



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

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

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KULDEEP KUMAR  
KAILASH CHAND

F.No.AIESIC.SC/ST.FED.2015-083 Dated 25<sup>th</sup> September, 2020.

To,

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

Subject: **Request for taking action against Shri S.V. Krishna Kumar, Additional Commissioner and RD, RO Chennai and others for getting involved in corruption.**

Madam,

1. With due regard, I would like to bring following facts for your kind consideration please.

a) Following employers were duly covered under ESI Act, 1948 in the jurisdiction area of Sub-Regional Office, Kollam with effect from the dates indicated against their names with number of employees found coverable :

Sr. No.	Employer's Name	Code No.	Date of Coverage	No. of employees covered
1.	M/s Margin Free Market	48000321210001099	14-09-2011	-
2.	M/s Paroos Collections	48000327650000199	20-03-2012	10
3.	M/s Jubilee Memorial Industrial Trg. Instt.	48000328010001304	01-08-2011	11
4.	M/s Najath Medical Mission Hospital	48000331840001401	01-01-2012	10
5.	M/s Dhanashree, GeethaBhavan	48000332150000099	01-12-2012	10
6.	M/s K.J. Hospital	48000334050001401	01-12-2012	11
7.	M/s Dubai Gold Souk	48000334090001002	01-01-2013	13
Total employees				65

b) Madam, it is also a proven fact that above covered defaulter employers were de-covered by the Additional Commissioner Shri S.V. Krishna Kumar on the basis of unsatisfactory and unjustified recommendations of Shri Prasanth D., Dy. Director without proper examination, resulting in not only loss of revenue in terms of contribution but also loss of face to department due to their contrary and mala fide decisions. It has resulted in denial of rightful coverage and loss of consequential Social Security benefits to coverable employees also.

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- c) It is further submitted that the Social Security Officers take risk of their life while collecting information and documents during their Survey Drives by pressurizing the unwilling employers for coverage under the ESI Act, 1948 even by denying the offer of bribes.
- d) It is very unfortunate that the concerned officers had grossly ignored all the efforts, pains and risks taken by the Social Security Officers and adjusted with such unwilling defaulter employers for personal pecuniary gains causing a loss of approximately Rs. 48,798=00 per month (Rs. 5,85,576/- per year) with perpetual effect by not making assessment as per provisions contained under Section 45. A of the ESI Act, 1948 as elaborated below :

Assumed Wages	:	Rs. 11,550/- per employee.
No. of employees	:	65.
Rate of Contribution	:	6.5 %

**Formula of assessment for one month :**

Assumed Wages x No. of employees x 6.5/100 = Rs. 48,798=00

**Formula of assessment for one year :**

Assumed Wages x No. of employees x 6.5/100 x 12 = Rs. 5,85,576=00

**Loss of contribution for eight years : Rs. 46,84,608/=**

**Loss of Interest for eight years @ 12% per annum :Rs. 30 lakhs Approx.**

**Loss of Damages for eight years @ of 25 % : 46,84,608/=**

**Total loss to ESIC : 1,23,69,216/- (Approximately)**

2. The copies of system generated C-11 in respect of all related defaulters are enclosed as **Annexure I to VII** for your kind reference please.
3. Madam, it is my humble submission that the guilty officers in the matter may be suitably sensitized for dereliction of duties for their misconduct of omission from taking action under Section 45 A against these defaulter employers by not assessing the contribution as per formula indicated in para 1(d) above and for misconduct of commission of taking unlawful decision for the advantage of employer for personal pecuniary gains by ignoring the pains faced by SSOs and loss caused to rightsof social security benefits of 65 employees of above defaulter employers.
4. Since, the concerned officer had also involved himself in various kind of act of harassment of members of Scheduled Caste and Scheduled Tribes it makes me believe that the person is habitual offender and violator of law and procedures and deserve a stern action for indulging in Act of Corruption.
5. Madam, if this case is dealt leniently it will promote corruption in ESIC as the Social Security Officers may use this case as shield for defending their cases of non-coverage and de-coverage of defaulter employers which will impede the enforcement of ESI Act, 1948.

6. The complaint was earlier investigated and got hussed up and hence, the Hon'ble Director General is requested to take cognizance of irregularities of causing loss of Rs. 1,23,69,216/- (approximately) and sensitizing all the guilty officers for their above serious misconducts and promoting corruption resulting in loss of revenue to ESIC.

Yours faithfully,

**Enclosed: as above.**

( Heera Singh )  
Secretary General

Copy to :

1. Chief Vigilance Officer, Hqrs Office, ESIC, New Delhi – for information and necessary action please.

Secretary General