



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

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F.No. AIESIC.SC/ST.FED/2015/098

Dated: 15th March, 2022

To,

The Director General,
Headquarters Office,
ESI Corporation, CIG Marg,
New Delhi – 110002.

Subject: 1) Transfer/ posting policy of Group 'A' & Group 'B' Officers (including cadres of Official Language, Engineering and Personal Staff) on the Administrative side of ESI Corporation: and
2) Transfer/ posting policy of Social Security Officer/ Manager Grade - II/ Superintendent having all India service liability - Draft reg.

Respected sir.

I hereby congratulate you from the bottom of my heart for initiating formulation of new transfer policy for cadres cited above in the subject. In this regard, I would like to submit following comments / suggestions in the matter for sympathetic consideration please:

1. From para 4 of Objectives "as far as possible" may be removed as it is reflecting casual attitude ultra-virus to legal status given to Instructions of DoPT / Government Guidelines /Supreme Court directions.
2. Para 5 of Objectives requires elaboration of term "Sensitive Posts". Sensitive Posts can be clarified as "posts which have financial delegation of Powers under GFR and power to pass statutory Order under ESI Act, 1948 and subordinate Regulations of ESIC."
3. "On the recommendation of Transfer Committee" should be added at the end of para 5.2 as it will bring transparency to decision making process in the matter.

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4. "On the recommendation of Transfer Committee" should be added at the end of para 5.3 as it will bring transparency to decision making process in the matter.
5. In para 6.2 amendments are proposed. Transfer Committee should not have more than one officer of Administration Line as it will promote corruption in Transfer Postings. It is proposed that four Insurance Commissioners may be made Members of Transfer Committee. One of the Medical Commissioner can also be made Member. Insurance Commissioner (P&A) Should be made ex-officio Member Secretary and Senior Most Available Insurance Commissioner in the committee excluding IC (P&A) Should be the ex-officio chairman of the Committee. It is preferred that any one of above member should of SC / ST category.
6. It is further suggested that one more provision can be added in para 6.2 as "The transfer Committee will be supported by a separate dedicated "Transfer Posting Cell" which will be accountable for implementation of Transfer Policy.
7. The transfer Committee proposed in para 6.2 of draft transfer policy is very weak and amenable to corrupt practices. Transfer Policy of Medical Administration side of ESIC (para No.10) and Transfer Policy of EPFO (para No. 3.2 to 3.4) have proposed a strong transfer committee contrary to these transfer policies.
8. In para 8.1 minimum tenure is made as 3 years whereas it should have been made as 2 years. As per DoPT Instructions transfer on completion of two years tenure is considered as transfer on public interest.
9. From para 8.3 of draft transfer policy requires elaboration of term "Sensitive Portfolio". Sensitive Portfolio can be clarified as "posts which have financial delegation of Powers under GFR and power to pass statutory Order under ESI Act, 1948 and subordinate Regulations of ESIC."
10. It is further suggested that one more provision can be added in para 8.3 as "Those officers who have faced disciplinary proceedings should not be considered for posting to Sensitive Portfolios." This will minimize the chances of elevation of corrupt officers to Sensitive Portfolio as they have tendency of bringing bad name to Corporation.

11. In para 8 following should also be added:

- a) "The Transfer Committee and Competent Authority can also in the interest of Corporation may consider transfer of officers before completion of minimum tenure of two years at on own cost". This will minimize the spending of ESIC on each officer as only out posting spending will be required to be borne by ESIC. Earlier administrative regime uses to follow this regularly which has been discontinued since last decade.
- b) "Maximum Tenure shall not be a matter of Right."
- c) "Priority will be given to those who have completed minimum tenure of out posting for repatriation."
- d) "Efforts will be made to maintain rotation of all officers in transparent manner"
- e) "Maximum tenure in a unit in Delhi NCR should not be more than 5 years.

12. "On the recommendation of Transfer Committee" should be added at the end of para 9.1 as it will bring transparency to decision making process in the matter.

13. "On the recommendation of Transfer Committee" should be added at the end of para 9.2 as it will bring transparency to decision making process in the matter.

14. It is suggested that following additional provisions can be added in para 15.2 as:

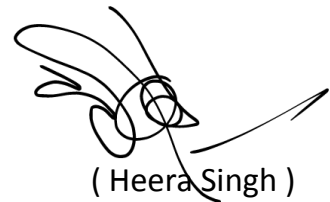
- a) The Competent Authority for making the transfer will duly secure the advice and consider the recommendation of Transfer Committee and exercise its power in accordance with the Transfer Policy.
- b) All instances where advice of the Transfer Committee is not adhered to or rejected by the Competent Authority, the reasons in full shall be recorded for such decisions and uploaded in official website and online portal.

15. Further to above, it is also suggested that weightage point for Sr. No. 2 combined with Sr. No.3 of Annexure – I should be fixed as 10 as chances of occurrence of such case is rare, whereas, weightage point for Sr.No. 7 may be increased to 20 as occurrence of such cases of children appearing in 10th and 12th Board Exam. is a common problem faced by majority of the Officers.

Sir, while examining draft transfer policy captioned in subject cited above, it is felt that transfer committee of ESIC Medical Administration, 2022 and Commissioners Transfer Committee of EPFO were found to be strong whereas in our policy transfer committee has been made very weak making transfer policy amenable to corrupt practices.

Hence, you are requested to kindly examine and incorporate correction in all transfer policies as it will be in the welfare of all resulting in better administration of ESIC offices.

Yours faithfully,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

(Heera Singh)
Secretary General