



**HEADQUARTERS**  
**EMPLOYEES' STATE INSURANCE CORPORATION**  
**PANCHDEEP BHAVAN: C.I.G. ROAD: NEW DELHI-110002.**  
[www.esic.nic.in](http://www.esic.nic.in)

**No. A-24/15/01/2016-E.I**

**Dated: 07.08.2020**

**ORDER**

Provisional seniority list of Officers in the grade of Deputy Director in Pay Band-3 Rs. 15,600-39,100/- with Grade Pay Rs. 5400/- (pre-revised) for the vacancy year 2011-12, 2012-13 and 2013-14 was issued vide Memorandum of even number dated 08.01.2020 and errors and objections, if any, to the provisional seniority list were called for within 30 days from the date of issue of the said Memorandum.

In response to the above circulation, 26 officers had filed their objections. These objections were carefully examined by me in accordance with extant instructions of DoP&T and accordingly, I, Anuradha Prasad, Director General, ESIC dispose off these objections through my considered decision as under:

Sl. No.	Name and Sl. No. in the Provisional Seniority list	Objections raised	Reply
1.	Heera Singh (79)	1. The following facts were concealed from us when the provisional seniority list of Deputy Directors upto the vacancy year 2010-11 issued vide Memorandum No. A-24/15/01/2016-E.I dated 28.06.2016:-	1. Representations were strictly called against errors/objections in the provisional seniority list issued vide memorandum of even No. dated 08.01.2020 for the vacancy year 2011-12, 2012-13 and 2013-14, and not against the provisional seniority list issued vide memorandum of even No. dated 28.06.2016 which had already been finalized/settled. However, provisional seniority list issued vide memorandum No. A-24/15/01/2016-E.I. dated 28.06.2016 was communicated to those officers who were enlisted in the said seniority list. The Officers concerned were not enlisted in the said seniority list, therefore, the same was not communicated to them. However, the said list was uploaded on the official website of ESIC for general information and it was duly mentioned in the said seniority list that it is up to
2.	Praveen Kumar (35)	i. The aforesaid memorandum issued on 28.06.2016 was not communicated to us by our Controlling Officers as well as Establishment Branch of Hqrs. Office. Since, many of the Officers who were appointed one to three years after their appointment were allowed to supersede their position without seeking their objections/representations in violation of DoP&T Guidelines.	
3.	Sugan Lal Meena (83)		
4.	Mahinder Singh (51)		
5.	T. K. Choudhary (85)	ii. The vacancy year involved in that seniority list relate from vacancy year 2005-06 to 2010-11.	
6.	Anand Kumar (07)	iii. Total number of Officers available in all related recruitment years with respect to all posts such as DD (Administration/Training/Insurance) and DD(Finance).	

7.	Sonam (87)	iv. The detail of method used for apportioning Rota Quota of DR and Promotion posts in related Recruitment Year with respect to all posts such as DD (Administration / Training / Insurance) and DD (Finance).	the year 2010-11.
8.	Harshran Meena (75)		Designation of the Officers was duly mentioned in the seniority list. While information such as total number of Officers recruited in Deputy Director (Administration/Training/Insurance) and Deputy Director (Finance) against each vacancy year, ratio of interpolation etc. are generally not mentioned in the seniority list.
9.	Debabrata Pramanik(43)	v. The detail of ratio in which both posts of DD (Administration / Training / Insurance) and DD (Finance) were interpolated in combined seniority.	
10.	Laxmi Narayan Meena (81)	vi. The detail of designation of all officers shown in disputed seniority list.	
		<p>2.The following facts were not revealed on circulation of provisional seniority list of Deputy Director issued vide memorandum dated 08.01.2020:</p> <p>i. Total number of officers available in related Recruitment Years with respect to all posts such as DD (Administration/Training /Insurance) and DD (Finance).</p> <p>ii. Total number of officers available in all related Recruitment years with respect to all posts such as DD (Administration/Training/Insurance) and DD (Finance).</p> <p>iii. The detail of method used for apportioning Rota Quota of DR and Promotion posts in related Recruitment Year with respect to all posts such as DD (Administration/Training/Insurance) and DD (Finance).</p> <p>iv. The detail of ratio in which both posts of DD (Administration/Training/Insurance) and DD (Finance) were interpolated in combined seniority.</p> <p>v. The detail of designation of all officers shown in disputed seniority list.</p> <p>3.The concealment of the aforesaid facts during circulation of provisional seniority lists of Deputy Director vide memoranda dated 28.06.2016 and 08.01.2020 is grossly violative of various DoP&amp;T instructions and judgment of Hon'ble Supreme Court. Following irregularities were detected in seniority circulated vide both the aforesaid memoranda:-</p> <p>i. We were appointed on promotion to the post of Deputy Director (Administration/ Training/Insurance) on 24.07.2012. Whereas the seniority list circulated vide memorandum dated 28.06.2016 contained names of officers who were appointed after 27.11.2012, the date of</p>	<p>2.Designation of the Officers has been duly mentioned in the provisional seniority list issued vide memorandum No. A-24/15/01/2016-E.I. dated 8.1.2020. Information such as total number of Officers recruited as Deputy Director (Administration / Training / Insurance) and Deputy Director (Finance) against each vacancy year, ratio of interpolation etc. are generally not mentioned in the seniority list.</p> <p>3 (i) Provisional seniority list of Officers in the grade of Deputy Director circulated vide memorandum No. A-24/15/01/2016-E.I dated 28.06.2016 and subsequently finalized on 30.07.2019 was</p>

	<p>Supreme Court judgment in Civil Appeal No. 7514-7515/2005 in the case of N.R. Parmar Vs. UOI &amp; Ors. Application of new guidelines as prescribed in para 5 (h) of Office Memorandum No. 20011/1/2012-Estt. (D) dated 04.03.2014 for determination of inter se seniority of direct recruits and promotees would be effective from 27.11.2012. Hence, all the incumbents who have joined the cadre before 27.11.2012 have to be governed by following procedure as laid down in DoP&amp;T O.M. No. 35014/2/80-Estt.D dated 07.02.1986 and O.M. No. 22011/7/86-Estt(D) dated 03.07.1986 and who joined after 27.11.2012 would be governed by DoP&amp;T O.M. dated 04.03.2014. In view of above, Officers figured at Sl. No. 74, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214 and 216 of seniority list who were appointed on or after 27.11.2012 will be interpolated with other officers who were appointed by promotion after 27.11.2012 with new guidelines prescribed in DoP&amp;T O.M. No. 20011/1/2012-Estt. (D) dated 04.03.2014.</p> <p>ii. It is revealed that the seniority list was interpolated with officers of two cadres which are Deputy Director (Administration/Training/Insurance) and Deputy Director (Finance), whereas three deserving isolated posts of Deputy Director (System), Deputy Director (Work Studies) and Deputy Director (Actuarial) were kept aloof having no avenues of promotion and one post of Deputy Director (Official Language) having only one level of promotion.</p> <p>iii. The post of Deputy Director (Administration/Training/Insurance) has got its own recruitment regulations with mode of recruitment as 50% by promotion and 50% by direct recruitment. Hence, there was a requirement of circulation and finalization of recruitment year wise individual seniority list of DD (Admn/Training/Insurance) before</p>	<p>prepared by applying rota-quota between promotees and direct recruits who were appointed against the vacancies of recruitment year 2005-06 to 2010-11, as per guidelines laid down in DoP&amp;T O.M. No. 35014/2/80-Estt. (D) dated 07.02.1986, O.M. No. 22011/7/86-Estt (D) dated 03.07.1986, O.M. No. 20011/1/2012-Estt.(D) dated 04.03.2014 and other relevant extant instructions of DoP&amp;T in the matter.</p> <p>The objection raised by the Officers concerned regarding non-inclusion of their names in the seniority list finalized vide aforesaid Memorandum dated 30.07.2019 is not correct, since they were promoted to the post of Deputy Director on regular basis w.e.f. 24.07.2012 against the recruitment year 2011-12 while the aforesaid seniority list was prepared in r/o those officers who were promoted / directly recruited against the recruitment year 2005-06 to 2010-11. The Officers figuring at Sl. No. 74, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214 and 216 of the seniority list finalized vide aforesaid memo dated 30.07.2019 were appointed through direct recruitment against the vacancy of recruitment year between 2005-06 to 2010-11 and they have been rightly placed in the said seniority list.</p> <p>Further, Officer at Sl. No. 74 joined after 27.11.2012, as result of aforesaid Officer was withheld by UPSC. However, he was appointed against the vacancy of the year upto 2008-09. Accordingly, he is rightly placed in the seniority list.</p> <p>Similarly, Officers at Sl. No. 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142,</p>
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		<p>making a combined seniority list which was not followed in the instant case.</p> <p>iv. The post of Deputy Director (Finance) has got its own recruitment regulations with mode of recruitment as 50 % by promotion and 50% by direct recruitment. Hence, there was a requirement of circulation and finalization of year wise recruitment year wise individual seniority list of Deputy Director (Finance) before making a combined seniority list which was not followed in the instant case.</p> <p>v. After individual seniority list of all cadres are finalized the process of interpolation of all cadres according to their ratio should have been initiated. Whereas in the instant case the same has not been done and the list is finalized arbitrarily without following due procedure.</p> <p>vi. While drawing provisional seniority list the department has given seniority to various directly Recruited Officer recruited in year 2010 and 2012 who were yet to be borne in the cadre in related vacancy years of 2005-06 to 2013-14. Whereas in comparison the promote officers were not only borne in the cadre but were also serving in the cadre on <i>ad hoc</i> basis against regular vacancy. They had been promoted on ad hoc basis to the post of Deputy Director on 3<sup>rd</sup> November 2011 against regular vacancy and the UPSC had also recommended their promotion against year 2011-12 on DPC conducted on 23.07.2012.</p> <p>vii. As a result of not maintaining the individual Rota Quota Register for the post of Deputy Director (Administration/Training/Insurance) and Deputy Director (Finance) and subsequent not maintaining interpolation register for both the cadres, the office has squeezed the strength of Promotees Cadre Officer by not recording names of 32 officers recommended by UPSC who were working/available for providing service in the cadre in related vacancy year on ad hoc basis against regular vacancy.</p> <p>viii. The provisional gradation/seniority list circulated vide memorandum dated 08.01.2020 is also suffering from the</p>	<p>144, 146, 148, 150 above joined after 27.11.2012, as the recommendations of UPSC in respect of aforesaid Officers were conveyed by UPSC vide letters dated 11.09.2012 and 13.02.2014. In the same manner, Officers at Sl. No. 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214 and 216 above had also joined after 27.11.2012, as recommendations of UPSC in respect of aforesaid Officers were also conveyed by UPSC vide letters dated 21.11.2012 and 04.04.2014. However, the aforesaid Officers were appointed against vacancies of the years 2009-10 and 2010-11, thus rightly placed in the seniority list.</p> <p>Further, Para 5(h) and 5(i) of O.M. No. 20011/1/2012-Estt. (D) dated 04.03.2014 stipulates as under:-</p> <p><b>para 5(h)- "The above principles for determination of inter se seniority of direct recruits and promotes would be effective from 27.11.2012, the date of Supreme Court Judgment in Civil Appeal No. 7514-7515/2005 in the case of N. R. Parmar Vs. UOI &amp; Ors"</b></p> <p><b>para 5(i)- "The cases of seniority already settled with reference to the applicable interpretation of the term availability, as contained in DoPT O.M. dated 07.02.86/03.07.86 may not be reopened"</b></p> <p>By taking into consideration the above instructions, the contention of the Officers concerned that the seniority list of Officers joined before 27.11.2012 should not be prepared as per guidelines laid down in aforesaid DoP&amp;T O.M. dated 04.03.2014 and this O.M. should be applied in r/o those Officers who joined after 27.11.2012, is not correct, since the case of seniority of the Officers concerned was not settled till</p>
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		<p>defects of memorandum dated 28.06.2016 and keeping 90 slots vacant for those fictitious persons who are not borne in the cadre or has been wrongly given place in this memorandum dated 28.06.2016 in gross violation of ruling given by Hon'ble Supreme Court in case of K. Meghachandra Singh &amp; Ors. Vs. Ningam Siro &amp; Ors. CA No. 8833 - 8835 of 2019 in judgement dated 19.11.2019 which clearly states that</p> <p><i>"under service jurisprudence, seniority cannot be claimed from a date when the incumbent is yet to be borne in the cadre. In our considered opinion, the law on the issue is correctly declared in case of J.C. Patnaik and consequently we disapprove the norms as assessment of inter-se seniority, suggested in case of N. R. Parmar. Accordingly, the decision in N. R. Parma is overruled...."</i></p> <p><i>"The term 'Recruitment Year' does not and cannot mean the year in which, the recruitment process is initiated or the year in which vacancy arises. The contrary declaration in N. R. Parmar in our considered opinion, is not the correct view."</i></p> <p>4. Hence, the decision of Hon'ble Supreme Court in Civil Appeal No. 7514-7515/2005 in the case of N. R. Parmar Vs. UOI &amp; Ors. had been wrongly made effective retrospectively in violation of para 5(h) of DoP&amp;T O.M. No. 20011/1/2012-Estt. (D) dated 04.03.2014 while circulating the seniority list vide memo dated 28.06.2016.</p> <p>5. DoP&amp;T O.M. No. 20011/1/2012-Estt. (D) dated 04.03.2014 issued in view of decision of Hon'ble Supreme Court in Civil Appeal No. 7514-7515/2005 in the case of N. R. Parmar Vs. UOI &amp; Ors. has been made effective after 19.11.2019 also, in spite of the fact that the Hon'ble Supreme Court in its judgement dated 19.11.19 in case of K. Meghachandra Singh &amp; Ors. Vs. Ningam Siro &amp; Ors. CA No. 8833-8835 of 2019 had overruled the earlier decision in case of N. R Parmar Vs. UOI &amp; Ors.</p>	<p>27.11.2012 i.e. the date of judgement.</p> <p>In view of the aforesaid, the names of the Officers concerned have, therefore, rightly been included in the provisional seniority list of Deputy Directors issued vide memorandum No. A-24/15/01/2016-E.I dated 08.01.2020</p> <p>3(ii) The posts of Deputy Director (System), Deputy Director (Work Studies), Deputy Director (Actuarial) and Deputy Director (Official Language) are other posts with different hierarchal order with separate RRs.</p> <p>3 (iii) to 3(v): Para 2.2.1 of DoP&amp;T O.M. dated 11.11.2010 states that <b>"Where promotions to a grade are made from more than one grade and quotas have been laid down for each feeder grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. The officers in each grade, assessed as fit by the Departmental Promotion Committee shall be interpolated in the ratio prescribed for each grade in the recruitment rules for the post."</b></p> <p>The next promotional grade from Deputy Director was Regional Director Grade 'B'/Joint Director before 15.12.2018 and is Senior Deputy Director w.e.f 15.12.2018 i.e. after notification of RRs of the post of Senior Deputy Director. As per Recruitment Regulations of both posts, there is only one feeder cadre that is Deputy Director. Therefore, the concept of preparation of separate seniority list is not applicable in the instant case. Moreover, the posts of Deputy Director (Administration/ Insurance &amp; Training) and Deputy Director (Finance) have been merged with new nomenclature of the post i.e. Deputy Director vide Gazette Notification dated 6.6.2015.</p>
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		<p>In view of above, it is requested to take following needful action:</p> <ol style="list-style-type: none"> <li>i. To draw separate inter-se Seniority list of all the cadres including cadre of Deputy Director (Admin/Training/Insurance) and Deputy Director (Finance) in transparent manner.</li> <li>ii. To re-draw seniority list by applying principle of availability of officer in terms of DoP&amp;T O.M. No. 35014/2/80-Estt. D dated 07.02.1986 and O.M. No. 22011/7//86-Estt(D) dated 03.07.1986 with respect to all officers who are available prior to 27.11.2012 the date of decision of Hon'ble Supreme Court in the case of N. R. Parmar Vs. UOI &amp; Ors. as we were available for appointment by promotion on adhoc basis against regular vacancy on 03.11.2011 and our promotion was regularized on 24.07.2012.</li> <li>iii. To remove names of all officer indicated in para 3(i) above in re-drawn seniority list.</li> </ol>	<p>3 (vi) &amp; (vii): Further, the objection raised by the Officer concerned for non-inclusion of the names of 32 officers who were recommended for promotion to the post of Deputy Director for the vacancy year 2005-06 to 2013-14 by UPSC, in the seniority list of Deputy Director issued vide Memorandum dated 30.07.2019 and 08.01.2020 is also not correct, since though these officer were recommended for promotion by UPSC, but they were not promoted to the post of Deputy Director due to their retirement etc.</p> <p>3(viii) &amp; 4 &amp; 5: It is reiterated that representations were strictly called against errors/objections in the provisional seniority list issued vide memorandum of even No. dated 08.01.2020 for the vacancy year 2011-12, 2012-13 and 2013-14, and not against the provisional seniority issued vide memorandum of even No. dated 28.06.2016 which had already been finalized/settled vide Memorandum dated 30.07.2019. Further, seniority List of Deputy Director has been prepared on the basis of extant DoP&amp;T instructions on the matter and not on the basis of judgment of Court cases, as the judgment of Court cases are case specific and based on different factual matrix.</p> <p>In view of the above, the requests of the officers concerned regarding revision of the seniority list etc. cannot be acceded to.</p>
11.	Pranava Kumar (159)	<p>The provisional seniority list circulated vide Memorandum No. A-24/15/01/2016-E.I dated 08.01.2020 is in gross violation of ruling given by Hon'ble Supreme Court in following cases:-</p> <p>Hon'ble Supreme Court Judgement in case of K. Meghachandra Singh &amp; Ors. Vs. Ningam Siro &amp; Ors. CA. No. 8833-8835 of 2019 which clearly states that</p> <p><i>"under service jurisprudence, seniority</i></p>	<p>The issues raised in the representation have already been examined above against Sl. No. 1 to 10 and the same is reiterated here.</p>

		<p><i>cannot be claimed from a date when the incumbent is yet to be borne in the cadre. In our considered opinion, the law on the issue is correctly declared in case of J. C. Patnaik and consequently we disapprove the norms as assessment of inter-se seniority, suggested in case of N.R. Parmar. Accordingly, the decision in N.R. Parmar is overruled.</i></p> <p><i>The term "recruitment Year" does not and cannot mean the year in which, the recruitment process is initiated or the year in which vacancy arises. The contrary declaration in N.R. Parmar in our considered opinion, is not the correct view'</i></p> <p>Despite above ruling, 90 slots have been left vacant in the above quoted provisional seniority list for those fictitious persons who have not yet born in the cadre. Doing so is adversely affecting my career promotional opportunities.</p> <p>It is, therefore, requested to kindly withdraw the above-mentioned seniority list and redraw it in the light of Supreme Court Ruling quoted above.</p>	
12.	Ravi Shanker (177)	<ol style="list-style-type: none"> <li>1. The blanks which are kept for the provision of direct recruitees should be regularized in accordance with the judgement of Supreme Court of K. Meghachandra Singh in civil appeal No. 8833-8835 of 2019 wherein seniority have not been considered/placed before joining of direct recruitee being amorphous.</li> <li>2. Year-wise vacancy for direct recruitment and promotion have not been given.</li> <li>3. The seniority list of 2010-11 finalized vide letter dated 30.07.2019 seems to be incomplete as it has not included complete strength of DD cadre.</li> </ol>	<ol style="list-style-type: none"> <li>1. Issue raised in the representation has already been examined above against Sl. No. 1 to 10 and the same is reiterated here.</li> <li>2. Year-wise vacancy for direct recruitment quota and promotion quota is generally not mentioned in the seniority list. However, the officer has been rightly placed in the seniority list by applying rota-quota.</li> <li>3. Provisional seniority list issued of Deputy Director vide Memorandum dated 28.06.2016 and finalized vide memorandum dated 30.07.2019 has been prepared with complete strength of DD in accordance with the extant DoP&amp;T instructions.</li> </ol>
13.	Rajendra R. Pillai (151)	<p>The seniority list of Deputy Director has been prepared by applying rota-quota in accordance with DoP&amp;T O.M. No. 22011/7/86-Estt. (D) dated 03.07.1986 and O.M. No. 20011/1/2012-Estt. (D) dated 04.03.2014. The DoP&amp;T O.M. dated 04.03.2014 is based on the judgement given by Hon'ble Supreme Court in civil appeal No. 7514-7515/2005 in the case of Sh. N. R.</p>	<p>As already stated above, the Corporation prepares seniority list of its Officers/Officials on the basis of extant DoP&amp;T instructions in the matter and not on the basis of judgment of court cases.</p>

		<p>Parmar V/s UOI &amp; Ors. However, in Civil Appeal No. 8833-8835 of 2019, Civil Appeal Nos. 8838 of 2019 and Civil Appeal No. 8836-8837 of 2019, Hon'ble three judge bench of Supreme Court has overruled the decision in N.R. Parmar case.</p> <p>It is clear from the judgement that the decision, based on which DoP&amp;T issued the O.M. No. 20011/1/2012-Estt. (D) dated 04.03.2014 has been overturned by the above three member bench of Hon'ble Supreme Court. Consequently, the said DoP&amp;T O.M. dated 04.03.2014 become ultra-vires. Seniority cannot be claimed from a date when the incumbent is yet to be borne in the cadre.</p> <p>In this regard, para 2.4.1 and para 2.4.2 of DoP&amp;T O.M. No. 22011/1/86-Estt.(D) dated 03.07.1986 is quoted.</p> <p>In view of the above, I am of the opinion that the O.M. No. 20011/1/2012-Estt. (D) dated 04.03.2014 is ultra-vires and hence cannot be taken cognizance of while fixing seniority. Thus the O.M. available to fix seniority in the present case is the DoP&amp;T O.M. No. 22011/7/86-Estt.(D) dated 03.07.1986. As per the said O.M, the promotees against whom no direct recruits are available for fixing seniority on the basis of rotation of quotas will be bunched together at the bottom of the seniority list below the last position upto which it is possible to determine seniority, on the basis of rotation of quotas with reference to the actual number of direct recruits who become available.</p> <p>I therefore request for the bunching together of all the promotees after exhaustion of rotation of quotas to the extent of availability of Direct recruits and promotees for the same and removal of the slot kept vacant with the remark "Direct recruit is not available". I therefore request that the provisional seniority in the cadre of Deputy Director circulated vide Memo dated 08.01.2020 be revised accordingly.</p>	<p>Provisional seniority list of Deputy Director issued vide memorandum dated 08.01.2020 has been prepared on the basis of extant DoP&amp;T instructions in the matter and is in order.</p>
14	Boben Rapheal (21)	1. Kind attention is invited to provisional seniority list of Deputy Directors up to the vacancy year 2010-11 published as per the Hqrs. Memorandum No. A-24/15/1/2016-E.I. dated 28.6.2016 I	1. Representations were strictly called against errors/objections in the provisional seniority list issued vide memorandum of even No. dated 08.01.2020 for the vacancy year 2011-



		<p>should have been placed in that seniority list as per DoP&amp;T OM No. 20011/1/2012-Estt. (D) dated 4.3.2014 which says revised principles of determination of inter se seniority list would be effective from 27.11.2012 only. I was regularised in the cadre of Deputy Director on 24.7.2012. Hence all the direct recruitment and seniority promotions completed prior to 27.11.2012 are settled matter and my seniority is settled before 27.11.2012. Though my objection were filed vide letter dated 25.7.2016 against the seniority list of 2010-11, Hqrs. did not mention the receipt of my objections nor replied to the objections while finalizing the seniority list. It clearly shows that the seniority list for the year 2010-11 was finalized not in accordance with the DoP&amp;T OM dated 4.3.2014. Objections raised by me in my letter dated 25.7.2016 still hold good and submit the same objection again.</p> <p>2. In addition to the above, in the Gradation/seniority list dated 8.1.2020, it has been mentioned that Provisional gradation / seniority list of officers for the vacancy year 2011-12 to 2013-14 which is not proper since the vacancy year against which the incumbents are considered has not been mentioned against their names.</p> <p>DoP&amp;T Memorandum dated 4.3.2014 5(e) clearly states that 'initiation or recruitment process against a vacancy year would be the date of sending of requisition for filling up of vacancies to the recruiting agency in the case of direct recruits.</p> <p>3. The star marked last sentence of the list states that slots of direct recruitee candidates are left blank due to their non-availability and the slots will be filled whenever the direct recruit candidates become available in future.</p> <p>The above seniority/gradation list does not mention about any direct recruitment is initiated for the vacancy year 2011-12, 2012-13 and 2013-14.</p> <p>Since the judgement by the Hon'ble</p>	<p>12, 2012-13 and 2013-14 and not against the provisional seniority issued vide memorandum of even No. dated 28.06.2016 which had already been finalized/settled. However, provisional seniority list of Officers in the grade of Deputy Director circulated vide memorandum No. A-24/15/01/2016-E.I dated 28.06.2016 and subsequently finalized on 30.07.2019 was prepared by applying rota-quota between promotees and direct recruits who were appointed against the vacancies of recruitment year 2005-06 to 2010-11, as per guidelines in DoP&amp;T O.M. No. 35014/2/80-Estt. (D) dated 07.02.1986, O.M. No. 22011/7/86-Estt (D) dated 03.07.1986, O.M. No. 20011/1/2012-Estt.(D) dated 04.03.2014 and other relevant extant instructions of DoP&amp;T in the matter.</p> <p>Objection raised by the Officer concerned regarding non-inclusion of his name in the seniority list finalized vide aforesaid Memorandum dated 30.07.2019 is not correct, since he was promoted to the post of Deputy Director on regular basis w.e.f. 24.07.2012 against the recruitment year 2011-12 while the aforesaid seniority list was prepared in r/o those officers who were promoted/directly recruited against the recruitment year 2005-06 to 2010-11 in pursuance of definition of "recruitment year" and "initiation of recruitment process" laid down in para 5(d), para 5(e) and para 5(f) of DoP&amp;T O.M. dated 04.03.2014 given as under:-</p> <p><b>Para 5(d) – "Recruitment year would be the year of initiating the recruitment process against a vacancy year"</b></p> <p><b>Para 5(e) – "Initiation of recruitment process against a vacancy year would be the date of sending of requisition for filling up of vacancies to the recruiting agency in the case of direct recruits; in the case of promotes the date on which a proposal,</b></p>
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		<p>Supreme Court in Civil Appeal Number 8833-8835 of 2019 K. Meghachandra Singh and others v/s Ningam Siro and Others has struck down the Supreme Court judgement in the civil appeal No. 7514-7515 /2005 in the case of N.R. Parmar v/s UOI and others, the above reservation of slots for direct recruits is not justified.</p> <p>I therefore request that necessary correction may please be made in the seniority list of Deputy Directors published on 8.1.2020 incorporating may name in the appropriate place while finalizing the seniority list.</p>	<p><b><i>complete in all respects, is sent to UPSC/Chairman-DPC for convening of DPC to fill up the vacancies through promotion would be the relevant date'</i></b></p> <p><b><i>Para 5(f)- "The initiation of recruitment process of any of the modes viz. direct recruitment or promotion would be deemed to be the initiation of recruitment process for the other mode as well"</i></b></p> <p>Further, Para 5(h) and 5(i) of O.M. No. 20011/1/2012-Estt. (D) dated 04.03.2014 states as under:-</p> <p><b><i>para 5(h)- "The above principles for determination of inter se seniority of direct recruits and promotes would be effective from 27.11.2012, the date of Supreme Court Judgment in Civil Appeal No. 7514-7515/2005 in the case of N. R. Parmar Vs. UOI &amp; Ors'</i></b></p> <p><b><i>para 5(i)- "The cases of seniority already settled with reference to the applicable interpretation of the term availability, as contained in DoPT O.M. dated 07.02.86/03.07.86 may not be reopened'</i></b></p> <p>By taking into consideration the above instructions, the contention of the Officer concerned that the seniority list of Officers joined before 27.11.2012 should not be prepared as per guidelines laid down in aforesaid DoP&amp;T O.M. dated 04.03.2014 and this O.M. should be applied in r/o those Officers who joined after 27.11.2012, is not correct, since the case of seniority of the Officer concerned was not settled till 27.11.2012.</p> <p>In view of the aforesaid, the name of the Officers concerned has, therefore, rightly been included in the provisional seniority list of Deputy Directors issued vide memorandum No. A-</p>
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			<p>24/15/01/2016-E.I dated 08.01.2020.</p> <p>Further, the letter dated 25.07.2016 of the Officer concerned was not received in this office as per available records on the concerned file.</p> <p>2. Vacancy year against which a incumbent is appointed, is generally not mentioned in the seniority list.</p> <p>3. Slots for direct recruits have been kept left blank in the provisional seniority list as per DoP&amp;T O.M. dated 04.03.2014.</p> <p>Further, the Corporation prepares seniority list of its Officers/Officials on the basis of extant DoP&amp;T instructions in the matter and not on the basis of judgment of court cases, as the judgment of court cases are based on different factual matrix. Hence, the aforesaid objections of Officer devoid of any merit.</p>
15	K. G. Venugopal (31)	<p>My regular promotion as Deputy Director was w.e.f 24.7.2012. My case is one of the settled seniority as it is prior to 27.11.2012 the effective date of DoPT OM dated 4.3.2014. I am entitled for a place in the seniority list of Deputy Director, now said to be finalized and published in the year 2016. Instead my name is included only in the seniority list dated 8.1.2020. Objection was filed by me against the said list. But I did not get any reply for my representation. The direct recruits who were appointed during November and December 2012 should not be mixed with the appointees and promotees for whom the process has been completed prior to 27.11.2012.</p> <p>I therefore, request that necessary correction may be made in the list dated 28.6.2016 and the list dated 8.1.2020 may be changed accordingly.</p>	<p>The reply of this point has already been given as above against Sl. No. 1 to 10 and the same is reiterated here. The provisional seniority list of Deputy Directors issued on 28.6.2016 has already been finalized vide Memorandum dated 30.7.2019.</p> <p>Further, no representation of the Officer concerned has been received in this office as per available records in this file.</p>
16.	S. Ganesan (37)	<p>My seniority has been fixed at Sl. No. 37 in the provisional seniority list issued vide Memorandum dated 08.01.2020 and my date of appointment/promotion in Deputy Director cadre is stated as 24.7.2012.</p>	<p>1. Representations were strictly called against errors/objections in the provisional seniority list issued vide memorandum of even No. dated 08.01.2020 for the vacancy year 2011-12, 2012-13 and 2013-14, and</p>

		<p>In this connection I have to bring it to your kind notice that many Deputy Directors who have been appointed after my promotion had been placed seniors to me vide Headquarters Memorandum No. A-24/15/01/2016-E.I. dated 30.7.2019. To specify a case in the Memorandum dated 30.7.2019 at Sl. No. 118 Shri Subodh Kumar Saraogi, Deputy Director's date of appointment is 28.12.12 whereas, the official is placed senior to me.</p> <p>This is against the Hon'ble Supreme Court judgement in Civil APPEAL No. 8833-8835 of 2019 (K. Meghachandra Singh &amp; Others versus Ningam Siro &amp; Others)., In the judgement, the Honourable Supreme Court has given a direction that a seniority should be fixed based on the date of appointment.</p> <p>In view of the above I request the Competent Authority to fix my seniority taking into account my date of promotion to the Deputy Director cadre and render justice.</p>	<p>not against the provisional seniority issued vide memorandum of even No. dated 28.06.2016 which had already been finalized/settled. However, provisional seniority list of Officers in the grade of Deputy Director circulated vide memorandum No. A-24/15/01/2016-E.I dated 28.06.2016 and subsequently finalized on 30.07.2019 was prepared by applying rota-quota between promotees and direct recruits who were appointed against the vacancies of recruitment year 2005-06 to 2010-11, as per guidelines <i>inter-alia</i> laid down in DoP&amp;T O.M. No. 35014/2/80-Estt. (D) dated 07.02.1986, O.M. No. 22011/7/86-Estt (D) dated 03.07.1986, O.M. No. 20011/1/2012-Estt.(D) dated 04.03.2014 and other relevant extant instructions of DoP&amp;T in the matter.</p> <p>The Officer concerned has been promoted against the recruitment year 2011-12. He, therefore, has been included in the provisional seniority list issued vide Memorandum dated 08.01.2020 instead of seniority list of finalized vide Memorandum dated 30.07.2019, while Sh. Subodh Kumar Saraogi was appointed by direct recruitment against the recruitment year between 2005-06 and 2010-11.</p> <p>2. In view of the above the officer concerned has been rightly placed in the provisional seniority list dated 8.1.2020.</p>
17.	Tessy Franco (41)	<p>1. The draft seniority list issued vide Memorandum No. A-24/15/01/2016-E.I dated 08.01.2020 keeping slots in between for a non existing vacancy year marking for direct recruits, on presumption that there may be a recruitment in future for the vacancy year 2011-12 after some years, is not correct and hence objected. The seniority list should be based on present position. Apprehensions and presumptions should not be a consideration for drawing the seniority list. Reserving a slot for a direct recruit for the year 2011-12, after lapse</p>	<p>1. Slots for direct recruits have been kept left blank in the provisional seniority list issued vide Memorandum dated 08.01.2020 in accordance with extant DoP&amp;T instructions in the matter as explained above.</p> <p>2. Representations were strictly called against errors/objections in the provisional seniority list issued vide memorandum of even No. dated 08.01.2020 for the vacancy year 2011-12, 2012-13 and 2013-14, and not against the provisional seniority</p>

		<p>of 7 years would make the promotes suffer for no fault of theirs, but due to non-completing the formalities for direct recruitment/conducting of DPC in a time bound manner.</p> <p>2. It is to be mentioned here that while drawing the earlier seniority list this method was not followed. Thus the promotees promoted for the vacancy year 2011-12 as per Headquarters Office Order No. 125 of 2012 dated 03.08.2012, including me, should be placed en-bloc in the seniority list immediately after the direct recruits and promotees for the year 2010-11.</p> <p>I had raised objection to the earlier draft seniority list published on 28.06.2016 vide my representation dated 25.07.2016, but there was no mention regarding it while finalizing the said Seniority list. I should have been placed in the seniority list itself as per DoP&amp;T O.M. No. 22011/1/2012 Estt. (D) dated 04.03.2014, which says revised principles of determination of inter se seniority list would be effective from 27.11.2012 only. (I was regularized in the cadre of Dy. Director on 24.07.2012). Hence, the said objection still hold good and I press it here also, as I have not been given any clarification/reply on my representation dated 25.07.2016.</p> <p>3. Further I may draw a reference to the Order of the Hon'ble Supreme Court of India in Civil Appeal No. 8833 of 2019 arising out of SLP(C) Nos. 19565-19567 of 2019. Para 47 of the said Order is apt in my case. I, therefore, request that necessary correction may be made in the Seniority list of Deputy Directors, incorporating my name in the proper place while drafting the final seniority list.</p>	<p>issued vide memorandum of even No. dated 28.06.2016 which had already been finalized/settled. However, provisional seniority list of Officers in the grade of Deputy Director circulated vide memorandum No. A-24/15/01/2016-E.I dated 28.06.2016 and subsequently finalized on 30.07.2019 was prepared by applying rota-quota between promotees and direct recruits who were appointed against the vacancies of recruitment year 2005-06 to 2010-11, as per guidelines <i>inter-alia</i> laid down in DoP&amp;T O.M. No. 35014/2/80-Estt. (D) dated 07.02.1986, O.M. No. 22011/7/86-Estt (D) dated 03.07.1986 O.M. No. 20011/1/2012-Estt.(D) dated 04.03.2014 and other relevant extant instructions of DoP&amp;T in the matter.</p> <p>Further, the representation dated 25.07.2016 of the Officer concerned was not received as per available records.</p> <p>3. As already stated above, seniority list dated 8.1.2020 of Deputy Director has been prepared on the basis of extant DoP&amp;T instructions.</p>
18.	Vasudev Parwani (17),	I would like to draw your attention against vacant slots for those persons who are not borne in the cadre. In the case of K. Meghachandra Singh & Others v/s Ningam Siro & Others the Hon'ble Supreme Court has stated as under:	These points have already been examined against Sl. No. 1 to 10 above and the same is reiterated here.
19.	Manish Kumar (155)	<i>"under service jurisprudence, seniority cannot be claimed from a date when the incumbent is yet to be borne in the cadre. In our considered opinion, the law on the issue is correctly declared in case of J. C. Patnaik</i>	

		<p><i>and consequently we disapprove the norms as assessment of inter-se seniority, suggested in case of N.R. Parmar. Accordingly, the decision in N.R. Parmar is overruled.....</i></p> <p><i>The term "recruitment Year" does not and cannot mean the year in which, the recruitment process is initiated or the year in which vacancy arises. The contrary declaration in N.R. Parmar in our considered opinion, is not the correct view'</i></p> <p>In view of above you are requested to re-examine the seniority list circulated vide Memorandum dated 8.1.2020 as it should be prepared as per availability of officers. It is also requested to re-examine the seniority list circulated earlier vide Memorandum dated 28.6.2016 in light of above Supreme Court Judgement.</p>	
20.	Kakali Das (145)	<p>1. Keeping vacant slots for direct recruits in the provisional seniority list of Deputy Directors issued vide memorandum dated 08.01.2020 is not in conformity with DoP&amp;T O.M. dated 04.03.2014. In para 5(h) of DoP&amp;T O.M. dated 04.03.2014, it is mentioned that <b>"the above principles for determination of inter se seniority of direct recruits and promotes would be effective from 27.11.2012, the date of Supreme Court judgement in civil appeal No. 7514-7515/2005 in the case of N. R. Parmar Vs UOI &amp; others"</b>. The principle of deemed initiation of recruitment process cannot be extended to any mode of recruitment that has taken place before 27.11.2012. In the instant case, the promotions pertaining to vacancy year 2011-12 &amp; 2012-13 have already been taken place much before 27.11.2012. As such leaving direct recruitment slots up to 27.11.2012 is not in accordance with the above O.M.</p> <p>Further, DoP&amp;T O.M. dated 03.07.1986 &amp; 04.03.2014 both refer to "initiation of recruitment process" as well as to "rotation of quota and carry forward of vacancies". There is no attempt whatsoever to fill up the DR quota posts so far. In such circumstances, even if the deemed initiation of recruitment principle</p>	<p>1. Taking into consideration Para 5 (f), 5(g), 5(h) and 5(i) of O.M. No. 20011/1/2012-Estt. (D) dated 04.03.2014 as already quoted above, the objection raised by the Officer concerned that <i>"the principle of deemed initiation of recruitment process as stated in the aforesaid DoP&amp;T O.M. dated 04.03.2014, cannot be extended to any mode of recruitment that has taken place before 27.11.2012, as the promotions pertaining to the vacancy year 2011-12 &amp; 2012-13 have already been taken place much before 27.11.2012"</i>, is not correct, since the case of seniority of the Officers concerned was not settled till 27.11.2012.</p> <p>Further, the objection of the Officer concerned that "the vacancies of Direct Quota for the recruitment year 2011-12 to 2013-14 which are not filled so far should be carried forward to present recruitment year and so on till actual steps are taken to fill up the vacancies" is also not tenable, as para 5 (g) of DoP&amp;T O.M. dated 04.03.2014 clearly states that <b>"Carry forward of vacancies against direct recruitment or promotion quota would be determined from</b></p>

		<p>is accepted for the Recruitment Year (RY) 2013-14, the appointments made are NIL till date and all such vacancies shall be carried forwarded to the RY in which actually recruitment results in appointment. The first attempt made by way of "deemed initiation of recruitment process" is resulting in filling up of NIL vacancies. It is requested that all the DR vacancies shall be carried forwarded to present RY and so on till actual steps are taken to fill up the vacancies. The "deemed initiation of recruitment process" is applied only to determine recruitment year and the said principle cannot be extended to keep vacant slots, ignoring the principle of carry forward of vacancies, if no actual steps are taken to fill up the vacancies. It is evident from para 7 of O.M. dated 04.03.2014 that vacancies shall be intimated to recruitment agency in the vacancy year itself and the failure results in aborting the deemed recruitment process. Such failure triggers the carry forward principle and the vacancies have to be clubbed with subsequent years.</p> <p>2. The Hon'ble Supreme Court in a latest judgment in the case of K. Meghachandra Singh V/s Ningam Siro (Pronouncement made on 19 November, 2019) overruled the principles laid down in the case of N.R. Parmar.</p> <p>The above ratio is squarely applicable to the issue of seniority in my case for the following reasons:</p> <p>(i) The judgement is pronounced by 3 judge bench overruling a 2 judge bench judgment.</p> <p>(ii) The ratio of Apex court becomes law of the land from the date of judgment i.e. 19.11.2019 as per Article 141 of the constitution; it becomes the law of the land.</p> <p>(iii) No executive authority including DOPT can harp on any OM or instruction which is against the law declared by the Supreme Court which may amount to contempt of Court.</p> <p>(iv) Though the above judgment has given a prospective ruling, per se, it applied to the impugned seniority list. The said</p>	<p><b><i>the appointments made against the first attempt for filling up of the vacancies for a Recruitment Year".</i></b> The first attempt to fill up vacancies of DR quota pertaining to recruitment year 2011-12, 2012-13 and 2013-14 has not been made so far. Hence, the unfilled vacancies of DR quota of aforesaid recruitment year cannot be carried forward to the subsequent year.</p> <p>2. Seniority List of Deputy Director has been prepared on the basis of extant DoP&amp;T instructions on the matter and not on the basis of judgment of Court cases, as the judgment of court cases are based on different factual matrix.</p>
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		<p>seniority list is provisional in nature and was issued for the first time on 08.01.2020, calling for objections. This amply implies that as on date the seniority in my case is not fixed and as such seniority is not already based on NR Parmar case. Once the law is declared by the Supreme Court, any attempt to fix seniority ignoring the overruling of NR Parmar case is not correct and may amount to disrespecting the Apex Court.</p> <p>It is requested to withdraw the provisional seniority list of Deputy Director issued vide Memorandum dated 08.01.2020 which is against the law declared by the Apex Court in the aforesaid case as well as not even fixed according to the correct principle of carry forward of vacancies.</p> <p>3. The Officers figured at Sl. No. 79, 81, 83, 85, 87, 89, 107, 109, 111, 137, 139 and 141 of provisional seniority list of Deputy Director issued vide Memorandum dated 08.01.2020 were juniors to me in the cadre of inspector and they have been placed above me ignoring the catch-up rule. Though, they had been promoted as AD ahead of me, when the seniority list was drawn up in the cadre of AD, there is no cause of grievance for me as they would be promoted as DD ahead of me by virtue of reservation. However, when my promotion takes place to DD and there is no reservation in promotions to subsequent cadres, I should regain my seniority by virtue of catch up rule in accordance with judgment dated 09.02.2017 of Hon'ble Supreme Court in the case of B.K. Pavithra &amp; Others Vs Union of India.</p> <p>4. The ESI Corporation derives power to fix conditions of service by virtue of Section 97 and Section 17 of ESI Act, ESIC (Staff &amp; Conditions of Service) Regulations 1959 and ESIC (Recruitment) Regulations, 1965. Fixing of seniority is a condition of service. The relevant recruitment regulations of Deputy Director have no express manner of fixing seniority. The provisional seniority list does not mention the basis for adopting DoP&amp;T OM which is empowered</p>	<p>3. As per paragraph 2.2 of the aforesaid DoP&amp;T OM dated 3.7.1986, <b><i>where promotion are made on the basis of selection by a DPC, the seniority of such promotes shall be in the order in which they are recommended for such promotion by the Committee....</i></b>". Hence the seniority list of Deputy Director is as per the DoP&amp;T instructions.</p> <p>4. As per section 17(2) of the ESI Act, 1948 "<i>the method of recruitment, salary and allowances, discipline and other conditions of service of the members of the staff of the Corporation shall be such as may be specified in the regulations made by the Corporation in accordance with the rules and orders applicable to the officers and employees' of the Central Government drawing corresponding</i></p>
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		<p>in the ESI (Recruitment) Regulations, 1965. It is requested that relevant regulation for adopting DoP&amp;T O.M. may please be informed as the very basis is crucial for determining my future career prospect in the Corporation.</p> <p>It is requested to withdraw the provisional seniority list by removing any direct recruitment quota slot upto recruitment year 2013-14. The vacancy pertaining to the DR quota may be carried forward and seniority if any in r/o such future candidates who are yet to be borne in the cadre may be fixed as per latest decision of Hon'ble Supreme Court in the case of K. Meghachandra Singh and also I may be allowed to regain my seniority by virtue of catch rule.</p>	<p>scales of pay". Further, regulation 24 of ESIC (Staff &amp; Conditions of Service) Regulations 1959 provides that "<i>In respect of all other matters relating to the conditions of service of employees, for which no provision or insufficient provision has been made in these regulations, the rules applicable from time to time to the corresponding category of Central Government servants shall apply, subject to such modifications and variations or exceptions, if any, as the Director General may, with the approval of the Standing Committee, by order from time to time, specify.</i>" Accordingly, the provisional seniority issued vide Memorandum dated 08.01.2020 has been prepared in accordance with extant instructions of DoP&amp;T on the matter.</p>
21.	Vinay Kumar Sharma (143)	<p>1. The seniority list keeps certain slots vacant with the remarks "direct recruits are not available". It was mentioned that slots of direct recruits left blank due to their non-availability. The direct recruits slots will be filled in accordance with DoP&amp;T O.M. dated 03.07.86 and 04.03.14 and other extant instructions whenever the direct recruits candidates become available in future.</p> <p>The above interpretation of keeping vacant slots for direct recruits is not conformity with the said instructions mentioned. DoP&amp;T O.M. dated 04.03.2014 in para 5(h), it was mentioned that "<b><i>the above principles for determination of inter se seniority of direct recruits and promotes would be effective from 27.11.2012, the date of Supreme Court judgement in civil appeal No. 7514-7515/2005 in the case of N. R. Parmar Vs UOI &amp; others'</i></b>". The deemed principle of initiation of recruitment process cannot be extended to any mode of recruitment that has taken place before 27.11.2012. In the instant case, the promotions pertaining to vacancy year 2011-12 &amp; 2012-13 have already been taken place much before 27.11.2012. Such deemed principle was not there in DoP&amp;T O.M.</p>	<p>Issues raised in the representation have already been examined against Sl. No. 20 above and the same is reiterated here.</p>

		<p>dated 03.07.1986. As such, leaving direct recruitment slots up to 27.11.2012 is not in accordance with the above DoP&amp;T O.M.</p> <p>When the promotions have taken place before the issue of DOP&amp;T O.M., the principle of deemed initiation of Recruitment in respect of DR quota is not applicable. All such vacancies shall be carried forwarded for subsequent recruitment years.</p> <p>Coming to keeping vacant slots in DR quota merely by invoking principle of deemed initiation of recruitment is also not correct. DOP&amp;T O.M. dated 03.07.1986 &amp; 04.03.2014 both refer to "initiation of recruitment process" as well as to "rotation of quota and carry forward of vacancies". There is no attempt whatsoever to fill up the DR quota posts so far by way of actual requisition to UPSC or by way of advertisement by UPSC and other processes relating to appointment against DR vacancies. In such circumstances, even if the deemed initiation of recruitment principle is accepted for the Recruitment Year (RY) 2013-14, the appointments made are NIL till date and all such vacancies shall be carried forwarded to the RY in which actually recruitment results in appointment. The first attempt made by way of "deemed initiation of recruitment process" is resulting in filling up of NIL vacancies. It is requested that all the DR vacancies shall be carried forwarded to present RY and so on till actual steps are taken to fill up the vacancies. The "deemed initiation of recruitment process" is applied only to determine recruitment year and the said principle cannot be extended to keep vacant slots, ignoring the principle of carry forward of vacancies, if no actuals steps are taken to fill up the vacancies. It is evident from para 7 of O.M. dated 04.03.2014 that vacancies shall be intimated to recruitment agency in the vacancy year itself and the failure results in aborting the deemed recruitment process. Such failure triggers the carry forward principle and the vacancies have to be clubbed</p>	
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		<p>with subsequent years.</p> <p>2.The Hon'ble Supreme Court in a latest judgment in the case of K. Meghachandra Singh V/s Ningam Siro (Pronouncement made on 19 November, 2019) overruled the principles laid down in the case of N.R. Parmar.</p> <p>The ratio given in paragraph 39 &amp; 40 of the judgement is squarely applicable to the issue of seniority in my case for the following reasons:</p> <p>(i) The judgement is pronounced by 3 judge bench overruling a 2 judge bench judgment.</p> <p>(ii) The ratio of Apex court becomes law of the land from the date of judgment i.e. 19.11.2019 as per Article 141 of the constitution; it becomes the law of the land.</p> <p>(iii) No executive authority including DOPT can harp on any OM or instruction which is against the law declared by the Supreme Court which may amount to contempt of Court.</p> <p>(iv) Though the above judgment has given a prospective ruling, per se, it applied to the impugned seniority list. The said seniority list is provisional in nature and was issued for the first time on 08.01.2020, calling for objections. This amply implies that as on date the seniority in my case is not fixed and as such seniority is not already based on NR Parmar case. Once the law is declared by the Supreme Court, any attempt to fix seniority ignoring the overruling of NR Parmar case is not correct and may amount to disrespecting the Apex Court.</p> <p>In view of the above, it is requested to re-draw the seniority list in accordance with the above-mentioned judgement of the apex court and fix seniority as per correct principle of carry forward of vacancy.</p>	
22.	Jyoti Prasad (129)	<p>1. In the seniority list circulated vide Memorandum dated 08.01.2020 vacant slots are kept vacant for those persons who have not yet joined the cadre in gross violation of judgement dated 19.11.2019 of Hon'ble Supreme Court in</p>	<p>The reply of these points has already been given against Sl. No. 20 above and the same is reiterated here.</p>

		<p>case of K. Meghachandra Singh &amp; Ors.</p> <p>2. Further in the said seniority list, it is observed that certain officers belonging to SC/ST who were junior to me in the seniority list of feeder cadre of I.I./Supdt./Manager Gr. II have been given seniority above me in the seniority list of Dy. Directors circulated vide memorandum dated 08.01.2020 at Sl. No. 79, 81, 83, 85, 87, 89, 107, 109 &amp; 111. It seems that they were granted consequential seniority ignoring the judgement dated 09.02.2019 of Hon'ble Supreme Court in the case of B. K. Pavithra &amp; Others Vs. Union Of India which stipulated that due exercise for determining "inadequacy of representation", "backwardness" &amp; "overall efficiency" must be undertaken for exercise of power under Article 16 (4A). It is requested to kindly look into the matter that such exercise has been undertaken by the Corporation before granting consequential seniority to the officers belonging to SC/ST and whether policy regarding grant of consequential seniority has been adopted in the recruitment rules of Group A officers in ESIC. If the above exercise under Article 16(4A) has not been undertaken and if no such policy of consequential seniority exists in the Recruitment Rule of Gr. A Officers, I should be granted seniority as per "Catch Up" rule and my place in the seniority list may be revised.</p> <p>In view of the above facts, I request you to kindly look into the above facts and finalize seniority list of Deputy Directors as per judgement of Hon'ble Supreme Court in both the cases as cited in Point No. 1 &amp; 2 above.</p>	
23.	R. Meenakshi Sundaram (173)	<p>1. In the said seniority list, vacant slots have been kept for filling up by direct recruits at a later date. Keeping vacant slots for direct recruits who do not join yet is violative of Articles 14 and 16 of the Constitution of India and against DoP&amp;T Instructions as per judgement of Supreme Court in A. Janardhana Vs. UOI and others [1983] 2 SCR 936 which ruled as under:-</p> <p><i>"it is, therefore, time to clearly initiate a proposition that a direct recruit who</i></p>	<p>1. Seniority list of Deputy Director has been prepared on the basis of the above referred DoP&amp;T instructions.</p>

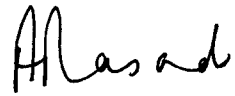
		<p><i>come into service after promotee was already unconditionally and without reservation promoted and whose promotion is not shown to be invalid or illegal according to relevant statutory or non-statutory rules should not be permitted by any principle of seniority to score a march over a promotee because that itself being arbitrary would be violative of Articles 14 and 16 of the Constitution of India."</i></p> <p>2. The seniority should be prepared on the basis of Date of Appointment or date of joining as per instructions laid down in DoP&amp;T O.M. No. 20011/1/2006-Estt.(D) dated 03.03.2008.</p> <p>In view of the above, the vacant slots kept for the direct recruits may be removed and the seniority list finalized.</p>	<p>2. Further, para 5 (a) of DoP&amp;T O.M. No. 20011/1/2012-Estt.(D) dated 04.03.2014 clearly states that <b>"DoP&amp;T O.M. No. 20011/1/2006-Estt.(D) dated 03.03.2008 is treated as non-existent/withdrawn ab initio"</b>. Accordingly, the seniority list cannot be prepared in accordance with DoP&amp;T O.M. dated 03.03.2008.</p>
24.	J. Verghese (39)	<p>1. The draft seniority list keeping slot in between for a non-existent vacancy, and on presumption that there may be a recruitment in future after some years after for a vacancy year 2011-12 etc. is highly objectionable. The promotees should not be made to suffer due non-completing the formalities of recruitment in a time bound manner.</p> <p>2. The promotees promoted for the vacancy year 2011-12 as per Hqrs. Order No. 125 of 2012 including us should be placed enbloc in the seniority list immediately after the direct recruits and promotees for the year 2010-11.</p> <p>3. We were promoted to the post of Deputy Director on regular basis w.e.f. 24.07.2012. Therefore, he should have been placed in the seniority list published on 28.06.2016 as per DoP&amp;T O.M. no. 22011/1/2012 Estt (D). dated 04.03.2014, which says revised principles of determination of inter se seniority would be effective from 27.11.2012.</p> <p>4. We had raised objection to the earlier draft seniority list published on 28.06.2016 vide our representation dated 18.07.2016/21.07.2016, but there was no mention regarding it while finalizing the said Seniority list. We should have been placed in that seniority list as per DoP&amp;T</p>	<p>Issues raised from point number 1 to 5 have already been examined against 1 to 10 above and the same is reiterated here.</p> <p>Also, representations dated 18.07.2016 and 21.07.2016 of the Officers concerned were not received as per</p>
25.	K. Sasidharan (29)		

		<p>O.M. No. 22011/1/2012 Estt. D. dated 04.03.2014, which says revised principles of determination of inter se seniority list would be effective from 27.11.2012 only. (we were regularized in the cadre of Deputy Director on 24.07.2012). Hence, the said objection still hold good and we press it here also, as we have not been given any clarification/reply on our representation dated 18.07.2016 / 21.07.2016.</p> <p>5. Judgement dated 19.11.2019 of Hon'ble Supreme Court in Civil Appeal No. 8833-8835 of 2019 arising out of SLP(C) No. 19565-19567 of 2019 should also be considered in finalizing the aforesaid seniority.</p> <p>We, therefore, request that necessary correction may be made in the seniority list of Deputy Directors incorporating our name in the proper place while drafting the final seniority list.</p>	available records.
26.	Mahendra Bhoi	<p>1. I would like to draw your kind attention to Headquarter letter No. C-14/14/07/11-Vig. dated 01.08.2015, of the Disciplinary Authority vide which I was exonerated from the charges levelled against me vide charge memo No. C-14/14/07/11-Vig. dated 22.11.2011.</p> <p>2. Further, I would like to mention that during the pendency of above said charge memo most of my batch mates including some of my juniors have got promotion to the post of Deputy Director (ad hoc) w.e.f. 29.12.2011 and Deputy Director (regular) w.e.f. 07.08.2013 even my immediate junior promoted w.e.f. 01.09.2013.</p> <p>3. In addition to above, I would like to inform you that vide Headquarter letter No. A-33/13/04/2014-E.I dated 04.12.2019 even my immediate junior Sh. Deepak Kumar Chourasia, got his Senior Time Scale w.e.f. 01.09.2018.</p> <p>4. I would also humbly submit that, I have already requested thrice vide my representation/request dated 23.05.2016, 18.10.2016 and 30.10.2018 (copy enclosed for ready reference), but no response received till date on the matter.</p> <p>In view of above, and as per DoP&amp;T O.M. No.</p>	Officer concerned has been promoted to the post of Deputy Director on regular basis vide Office Order No. 73 of 2020 dated 18.05.2020 and he has been placed at Sl. No. 173B in the Final Seniority List of Deputy Director for the vacancy years 2011-12, 2012-13 and 2013-14 as per the recommendations of DPC/UPSC.

22011/4/91-Estt.(A) dated 14.09.1992, I am entitled for promotion to the post of Deputy Director (Regular) w.e.f. 01.09.2013 (the date from which my immediate junior promoted) i.e. on opening of sealed cover as per provision and Senior Time Scale in PB-3 (Rs. 15,600-39,100/-) + Grade pay of Rs. 6600/- (Pre-revised) w.e.f. 01.09.2018.

I request you to personally look into the matter judiciously and Order for following action for which I am entitled to:

1. Promotion to Deputy Director (on regular basis) w.e.f. 01.09.2013 (the date from which my immediate junior got promoted).
2. Grant of in-situ Senior Time Scale in PB-3 (Rs. 15,600-39,100) + Grade Pay of Rs. 6600/- (pre-revised) w.e.f. 01.09.2018 (the date from which my immediate junior got in-situ Senior Time Scale).
3. Placed my name in appropriate place of Gradation/Seniority list of Officers in the grade of Deputy Director i.e. in between Sl. No. 173 Sh. R. Meenakshi Sundaram and Sl. No. 175 Sh. Deepak Kumar Chourasia, as circulated vide Memorandum No. A-24/15/01/2016-E.I dated 08.01.2020. Till then the said Memorandum i.e. No. A-24/15/01/2016-E.I dated 08.01.2020 may be kept on hold.

  
(ANURADHA PRASAD)  
**DIRECTOR GENERAL**



**HEADQUARTERS**  
**EMPLOYEES' STATE INSURANCE CORPORATION**  
**PANCHDEEP BHAVAN: C.I.G. ROAD:NEW DELHI-110002.**  
[www.esic.nic.in](http://www.esic.nic.in)

No. A-24/15/01/2016-E.I

Dated: 14.08.2020

**MEMORANDUM**

**Subject:- Final Gradation/Seniority List of Officers in the grade of Deputy Director in the Pay Band-3, Rs. 15,600-39,100/- with Grade Pay Rs. 5400/- (pre-revised) for the vacancy year 2011-12, 2012-13 and 2013-14.**

\* \* \* \* \*

Provisional seniority list of Officers in the grade of Deputy Director in Pay Band-3 Rs. 15,600-39,100/- with Grade Pay Rs. 5400/- (pre-revised) for the vacancy year 2011-12, 2012-13 and 2013-14 was issued on 08.01.2020 and errors and objections, if any, to this provisional seniority list were called for within 30 days from the date of issue of the said seniority list.

In response to the above circulation, 26 Officers had filed their objections. All the objections as received against the provisional seniority list were carefully considered by the Director General and were disposed off by passing necessary Order dated 07.08.2020.


Having disposed off all the objections in a suitable manner, the provisional seniority list issued on 08.01.2020 is ordered as final by the Competent Authority with the following modifications:

Sl. No.	Sl. No. in the provisional seniority list	Name of Officer S/Shri/Smt.	Modification
1.	21	Boben Rapheal	Date of Entry in ESIC has been corrected as "29.05.1992"
2.	79	Heera Singh	"LLB" has been added in Educational Qualification Column.
3.	155	Manish Kumar	"B.A. (Hons.)" has been added in Educational Qualification Column.
4.		Mahendra Bhoi	Name of Sh. Mahendra Bhoi has been added in the seniority list at Sl. No. 173B. After this addition, a slot has been kept between Sh. Mahendra Bhoi and Smt. R. Meenakshi Sundaram for Direct Recruittee by inserting a row at Sl. No. 173A to ensure rota-quota as per DoP&T instructions.



5.	177	Ravi Shanker	Name has been corrected as "Ravi Shanker" instead of "Ravi Shankar".  Date of promotion in the Deputy Director has been corrected as "01.11.2013" instead of "03.12.2013".
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**Encl.:- As above**

  
14/8/2020  
**(Bhupender Kumar)**  
**Deputy Director**

To,

1. All Officers concerned.
2. PPS/PS/PA to DG/All Divisional Heads
3. Insurance Commissioner (NTA)
4. Addl. Commissioners & Regional Directors/ Director I/cs/Joint Director I/cs/Joint Director-E.V, Hqrs.
5. DMD/ D(M) Noida.
6. Medical Superintendents of all ESIC Hospitals and ESIC Model Hospitals.
7. Deans of all ESIC PGIMSR/Medical College/Dental College.
8. All Zonal Vigilance Officers
9. Hindi Cell, Hqrs. Office for Hindi version.
10. WCM for uploading on official website of ESIC.



**HEADQUARTERS**  
**EMPLOYEES' STATE INSURANCE CORPORATION**  
**PANCHDEEP BHAVAN: C.I.G. ROAD: NEW DELHI-110002**

<http://esic.nic.in>

**Final Gradation/Seniority list of Officers in the grade of Deputy Director in PB-3 Rs. 15,600-39,100/- with Grade Pay of Rs. 5400/- (Pre-revised) for the vacancy year 2011-12, 2012-13 and 2013-14.**

Sl. No.	Name of Officer S/Sh./Smt./Ms.	Category	Date of Birth	Educational Qualification	Date of entry in ESIC	Date of Appointment/Promotion in Deputy Director cadre	Whether Appointed/Promoted	Present Posting/Remarks
1.	Karnail Singh	SC	31.01.53	B.A.	28.06.78	03.08.12	Promoted	Retd.
2.								Direct Recruitree is not available*
3.	Mohd. Ashfaque Khan		28.07.59	B.Sc. M.A.	25.01.82	03.08.12	Promoted	Retd.
4.								Direct Recruitree is not available*
5.	K. N. Vikraman		06.03.64	M.Com.	03.09.91	24.07.12	Promoted	R.O. Karnataka
6.								Direct Recruitree is not available*
7.	Anand Kumar		21.07.62	B.Com.	07.04.86	24.07.12	Promoted	ESICMH Manesar, Haryana
8.								Direct Recruitree is not available*
9.	Pankaj Kumar		16.05.62	B.Com.	25.02.91	24.07.12	Promoted	Hqrs.
10.								Direct Recruitree is not available*
11.	T. E. Venkatesan		24.06.62	B.Sc.	25.02.91	24.07.12	Promoted	VRS w.e.f. 12.09.18
12.								Direct Recruitree is not available*
13.	R. Velu		25.06.55	B.Com.	14.06.79	24.07.12	Promoted	Retd.
14.								Direct Recruitree is not available*
15.	Ravish Chandra Mandloi		30.05.53	B.Sc.	02.02.74	24.07.12	Promoted	Retd.
16.								Direct Recruitree is not available*

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Sl. No.	Name of Officer S/Sh./Smt./Ms.	Category	Date of Birth	Educational Qualification	Date of entry in ESIC	Date of Appointment/Promotion in Deputy Director cadre	Whether Appointed/Promoted	Present Posting/Remarks
17.	Vasudev Parwani		08.02.63	B.Com.	06.07.83	24.07.12	Promoted	SRO Surat, Gujarat
18.								Direct Recruitree is not available*
19.	Rajinder Prasad Sharma		05.01.60	B.Com.	10.03.80	24.07.12	Promoted	R.O., Rajasthan
20.								Direct Recruitree is not available*
21.	Boben Rappheal		23.07.63	B.Sc., PG Diploma in Personal Management & Industrial Relations	29.05.92	24.07.12	Promoted	R.O., Kerala
22.								Direct Recruitree is not available*
23.	K. N. Radhakrishnan		06.11.55	B.Com.	08.03.91	24.07.12	Promoted	Retd.
24.								Direct Recruitree is not available*
25.	S. Pysane Gnanaraj		14.04.55	B.A., D.LL	01.02.79	24.07.12	Promoted	Retd.
26.								Direct Recruitree is not available*
27.	S. Thaulatha Khan		28.02.58	B.Sc.	10.12.82	24.07.12	Promoted	Retd.
28.								Direct Recruitree is not available*
29.	K. Sasidharan		01.07.61	M.Com.	08.11.82	24.07.12	Promoted	SRO Coimbatore, Tamil Nadu
30.								Direct Recruitree is not available*
31.	K. G. Venugopal		11.06.62	B.Sc.	01.03.91	24.07.12	Promoted	SRO Ernakulum, Kerala
32.								Direct Recruitree is not available*
33.	G. Kuruppan		10.01.60	M.Com., LLB	24.11.82	24.07.12	Promoted	ESICMH Udyog Mandal, Kerala
34.								Direct Recruitree is not available*
35.	Praveen Kumar		10.06.63	M.Com., PG Diploma in HRM	13.05.91	24.07.12	Promoted	Hqrs.
36.								Direct Recruitree is not available*

*Be*

Sl. No.	Name of Officer S/Sh./Smt./Ms.	Category	Date of Birth	Educational Qualification	Date of entry in ESIC	Date of Appointment/Promotion in Deputy Director cadre	Whether Appointed/Promoted	Present Posting/Remarks
37.	S. Ganesan		20.04.65	M.Com., D.Com., C.A., LLB	01.07.91	24.07.12	Promoted	SRO Kollam, Kerala
38.								Direct Recruitree is not available*
39.	J. Verghese		18.01.61	M.A., LLB	28.02.91	24.07.12	Promoted	SRO Kozhikode, Kerala
40.								Direct Recruitree is not available*
41.	Tessy Franco		20.04.62	B.Sc.	25.11.92	24.07.12	Promoted	SRO Thiruvananthapuram, Kerala
42.								Direct Recruitree is not available*
43.	Debabrata Pramanik		01.08.66	B.Sc.	12.04.91	24.07.12	Promoted	RO, West Bengal
44.								Direct Recruitree is not available*
45.	P. R. Vaisampavan		05.01.55	B.A.	05.03.77	24.07.12	Promoted	Retd.
46.								Direct Recruitree is not available*
47.	Satpal	SC	15.04.58	B.A., B.Ed.	22.03.91	24.07.12	Promoted	Retd.
48.								Direct Recruitree is not available*
49.	M. Dorai		05.07.61	B.A.	28.07.83	24.07.12	Promoted	VRS w.e.f. 06.11.19
50.								Direct Recruitree is not available*
51.	Mahinder Singh	SC	05.09.62	B.A.	09.10.91	24.07.12	Promoted	SRO Ludhiana, Punjab
52.								Direct Recruitree is not available*
53.	B. Balakrishnan	SC	16.06.56	Inter.	17.02.75	24.07.12	Promoted	Retd.
54.								Direct Recruitree is not available*
55.	T. Santhamma	SC	05.10.54	B.Sc.	07.11.77	24.07.12	Promoted	Retd.
56.								Direct Recruitree is not available*
57.	Ram Swaroop Kunharlya	SC	01.06.56	B.Com.	30.07.79	24.07.12	Promoted	Retd.
58.								Direct Recruitree is not available*
59.	T. R. Narasing Rao	ST	19.07.62	SSC	28.03.81	24.07.12	Promoted	RO, Telangana

*Be*

Sl. No.	Name of Officer S/Sh./Smt./Ms.	Category	Date of Birth	Educational Qualification	Date of entry in ESIC	Date of Appointment/Promotion In Deputy Director cadre	Whether Appointed/Promoted	Present Posting/Remarks
60.						Direct Recruitree is not available*		
61.	V. K. Narayanan	ST	15.11.54	B.Com.	05.01.80	24.07.12	Promoted	Retd.
62.						Direct Recruitree is not available*		
63.	Chander Sen	SC	20.05.53	B.A.	10.11.72	24.07.12	Promoted	Retd.
64.						Direct Recruitree is not available*		
65.	H.O.P. Gautam	SC	26.10.52	B.A.	26.11.77	24.07.12	Promoted	Retd.
66.						Direct Recruitree is not available*		
67.	N. Loganathan	ST	11.07.54	B.Sc.	18.01.78	24.07.12	Promoted	Retd.
68.						Direct Recruitree is not available*		
69.	R. Raju	ST	07.02.60	PUC	12.01.84	24.07.12.	Promoted	RO, Karnataka
70.						Direct Recruitree is not available*		
71.	Jai Narain Meena	ST	03.06.57	B.A.	25.02.82	24.07.12	Promoted	Retd.
72.						Direct Recruitree is not available*		
73.	Kikumba Longchar	ST	18.07.72	M.A.	04.06.96	24.07.12	Promoted	RO, Assam
74.						Direct Recruitree is not available*		
75.	Harshran Meena	ST	04.05.69	M.Sc.	20.06.96	24.07.12	Promoted	ESICMH Chandigarh, Punjab
76.						Direct Recruitree is not available*		
77.	Ramesh M. Muggdur	ST	20.01.67	B.A.	08.07.96	24.07.12	Promoted	SRO Mangalore, Karnataka
78.						Direct Recruitree is not available*		
79.	Heera Singh	ST	18.02.71	B.Com., LLB	29.09.97	24.07.12	Promoted	RO, Uttarakhand
80.						Direct Recruitree is not available*		
81.	Laxmi Narayan Meena	ST	01.07.72	B.Com.	01.01.98	24.07.12	Promoted	ESICMH Jaipur, Rajasthan
82.						Direct Recruitree is not available*		

Sl. No.	Name of Officer S/Sh./Smt./Ms.	Category	Date of Birth	Educational Qualification	Date of entry in ESIC	Date of Appointment/Promotion in Deputy Director cadre	Whether Appointed/Promoted	Present Posting/Remarks
83.	Sugan Lal Meena	ST	14.07.74	M.A., D.LL	28.11.97	24.07.12	Promoted	Hqrs.
84.					Direct Recruitree is not available*			
85.	T. K. Choudhary	ST	20.03.71	M.Sc.	20.12.97	24.07.12	Promoted	ESICH Kanpur, UP
86.					Direct Recruitree is not available*			
87.	Sonam	ST	01.05.71	B.A.	01.12.97	24.07.12	Promoted	ESICMH Jammu, J&K
88.					Direct Recruitree is not available*			
89.	Anita Sonkar	SC	15.11.57	B.A.	19.02.79	24.07.12	Promoted	Retd.
90.					Direct Recruitree is not available*			
91.	C. N. Raji		09.10.56	B.A.	01.02.82	24.07.12	Promoted	Retd.
92.					Direct Recruitree is not available*			
93.	D. S. Bhandari		05.07.58	B.A.	04.06.81	24.07.12	Promoted	Retd
94.					Direct Recruitree is not available*			
95.	Kanwal Nain		04.12.52	B.A.	06.10.77	24.07.12	Promoted	Retd.
96.					Direct Recruitree is not available*			
97.	Saroja Ashokan		05.02.59	SSC	15.11.79	07.08.13	Promoted	VRS w.e.f. 05.07.16
98.					Direct Recruitree is not available*			
99.	S. K. Srivastava		21.05.56	H.Sc.	11.06.81	07.08.13	Promoted	Retd.
100.					Direct Recruitree is not available*			
101.	Kiran Kohli		16.08.53	B.A.	19.05.73	07.08.13	Promoted	Retd.
102.					Direct Recruitree is not available*			
103.	Neelam Puri		10.12.53	B.A.	01.05.74	07.08.13	Promoted	Retd.
104.					Direct Recruitree is not available*			
105.	Suresh Pal Singh		02.10.53	B.A.	17.08.74	07.08.13	Promoted	Retd.
106.					Direct Recruitree is not available*			
107.	Pritam Chand	SC	07.01.57	Matric	02.08.76	07.08.13	Promoted	Retd.

*BR*

Sl. No.	Name of Officer S/Sh./Smt./Ms.	Categor y	Date of Birth	Educational Qualification	Date of entry in ESIC	Date of Appointment/ Promot ion in Deputy Director cadre	Whether Appointed/ Promoted	Present Posting/ Remarks
108.						Direct Recruitree is not available*		
109.	V. Srinivas	SC	17.05.59	B.A., LLB	01.05.81	07.08.13	Promoted	Retd.
110.						Direct Recruitree is not available*		
111.	R. G. Waghmare	SC	11.06.57	SSC		07.08.13	Promoted	Retd.
112.						Direct Recruitree is not available*		
113.	Mirja Anees Ahmed Baig		15.04.57	B.Sc.	01.08.81	07.08.13	Promoted	Retd.
114.						Direct Recruitree is not available*		
115.	Purna Chandra Nayak		11.01.64	M.Sc.	09.09.86	07.08.13	Promoted	RO Chhattisgarh
116.						Direct Recruitree is not available*		
117.	Baldev Singh		15.04.55	B.A.	01.04.76	07.08.13	Promoted	Retd.
118.						Direct Recruitree is not available*		
119.	Prem Lata		15.12.58	H. Sc.	22.02.79	07.08.13	Promoted	Retd.
120.						Direct Recruitree is not available*		
121.	Praveen Sehgal		20.02.73	B.Com. (H), ICWAI(Inter)/'O' Level from DoE, GOJ/Advance Diploma in SM	18.12.97	07.08.13	Promoted	SRO Nagpur, Maharashtra
122.						Direct Recruitree is not available*		
123.	C. P. Wadhwa		10.01.58	B.Com. (P)	04.06.79	07.08.13	Promoted	Retd.
124.						Direct Recruitree is not available*		
125.	N. K. Luthra		05.10.54	B.A.	22.06.78	07.08.13	Promoted	Retd.
126.						Direct Recruitree is not available*		
127.	Rajiv Kumar Choudhary		20.03.72	B.A. (Hons.)	19.12.97	07.08.13	Promoted	ESICH Bibwewadi, Pune Maharashtra
128.						Direct Recruitree is not available*		

Sl. No.	Name of Officer S/Sh./Smt./Ms.	Category	Date of Birth	Educational Qualification	Date of entry in ESIC	Date of Appointment/Promotion in Deputy Director cadre	Whether Appointed/Promoted	Present Posting/Remarks
129.	Jyoti Prasad		01.03.73	B.Sc. (Hons.)	03.12.97	07.08.13	Promoted	RO, West Bengal
130.					Direct Recruittee is not available*			
131.	Meenakshi Nanda		21.02.56	Hr. Sec.	29.09.78	07.08.13	Promoted	Retd.
132.					Direct Recruittee is not available*			
133.	Sushil Sachdeva		02.02.73	B.Sc.	04.09.97	07.08.13	Promoted	RO, Delhi
134.					Direct Recruittee is not available*			
135.	Manish Gupta		30.06.73	M.Sc.	17.11.97	07.08.13	Promoted	SRO Mysuru
136.					Direct Recruittee is not available*			
137.	Girish Kumar Kain	SC	17.10.72	M.Sc.	29.09.97	07.08.13	Promoted	Hqrs.
138.					Direct Recruittee is not available*			
139.	Vijay Bokalia	SC	05.07.71	B.Sc.	29.12.97	07.08.13	Promoted	RO, Uttarakhand
140.					Direct Recruittee is not available*			
141.	Champak Biswas	SC	28.09.69	M.Sc.	29.12.97	07.08.13	Promoted	RO, Karnataka
142.					Direct Recruittee is not available*			
143.	Vinay Kumar Sharma		03.04.72	B.Com.	31.12.97	07.08.13	Promoted	Hqrs.
144.					Direct Recruittee is not available*			
145.	Kakali Das		12.02.71	B.Sc. (Hons.)	09.12.97	07.08.13	Promoted	RO Vijayawada, AP
146.					Direct Recruittee is not available*			
147.	Pankaj Kumar		08.07.72	B.Sc.	30.12.97	07.08.13	Promoted	D(M)D, ESICJ Jhilmil
148.					Direct Recruittee is not available*			
149.	Savita R. Chandra		07.04.69	B.Sc. (Hons.)	30.07.97	07.08.13	Promoted	ESICMH, Bapunagar Ahmedabad, Gujarat
150.					Direct Recruittee is not available*			
151.	Rajendra R. Pillai		11.12.71	B.Com.	15.10.97	07.08.13	Promoted	RO, Telangana

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Sl. No.	Name of Officer S/Sh./Smt./Ms.	Category	Date of Birth	Educational Qualification	Date of entry in ESIC	Date of Appointment/Promotion in Deputy Director cadre	Whether Appointed/Promoted	Present Posting/Remarks
152.						Direct Recruitree is not available*		
153.	Prasun Kumar Sinha		25.07.66	B.A. (Hons.), GDMC(MBA)	10.12.97	07.08.13	Promoted	ESICH Kolhapur, Maharashtra
154.						Direct Recruitree is not available*		
155.	Manish Kumar		15.10.73	B.A. (Hons.)	29.12.97	07.08.13	Promoted	SRO Surat, Gujarat
156.						Direct Recruitree is not available*		
157.	Y. Veera Pratap		25.08.67	B.Sc., B.Ed.	10.09.97	07.08.13	Promoted	ESICH&MC, Gulbarga Karnataka
158.						Direct Recruitree is not available*		
159.	Pranava Kumar		30.09.69	B.A., M.A.	30.12.97	07.08.13	Promoted	Hqrs.
160.						Direct Recruitree is not available*		
161.	Kali Das Sajjan	SC	02.03.68	B.A., PGBT	29.12.97	30.08.13	Promoted	RO Telangana
162.						Direct Recruitree is not available*		
163.	Azad Singh	SC	02.01.74	B.A., B.Ed.	03.11.97	07.08.13	Promoted	SRO Bommasandra Karnataka
164.						Direct Recruitree is not available*		
165.	Ajay Kumar Mahan	SC	02.07.72	B.A.	06.10.98	07.08.13	Promoted	RO, Haryana
166.						Direct Recruitree is not available*		
167.	Jyoti Parkash	SC	31.12.72	M.A.	04.08.97	07.08.13	Promoted	ESICMH Bangalore, Karnataka
168.						Direct Recruitree is not available*		
169.	Dabasish Baruah	ST	10.08.64	B.Com.	05.01.98	07.08.13	Promoted	SRO Bommasandra, Karnataka
170.						Direct Recruitree is not available*		
171.	Gouri Shankar Gantayat		20.09.70	B.Com. (Hons.)	19.01.98	07.08.13	Promoted	RO Chhattisgarh
172.						Direct Recruitree is not available*		
173.	R. Meenakshi Sundaram		30.07.74	B.Sc.	26.12.97	07.08.13	Promoted	SRO Salem, Tamil Nadu

Sl. No.	Name of Officer S/Sh./Smt./Ms.	Category	Date of Birth	Educational Qualification	Date of entry in ESIC	Date of Appointment/Promotion in Deputy Director cadre	Whether Appointed/Promoted	Present Posting/Remarks
173A						Direct Recruitree is not available*		
173B	Mahendra Bhoi		02.07.69	M.A.	01.12.97	01.09.2013	Promoted	RO, Chhattisgarh
174.						Direct Recruitree is not available*		
175.	Deepak Kumar Chourasia		30.11.68	B.Sc.	15.04.98	29.12.13	Promoted	RO Gujarat
176.						Direct Recruitree is not available*		
177.	Ravi Shanker		26.09.71	M.Sc.	06.01.98	01.11.13	Promoted	ESICH Rohini, D(M)D
178.						Direct Recruitree is not available*		
179.	Sanjay Kumar Rana		15.01.69	B.Sc.	01.01.98	15.04.14	Promoted	RO Haryana
180.						Direct Recruitree is not available*		

\* Slots of Direct Recruitree candidates are left blank in the aforesaid seniority list due to their non-availability. These slots will be filled in accordance with DOP&T O.M. No. 22011/7/86-Estt. (D) dated 03.07.1986, O.M. No. 20011/1/2012-Estt.(D) dated 04.03.2014 and other extant instructions whenever the direct recruitree candidates become available in future.

  
 (Bhupender Kumar)  
 Deputy Director