



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

www.myesic.com

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

WORKING PRESIDENT
JALIM SINGH AHIRWAL

VICE-PRESIDENT (NORTH)
MAHINDER SINGH

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HEERA SINGH
Mob. No. 9868241160

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ANIL KUMAR

SECRETARY (FOR NCR)
JAGDISH

FOUNDER MEMBER
SHRI BHAGWATI PRASAD
RETD. INS. COMMISSIONER

ADDL. SECY. GENERAL
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SECY. FINANCE
RAJ KUMAR

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ASST. SECY GENERAL
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G. NARAYAN SWAMY(S.
ZONE)
R. N. MALLICK (E. ZONE)
SUNIL KR. DEDE (W. ZONE)

JOINT SECRETARY
KULDEEP KUMAR(N. ZONE)
D. Y. GIRI (S. ZONE)
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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.2015-090(R-I) Dated 21st May, 2021.

To,

Shri Sanjay Kothari,
Central Vigilance Commissioner,
Central Vigilance Commission,
Satarkata Bhawan, A-Block,
GPO Complex, INA,
New Delhi 110023.

Subject: **Complaint pending against Shri S.V. Krishna Kumar, Additional Commissioner and RD, RO Chennai in CVC and others for getting involved in act of corruption – Reminder thereof.**

Ref. **Your letter No. CONF/CFM/7698/21/478787 dt 17-03-21.**
(Annexure – III)

Sir,

1. With due regard, I would like to invite your kind attention on enclosed Complaint bearing letter No. AIESIC.SC/ST.FED.2015-090 dated 10th March, 2021 submitted in your office on 12th March, 2021 under Public Interest Disclosure under Section 4(1) of Whistle Blowers Protection Act, 2014 (**Copy Enclosed as Annexure - I**) on subject cited above.
2. The complaint was regarding causing of financial loss of Approximately Rs. 1,23,69,216/- to ESI Corporation for ulterior motives by Shri S.V. Krishna Kumar, Additional Commissioner and RD, RO Chennai.
3. Because of my complaint to DG, ESIC remedial action for recovery of wrongly waved-off revenue was initiated from some defaulters without taking any action against guilty officer.
4. The act of misconduct of guilty officer were as follows :
 - a) Unlawfully de-covered seven covered Defaulter Factories/Establishments for giving favor to these defaulters.

- b) By doing so a pecuniary loss of Approximately Rs. 1,23,69,216/- was caused to ESI Corporation for ulterior motives.
- c) Action under Section 45 (A) was not initiated against these defaulter employer/establishments.
- d) denial of rightful coverage and loss of consequential Social Security benefits to 65 coverable employees.

5. Sir, I have also submitted confirmation of my complaint by submitting my confirmation letter on 9th April, 2021 in CVC by hand. (**Annexure - II**)

6. Shri S.V. Krishna Kumar, Additional Commissioner and RD, RO Chennai the Corrupt Officer is being protected by some officers of ESIC.

7. Shri S.V. Krishna Kumar, Additional Commissioner and RD, RO Chennai the Corrupt Officer is going to retire on 31st May, 2021 and the officials are waiting for passing off the date of retirement of this Corrupt Officer.

In view of above, you are requested to kindly direct the concerned authorities to take disciplinary action against Shri S.V. Krishna Kumar, Additional Commissioner and RD, RO Chennai the Corrupt Officer for act of misconduct of omission and commission as explained in para 4 above.

Yours faithfully,



(Heera Singh)
Secretary General

Enclosed: as above.

Copy to:

1. The DG, ESIC, CIG Road, New Delhi - 110002 – with reference to my earlier complaint Letter No. AIESIC.SC/ST.FED.2015-083 dated 25th September 2020 and Reminder dated 06th November 2020 (**Copy enclosed as Annexure - IV**) for information and necessary action please.
2. The CVO, ESIC, CIG Road, New Delhi – 110002 – for information and necessary action please.

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(E. ZONE)
RAM CHANDRA JATIA
(W. ZONE)**INTERNAL AUDITORS**
KULDEEP KUMAR
KAILASH CHAND**(PUBLIC INTEREST DISCLOSURE UNDER SECTION 4(1) OF
WHISTLE BLOWERS PROTECTION ACT, 2014)**F.No. AIESIC.SC/ST.FED.2015-090 Dated 10th March, 2021.

To,

Shri Sanjay Kothari,
Central Vigilance Commissioner,
Central Vigilance Commission,
Satarkata Bhawan, A-Block,
GPO Complex, INA,
New Delhi 110023.Subject: **Complaint against Shri S.V. Krishna Kumar, Additional Commissioner and RD, RO Chennai and others for getting involved in act of corruption.**

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) 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, Geetha Bhavan	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

Contd. Page No. 2/-

- b) Sir, it is also a proven fact that above covered defaulter employers were de-covered by the Additional Commissioner Shri S.V. Krishna Kumar 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.
- c) 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 % : Rs. 46,84,608/-

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

2. Sir, In this regard I have made a complaint to Director General, ESIC vide my letter No. AIESIC.SC/ST.FED.2015-083 dated 25th September, 2020 and issued one reminder bearing same number dated 06th November, 2020 which are enclosed as **Annexure - I & II**. No action seems to have been taken on this matter.

3. Hence, 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 rights of social security benefits of 65 employees of above defaulter employers.

4. Sir, 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. Earlier also very stern action of issuing major penalty charge sheet were initiated in such cases. Whereas in the instant case it seems that some officers in ESIC are trying to protect the guilty officer.

5. My earlier complaint in this regard was got hushed up and hence, you requested to take cognizance of irregularities of causing pecuniary 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.

6. Further, to above, you are also requested to kindly issue direction to investigate the role of all officers who were involved in protecting such kind of corrupt officers.

Yours faithfully,



(Heera Singh)
Secretary General

Enclosed: as above.

To

Ms. W.J. Keishing
Deputy Secretary
Central Vigilance Commission,
(Satarkta Bhawan), G. P. O. Complex,
Block -A, INA,
New Delhi-110023.



Subject:- CONFIRMATION LETTER AND CERTIFICATE.

Sir,

Kindly refer to your letter No. CONF/CFM/7698/21 dated 17.03.2021 seeking confirmation of the PIDPI complaint dated **10.03.2021**. I hereby confirm that the said complaint under PIDPI Resolution has been made by me/not made by me. (**strike out whichever is not applicable**).

2. It is certified that I have not made similar/identical allegation of corruption/misuse of office to any other authorities to qualify as a Whistle Blower Complainant.
3. I hereby submit a self-attested copy of * Voter's ID Card (EPIC)/Aadhar Card (UID)/Driving Licence/Passport/PAN Card/Photo Ration Card or any other proof of ID issued by Government of India or its organizations as my identity proof. ✓

Yours faithfully,

Signature:

Name: Heera Singh
Secretary General
Address: All India BSIC SC,
Offices & Employees Welfare
Wing No. 4, Shikhar, Pres
Dehradun, UK-248000

Enclosure: Proof of Identity (*Tick ✓ whichever is enclosed).



सत्यमेव जयते

**केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION**

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सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi-10023

सं./No...CONF/CFM/7698/24/478787
दिनांक / Dated..... 17.03.2021

To

Shri Heera Singh
All India ESIC SC/ST Officers & Employees Federation
Panchdeep Bhawan,
Wing No. 4, Shivpuri,
Prem Nagar, Dehradun.
U.K. - 248007

Sub:- Confirmation regarding your complaint dated 10.03.2021 made under the provisions of Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution.

Please refer to your complaint dated 10.03.2021 made under the provisions of "Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution".

2. As per policy of the Central Vigilance Commission, the complainant is required to confirm that he/she has actually sent the said complaint to the Commission. Therefore, in order to enable it to process your complaint further, you may please confirm to the undersigned, whether the aforementioned complaint has been made by you. A confirmation through the enclosed letter may be positively sent within 30 days' period.

3. In order to qualify as a Whistle Blower Complainant, you are requested to furnish (as per the enclosed format):- (i) Certificate to the Commission that you have not made similar/identical allegations of corruption/misuse of office to any other authorities; and (ii) a self-attested copy of proof of your identity, which could be in the form of Voter's ID Card (EPIC)/Aadhar Card (UID)/Driving Licence/Passport/PAN Card/Photo Ration Card or any other proof of ID issued by Government of India or any of its organizations.

4. You may ensure that the envelope containing your confirmation letter [as stated above in para (3)] is superscribed "Public Interest Disclosure and Protection of Informers' (PIDPI) Resolution" and your name/address etc. is not written on the envelope.

W.J. Keishing

(W.J. Keishing)
Deputy Secretary

Encl: Confirmation letter/Certificate.

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RAM CHANDRA JATIA
(W. ZONE)**INTERNAL AUDITORS**
KULDEEP KUMAR
KAILASH CHANDF.No.AIESIC.SC/ST.FED.2015-083 Dated 25th September, 2020.

To,

The Director General,
Employees' State Insurance Corporation,
Panchdeep Bhawan, 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, Geetha Bhavan	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.

Cont. page No. 2/-

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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 rights of 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.

Cont. page No. 3/-

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,



(Heera Singh)
Secretary General

Enclosed: as above.

Copy to :

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



Secretary General

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

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(W. ZONE)**INTERNAL AUDITORS**
KULDEEP KUMAR
KAILASH CHANDF.No.AIESIC.SC/ST.FED.2015-083-R-I Dated: 06thNovember, 2020.

To,

The Director General,
Employees' State Insurance Corporation,
PanchdeepBhawan, CIG Road,
New Delhi – 110002.Subject: **Reminder to our Representation for seeking 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 invite your kind attention on my enclosed letter bearing F.No. AIESIC.SC/ST.FED.2015-083 dated 25th September, 2020 on subject cited above.

2. In this regard, I would like to submit following facts for immediate action please :-

- The representation was with respect to unlawful denial of ESIC benefits to nearly 65 employees who were expected to be covered in ESIC Scheme by callous approach of Shri S.V. Krishna Kumar, presently Additional Commissioner and RD, RO Chennai on the recommendation of Shri Prasanth D., Dy. Director while they were posted in SRO, Kollam.
- By such denial the guilty officer obliged seven employer by waiving of nearly Rs. 1.23 Crore for previous eight years as was indicated in detail in my earlier letter .
- Not only this waiving of contribution the employers were de-covered for ever resulting in loss of nearly Rs. 5.85 lakhs per annum as was indicated in detail in my earlier letter.
- For similar charges many of our Group A & B officers and Social Security Officers of ESIC were also given penalty on similar charges.

Cont. page No. 2/-

-2-

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 rights of 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, it seems that no action for sensitizing the corrupt officer is initiated. Hence, I am taking this opportunity to remind your good office to kindly take action in the matter.

6. Since, the matter is highly condemnable, a lenient view will further promote corruption in ESIC and it will become a precedent for future.

7. An early action in the matter is solicited failing which the matter will be taken up with Central Vigilance Commission.

Yours faithfully,



(Heera Singh)
Secretary General

Enclosed: as above.

Copy to :

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



Secretary General