



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

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

(Regd.No. S/27858 of 1995)

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

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

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HEERA SINGH
Mob. No. 9868241160

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RAM CHANDRA JATIA
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INTERNAL AUDITORS
KULDEEP KUMAR
KAILASH CHAND

F.No.AIESIC.SC/ST.FED.2015-078 Dated 17th July 2020.

To,

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

Subject: **Violation of Transfer Policy in the case of Shri Pradip Sutradhar, Deputy Director, RO Hyderabad.**

Discrimination toward SC/ST Officers in implementation of transfer policy.

Large Scale Corruption in ESIC / Gross violation of transfer policy for illicit gratification by Shri K.G. Suresh, Joint Director (E-I), Headquarters Office, New Delhi.

Respected Madam,

1. With due regard, I would like to invite your kind attention on my enclosed letter No. AIESIC.SC.ST.FED.2015-064 dated 29th April, 2020 addressed to the Secretary (GoI) and Chairman of Standing Committee of ESIC and copy endorsed to DG, ESIC (**Annexure – I**) in which I appraised the Chairman with the facts regarding Large Scale Corruption in ESIC / Gross violation of transfer policy for illicit gratification by Shri K.G. Suresh, Joint Director (E-I), Headquarters Office, New Delhi.

2. Here, I would like to submit that I have received one representation from Shri Pradip Sutradhar, Deputy Director in RO Hyderabad (**Annexure – II**).

3. The representation of Shri Sutradhar consists of following facts:

i. The applicant Shri Pradip Sutradhar, D.D. was transferred from Guwahati Region to RO Hyderabad and he joined there on 16-08-2016.

Contd. Page No. 2/-

- ii. I am made to understand that Shri D. Pramanik, D.D. was transferred from West Bengal Region vide same transfer order & he joined SRO Peeniya during Oct. or Nov., 2016.
 - iii. It was a matter of surprise that Shri D. Pramanik, D.D. who joined his new place of posting after the aggrieved Officer was transferred back just after completion of tenure of 2 years and 10 months.
 - iv. On the contrary the aggrieved Officer is just to complete four years tenure out of his Home Region.
 - v. In this regard, the aggrieved Officer had made representations vide his application dated 17.08.2017, 22.01.2018, 03.04.2018, 30-08-2018, 30-05-2019, 03.09.2019, 04.11.2019, 13.02.2020 and 04.03.2020 for compassionate transfer.
 - vi. The ailing wife of aggrieved Officer is residing at Guwahati and no male member is there to take care of her.
4. The aggrieved Officer had not only completed normal and minimum tenure of 2 years but is just competing double of normal and minimum tenure and he is not transferred back.
5. I am also made to understand that there are 3-4 posts of Assistant Director/Deputy Director vacant in Regional Office, Guwahati and the aggrieved Officer has crossed the age of 57 and has just got balance of service of less than 3 years.
6. In this regard, I would like to invite your kind attention on enclosed note issued under kind signature of Hon'ble Minister of State for Labour and Employment, Government of India dated 20-05-2020 with subject captioned as "Moratorium on rotational transfer of officers/staff in view of COVID-19 pandemic-regarding" (**Annexure-III**). Wherein, it has been clearly directed "that no rotational transfers of officers / officials in different grades (Group 'A', 'B' and 'C') be carried till 30.04.2021 in Ministry of Labour and Employment, ESIC, EPFO, CLC(C), DGLW, VVGNI, DGMS, DGFASLI, Labour Bureau etc. except consideration of requests by officers/staff on compassionate grounds i.e. medical emergency with self or family members etc."
7. ESIC Hqrs Office has also issued Office Memorandum No. A-22/13(T)/2020-Med-VI (Covid-19) dated 04thJune, 2020 with subject "Moratorium on rotational transfer of officers/staff in view of COVID-19 pandemic-regarding" (**Annexure-IV**). It clearly states that, "in view of the extraordinary situation prevailing in the country due to outbreak of COVID-19 Pandemic causing serious disruptions in the life, it would not be appropriate to dislocate officers/staff of ESI Corporation for one year. It has, therefore, been decided that transfer being made on personal request and on compassionate ground will be without any cost to the government i.e. no transfer grant/transfer allowance/travelling allowance/daily allowance would be paid to the officers/staff who have been transferred on their own request."

8. Madam, during this period of Pandemic COVID 19, the applicant is in Pandemic Hardship. Hence, you are requested to consider the request of Shri Pradip Sutradhar, DD, Hyderabad for immediate transfer to RO, Guwahati.

An early action in the matter will be highly appreciate.

Yours faithfully,



(Heera Singh)
Secretary General

Enclosed: as above.



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**(PUBLIC INTEREST DISCLOSURE UNDER SECTION 4(1) OF
WHISTLE BLOWERS PROTECTION ACT, 2014)**

F.No. AIESIC.SC/ST.FED.2015-064Dated 29thApril,2020.

To,
The Secretary (GoI) and Chairman,
Standing Committee of ESIC,
Ministry of Labour and Employment, Shram Shakti
Bhawan, Rafi Marg, New Delhi 110001.

Subject:**Large Scale Corruption in ESIC / Gross violation of
transfer policy for illicit gratification.**

Sir,

1. With due regard, I would like to submit that a large-scale corruption in ESIC vis-a-vis Gross Violation of the ESI Act, 1948 and allied rules and regulations were reported to the Director General, ESIC and other forums on various occasions. A complaint was also filed with CVC for unlawful award of 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 spite of fact that neither there is any mandate for this award of work in legislation nor the Company was fulfilling the criteria of being eligible for this work as per the RFP by keeping decision making apex body i.e. ESIC in dark. The complaint was registered in CVC with Comp.No. 125110/2019 and is still pending. I am in process of filing an addendum to this complaint with respect to various other irregularities on the basis of partial facts collected through RTI. Some crucial facts are still unrevealed by ESIC.

2. Recently, the ESIC had initiated one more such act of violation of transfer policy of Group 'A' & Group 'B' Officers on the Administrative side to extract illicit gratifications from affected sides by issuing Circular No. A-22/13/1/2019(1)-E-I dated 03-03-2020 copy enclosed as **Annexure - I**.

3. Various violations of Transfer Policy approved by ESIC circulated vide letter No.A-22(13)1/2014-E.I dated 02-12-2014 (**enclosed as Annexure – II**) are as follows :

Contd. Page No. 2/-



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- 2 -

- i. The ESIC has got vast history of violating the above transfer policy and various complaints were made against these violations.
- ii. Para 1(3) on first page of Transfer/posting policy of Group 'A' & 'B' Officers on the Administrative side circulated vide letter No. A-22(13)1/2014-E.I dated 02-12-2014 (**Annexure – II**) prescribes minimum and normal tenure of two years for postings given against the choice of concerned officer.
- iii. Para 1(3) on second page of Transfer/posting policy of Group 'A' & 'B' Officers on the Administrative side circulated vide letter No. A-22(13)1/2014-E.I dated 02-12-2014 (**Annexure – II**) prescribes maximum tenure of 3 years in a particular post/establishment in RO, SRO and DO and 6 years at one station.
- iv. It further prescribes maximum tenure of 4 years in a particular post/establishment in other offices and 8 years at one station.
- v. Para 1 (3) and Para 1(4) of Circular No. A-22/13/1/2019(1)-E-I dated 03-03-2020 copy enclosed as **Annexure – I** are violative of Para 1(3) of Transfer/posting policy of Group 'A' & 'B' Officers on the Administrative side approved by ESIC and circulated vide letter No. A-22(13)1/2014-E.I dated 02-12-2014 (**Annexure – II**) which prescribes minimum/normal tenure of two years for postings, whereas, the same has been arbitrarily raised to three years against the policy adopted by ESIC.
- vi. The undertaking prescribed in "Option Proforma" is violative of transfer policy and is an open declaration on the part of management that it will arbitrarily violate the transfer policy and all have to give written consent before giving option that they will accept the arbitrary action of management in violation of transfer policy adopted by ESIC.
- vii. The aim of this process is to protect interest of those who have crossed the ceiling of maximum tenure in a post/establishment of choice of the concerned officer for ulterior motives at the cost of those who are due for repatriation.



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viii. Further to above, the aim is also to harm the interest of those who have completed minimum tenure in a post/establishment against choice of the concerned officer by arbitrarily raising minimum tenure from two years to three years in violation of transfer policy adopted by ESIC.

ix. A part from above, as per the CVC guidelines Circular No. 03/09/13 issued vide file bearing No. 004/VGL/090/225553 dated 11-09-2013 (Copy **enclosed as Annexure – III**) clearly states that all Ministries/Departments /Organisations and CVOs are to identify the sensitive posts and staff working in sensitive posts and also ensure that they are strictly rotated after every two/three years to avoid developing vested interest.

4. Hence, I strongly oppose actions as explained in para 3 (v) to 3 (ix) above for being violative of policies laid down by ESICorporation and request your good self to kindly initiate an independent enquiry into the matter and issue directions for following actions :-

- a) To issue direction for immediate repatriation of all those officers who have completed their minimum or normal tenure of two years of outstation posting as explained above in para 3.(ii).
- b) To issue direction for immediate transfer of all those officers who have completed their maximum tenure of posting as explained above in para 3.(iii) & para 3.(iv).
- c) Further to above, Shri K.G. Suresh, Joint Director (E-I) had himself exceeded minimum tenure of 2/3 years in sensitive posts as explained above in para 3.(ix).
- d) Shri K.G. Suresh, J.D. (E-I) had exceeded prescribed maximum tenure of four years in an establishment by approximately five years by completing nearly nine years in Headquarters in violation of provisions explained in para 3 (iv) above.
- e) He has also completed period of approximately 9 years in one station in violation of provision as explained above in para 3.(iv) and hence has developed vested interest and needs to be transferred immediately.



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- f) Earlier, I was transferred from Delhi to Dehradun despite fact that I was single parent looking after my two small kids and also holding responsibility of post of Secretary General of this Federation. At that time Shri Rajiv Lal, Deputy Director I/c had demanded some gratification from me on behalf of Shri K.G. Suresh, Joint Director (E-I) for cancelling my transfer order and a complaint was filed by me in office of the DG, ESIC against this misconduct of Shri K.G. Suresh, Joint Director (E.I) vide my letter No. AIESIC.SC/ST.FED.2015-32 dated 06-06-2017 (**Copy enclosed as Annexure - IV**) which is still pending at Headquarters Office.
- g) Unfortunately, my Complaint against Shri K.G. Suresh, Joint Director (E-I) was being processed by Shri K.G. Suresh, JD, himself in violation of all principles of propriety. Even the Memo dated 30-08-2018 was issued to me seeking my explanation was signed by the Shri K.G. Suresh, JD himself (**Copy enclosed as Annexure - V**). This conduct of JD states a lot about his manipulative skills.
- h) The ill will of Shri K.G. Suresh, JD (E-I) can be gauged from the fact that in my case he has not followed the recommendation of National Commission for Scheduled Tribes for posting me in Headquarters Office, ESIC on the pretext of extant transfer policy although I have now completed minimum tenure of posting in Dehradun. **A copy of minutes is enclosed as Annexure - VI.**
- i) To issue direction for taking stiff action against Shri K.G. Suresh, Joint Director (E-I) who had committed these irregularities and by violating transfer policy framed under ESI Act, 1948 and misleading the higher authorities and transfer policy of ESI Corporation.

Yours faithfully,

(Heera Singh)
Secretary General

Enclosed : Annexure - I to VI.

Dated :29-04-2020.

Copy to :-

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- 5 -

1. The Director General, Employees' State Insurance Corporation, Panchdeep Bhawan, CIG Road, New Delhi – 110002.
2. The Chief Vigilance Officer, Hqrs. Office, ESIC, Panchdeep Bhawan, CIG Road, New Delhi - 110002.
3. The Insurance Commissioner, Hqrs. Office, ESIC, Panchdeep Bhawan, CIG Road, New Delhi – 110002.

- For information and necessary action please.

Secretary General

To
Shri Heera Singh,
Secretary General,
All India ESIC SC/ST Officers & Employees Federation,
Panchadeep Bhawan, Wing no.4, Shivpuri, Premnagar, Dehradun,
Uttarakhand- 248007

Dated : 4th May"2020

Subject:- Discrimination on transfer/posting of ESIC Officers.

Sir,

Jay Bheem, at the outset I convey my heartiest congratulation to you for holding the highest auspicious post to protect the interest of the community people. I am constrained to bring the present fact to your notice as I have been depriving from my legitimate and rightful claim with a hope of getting justice. It is known to you that H.Q. Office vide its office order no.162 of 2016 dated 22.7.2016 issued inter regional transfer order in which my name appears at sl.no.13 of the list, and another officer Shri D. Pramanik vide sl.no.22. I was transferred from Guwahati to R.O. Hyderabad(Telengana state) and Shri Pramanik was transferred from R.O. West Bengal to SRO Peenya. As per the said H.Q. Office order I have joined at R.O.Hyderabad on 16.8.2016 and Shri Pramanik joined at SRO Peenya after 2 to 3 months later than me.i.e. sometime during October or November 2016. It is a matter of surprise that vide H.Q.Office Order no.109 of 2019 dated 30.7.2019 Shri Praminik was transferred from SRO Peenya to his home town R.O.West Bengal, Kolkata vide sl.no.19 of the list though he did not complete 3 years of service. On the other hand I have been requesting the H.Q.Office time and again vide my several representations dated 17.8.2017,22.1.2018, 3.4.2018, 30.8.2018, 30.5.2019, 3.9.2019, 4.11.2019, 13.2.2020 and 4.3.2020 for transfer to R.O.Guwahati as I have already completed more than 3 years service in R.O.Hyderabad also my transfer is very much essential as my wife is ailing at my home and there is no male member to take care of her.

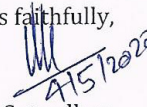
Further, I have also personally visited H.Q.Office on 31.5.2019 and requested the then D.G. Sir, explained everything in detail stating the condition of my wife with medical papers as well as my tenure in Hyderabad who gave me a patience hearing and assured to consider the request. But nothing happened thereafter.

Incidentally, H.Q.Office issued the transfer order on 30.7.2019 wherein Shri Pramanik who is a general category officer and just completed 2 years 8/9 months service managed to get his transfer to his home town and myself though completed 3 years 9 months service did not get transfer. It is nothing but a sheer discrimination and injustice to an officer who is eligible and SC. It is crystal clear that the H.Q. Office is not following the uniformity in the transfer/posting cases. It is also doubtful that how the transfer of the above-mentioned officer could be done depriving the eligible and deserving case like me.

Under the circumstances as mentioned above, I most humbly request you kindly to take up my case of transfer from present region to my home town Guwahati being a SC member.

I shall be highly obliged and grateful to you.

Yours faithfully,


Pradip Sutradhar.

Deputy Director, RO-Hyderabad
Contact No: 9864136324/9365961534


**OFFICE OF MINISTER OF STATE (IC) FOR
LABOUR & EMPLOYMENT**

Sub: Moratorium on rotational transfers of officers/staff in view of COVID-19 Pandemic.

In view of the extraordinary situation prevailing in the country due to outbreak of COVID-19 Pandemic causing serious disruptions in the life, it would not be appropriate to dislocate officers/staff of Ministry of Labour & Employment/its attached offices/subordinate offices/autonomous organisations for one year. Therefore, it is directed that no rotational transfers of officers/officials in different grades (Group 'A', 'B' and 'C') be carried till 30.04.2021 in Ministry of Labour & Employment, ESIC, EPFO, CLC(C), DGLW, VVG NLI, DGMS, DGFASLI, Labour Bureau etc. The exception to the moratorium on rotational transfers upto 30.04.2021 would be on following grounds:-

- (i) Administrative reasons to fill any vacancy due to promotion/retirement with general principles that minimum dislocation is caused to the officers/staff while deciding postings on promotion.
- (ii) Consideration of requests by officers/staff on compassionate grounds i.e. medical emergency with self or family members etc. However, the transfers being made on personal request and on compassionate ground will be without any cost to the Government i.e. no transfer grants/transfer allowance/travelling allowance would be paid to the officers/staff who have been transferred on their own request.

2. The transfer to be made in the above two categories would be recommended by the Transfer Committees and the transfer orders would be issued after the approval of the competent authority. These directions would come into effect with immediate effect and the necessary orders may be issued by different organisations accordingly. This step would lead to minimum inconvenience at this point of time of COVID-19 and would also curtail the expenditure of Government during this financial year.


(Santosh Kumar Gangwar)
MOS(IC), L&E
20.05.2020

Secretary(L&E)

Copy to:-

**DG,ESIC/CPFC/CLC(C)/DGLW/DG,VVG NLI/DGMS/DG,FASLI/DG,
Labour Bureau**



संख्या : ए-22/13(टी)/2020-चि.VI(कोविड-19)

दिनांक: 4 जून,2020

कार्यालय ज्ञापन

विषय : Moratorium on rotational transfers of officers/staff in view of COVID-19 pandemic-regarding.

In view of the extraordinary situation prevailing in the country due to outbreak of COVID-19 Pandemic causing serious disruptions in the life, it would not be appropriate to dislocate officers/staff of ESI Corporation for one year. It has, therefore, been decided that:

- 1- No rotational transfers of officers/officials in different grades (Group 'A', 'B' and 'C') be carried till 30.04.2021.
- 2- The exception to this moratorium on rotational transfers, would, however, be administrative reasons to fill up any vacancy due to promotion/retirement and consideration of requests by officers/staff on compassionate grounds i.e. medical emergency with self or family members etc with general principles that minimum dislocation is caused to the officers/officials while deciding postings on promotion.
- 3- Transfers being made on personal request and on compassionate ground will be without any cost to the government i.e. no transfer grants/transfer allowance/travelling allowance/daily allowance would be paid to the officers/staff who have been transferred on their own request.
- 4- The transfer to be made in the above categories i.e. Para 2 would be recommended by the Transfer Committee.

This is in compliance to directions received from Government of India and meets approval of competent authority. All the immediate cadre controlling authorities are advised to circulate & bring contents of this O.M. to knowledge of all the concerned of their respective units.



(दीपक मलिक)
उप निदेशक(चि.प्रशा)

सेवा में,

1. नि.(चि.)दि./नि.(चि.)नाँएडा,
2. निगम के समस्त अस्पतालों/ शिक्षण संस्थानों के चिकित्सा अधीक्षक/डीन,
3. सभी क्षेत्रीय कार्यालयों के क्षेत्रीय निदेशक – उनके नियंत्रण में तैनात चिकित्सा, नर्सिंग व पैरामेडिकल स्टाफ के नियंत्रण हेतु ।
4. वैबसाइट कंटेंट प्रबन्धक - इस ज्ञापन को निगम की वैबसाइट पर अपलोड करने हेतु