



E.S.I.C.

कर्मचारी राज्य बीमा निगम
(श्रम व रोजगार मंत्रालय, भारत सरकार)
Employees' State Insurance Corporation
)Ministry of Labour & Employment, Govt. of India)



मुख्यालय/Headquarters
पंचदीप भवन, सी.जी.आई.रोड, नई दिल्ली
Panchdeep Bhawan, C.I.G. Road, New Delhi
(<http://esic.nic.in>)

MEETING OF NLC SCHEDULED TO BE HELD ON :-17.11.2022

Sl No.	Statement/Grievances of Employee	Comments by the Controlling Officer of Region	Comments by the Branch Concerned of Headquarters Office	Decision of the Litigation committee
1.	<p><u>Sh. A Ranga Gopal, Asstt. Director, ESICMC&H, Kalaburagi</u></p> <p><u>Non-resolution of Seniority issue and non-promotion to the level of DD.</u></p>	Recommended by Dean, ESIC Medical College, Gulbarga.	<p>A note along with all the relevant documents received from relevant office has been sent to E-I(DPC), Hqrs office vide this branch UO Note No. Estt/Legal/ 2862/2015/86 dated 16.08.2022 for submission of reply for presenting before the Litigation Committee.</p> <p>A reply has been received from DPC Cell(E-I), Hqrs vide UO Note no. A-24/14/1/2016-E.I dated 16.11.2022 wherein they have informed that applicant should be advised to furnish the earlier representations/letter mentioned by him in his representation dated 07.07.2022 so that the matter could be examined.</p> <p>E-mail has forwarded to concerned office & applicant for furnishing the documents to this office.</p>	The earlier representation as sought by the applicant was not recorded. Hence, the committee has directed the branch to seek the copies of representations from the applicant which he has mentioned in representation and be placed in the next meeting after examining.
2.	<p><u>Sh. Gunanidhi Karmi, Asstt. Director, RO, Bhubaneswar</u></p> <p><u>Regarding lump sum compensation & acceptance of disability in Parkinson's disease.</u></p>	Recommended by RD, Bhubaneswar, Hqrs is competent authority to consider the request of Group 'A & B' officer.	A note along with all the relevant documents received from relevant office has been sent to E-I, Hqrs office vide this branch UO Note No. Estt/Legal/ 2862/2015/166 dated 01.08.2022 for submission of reply for presenting before the Litigation Committee.	As reported by E-I, Hqrs that they have sent a UO Note to E-II, Hqrs for details. Hence the committee directed to call for the record from E-II, Hqrs and to submit the same in the next meeting after examining.

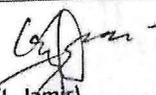
(Deepak Malik)
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Member

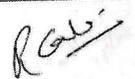
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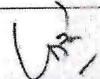
3.	<p><u>Sh. Mahesh Malvankar, UDC, RO, Maharashtra</u></p> <p><u>UDC Seniority for the year 2017-18 & 2018-19</u></p>	<p>Recommended by Regional Director, RO, Maharashtra</p>	<p>A note along with all relevant document receive from RO, Maharashtra has been forwarded to E-II br., Hqrs vide this branch UO Note No. Estt/Legal/2862/2015/154 dated 09.12.2021 followed by reminder dated 07.04.2022 for submission of reply for presenting before NLC.</p> <p>A Reply has been received from E-II br. Vide UO Note No. A-33/19/7/2022-Estt.II dated 07.04.2022 wherein they stated that the action by RO, Mumbai is found correct in terms of the DoPT OM dated 04.03.2014 which was issued in compliance of Hon'ble Supreme Court judgement in NR Parmar case.</p>	<p>Authorities should take uniform decision & action for pan India in all similar cases. ATR may be submitted in the next meeting.</p>
4.	<p><u>Sh. Abhay Kumar Shanu, UDC, RO, Maharashtra</u> <u>Sh. Rakesh Meena, UDC, RO, Maharashtra</u></p> <p><u>Anomaly in Inter-se-seniority of UDC cadre in ESIC regions and seniority of UDC in r/o Maharashtra region for the year 2017-18, 2018 and 31.12.2018.</u></p> <p><u>Sh. Chiranjivee V Borkar, UDC, ESIC Model Hospital, Andheri</u></p> <p><u>Re-fix my seniority above the UDC's recruitment in the year 2017.</u></p>	<p>Recommended by Regional Director, RO, Maharashtra.</p> <p>Recommended by Regional Director, RO, Maharashtra for re-examine.</p>	<p>A note along with all relevant document receive from RO, Maharashtra has been forwarded to E-II br., Hqrs vide this branch UO Note No. Estt/Legal/2862/2015/160 dated 29.12.2021 followed by reminder dated for submission of reply for presenting before NLC.</p> <p>A reply has been received from E-II br. Vide UO Note No. A-33/19/4/2022-Estt-II dated 31.05.2022 through email wherein they stated that "seniority prepared according to consolidated merit in the recruitment in terms of the DoPT OM no. 22011/7/86- Estt(D) dated 03.07.1986 & 11/11/2010, OM No. 2011/1/12-Estt. (D) dated 04.03.2014 and DoP&T OM No. 41019/18/97-Estt. Dated 13.06.2000. Hence, the request of above officials can not be acceded."</p> <p>A note along with all relevant document receive from RO, Maharashtra has been forwarded to E-II br., Hqrs vide this branch UO Note No. Estt/Legal/2862/2015/160 dated 29.12.2021 for submission of reply for presenting before NLC.</p>	<p>Authorities should take uniform decision & action for pan India in all similar cases. ATR may be submitted in the next meeting.</p> <p>Authorities should take uniform decision & action for pan India in all similar cases. ATR may be submitted in the next meeting.</p>


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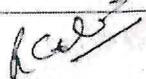

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			A reply has been received from E-II br. Vide UO Note No. A-33/19/4/2022-Estt-II dated 31.05.2022 through mail wherein they stated that "The instructions issued by DoPT based on the Meghchandra Judgement of the Hon'ble Supreme Court is applicable prospectively and the same can not be used as a reason to challenge or disturb the already finalized seniority list."	
5.	<u>Sh. Gopalkrishna Kona, Assistant, Super Speciality Hospital, Hyderabad</u> <u>Inclusion of name in LDCE selection for the vacancy of 2017-18 through LDCE from UDC to Assistant.</u>		A note along with all relevant document receive from RO, Maharashtra has been forwarded to E-II br., Hqrs vide this branch UO Note No. Estt/Legal/2862/2015/134 dated 11.01.2022 for submission of reply for presenting before NLC. A reply has been received from E-II Br., Hqrs vide their UO Note No. A-33/19/9/2018-Estt-II dated 27.01.2022 stating that "the instruction applicable at the material time did not permit any regular Assistant to appear in LDCE for the post of Assistant. Permitting the applicant alone to appear in the LDCE and declaring his result will be discriminatory as several other applicants had been denied permission by the Regions and Hqrs. Office. Though the ibid instruction has since been withdrawn".	Action has already been taken by E-II vide letter No. A-33/19/18/2022-E-II dated 31.08.2022 wherein they have advised RO, Telangana to include the names of Sh. P. Raghu and Sh. K. Gopal Krishna in the vacancy year 2016-17 and Review DPC may be conducted accordingly from 2016-17 onwards. ATR to be submitted by concerned branch of Hqrs.
6.	<u>Dr. Hanumantha, Asstt. Professor ESIC Hospital & PGIMS, K.K. Nagar, Chennai</u> <u>Not grant of promotion to the post of Associate professor w.e.f 12.03.2018 and applicant mentioned that there were no disciplinary proceedings against me on the said date.</u>	Recommended by Dean, KK Nagar, Chennai for Consideration.	A note along with all the relevant documents received from relevant office has been sent to Med. Adm. (DPC), Hqrs office vide this branch UO Note No. Estt/Legal/2862/2015/157 dated 19.09.2021 reminder followed by dated 24.02.2022 for submission of reply for presenting before the Litigation Committee. A reply has been received from DPC Cell (MA) vide UO Note No. A-33/14/2/1/2010-DPC(M) dated 17.06.2022 wherein they have informed that the medical officer has	No comments/ATR received from Med. Adm. Hence, the case details have been called for from Med. Adm. for examining in next meeting.


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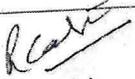

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			been issued with the major penalty charge sheet dated 09.07.2020 which was pending on the date of DPC. Hence, the recommendation of DPC was kept under sealed cover by DPC. The same was also informed to Medical officer through their controlling unit vide letter dated 15.04.2021 and 28.02.2022. Copy enclosed.	
7.	<u>Sh. Anjarul Hasan, Lab. Technician, ESIC Hospital, Bareilly</u> <u>For cancelling the allotment of official accommodation house no. type-II & HRA deduction from the salary of applicant.</u>		A note along with all the relevant documents received from ESIC Hospital, Bareilly has been returned to concerned office vide this office letter no. Estt/Legal/2862/2015/152 dated 05.08.2021 for resubmission with check list and competent authority's comments. All the relevant documents received from relevant office only on 11.11.2022 which was forwarded to Gen. Br., Hqs office through e-mail dated 14.11.2022 for submission of reply for presenting before the Litigation Committee.	On examining the matter in terms of Hqs instruction dated . the committee was of the view that the action taken by MS, ESICH, Bareilly is in order.
8.	<u>Smt. Anandini, OS, SRO, Nand Nagari</u> <u>Stepping up of Pay with junior in cadre of Assistant</u>	Recommended by AD (Adm.), SRO, Nand Nagri, may be informed regarding her request with DoPT letter dated 26.10.2018.	A note along with all relevant document received from concerned office has been forwarded to Regional Office, Delhi vide this branch letter No. Estt/Legal/2862/2015/146 dated 18.11.2021 for submission of reply for presenting before NLC. क्षेत्रीय कार्यालय, दिल्ली से पत्र सं 11-ए/20/11/1200/2003- प्रशा/पार्ट-1 दिनांक 22.12.2021 द्वारा जबाव प्राप्त हुआ है- सहायक पद पर तदर्थ आधार पर पदोन्नति हेतु स्क्रीनिंग समिति की बैठक दिनांक 03.09.2010 में श्रीमती आनंदनी, वर्ष 2006-07 की वार्षिक मूल्यांकन रिपोर्ट में प्रतिकूल टिप्पणी के कारण, पदोन्नति के लिए अयोग्य पाई गई। दिनांक 20.12.2011	The committee found the reply given by RO, Delhi office is in order after examining. Hence the reply of RO, Delhi is implemented.


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		को मु. द्वारा उक्त प्रतिकूल टिप्पणी निरस्त की गई तथा दिनांक 21.12.2011 को विशेष स्क्रीनिंग समिति द्वारा श्रीमती आनंदनी को सहायक तदर्थ के पद हेतु योग्य पाया गया और उन्होने सहायक (तदर्थ) के पद पर कार्यभार ग्रहण किया। श्रीमती आनंदनी द्वारा समय-समय पर दिए गए वेतन बढ़ोतरी के प्रतिवेदनों के कर्मिक विभाग, भारत सरकार द्वारा जारी अनुदेशों के अनुसार जांचा गया और उपयुक्त नहीं पाया गया है। वेतन बढ़ोतरी के अनुदेशों को कर्मिक विभाग द्वारा समेकित कर दिनांक 26.10.2018 को जारी किया गया तथा उसमें दिए अनुच्छेद 3 (सी) के अनुसार ही मामले की जाँच की गई थी।	
9.	<p><u>Sh. Pradeep Kataria, Jr. MRT/Medical Record Asstt., ESIH Gurugram, Haryana</u></p> <p><u>For resolve seniority issues in final common seniority in r/o Medical Record Assistant as per K. Meghachandran judgment & DoP&T OM dated 13.08.2021.</u></p>	All the relevant documents received from applicant dated 17.11.2022 has been sent to Regional Office, Delhi through e-mail dated 17.11.2022 for submission of reply for presenting before the Litigation Committee.	No comments/ATR received from RO, Delhi. Hence, the case details have been called for from RO, Delhi for examining in next meeting.
10.	<p><u>Sh. Jasveer Sangelia, Senior MRT, ESIH Gurugram, Haryana</u></p> <p><u>For resolve seniority issues in final common seniority in r/o Medical Record Technician as per K. Meghachandran judgment & DoP&T OM dated 13.08.2021.</u></p>	All the relevant documents received from applicant dated 17.11.2022 has been sent to Regional Office, Delhi through e-mail dated 17.11.2022 for submission of reply for presenting before the Litigation Committee.	No comments/ATR received from RO, Delhi. Hence, the case details have been called for from RO, Delhi for examining in next meeting.

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