



सत्यमेव जयते

APPENDIX-VIII

श्रम एवं रोजगार मंत्रालय

भारत सरकार

श्रम शक्ति भवन, रफी मार्ग,

नई दिल्ली-110119

MINISTRY OF LABOUR & EMPLOYMENT

GOVERNMENT OF INDIA

SHRAM SHAKTI BHAWAN, RAFI MARG,

NEW DELHI-110119

Date: 18.01.2018

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31/1/18

F.No. A-12018/04/2011/SS-I

The Secretary
Union Public Service Commission
Dholpur House, Shahjahan Road
New Delhi-110 069

नया नमूना
Btt Be.-I
नया नमूना No. 19
दिनांक/Date: 1/2/18

Sub: Amendments in RRs for the Post of Deputy Director in Employees' State Insurance Corporation - reg.

Sir,

Please refer to your letter no. F.No. 3/12(1)/2017-RR dated 4.7.2017 addressed to the Director General, Employees' State Insurance Corporation (ESIC) regarding reduction of qualifying years from 5 years to 4 years of service in PB-3, GP 5400 (pre-revised), wherein it has been suggested that "the ESIC/Ministry of Labour & Employment may take up the matter with DoPT for its appropriate resolution". On the advice of the UPSC, the issue has been taken up with the Department of Personnel & Training for reduction in qualifying service for grant of Senior Time Scale to Deputy Directors in ESIC from 5 years to 4 years. In this regard, it is submitted that DoPT has now given a final decision that, "ESIC is an Autonomous Organization and as such has no role to play in the matter". A copy of the observation made by the DoPT is enclosed for ready reference.

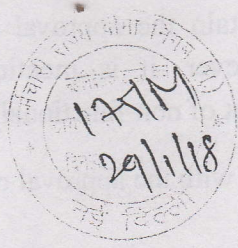
In light of the above, the matter was examined at the Ministry of Labour & Employment, Govt. of India and after detailed examination, the following grounds/justifications were noted for reduction in qualifying service for granting STS to Deputy Directors in ESIC: -

1. The designated Deputy Directors in ESIC play a vital role in dispensation of Social Security benefits to ESIC beneficiaries and for ensuring compliance by the covered employers while performing their roles as Quasi-Judicial Authority as well as Recovery Officers for which statutory powers are delegated to them under the extant provisions of the ESI Act, 1948.
2. Senior Time Scale after four years qualifying service was approved by the MoLE keeping in view the stagnation of officers at this crucial decision-making level in ESIC.

3. Deputy Directors (Junior Time Scale) of ESI Corporation from 2009 to 2013 have been getting the Senior Time Scale after completion of four years of regular service.

In view of the grounds/justifications mentioned above, the Ministry of Labour & Employment, Govt. of India, being the Administrative Ministry for ESIC and the Central Govt. is the competent authority to take the decision in the matter as per the extant provisions of the ESI Act, 1948, recommends the UPSC to accept the proposal for granting of non-functional pay scale under the nomenclature of Deputy Director (Senior Time Scale) in the Level 11 (Rs. 67700-208700) of the 7th CPC which is Pay Band-3 of Rs.15600-39100 with Grade Pay of Rs.6600/- (pre-revised) to the Deputy Directors of ESIC upon completion of four years of regular service as Deputy Directors in the level 10 (Rs. 56100-177500) of the 7th CPC which is Pay Band-3 in the Pay Scale of Rs.15600-39100 with Grade Pay of Rs.5400/- (pre-revised).

Encl: As above



Yours faithfully,

(H.L.Meena)
Economic Advisor (SS)
Tel: 23719054

Copy to:

1. ✓ DG, ESIC - With the request to pursue the matter with the UPSC.
2. ✓ Sh. B. S. Heet, Under Secretary (RR), UPSC - With the request to take the necessary action at the earliest.

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IC (P&A)

Department of Personnel and Training
Estt.(RR) Division

F.No.-A-12018/04/2011-SS-I

M/o Labour & Employment (MoLE) may kindly refer to their proposal on pre-page seeking approval of DoP&T for amendment in RRs to the post of Deputy Director in Employees State Insurance Corporation (ESIC), a statutory organization under MoLE, regarding reduction in qualifying service for grant of Sr. Time Scale.

2. The proposal has been examined. ESIC is a statutory organization under MoLE. The RRs for the post of Deputy Director have been framed under the proviso to clause (a) of sub-section (2) of section 17 of the Employees State Insurance Act, 1948. The instructions issued by this Department are not suo moto applicable to employees of PSUs, Banks, autonomous bodies who are guided by instructions issued by the administrative Ministries or the statutory rules by which they have been constituted. Further, ESIC directly consults UPSC under the provisions in ESIC Act. ESIC need not obtain the approval of DoPT for amendment as it is a statutory organization. However, it is mentioned that RR Division has not issued any instructions for grant of non-functional scale at STS level.

3. This issues with the approval of JS(E).

ksb

(K.Prakasham)
Under Secretary (RR)

M/o Labour & Employment, Shram Shakti Bhawan
DoPT ID Note Dy.No.1276575/17/CR dated 29.11.2017.

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