General

Enclosed: As above.

Copy to :

1. The Secretary, Ministry of Labour and Employment, GoI,
2. The Director General, ESIC, New Delhi
3. The CVO, ESIC, New Delhi
4. The Insurance Commissioner (Revenue), ESIC, New Delhi

- for information and n.a. pl.



Secretary General

ANNEXURE – I



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INTERNAL AUDITORS
KULDEEP KUMAR
KAILASH CHAND

F.No. AIESIC.SC/ST.FED.2015-067 Dated 26th May, 2020.

To,

Shri Arvind Saxena,
Chairman,
Union Public Service Commission (A.P.2),
Dholpur House,
Shahjahan Road,
New Delhi – 110069.

Subject: Large Scale Misuse of his position by Shri K.G. Suresh, JD (E-I), ESIC for his own volition by unlawfully delaying action of notifying RRs for the post of Regional Director Gr. 'A'/Director in violation of direction of Ministry of Labour and Employment, decision of apex body of ESIC, direction of UPSC and DoP&T Guidelines regarding notification of RR for over 20 months.

DPC Scheduled to be held on 29-05-2020.

Sir,

With due regard, I would like to invite your kind attention on acts of Gross misconducts of Shri K.G. Suresh, Joint Director (E-I) who had been instrumental in committing various acts in violation of directions of Ministry of Labour and Employment, decision of apex body of ESIC, direction of UPSC and DoP&T Guidelines for his own volitions for delaying and deviating from official procedures which are explained below in sixth para.

2. With this letter, I would like to put forth a case study of how Shri K.G. Suresh, Joint Director (E-I) had misused his position for his own volition. The case is based on official documents provided by ESIC under the Right to Information Act, 2005 issued in the name of Shri Deepak Arora (Registration No. ESICO/R/2019/00537).

3. UPSC approved RR for the common cadre post of Deputy Director, Senior Deputy Director and Regional Director Gr. 'B' / Joint Director vide their letter No. 3 / 12 (7) / 2018 – RR dated

Contd. Page No. 2/-



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06-08-2018 (**Annexure – XVI**). Simultaneously, UPSC also approved RR for the common cadre post of Regional Director Gr. 'A'/Director on same date vide their letter No. 3/12/(3)/2018-RR dated 06-08-2018 (**Annexure – XIV**).

4. Shri K.G. Suresh, JD (E-I) in order to harm the interest of Promotion Cadre Officers of ESIC and to favour Direct Recruited Officers acted for amending the RR for the post of Deputy Director, Senior Deputy Director and Regional Director Gr. 'B' / Joint Director by removing failing which clause. On similar grounds the UPSC approved RR for the post of Regional Director Gr. 'A'/ Director also by removing failing which clause, which was detrimental to the interest of Shri K.G. Suresh, JD (E-I) and both amendments were approved by UPSC on same day i.e. 06-08-2018.

5. Shri K.G. Suresh, JD (E-I) was becoming eligible for promotion on 01-01-2020 as per the existing RRs. And as per the UPSC approved RRs for the post of Regional Director Gr. 'A' / Director he was going to be eligible on 01-01-2022.

6. He, in order to gain undue advantage of his position in ESIC involved himself in various kinds of irregularities, such as, withholding file for long periods, tempering with noting in file, delaying action on false and frivolous grounds without approval of competent authority. Study of case file also revealed violation of direction of Ministry of Labour and Employment, decision of apex body of ESIC, direction of UPSC and DoP&T Guidelines regarding issue of notification of RR within 10 weeks from date of receipt of advice from UPSC. Whereas, in the instant case it is delayed by over 20 months on false and misleading grounds. The facts and finding are as follows :

- i. Shri K.G. Suresh, JD was assigned charge of E-I Branch on 11-05-2016 (**Copy Enclosed as Annexure I**).
- ii. The Ministry of Labour and Employment vide their letter No. A-12034/07/2016-SSI dated 10-11-2016 requested DG, ESIC to send a proposal immediately to Ministry in the prescribed proforma/check list for formal amendment to RRs for the post of Regional Director Grade-A/ Director in consultation with UPSC. (**Copy enclosed as Annexure – II**).
- iii. In compliance of direction of Ministry, the proposal for amendment of RRs was approved by ESI Corporation which was circulated vide letter No. V-11(15)-1/2017-Corporate Cell dated 16-01-2018 (**Copy enclosed as Annexure - III**).

Contd. Page No. 3/-



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- iv. Subsequently the RRs were proposed to be forwarded to UPSC under intimation to the MoL&E on 18-01-2018 which was approved by the DG, ESIC on 19-01-2018 in file No. A-12(11)3/2015-E.I (Copy enclosed as Annexure - IV).
- v. The ESIC Corporation approved RR was forwarded to UPSC for approval of the commission vide letter No. A-12(11)3/2015-E.I dated 30-01-2018 (Copy enclosed as Annexure - V).
- vi. UPSC raised some observations on amended RR vide their note dated 30-01-2018 (Copy enclosed as Annexure - VI).
- vii. The reply to observations of UPSC was put up in file on 19-02-2018 and same was approved by IC (P&A) on 20-02-2018 without seeking approval of DG, ESIC (Copy enclosed as Annexure - VII).
- viii. The reply to observations of UPSC was submitted to UPSC vide letter No. A-12(11)3/2015-E.I dated 21-02-2018 without approval of DG, ESIC (Copy enclosed as Annexure - VIII).
- ix. The representative of ESIC was called for discussion on 21-03-2018 in the matter by ESIC vides their Email dated 16-03-2018 (Copy enclosed as Annexure - IX).
- x. After discussion on 21-03-2018, the UPSC vide their letter No. 3/12/(3)/2018-RR dated 22-03-2018 (Copy enclosed as Annexure - X) informed that "DoPT now as a principle does not prescribe the combination service and the need for combination of service is compensated by prescription of 'deputation'". The letter was received by Shri K.G. Suresh, JD (E-I) on 23-03-2018".
- xi. The matter was submitted on page No. 78/N of File No. A-12(11)3/2015-E.I on 09-04-2018 by DA which was forwarded by DD (DPC) to JD(E-I) on same day (Copy enclosed as Annexure - XI).
- xii. Shri K.G. Suresh, JD(E-I) kept file pending with him for complete three months from 09-04-2018 to 09-07-2018 to delay the process of formation of new RR as it was harming his interest. He moved the file on 09- 7-2018 on page 79/N(Copy enclosed as Annexure-XI) which



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was forwarded to DG, ESIC by AC (P&A) with observation "For kind approval" which was approved by DG. Later, a proposal was again submitted vide note of E-I Branch on page No. 80/N with recommendation of AC (P&A) as "For approval please". But later, the noting was tempered and words "For", "pl" and "DG" were stuck off by overwriting them. It clearly establishes that either the DG was not agreed to proposal or the proposal is not submitted before the DG as there was gross violation of direction of Ministry and decision of apex body of ESIC for approval of RR. (Copy enclosed as Annexure - XII).

- xiii. The final acceptance of all directions of UPSC by ESIC was communicated by ESIC vide letter No. A-12(11)3/2015-E.I on 12-07-2018 without approval of DG, ESIC (Copy enclosed as Annexure - XIII).
- xiv. In view of these tempering in noting portion of this file and there was a strong intention to delay publication / notifying of RRs, the file was wrongly closed / dumped.
- xv. Finally, the UPSC accepted the proposed RR vide their letter No. 3/12/(3)/2018-RR dated 06-08-2018 (Copy enclosed as Annexure - XIV).
- xvi. Since, the old file was not available the matter was processed in new Vol.II file and in this file a proposal dated 30-08-2018 was submitted for forwarding the RR to MoL&E for approval of Govt after vetting of Ministry of Law and Justice by E-I Branch. The JD(E-I) contrary to the direction of Ministry of Labour and Employment, approval of apex body of ESIC and direction as contained in para 5.2 of DoP&T guideline to notify the rules within 10 weeks from the date of receipt of Commission's advice, intentionally recommended to defer the publication of RR so that the publication / notifying of RR could be delayed to his own advantage without taking prior approval of Ministry, apex body of ESIC and UPSC. (Copy enclosed as Annexure - XV).
- xvii. The ground used for deferring the process of notifying RRs was that the finance cadre and the admin cadre was to merge at the level of Director which was false and frivolous. It is a well known fact that RRs for cadres below the level of Director are already



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merged and approved on same day i.e. 06-08-2018 by the UPSC. There was no remote scene for separation of down below Group A cadres at any level. If the same would have been a reality, then all the approved Group A RRs below the cadre of Regional Director Gr. 'A'/Director would also not have been notified. On the contrary, the ESIC was eager to promote interest of Finance Cadre Officer for their corrupt volitions in Common Cadre of Joint Director, hence ground for requirement for merger of two cadres at the level of Director is grossly incorrect and deceiving.

- xviii. The UPSC also approved RRs of remaining Group 'A' posts of Deputy Director, Sr. Deputy Director and Joint Director with a common cadre of finance and administration vide their letter No. 3/12(7)/2018-RR dated 06-08-2018 (Copy enclosed as Annexure - XVI) and the RRs were accepted by ESIC and notified also. It clearly establishes that the ground used for not notifying RR in instant case was false and fabricated.
- xix. The E-I branch again moved a proposal for seeking approval of Administrative Ministry for RRs for the post of Regional Director Gr.'A' / Director vide their note on page No 4/N. Shri K.G. Suresh again wrote false and fabricated reasons for delaying the process. The AC (P&A) forwarded the proposal with note as "DG may kindly see for approval". The DG, ESIC returned the file with remarks "Pl. Discuss". Later on, the AC(P&A) again submitted the file with note as "Discussed with DG. The file is put up for information only". After this the DG put his initial on proposal. It clearly establishes that the DG was agreed for information but he was not agreed for approval of proposal (Copy enclosed as page 4/N and 5/N of Annexure - XV).
- xx. UPSC wrote their first reminder dated 23-10-2018 for completing pending action. (Copy enclosed as Annexure - XVII).
- xxi. The E-I Branch processed this letter also in Vol.II file as original file was not traceable vide their note proposal dated 14-11-2018 with proposal that the decision of keeping the proposed RR approved by the Commission in abeyance. J.D. (E-I) forwarded this file with his remarks "We may inform UPSC as 'X' above". The file was forwarded to DG, ESIC by AC (P&A) with his remarks



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"DG may kindly see for information". The file was returned by DG, ESIC with remarks "Pl discuss.". After this the file was kept misplaced **(Copy enclosed as Annexure - XVIII)**.

- xxii. UPSC again wrote their second reminder dated 26-12-2018 for competing pending action. **(Copy enclosed as Annexure - XIX)**.
- xxiii. The E-I Branch processed this letter in third file vide their note proposal dated 15-01-2019 with proposal that the decision of keeping the proposed RR approved by the Commission in abeyance. J.D. (E-I) kept the matter pending at his own level. After this the file was kept inactive for long and fate of this file is also not known. **(Copy enclosed as Annexure - XX)**.
- xxiv. The incidents of gross violation of office procedures by JD (E-I) as explained in above para for his own volitions are proved beyond doubt.

Hence, from above facts it is well established that Shri K.G. Suresh, JD (E-I) had misused his position for his own volitions by acting in violation of the direction of Ministry of Labour and Employment, decision of apex body of ESIC, direction of UPSC letter dated 06-08-2018 and guideline contained in para 5.2 of "Guidelines on framing/ amendment/relaxation of Recruitment Rules" by not publishing/notifying RR within 10 weeks to gain early promotion by committing irregularities as mentioned in above paras.

Sir, our Federation is fighting against all kind of social and financial corruption in ESIC and recently we have filed a complaint of our Ex-DG on subject "Large Scale Corruption in ESIC / Gross violation of the ESI Act, 1948 and its subordinate laws for extracting benefit by awarding work of Portfolio Manager to M/s Reliance Nippon Life Asset Management Limited a Company promoted by Shri Anil D. Ambani for managing ESIC's Fund worth Rs. 59,382.99 Crores in ESIC" in Central Vigilance Commission which is still under investigation, the detail of complaint can be gauged from our web sites www.addjd.com and www.myesic.com also. These kind of acts of Shri K.G. Suresh, JD(E-I) under leadership of our ex-DG clearly makes us believe that he is also part of these kind of corruption in ESIC.



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

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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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SECRETARY GENERAL
HEERA SINGH
Mob. No. 09868241160

SECRETARY (PUB. RELATION)
ANIL KUMAR

SECRETARY (FOR NCR)
JAGDISH

-7-

Hence, it is imperative that before calling for the meeting of DPC for the post of Regional Director Gr. 'A'/Director in ESIC which is scheduled to be held on 29th May, 2020 may be deferred until the role of manipulation by Shri K.G. Suresh, Joint Director (E-I) is investigated so that Shri K.G. Suresh, JD (E-I) could not reap fruits out of his wrong doing/misconducts which will only promote corruption in ESIC.

Hence, you are requested to kindly

1. Defer the DPC for the post of Regional Director Gr. 'A'/Director in ESIC scheduled to be held on 29-05-2020, and
2. Direct Administrative Ministry of ESIC i.e. Ministry of Labour and Employment to act in the matter of these misconducts by Shri K.G. Suresh, Joint Director (E-I) and make the RRs affective from 01-01-2019.

Yours faithfully,

(Heera Singh)
Secretary General

Enclosed: As above.

Copy to :

1. The Director General, ESIC, New Delhi – for information and n.a. pl.
2. The CVO, ESIC, New Delhi – for information and n.a. pl.
3. The Insurance Commissioner (Revenue), ESIC, New Delhi – for information and n.a. pl.

Secretary General

CONFIDENTIAL



संघ लोक सेवा आयोग

UNION PUBLIC SERVICE COMMISSION

धौलपुर हाउस, शाहजहाँ रोड / Dholpur House, Shahjahan Road

नई दिल्ली - 110 069 / New Delhi - 110 069

F. No. 2/10/2019-RR

Date: 24th June 2019

To

The Secretary to the Govt. of India,
Ministry of labour & Employment
Shram Shakti Bhawan,
New Delhi.

Subject : Irregularities in ESIC

Sir,

I am directed to forward a representation dated 26.05.2020 received from All India ESIC SC/ST Officers & Employees Federation.

2. In the representation, it has been stated that one Shri K.G. Suresh, JD (E-I) has gained undue advantage position in ESIC and has involved himself in various kinds of irregularities, such as withholding file for long periods, tampering with noting in file, delaying action on false and frivolous grounds without approval of competent authority. Study also revealed violation of direction of Ministry of Labour and Employment, decision of apex body of ESIC, direction of UPSC and DoP&T guidelines regarding issue of notification of RRs within 10 weeks from the date of receipt of advice from UPSC. Whereas in the instant case (of RRs for the post of Regional Director Group 'A'/Director), it has been delayed by over 20 months on false and misleading grounds.

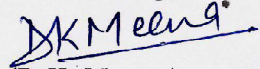
3. In view of the above, the Association has requested that holding the DPC meeting for the post of Regional Director Grade A / Director on 29.05.2020 may be deferred and the role of manipulation by Shri K.G. Suresh, Joint Director (E-I) may be investigated. They have requested for the following actions:

- (i) Defer the DPC for the post of Regional Director/Director in ESIC scheduled to be held on 29.05.2020; and
- (ii) Direct the Administrative Ministry of ESIC i.e. Ministry of Labour and Employment to act in the matter of these misconducts by Shri K.G. Suresh, Joint Director (E-I) and make the RRs affective from 01.01.2019.

4. Since, the issues raised by the applicant are administrative issues to be looked into by Administrative Ministry, the representation is forwarded to Minsitry of Labour & Employment for necessary action.

Encl. As above.

Yours faithfully,



(D.K. Meena)

Under Secretary

Union Public Service Commission

Tel.No.011-23385396

✓ Copy to: Shri Heera Singh, Secretary General, All India ESIC SC/ST Officers & Employees Federation, Panchdeep Bhawan, Wing No. 4, Shivpuri, Prem Nagar, Dehradun.

ANNEXURE -III

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO. 178
TO BE ANSWERED ON 17.07.2017

TENURE/POSTING OF OFFICERS

178. DR. UDIT RAJ:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the details of maximum tenure of Group "AB" officers in a particular post in Regional/Sub-Regional/Divisional Office in ESIC;**
- (b) whether this tenure policy is being followed and if so, the details of officers who are posted beyond this tenure;**
- (c) the details of the norms for posting Assistant Directors and Deputy Directors in five zones;**
- (d) whether options were called from Group "AB" during 2011 to 2015 and if so, the details of all circulars issued with number of options received in each year;**
- (e) the details of all ADs and DDs with their category that were posted out of their zone during 2011 to 2015;**
- (f) the details of action taken to repatriate officers who were posted out of their zone and completed their tenure of 2 years; and**
- (g) whether any complaint has been received regarding large scale corruption in the Ministry regarding Administration issues of ESIC and if so, the action taken by the Government thereon?**

ANSWER

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)**

- (a): As per Transfer Policy in vogue in Employees' State Insurance Corporation, the maximum tenure for every Group 'A' & 'B' officer in a particular post/establishment in respect of officers posted in Regional Office, Sub-Regional Office and Divisional Office is 3 years and the same at one station is 6 years.**
- (b): In general, the policy is being followed; however, the exceptions are resorted in overall public interest. Details of Officers are at Annexure-I.**
- (c): Assistant Directors and Deputy Directors are posted to one unit depending upon the vacancy at the unit with respect to sanctioned strength sharing the shortage of officers, if any, proportionately.**
- (d) & (e): No options were called.**
- (f): Maximum tenure at one station as per Transfer Policy is 6 years. The policy does not stipulates repatriation of officers who are posted out of their zone on completion of 2 years to the old station as only maximum tenure at one station is specified in the Transfer Policy.**
- (g): No, Madam.**

**

**STATEMENT REFERRED TO PARTS (b) LOK SABHA UNSTARRED
QUESTION NO.178 FOR 17.07.2017 BY DR. UDIT RAJ REGARDING
TENURE/POSTING OF OFFICERS IN ESIC.**

Sl. No.	Name of the officer	Design.	Group 'A' / 'B'	Date of Birth	Place of Posting
1	P B Mani	Add. Commissioner	A	26/05/61	Tamil Nadu, R.O.
2	Amarjit Singh	Joint Director	A	21/05/58	Uttarakhand, RO
3	Loorthu Vedam	Joint Director	A	30/05/59	Kerala, SRO Kollam
4	Krishnakumar S.	Deputy Director	A	23/07/66	Tamil Nadu, R.O.
5	Parthasarthy Panda	Deputy Director	A	27/03/69	Orissa, R.O.
6	Roopa Banerjee,	Deputy Director	A	30/03/75	Delhi, RO
7	Abhilasha Jha,	Deputy Director	A	08/10/74	Maharashtra, R.O.
8	Amarnath Tiwari	Deputy Director	A	14/01/73	West Bengal RO
9	Maneesh Khulbe	Deputy Director	A	27/05/74	Delhi, RO
10	Nishant Kumar	Deputy Director	A	25/08/78	Jharkhand, R.O.
11	Rakesh Kumar	Deputy Director	A	30/12/72	Gujarat RO
12	Pranesh Kumar Sinha	Deputy Director	A	07/01/72	Bihar RO
13	Lakshman Jee Gupta	Deputy Director	A	27/11/75	U.P., R.O.
14	Saikat Mandal	Deputy Director	A	24/12/73	West Bengal, SRO, Barrockpore
15	Arul Raj M.	Deputy Director	A	06/06/77	Tamil Nadu, SRO Tirunelveli
16	Digvijay Prasad Sinha	Deputy Director	A	17/02/69	Chhattisgarh RO
17	Patras Gregory Khalkho	Deputy Director	A	22/11/79	Karnataka, SRO Bommasandra
18	Baldev Raj	Deputy Director	A	10/06/58	Punjab, SRO Jalandhar
19	Babu Lal	Deputy Director	A	26/03/63	Telangana, RO (Hyderabad)
20	Rajinder Prasad Sharma	Deputy Director	A	05/01/60	Rajasthan, R.O.
21	S.Thaulatha khan	Deputy Director	A	28/02/58	Puducherry, R.O.
22	Ramesh M. Mugdur	Deputy Director	A	20/01/67	Karnataka, SRO Mangalore
23	T.K. Choudhary	Deputy Director	A	20/03/71	Delhi, SRO Okhla
24	Anita Sonkar,	Deputy Director	A	15/11/57	U.P., R.O.
25	Rajiv Ranjan	Deputy Director	A	01/03/77	Maharashtra, R.O.
26	Shivendra Kumar	Deputy Director	A	15/07/82	Gujarat RO
27	Gouminthang Gangte	Deputy Director	A	04/06/76	Maharashtra, SRO Marol
28	Dewanshu Raj	Deputy Director	A	28/09/75	Gujarat, SRO Baroda
29	Sunil Yadav	Deputy Director	A	14/10/84	West Bengal RO
30	Jai Prakash Sharma	Deputy Director	A	22/05/79	Madhya Pradesh, R.O.
31	Radha Krishna Devaki	Deputy Director	A	18/12/74	Andhra Pradesh, SRO Visakhapatnam

32	Satpal	Deputy Director	A	15/04/58	Punjab, SRO Jalandhar
33	V. Srinivas	Deputy Director	A	17/05/59	Karnataka, SRO Bommasandra
34	Prasun Kumar Sinha	Deputy Director	A	25/07/66	Maharashtra, SRO Marol
35	Sanjeev Yadav	Deputy Director	A	07/02/75	Maharashtra, SRO, Aurangabad
36	Rajendra Tudu	Deputy Director	A	01/01/74	Jharkhand, R.O.
37	Jelson Vadacherry Augustine	Deputy Director	A	25/05/70	Kerala, SRO Ernakulum
38	Vivek Awasthi	Deputy Director	A	02/05/75	Madhya Pradesh, R.O.
39	Libenthung Tsanglao	Deputy Director	A	21/03/73	Assam RO
40	Yogesh Kalidas Vadsara	Deputy Director	A	04/06/74	Gujarat RO
41	Rajiv Kumar	Deputy Director	A	28/09/76	Maharashtra, R.O.
42	Salil T.	Deputy Director	A	02/05/70	Kerala, RO
43	Janaki Singh	Deputy Director	A	03/01/75	West Bengal, SRO, Barrockpore
44	Poonam Bala	Deputy Director	A	29/03/74	Jharkhand, R.O.
45	Satish Kumar	Deputy Director	A	20/12/57	Haryana RO
46	Amit Kumar Srivastava	Deputy Director	A	31/12/76	U.P., SRO Lucknow
47	Ajay Pal Singh	Deputy Director	A	15/11/58	Delhi, DO Nandnagri
48	Suchanda Sen	Deputy Director	A	04/10/73	West Bengal RO
49	Amitava Dutta	Assistant Director	B	29/03/73	West Bengal, ESIMH Joka
50	Pronob Kr. Choudhuary	Assistant Director	B	02/07/75	West Bengal RO
51	Rajat Bhattacharya	Assistant Director	B	13/06/74	West Bengal RO
52	V. Raveendran	Assistant Director	B	11/03/64	Tamil Nadu, SRO Coimbatore
53	Niraj Kumar Singh	Assistant Director	B	15/01/67	Tamil Nadu, R.O.



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

No:-A-22(13)1/2014-E.I

Dated: - 2.12.2014

To,

- 1) All the Regional Directors.
- 2) The Joint Director, Admn -V, Hqrs Office,
- 3) All the Director/Joint Director In-charges of SROs.
- 4) Director (Medical) Delhi/Director ((Medical) Noida/Director ESIC Hospital, K.K. Nagar,
- 5) All the Medical Superintendents of ESIC Hospital.
- 6) All the Medical Superintendents of ESIC Model Hospital.
- 7) Dean, ESIC Medical Colleges/Dental Colleges

Sub: - Transfer/posting policy of Group 'A' & 'B' Officers on the Administrative side.

Transfer policy for effecting transfers and postings of Group 'A' & 'B' officers of ESIC on the administrative side was last circulated vide this office letter No. A-22(13)1/2002-E.I. dated 17.3.2005. In view of the DoP&T communication vide No. 11013/10/2013-Estt. A dated 26.12.2013 and MoL&E letter No. A-11017/03/2014-SS.I dated 18.3.2014 and also present needs of the organisation, in supersession of the previous policy in this regard the Transfer Policy of Group 'A' & 'B' Officers on the Administrative side is being revised. Accordingly, the following guidelines will be adopted while considering the transfers and postings of officers of these categories:-

- (1) **Transfer liability:** - All Group 'A' & Group 'B' Officers would continue to be liable for transfers and postings anywhere in India.
- (2) **General Transfers:** General Transfers would normally be made in the months of March, April or May every year, keeping in view the commencement of academic sessions so that the hardship caused to the employees in securing admission for their wards in educational institutions is minimized. However the transfer/postings orders may be done at any time in exceptional cases on account of administrative exigencies, in public interest or in case of promotion to higher grade. Complaints, vigilance cases etc. against the serving Officers and administrative requirements like job requirement, skill and experience shall also be taken into account while deciding transfers/postings.
- (3) **Tenure:** - All postings of Group 'A' & Group 'B' officers shall normally be for not less than two years, provided there is no serious complaint of misconduct against the Officer or it is expedient in public interest to transfer him/her before completion of the minimum tenure. Any transfer/posting of Officers before completion of minimum tenure will be made only after the reasons for such transfer/posting are examined by the Transfer Committee and its recommendations are approved by the Competent Authority. Only the active service in a particular tenure will be counted for determining the duration of the tenure. If an officer is to be transferred before the completion of the normal tenure of two years, the reasons therefore will be recorded in file while ordering the transfer. In case a transfer is made in mid academic

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दिनांक/Date 31/12/14

session on account of administrative exigencies, an option to retain the Corporation accommodation/leased accommodation up to the end of the academic session will be allowed, if any child is studying at that station. The maximum tenure for every Group 'A' & 'B' officer in a particular post/establishment in respect of officers posted in Regional Office, Sub-Regional Office and Divisional Office would be 3 years and the same at one station would be 6 years. In respect of officers posted in the rest of offices, the maximum tenure in a particular post/establishment and at one station would be 4 and 8 years respectively. Any exception to this tenure posting can be allowed only in exceptional circumstances on account of administrative exigencies with the approval of the Competent Authority.

(4) Option: - Officers in the cadre of Assistant Directors and Deputy Directors are as far as possible accommodated in one of the five geographical zones of their choice. Option will be called for from the existing officers in these cadres to indicate three zones of their choice in order of priority and attempts will be made to post them in the zone(s) of their choice subject to availability of posts. In the event of non-availability of posts in the first zone, they will be considered for postings in the zones of their second or third choice.

The zones for this purpose would be as given below:-

Zone	States
North Zone	Jammu & Kashmir, Himachal Pradesh, Punjab, Chandigarh, Haryana, Uttarakhand, Delhi and Uttar Pradesh.
East Zone	West Bengal, Orissa, Bihar, Jharkhand, Sikkim & North Eastern States.
West Zone	Maharashtra, Gujrat, Rajasthan and Goa.
South Zone	Karnataka, Kerala, Tamil Nadu, Andhra Pradesh, Telangana and Pondicherry.
Central Zone	Madhya Pradesh and Chhattisgarh.

(5) Request for transfers: - All the requests for transfers should be sent by the officers of Group 'A' & Group 'B' through proper channel, so as to reach the Hqrs. Office before the 31st December of the preceding year. The requests should be for transfer/posting at Stations of his/her choice but not for transfer/posting to a particular post (s). Such requests for choice posting will be considered subject to administrative feasibility and availability of vacancies. No representation for transfer/posting will be entertained after orders for annual transfer/postings are issued.

(6) Special Consideration for husband and wife :- As far as possible attempts will be made to post the husband and wife, if they are both working in the ESIC, at the same station subject to availability of posts and their suitability.

(7) Rotation of officers in various posts and stations: - In order to ensure all round development of manpower and to equip the officers to handle senior assignments, all the officers up to the level of Joint Directors are expected to work both in the field and in secretarial assignments. They will be rotated among the Regional Office, Sub-Regional Offices, Offices of the State Senior Medical Commissioners, Offices of the State Medical Commissioners, ESIC Hospital, ESIC Model Hospitals, ESIC Medical Colleges, ESIC Dental Colleges and the Hqrs Office.

(8) **Officers due for retirement:** - A person in the last year of service would not normally be transferred from where he/she is posted. If exigencies of services require such a transfer, orders thereof will be issued by the competent authority after recording the reasons therefor.

(9) **Leave after transfer:** - Once a transfer order of an Officer has been issued by the competent authority, the officer concerned will not be granted leave of any kind by his controlling authority. All requests for leave of any kind thereafter will be sent, through proper channel, to the authority which has issued the orders of transfer.

(10) **Outside influence/political influence:** - No officer shall bring outside influence/political influence to further his request for posting of his choice as enumerated in Rule 20 of CCS (Conduct) Rules, 1964 which prescribe that "No Government Servant shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under Government". Any violation of the said Rule will be viewed seriously and stern action including disciplinary action will be taken against such delinquent Officers under the provision of Conduct Rules.

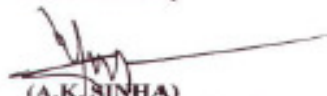
(11) **Transfer Committee:** - There will be a Transfer Committee for the Non-Medical Personnel of ESIC to recommend the transfer/postings of the officers/staff having All India transfer liability, as per extant transfer policy. The order constituting the Transfer Committee would be issued with due approval of the Director General. Such orders would be formally notified as well as placed in the public domain. The representations concerning transfer/posting orders issued by the Hqrs Office, or for cadre change under IRT, will also be considered by the Transfer Committee.

(12) The recommendations of the Transfer Committee would be subject to the approval of the Director General, ESIC who is the Competent Authority.

(13) On administrative grounds and in exigencies of public work, the competent authority may make deviation from the above guidelines for transfer by recording on the file the reasons in writing.

I request you to kindly ensure that all the officers working under you are informed of the contents of this letter.

Yours faithfully



(A.K. SINHA)
ADDITIONAL COMMISSIONER
FOR DIRECTOR GENERAL



ANNEXURE – V

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

(Regd.No. S/27858 of 1995)

WORKING PRESIDENT
JALIM SINGH AHIRWAL

SR. VICE-PRESIDENT
MAHESH KUMAR

SECRETARY GENERAL
HEERA SINGH

SECRETARY (PUB. RELATION)
ANIL KUMAR

SECRETARY (FOR NCR)
JAGDISH

FOUNDER MEMBER
SHRI BHAGWATI PRASAD
RETD. INS. COMMISSIONER

ADDL. SECY. GENERAL
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JOINT SECRETARY
KULDEEP KUMAR (N. ZONE)
D. Y. GIRI (S. ZONE)
VIDHYANAND DAS (E. ZONE)
JAGDISH SALVE (W. ZONE)

LIAISON SECRETARIES
GOVERDHAN DAS (N. ZONE)
K. SATYANARAYANA SWAMY
(S. ZONE)
SUDIP KUMAR SARKAR
(E. ZONE)
RAM CHANDRA JATIA
(W. ZONE)

INTERNAL AUDITORS
KULDEEP KUMAR
KAILASH CHAND

F.No. AIESIC.SC/ST.FED. 2015-16.

Dated 13th October, 2015.

To,

Shri Narendra Modi Ji,
Hon'ble Prime Minister,
Union Government of India,
Rouse Avenue,
New Delhi – 110001.

Subject: Large Scale Corruption in ESIC and Ministry of
Labour and Employment.

Respected Sir,

With due regard, I would like to introduce myself as Secretary General of above named Federation holding charge of this post since 25th April, 2011. I represent interest of nearly 6000 SC/ST Officers and Employees who are members of our Member Associations working in various ESIC field offices. Presently we have got our Associations in nearly 27 field offices. I am working as Deputy Director in ESIC Headquarters Office looking after Benefit Matters of ESIC.

2. Our logo which is prominently highlighted in our official website "myesic.com" is "Let us fight BHRASTACHAR, Let us save BHARAT, Let us save ESIC, Let us MODIFY the nation" which was incorporated in first quarter of year 2014.

3. I had been raising various issues of gross violation of Government Instruction thus resulting in discrimination and harassment of SC/ST officers and employees of ESIC since my elevation to the post of Secretary General in April, 2011. But unfortunately the response of Management was non cooperative and almost all the issues were kept pending with no action at all.

4. Since, no result was coming I analyzed the reasons for such a failure, I came to the conclusion that since there was large scale corruption in ESIC the Management was not at all interested to take remedial recourse and the things were allowed to happen as it was happening in due course.

Contd. Page. No. 2/-

5. We have written many letters to the then Hon'ble Prime Minister of Union Govt. of India and Hon'ble Minister of Labour and Employment also with no fruitful results.

6. Though the corrupt tendencies have started in ESIC prior to my becoming SG, I raised my first protest vide my letter No. AIESIC.SC/ST.FED/2011/133, 134 and 135 dated 3rd December, 2012 addressed to Hon'ble Prime Minister of India, Hon'ble Union Minister for Labour and Employment and Chief Vigilance Commissioner respectively copy enclosed as Annexure – I. In this complaint, I have raised the serious issue of in-action of ESIC in filling up 879 vacancies in ESIC along with various other mismanagement. I protested the decision of Union Government of India to give post retirement extension to Shri T.K. Bhattacharya who was in fact a very corrupt officer facing lot of serious complaints in his service career.

7. Unfortunately, I received a letter No. C-12/18/Hqrs./1/2013-Vig. Dated 21.01.13 copy enclosed as Annexure – II from Director (Vigilance), ESIC in response to my above letter and he considered my complaint as general in nature and which according to him do not appear to be verifiable and requested to mention specific case with sufficient proof of the involvement of the officer in order to enable investigation.

8. Since, I was not satisfied with the loose reply, I lodged a protest vide my letter No. AIESIC.SC/ST.FED/2011/133-135 dated 03rd February, 2013 copy enclosed as Annexure – III and gave my commitment to bring substantial facts of corruption before the authority.

9. In the mean time the management decided to transfer Shri B.K. Sahu, the senior most Insurance Commissioner in ESIC to National Training Academy, ESIC as the management considered his presence in Headquarters Office against the vested interest of corrupt officers and continued with the corrupt officer. Our Federation protested against this move of Management vide our letter No. AIESIC.SC/ST.FED/2011/141 dated 4th March, 2013 copy enclosed as Annexure – IV, which was grossly ignored as this decision was taken on the behest of the then Minister for Labour and Employment.

10. In the mean time, the situation had so worsened that the agents of the office of Minister for Labour and Employment openly started demanding illicit gratification for transfer postings to public offices and various public offices were virtually put for bidding at various price tags. I raised my protest vide my letter No. AIESIC.SC/ST.FED/2011/ 150 dated 26th September, 2013 copy enclosed as Annexure – V. The prevailing rates which our Federation gathered from various sources were as follows :

- a) For Group 'A' officers seeking posting of choice Rs. 25 lakhs.
- b) For Group 'B' officers seeking posting of choice Rs. 15 lakhs.
- c) For Group 'A' officers seeking posting in choice state Rs. 5 lakhs.
- d) For Group 'B' officers seeking posting in choice state Rs. 2 lakhs.
- e) For Group 'C' SSO seeking posting in choice state/region Rs. 2 lakhs.
- f) For Inter Regional Transfer of Group 'C' staff Rs. 1 lakh.

11. In order to analyze the modus operandi of corrupt officers we have analyzed the General Administration of ESIC along with irregularities in one of hundreds of the construction project awarded by ESIC. Since, the ESIC had started nearly hundreds of construction project totaling to the tune of Rs. 30,000 Crores, our federation **selected the project of construction of ESIC Hospital Gurgaon** for public audit on which a total of approximately 60 crores were spend by ESIC. The finding of gross irregularities in General Administration of ESIC and in project for construction of ESIC Hospital Gurgaon was submitted in the Office of Hon'ble Prime Minister of India vide our letter No. AIESIC.SC/ST.FED/2011/153 dated 29th January, 2014 **copy enclosed as Annexure – VI**. I am really sorry to say that **I have raised 20 actionable points regarding corruption in General Administration of ESIC which are still pending for action. Further to it I have submitted 25 paras with documentary evidences which clearly prove the irregularities in project for construction of ESIC Hospital Gurgaon.** It is very unfortunate that no action is taken against any of the officers who were responsible for these irregularities resulting in loss of crores of Rupees to ESIC.

12. In this regard, our Federation submitted one more reminder letter vide our letter No. AIESIC.SC/ST.FED/2011/155 dated 09th April, 2014 **copy enclosed as Annexure – VII** to provide further inputs for irregularities in project for construction of ESIC Hospital Gurgaon along with detail of interest of Shri P.C. Chaturvedi, Ex-DG of ESIC in various legal entities and detail of interest of his family members in various other legal entities. **A list of suspected properties of this officer was also provided for investigation of the matter.**

13. In ESIC more than 140 construction projects with obligation of around 30,000 cores are or were going on throughout India out of these projects 100 projects are of more than Rs. 50 Crores and some of projects were of 1000 crores also. There are more than 70 engineers including E.E./A.E./J.E. engaged for these projects without proper sanction of the competent Authority. Earlier the retired engineers were engaged and they were given the work of technical evaluation which was done by them as per the wishes of some officers of ESIC, who were minting from the different projects.

14. The architect fees is paid @ 3 which is not as per Govt. of India norms. It should not be more than 1 % at the maximum. The selection of the Architect is sweet will of the officers who are actually engaged with these projects. The architectural consultant was engaged at a time when only few project were started and the bidders were not informed about of volume of upcoming projects as a result a competitive rate of fees could not be received and those who bid were provided many big projects on same exorbitant rate of fees.

15. Out of these 140 projects on a few project has been completed so far. The cost of project has been escalated abnormally. On an average the trend of escalation in most of the project is reported as 30% as against not more than 15%.

16. Most of the projects have crossed the likely date of completion and some of the project are running beyond 2 to 3 years from the date of completion resulting in unnecessary escalation of project cost.

17. Some of the projects are already under the scanner of CTE of CVC but the progress of investigation is very slow because of MAFIA behind these project and internal support of ESIC and Ministry of Labour and Employment to those officers is hindering the investigation. So far no investigation report has been received and therefore no one was booked by competent authority though there are number of irregularities in the projects.

18. The choice of contractor is also sweet will of officers of ESIC. In fact they are partner and are taking larger share from the payments of these contractors. This can be verified by man power deployed by the construction agency. They are mostly belonging to the same place/area and migrate from one project to other. The ESIC Corporation has paid 4 % as work charge over and above the estimated price offered by the constructions agencies even though it has to be absorbed by the construction agency. By doing so they have caused a loss of nearly 1000 crore to ESIC. Since, I was associated with 1200 Crore IT Project Panchdeep, I ensured that the Service tax at a rate of 12.36 % is not released as the same was inclusive in the bided price. It has come to our notice that on one side we are paying work charge of 4 % of estimated cost of project on the other side we are allowing the third parties to get refund of work charge/service tax paid in our projects which should have been refunded to ESIC only thus causing unjust enrichment to private parties at the cost of ESIC & Government of India.

19. The financial Commissioner of ESIC was the head of project monitoring division. He is the financial head of ESIC. Being the head of PMD he exercises administrative power and financial power as F.C. and clears the projects even if there are number of loopholes/irregularities. The financial and administrative power cannot be in the hand of one officer which is clear cut violation of Govt. of India instructions on the subject. It is like one man show and the rules are flouted and provisions of G.F.R. are violated. If any junior officer trying to write as per rules, he is threatened and stated to be transferred far away.

20. Recently C & AG has conducted performance audit of ESIC. It was pointed out by the external audit that 1% charge given by ESIC is not as per rules which is huge amount in total.
21. In view of not receiving fruitful results in these sensitive issues from the Office of Hon'ble Prime Minister of Union Government of India and Ministry of Labour and Employment made me more concerned about ESIC and we have decided to highlight these issues till these irregularities are not removed and the guilty officers are punished.
22. In this regard, I would like to submit that recently one of our officer Shri Tri Rattan, Assistant Director (Official Language) was promoted to the post of Deputy Director (OL) and was posted out of Home Zone and particularly from NCR of Delhi to West Bengal against the fourth guideline of transfer policy whereas in respect of all other officers 4th Guideline was followed and all were adjusted in their home zones.
23. As per the transfer policy rotation of officer while being allotted posting beyond home zone should have been done on first come first go basis. Whereas in the instant case the longest stay case has not only been adjusted in his home zone but also in place of his convenience. Incidentally the longest stay case has joined in NCR of Delhi and since then staying in Delhi and will further gets next promotion in Delhi as the same is sanctioned for Delhi only. Hence, one officer will remain in NCR of Delhi for his whole service career, whereas the counter part SC officer will have to start his service career out of his home zone and will be again and again made subject to extreme posting.
24. In this case, it has been come to our knowledge that a total of Rs. 2 lakh was paid as illicit gratification for adjusting longest stay case in NCR of Delhi to corrupt officer of ESIC.
25. Our Federation represented our this case before ex Director General and the present Director General of ESIC vide our letter No. .SC/ST.FED/2015/005 dated 17th June, 2015, copy enclosed as Annexure – VIII. Followed by a reminder letter No. .SC/ST.FED/2015/005 dated 17th September, 2015 copy enclosed as Annexure – IX. In view of prevailing corruption in ESIC and Ministry of Labour and Employment both the above officers preferred to ignore the grievance and neglect the gross violations.

26. In this case our Federation also sought the interference of National Chairman of our Confederation, Dr. Udit Raj, Hon'ble Member of Parliament, whose interference was also ignored by corrupt officers of ESIC on the pretext that the only post available in NCR of Delhi has been already filled and there is no vacancy in NCR of Delhi. It is height of corruption in ESIC as the management is committing gross irregularities in spite of issue being raised by not only our federation but is being raised by High esteemed office of our Hon'ble Member of Parliament also.

27. In this regard, I would like to state that in ESIC posting of officers are not regulated by Transfer Policy but are regulated by Whims and Fancies of Management of ESIC and Ministry as the posting are always decided on the basis of corrupt means. There are nearly 15 deputy directors excess in Headquarters Officer to the sanctioned strength. There are nearly half a dozen Directors who are posted in such locations where there is no sanctioned post of Director. When it comes for adjustment of favored persons all rules are flouted and members of SC/ST are made to suffer for benefitting these favored persons.

28. It has also come to our knowledge that various posts of Directors in Regional Offices and Joint Director in Sub-Regional Offices are kept unfilled in spite of fact that officers are available for posting. The additional charge of Regional Office Chhattisgarh, Himachal Pradesh, Jammu and Kashmir are assigned to Regional Director of Regional Office MP, Punjab and Punjab respectively. The additional charge of Sub Regional Office, Ludhiana, Surat, Ambala, Kozikode, Ernakulam, Nasik and Madurai are assigned to Joint Directors of Hospital Ludhiana, RD Gujarat, RD Faridabad, RD Mumbai and Director Coimbatore respectively. By giving additional charge to existing HOD of other offices the ESIC is not only incurring unwarranted expenditure on TA/DA of officers but thus is hampering the functioning of these offices resulting in inconvenience to IPs and other stake holders of ESIC. This type of scenario clearly establish that the allegation made in para 10 above and my letter No. AIESIC.SC/ST.FED/2011/150 dated 26th September, 2013 copy enclosed as Annexure – V as correct and the RO and SRO are sold and assigned by corrupt means to corrupt officers as and when they are available.

29. Instances have come to notice where due to negligence of our officers loss to exchequer has occurred for amount of crores of rupees and the management has not taken action against the responsible officer which also clearly gives indication that the Management is in business of protecting the perpetrators of these frauds/thefts. Our federation has got information of illegal siphoning of ESIC fund to personal account to the tune of Crores of Rupees by some of our officers. We have also received information of large scale theft of medicines from ESIC Hospitals to the tune of crores of Rupees by our Officers. I will be bringing facts of such cases in due course.

30. There are numerous instances where the Hon'ble CAT has issued direction to ESIC for rectifying the irregularities. Nearly half a dozen cases are known to this federation where the direction of Hon'ble CAT are still pending for compliance. The management considers it wise to spend lakhs of rupees in fighting the case in Hon'ble High Court and Hon'ble Supreme Court but do not consider it necessary to provide justice at lowest level i.e. at its own level or at the behest of Hon'ble CAT thus causing loss of exchequer and poor aggrieved petitioners. **The concept is clear- pay illicit gratification or go to court. In case you go to court the matter will be appealed in Hon'ble High Court and Hon'ble Supreme Court.**

31. **Many of the Directors who belong to SC/ST category who are supposed to be posted as Regional Director of Regional Offices are posted in Sub-Regional Offices which is actually to be headed by a Joint Director In-charge. Whereas as contrary to it there are also some instances where General Category Joint Directors are posted against the vacancy of Director.**

32. I had raised the issue of the DG, ESIC not allowing the Insurance Commissioner (equalant to Joint Secretary) and Additional Commissioner (P&A) to use their Delegation of Power in order to manipulate the transfer postings with out seeking prior approval of Standing Committee of ESIC vide para 1 under heading "Corruption in General Administration of ESIC" of my letter No. AIESIC.SC/ST.FED/2011/153 dated 29th January, 2014 **copy enclosed as Annexure – VI.** The situation has further deteriorated. Now the Management has illegally delegated the power of Insurance Commissioner and Medical Commissioner to subordinate Additional Commissioner with out seeking mandatory approval of Standing Committee in violation of Rule 16(2) of the ESI (Central) Rules, 1950 as such officers with close nexus to conduits and some officers of Minister's office are playing key role in promoting corruption.

33. **In order to promote corruption and not to disturb the existing system of corruption the one and only Insurance Commissioner who was posted out in National Training Academy, ESIC was neither called back in headquarters office nor given charge of subject which are under his delegation of powers.**

34. Usually transfer orders for repatriation of those officers who are already sent out of their native region are considered before issuing promotion order of current year. Vacancies are assessed for current year only after all applications for repatriation is adjusted. **Now in order to adjust the promotees of current year the management has stopped repatriating those offices who are due for repatriation as per transfer policy. For such adjustments collection of illicit gratification is rampantly being done. A long list of 375 officers who are still waiting for posting of their choice is enclosed as Annexure – X.**

35. In this regard, I would like to submit that the screening for filling up the post of Deputy Director, Assistant Director and Social Security Officer were conducted in the month of August, 2015 and promotion order for the post of Deputy Director was issued on 04-09-2015 enclosed as Annexure – XI without repatriating nearly 60 officers whose application for repatriation were pending and are still pending page No. 2, 3 & 4 of Annexure – X. The purpose of this was to get undue benefit from beneficial parties through conduits of Ministry with the affected persons and order was issued only after a hefty sum was passed off to Ministry. The process of negotiation for illicit money for the post of Assistant Director and Social Security Officer is still going on.

36. The situation has so deteriorated that for conducting every screening for ad-hoc promotion and for conducting every DPC the Minister office has to be obliged. For every proposal of relaxation of Recruitment Rules also the Ministers office has to be obliged.

37. If the demands of Ministers Office is met then any kind of amendment in Recruitment Rules can be done. Otherwise the ministry will turn down the proposal. I would like to put forth an example for your convenience. In ESIC, it is found that usually many of the post of Assistant could not be filled as sufficient number of eligible UDC with three years service are not available in feeder cadre. As a result when ever vacancies are there proposals are sent to Ministry for relaxation of eligibility criteria for SC/ST category employees under special recruitment drive. Likewise a proposal was sent to Ministry last year for such relaxation which was till date not accepted by the Ministry. In place the ministry issued a direction to ESIC to consider to revise the eligibility condition to 10 years from the existing 3 years. That means vacancies will be there in just two years service and the UDC should seek special relaxation from Ministry till 8 years for promotion.

38. Recently some of our Group A officers showed their courage to not to budge before the corrupt tendencies of Management/Ministry preferred to seek justice from Hon'ble Central Administrative Tribunal and succeeded in getting justice. The management was not happy with action of these officer's going to CAT and seeking justice. The management issued a regular promotion order for promotion to the post of Director to 50 officers vide their 50 Office Orders. A detail of position of Officers Prior to Promotion and Position of officer after promotion is submitted as Annexure – XII before your kind consideration for bringing the exact irrational and illegal approach of management/ministry to demoralized sincere officers and promote corruption. The irrational effects of these promotion were as follows :-

- a) In this promotion order senior most 35 officers who were already working on the post of Director on ad hoc basis and getting a grade pay of Rs. 8700 were shown promoted on same post on regular basis but with grade pay of Rs. 7600. (In order to humiliate them there grade pay was reduced and recovery of excess payment was contemplated against them).
- b) In this promotion order 11 officers who were immediately junior to officers indicated in a) above who were working on the post of Joint Director on regular basis against Grade Pay of Rs. 7600 were also shown promoted on post of Director on regular basis but with grade pay of Rs. 7600. (Here though these officers were promoted but were wrongly denied grade pay of Rs. 8700).
- c) In this promotion order four junior most officers who were immediately junior to officers indicated in a) and b) above who were working on the post of Joint Director on regular basis were promoted on the post of Director on regular basis but with grade pay of Rs. 8700.

39. The details given in para 30 clearly show that in order to demoralize the cadre officers of ESIC the Senior Most 35 officers though promoted under the direction of Hon'ble CAT were in fact given promotion in such a way that it in fact resulted in their reversion. 11 officers who were though promoted were not given financial benefit of promotion by not giving them higher grade pay. Further to it contrary to above actions the junior most 4 promotees were given promotion to the post of Director with Grade pay of Rs. 8700, whereas 46 officers senior to them were paid lesser grade pay of Rs. 7600. This clearly shows the height of Corruption in ESIC. In order to hide these manipulation with implementation of Hon'ble CAT's order the Management issued promotion orders of these 50 officers by issuing independent Promotion Order where as in past such promotion orders use to be issued in single order.

40. The court had ordered in above case to "grant due service benefits of promotion to the applicants under existing ESIC Regional Directors / Directors Grade "A" Recruitment Regulations, 2007 with all consequential benefits w.e.f. date(s) on which vacancies arose for individual applicants on regular basis from due dates, when the vacancies became available with all the consequential benefits". The orders of CAT has not yet been followed by the ESIC in view of their corrupt considerations.

41. During last four five years the ESIC has started tie-up arrangement with private super Specialty Hospitals for treatment of its patients. The expenditure on these facilities has grown up tremendously as is visible from following facts :-

Sr. No.	Financial Year	Total amount spent on Super Specialty treatments
1.	2009-10	Rs. 135.90 Crores
2.	2010-11	Rs. 330.93 Crores
3.	2011-12	Rs. 457.67 Crores
4.	2012-13	Rs. 918.68 Crores
5.	2013-14	Rs. 1079.80 Crores

42. These facts clearly show irrational increase in expenditure on this head as compared to increase of IP/Beneficiaries which clearly proves that though we have got our own hospitals right across the whole of India but these hospitals are only acting as agent for forwarding SST work to private agencies. The private agencies are raising inflated bills, conducting unwarranted procedures on ESIC patients. It has become a rule that those patients who are complaining of chest pain will must have to get stunts fitted in their veins and no one is there to check the genuineness of the requirement. The success rate of the tie-up hospitals are also not good as they have got advance commitment of payment from ESIC. A commission system is also prevailing for settlement of these bills. Where ever there is any hassle in releasing payment of any third party whether any super specialty hospital or any construction agency the undue references are received from Ministry and the payment are released with out due diligence. Many of these beneficiaries are those who are not entitled for SST. **There is loss of nearly 300 crores to ESIC on this Account.**

43. I have received information from some officers who are posted in PMD and Finance wing informing that our principle officers are constantly receiving pressure from present Secretary Labour and Employment for releasing payment of third parties as a result some time due process of examining/service validation formalities are ignored.

44. Sir, In order to increase the business of Super Specialty the ESIC has reduced the eligibility criteria of IPs with out seeking prior approval of ESIC or Standing Committee of ESIC by releasing absurd and confusing instructions to all field offices.

45. Sir, issues are innumerable and can be elaborated at length but the purpose fails if no action is taken against corrupt officials and the system is not improved to make it corruption free system.

46. Sir, our Federation is also examining three construction projects of ESIC of multi hundred crores along with the misuse of SST as and when the study is complete the same will be submitted to your good office.

In view of above, you are requested to use your good office to issue necessary direction to responsible persons to sensitize the office of Minister for Labour and Employment and ESIC so that rule of law could prevail in ESIC.

Yours faithfully,



(Heera Singh)
Secretary General

Enclosed:- as above.



ALL INDIA ESIC SC/ST OFFICERS' & EMPLOYEES' FEDERATION
PANCHDEEP BHAWAN, CIG ROAD, NEW DELHI – 110002.

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"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. 2015-025.

Dated : 21st January, 16.

To,

Shri Narendra Modi Ji,
Hon'ble Prime Minister,
Union Government of India,
Rouse Avenue,
New Delhi – 110001.



Respected Sir,

With due regard, I would like to invite your kind attention on my earlier letter No. AIESIC.SC/ST.FED/2011/ 150 dated 26th September, 2013 **copy enclosed as Annexure – I** addressed to the Director General of ESIC in which I have raised many issued of gross irregularities and discrimination against Officers and Employees of ESIC. I raised the issue that the agents of the office of Minister for Labour and Employment are demanding illicit gratification for transfer postings to public offices and various public offices were virtually put for bidding at various price tags. The prevailing rates at that time which our Federation gathered from various sources and informed PM vide our letter were as follows :

For Group 'A' officers seeking posting of choice Rs. 25 lakhs.
For Group 'B' officers seeking posting of choice Rs. 15 lakhs.
For Group 'A' officers seeking posting in choice state Rs. 5 lakhs.
For Group 'B' officers seeking posting in choice state Rs. 2 lakhs.
For Group 'C' SSO seeking posting in choice state/region Rs. 2 lakhs.
For Inter Regional Transer of Group 'C' staff Rs. 1 lakh.

It has also come to our knowledge that various posts of Directors in Regional Offices and Joint Director in Sub-Regional Offices are kept unfilled in spite of fact that officers are available for posting. The additional charge of Regional Office Chhattisgarh, Himachal Pradesh, Jammu and Kashmir are assigned to Regional Director of Regional Office MP, Punjab and Punjab respectively.

Contd. Page No. 2/-

The additional charge of Sub Regional Office, Ludhiana, Surat, Ambala, Kozikode, Ernalkulam, Nasik and Madurai are assigned to Joint Directors of Hospital Ludhiana, RD Gujarat, RD Faridabad, RD Mumbai and Director Coimbatore respectively. By giving additional charge to existing HOD of other offices, the ESIC is not only incurring unwarranted expenditure on TA/DA of officers but thus is hampering the functioning of these offices resulting in inconvenience to IPs and other stake holders of ESIC. This type of scenario clearly establish that the allegation made in para 1# above and my letter No. AIESIC.SC/ST.FED/2011/150 dated 26th September, 2013 copy enclosed as Annexure – II as correct and the RO and SRO are sold and assigned by corrupt means to corrupt officers as and when they are available.

Many of the Directors who belong to SC/ST category who are supposed to be posted as Regional Director of Regional Offices are posted in Sub-Regional Offices which is actually to be headed by a Joint Director In-charge. Whereas as contrary to it there are also some instances where General Category Joint Directors are posted against the vacancy of Director.

You are requested to use your good office for bringing justice to Officers and Employees belonging to SC/ST category working ESIC by giving rational posting.

Yours faithfully,


21/11/16

(Heera Singh)
Secretary General

Enclosed : as above.

Copy to :

1. Shri Sandeep Kumar, Minister for Social Welfare, SC & ST, Government of NCR of Delhi with a request for bringing justice to cause of SC/ST Officers and Employees of ESIC.



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

PANCHDEEP BHAWAN, CIG ROAD, NEW DELHI - 110002.

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MAHINDER SINGH

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RAM CHANDER JATIA
(W. ZONE)

INTERNAL AUDITORS
KULDEEP KUMAR
KAILASH CHAND

F.No. AIESIC.SC/ST.FED/2011/150. Dated : 26th September, 2013.

To,

The Director General,
Headquarters Office,
ESI Corporation, CIG Road,
New Delhi - 110002.

Subject: Corruption and discrimination in Transfer/Posting and Appointments of Administrative Office in ESIC.

Respected Sir,

With due regard, I would like to invite your kind attention on enclosed application of Shri S. Ashok Kumar, Branch Manager, Branch Office Balanagar for your sympathetic consideration please and to bring following facts for your immediate information please:

1. The complainant when promoted as SSO had been posted out of his Region to far away location in Coimbatore for a period from May 2005 to May 2008 and later repatriated to his native place.
2. As per the Promotion Order No. 163 of 2013, (copy enclosed) his name stands at Sl. No. 20. It is very surprising that the complainant while being promoted to the post of Assistant Director vide above Office Order was again been posted out of his native state even though he had already completed one tenure of out posting.
3. Further to above, it more surprising that four SSOs junior to him placed at Sr. No. 56, 58, 59 and 76 of the said Promotion Order who got promotions as Assistant Director/Manager Gr. I in same order are adjusted in RO A.P. And SRO Vijaywada in same state even though most of them have never been subjected to All India Posting and were accommodated in Andhra Pradesh only. Where as the applicant inspite of the fact being senior and already subject to all India transfer has been posted out of state again.

Contd. Page No. 2/-

4. This is in gross violation of transfer policy of Group 'A' and 'B' officers. I had regularly receiving complaints from various sources that the transfer and posting in ESIC are only being done after receiving large gratification. The rate for transfer posting is being told as follows :

- a) For Group 'A' officers seeking posting of choice Rs. 25 lakhs.
- b) For Group 'B' officers seeking posting of choice Rs. 15 lakhs.
- c) For Group 'A' officer seeking posting in choice state Rs. 5 lakhs.
- d) For Group 'B' officers seeking posting in choice state Rs. 2 lakhs.
- e) For Group 'C' SSO seeking posting in choice region Rs. 2 lakhs.
- f) For Inter Regional Transfer of Group 'C' staff Rs. 1 lakh.

Sir, since there were no evidence of such rumors prevailing in the field, we were restraining ourselves not to raise serious alarm against such prevailing rumors. But since these kind of gross irregularities are being noticed frequently in transfer postings also make us believe that these rumors are correct.

In view of above facts, It is need of hour to review these decision and provide justice to aggrieved persons who are victim of corruption in ESIC, I am hoping for a prompt action in the matter from your good office, failing which our Federation will have no recourse but to raise the matter at highest level.

Yours faithfully,

Enclosed : as above.

(Heera Singh)
Secretary General

ANNEXURE - VII



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

PANCHDEEP BHAWAN, CIG ROAD, NEW DELHI - 110002.

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

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(W. ZONE)

INTERNAL AUDITORS
KULDEEP KUMAR
KAILASH CHAND

F.No. AIESIC.SC/ST.FED. 2015-026.

Dated : 25th January, 16.

To,

Shri Narendra Modi Ji,
Hon'ble Prime Minister,
Union Government of India,
Rouse Avenue,
New Delhi - 110001.



Subject : Large Scale Corruption in ESIC and Ministry of Labour and Employment.

Respected Sir,

With due regard, I would like to invite your kind attention on my earlier letter No. AIESIC.SC/ST.FED/2011/ 153 dated 29th January, 2014 **copy enclosed as Annexure - I** in which I have raised issue of Large Scale Corruption in ESIC/Ministry of Labour and Employment, Government of India in Transfers, Postings, Recruitment and in Awarding/Implementation of big projects of ESIC valuing to the tune of Rs. 30,000 Crores. In this letter I have brought sufficient evidences to establish that the corrupt officers have indulged in wrong practices to cause loss to public money. The man who was behind these large scale corruption during his tenure as Director General of ESIC and Secretary of Labour and Employment Shri P.C. Chaturvedi is now holding pious post of President of Table Tennis Association of India.

In this regard, I had also written one more letter bearing No. AIESIC.SC/ST.FED/2011/ 155 dated 09th April, 2014 **copy enclosed as Annexure - II** adding further details to my earlier letter dated 29th January, 2014.

It seems that no action has been taken by your good office in the matter. As your good office has ignored such a serious irregularities in ESIC the Minister for Labour and Employment and top bureaucrats of Ministry of Labour and Employment are taking issues of governance very lightly by allowing their good office to be misused.

Contd. page No. 2/-

I had again raised the Issue of Large Scale Corruption in ESIC and Ministry of Labour and Employment vide my letter bearing No. AIESIC.SC/ST.FED/2015/016 dated 13th October, 2015 **copy enclosed as Annexure – III.**

I am sorry to say that even though now all irregularities have been well informed to your good office also, no action seems to have been taken by your office to remove highlighted irregularities.

You are again requested in the interest of nation to kindly sensitize corrupt executives in bureaucracy to improve the standards of Governance. Only when the standard of Governance is improved the issues of redressal of complaint of harassment of SC/ST officers and employees and Irregularities in transfer postings and reservation will also improve.

Yours faithfully,


(Heera Singh)
Secretary General

Enclosed : as above.

Copy to :

1. Shri Sandeep Kumar, Minister for Social Welfare, SC & ST, Government of NCR of Delhi with a request for bringing justice to cause of SC/ST Officers and Employees of ESIC.



**प्रधान मंत्री कार्यालय
Prime Minister's Office**

**नई दिल्ली- 110011
New Delhi- 110011**

Sub:Petition of SHRI HEERA SINGH
ALL INDIA ESIC SC/ST AND EMPLOYEES FEDERATION
PANCHDEEP BHAWAN
CIG ROAD
NEW DELHI
DELHI-110002

A letter dated 13/10/2015 received in this office from SHRI HEERA SINGH is forwarded herewith for action as appropriate.

Alok Suman

[Alok Suman]
Section Officer

SECRETARY,MINISTRY OF LABOUR AND EMPLOYMENT

PMO ID No.:PMOPG/D/2015/0247735 Dated: 15/10/2015

Copy for information to :
SHRI HEERA SINGH
ALL INDIA ESIC SC/ST AND EMPLOYEES FEDERATION
PANCHDEEP BHAWAN
CIG ROAD
NEW DELHI
DELHI-110002

Alok Suman

[Alok Suman]
Section Officer



**प्रधान मंत्री कार्यालय
Prime Minister's Office**

**नई दिल्ली- 110011
New Delhi- 110011**

Sub:Petition of SHRI HEERA SINGH
ALL INDIA ESIC SC/ST AND EMPLOYEES FEDERATION
PANCHDEEP BHAWAN
CIG ROAD
NEW DELHI
DELHI-110002

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Alok Suman

[Alok Suman]
Section Officer

SECRETARY,MINISTRY OF LABOUR AND EMPLOYMENT

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Alok Suman

[Alok Suman]
Section Officer