

EMPLOYEES' STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN': C.I.G. MARG: NEW DELHI

No. V-36/15/2008-Bft.II

Date: 29.09.08

To,

All RDs /Directors/ Jt.Dirs(.I/c),
Regional/Sub Regional Offices,
E.S.I. Corporation.

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Subject:- Minutes of meeting of Regional Directors/Directors/Joint Directors(I/c) held on 25 & 26 August, 2008 at Jaipur.

Sir,

Please find enclosed herewith a copy of the minutes of the said meeting for necessary action with request to send the Action Taken Report to the Branches concerned as mentioned below.

Sl. No.	Division	Item Number	Branch of Hqrs
1	Revenue 1 & 2	1,2,3,4,5,6,7,8,9,10,11,12, 35,42,44,52,54,55,56,63	Revenue Branch
2	Vigilance	13,14,15,16	Vigilance
3	Planning and Development	17,18	Planning and Development
4	Finance and Accounts – 6	19,20	Finance and Accounts – 6
5	Exam Cell	21,22,23,24	Exam Cell
6	System Division	25,38,60	System Division
7	Public Grievance Cell	26	Public Grievance Cell
8	Benefit Branch II	27,28,40,43,45,46,47,49,50,51,	Benefit II

		53,58,69	
9	Establishment I	29,30,31,32,37,41	Establishment I
10	Establishment III	64,67	Establishment III
11	Corporate Cell	33	Corporate Cell
12	General Branch	34,48,61,62,65	General Branch
13	Management Service Unit	39,66	Management Service Unit
14	Revenue Recovery	57	Revenue Recovery
15	Hindi Cell	68	Hindi Cell

Yours faithfully,

(A.K. Mukhopadhyay)

Joint Director (Bft.)

Copy to:-

1. All Principal Officers of Hqrs.
2. All Concerned Officers of Hqrs.
3. All concerned Branches of Hqrs Office are requested to get the Action Taken Report from RDs/Dir/Js(I/c) and send only consolidate Action Report to this Branch. Action Taken Report received from RD may be sent separately to this Branch.

Joint Director (Bft.)

Minutes of the meeting of RDs/Director/Joint Directors (I/c) held on 25th & 26th August, 2008 at Hotel Clarks Ajmer, Jaipur.

The Regional Director, Jaipur welcomed the Director General, Financial Commissioner, Insurance Commissioner, Medical Commissioner and all the RDs and Jt. Directors I/c present in the meeting.

DIRECTOR GENERAL invited the views of RDs on recently constituted Hospital Consultative Committee, self certification scheme, amnesty scheme and new inspection policy which were the important issues of the conference. He further stated that there is a need to give necessary support to our medical side as ESIC is going to establish medical colleges and PG courses of their own.

With the above discussions, Insurance Commissioner took up the Agenda items for discussions.

REVENUE BRANCH

Item No.1	Target for the contribution income for the year 2008-09
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Insurance Commissioner pointed out that some of States have made progress in achieving the targets but States like Goa, Nagpur, Pune, Punjab, Chennai, Bihar are lagging behind in achieving the target of the contribution. The respective RDs assured that they will definitely achieve the target in the months to come. Most of the RDs stated that reason for not achieving the target was non posting of challans by the Banks in the first three months.

DIRECTOR GENERAL advised the RD, Mumbai that in case State Govt. is not co-operating to arrange medical facilities, arrange medical facilities through IMP and proceed ahead with new implementation. RD clarified that NOC is awaited from Addl. Secretary, Maharashtra and assured to do the needful without further delay.

Insurance Commissioner further stated that all out efforts should be made to achieve the target and stressed the need for maintaining Default Register.

DIRECTOR GENERAL was of the view that defaulter list should be prepared to know the exact position of closed and running units.

Item No.2	Target of revenue recovery and performance of revenue recovery machinery in the Regions/SROs.
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Insurance Commissioner pointed out that proportionate recovery in some of the Regions like HP, Haryana, Bihar, MP, Noida is much below the target.

RD, Bihar informed that most of factories are Govt. undertaking and matter is being taken up with State Govt. Coercive measures are also undertaken. RD, Haryana, HP, Chennai submitted that target fixed for revenue recovery is on a higher side and requested for re-fixing the same. Insurance Commissioner clarified that the targets were fixed based on Arrear statement submitted by the RDs only

Insurance Commissioner also advised all the RDs to gear up the revenue recovery machinery. DIRECTOR GENERAL was of the view that there should be regular assessment of cases, and adhoc assessment of cases where acknowledgements are not received should be advertised in the leading newspapers to issue S.O u/s 45-A in time. He also congratulated those RDs / JDs I/c who have achieved the target. It was also decided to post DD (Recovery) in the Regions and Sub-Regions where there is no Recovery officer.

Item No.3	Action against the defaulter employers.
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DIRECTOR GENERAL advised that defaulter list should be prepared and compared with the census report of their Region. He further stressed that census should not be stopped and it should be a continuous process to ascertain the position of closed and live factories. DIRECTOR GENERAL also suggested that help of detective agencies if necessary should be taken to find out whereabouts of the defaulter

employers and closed units. Insurance Commissioner advised the RDs to clear all the cases pending upto 31/12/2003.

Item No.4	New Inspection policy on introduction of self certification.
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DIRECTOR GENERAL was of the view that self Certification Scheme must be encouraged aggressively. RDs should hold meetings and seminars with employers' organization and pursue them to switch over to the new system. DIRECTOR GENERAL also suggested that RDs /JDs I/c should keep holding meetings and seminars regularly.

DIRECTOR GENERAL then discussed the issue of constitution of Hospital Development Committee (HDC) for each Hospital and Branch Manager would operate the account of the HDC. DIRECTOR GENERAL further directed the RDs to help SSMC and M.S to fix tie-up arrangements for super speciality treatment.

DIRECTOR GENERAL reviewed the progress made by the RDs for setting up of Medical Colleges. He directed that interactions should be made with State Governments for taking over the land and setting up of medical institutions. He also desired that papers related to ownership of land should be available with every Regional Director. If these are not available with them, a process should be started to procure the same immediately.

Item No.5	Review of the progress regarding census of covered/coverable factories/establishments as well as employees/IPs not covered.
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DIRECTOR GENERAL suggested that on the basis of census work Employers who were found coverable but not covered be issued a letter immediately for coverage of their units and process of census should continue in future also.

Item No.6	Analysis of coverage under ESIC and EPFO.
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Insurance Commissioner was of the view that in some of the Centres position of coverage under ESIC is better than EPFO. He directed the RDs who are lagging behind in sending the report, may send immediately as the information is to be furnished to Hon'ble Labour Minister with proper analysis.

Item No.7	New Amnesty Scheme.
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DIRECTOR GENERAL confirmed that no further extension would be granted to the new Amnesty Scheme after 31.12.2008. IC informed that only 523 applications were received out of which only 262 cases have been withdrawn whereas 261 cases are still under process. RD, J&K assured that he would try to impress upon the employers in his region for taking advantage of the new Amnesty Scheme as soon as the normalcy prevails in the Region.

DIRECTOR GENERAL was of the view that the role of our Counsels and their performance be reviewed at least on quarterly basis. Experienced and result oriented Counsels should be engaged for pleading our case in the Courts of Law and their performance should be monitored regularly. DIRECTOR GENERAL further advised that a copy of mailers to be sent to employers for giving wide publicity amongst the Employers may also be sent to our Counsels.

Item No.8	Pending Inspection and Survey.
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Insurance Commissioner desired that inspection and survey should be done regularly by the concerned I.I posted in the Division. He directed the R.Ds to obtain certificate from the I.Is by 10th Jan that there is no coverable factory / establishment or any employees left without coverage and no coverable / covered worker / IP is left without I.Card in his Inspection Division. Every RD should also submit a consolidated certificate to this effect by 15th of January to Insurance Commissioner without fail.

Item No.9	Missing of employer's files.
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Insurance Commissioner advised all the RDs to find out the number of missing employer's files and suggested that in case any file is not traceable, action should be taken to reconstruct the same with the help of files available in Inspection Office / Recovery Cell.

Item No.10	Review of employer's files.
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Insurance Commissioner directed all the RDs to review employers files and take up pending cases on priority basis. He desired that 1/10th of the total files should be reviewed during each month but the files which are not reviewed for the last three to five years should be reviewed on priority basis. He further suggested that during the process of review if few more missing files are detected these files may be constructed without further delay.

Item No.11	Test Inspection.
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Most of the RDs were of the view that Test Inspection should not be stopped and it is necessary for checking the efficacy of Insurance Inspectors.

Director (Vig.) was of the view that Test Inspection should be held only in those cases where Inspectors have made commission and omission and it should not be for harassing the Inspectors.

DIRECTOR GENERAL suggested that test inspections should be merged with the new Inspection Policy. Inspectors should perform their duty efficiently. He stressed that training should be provided to Inspectors to inspect computerized records. He was also of the view that old cases should not be taken for Test Inspections and focus should be on the coverage of new units, workers and issuing I. Cards to the workers but not the omitted wages alone. He further suggested that there is a need to change and

redesign the proforma used for inspection / test inspection. New guidelines should be issued for the purpose of Test inspection from Hqrs. office.

Item No.12	FDC cases.
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DIRECTOR GENERAL desired that FDC should invariably be decided within three months of the coverage of a unit as per existing instruction. Therefore, action should be taken expeditiously to decide the old cases which are pending for finalization of FDC.

VIGILANCE BRANCH

Item No.13	Completion of Departmental Enquiries as per time Schedule.
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Taking up the items of the Vigilance Division the Director (Vigilance) requested all the RDs to take action to complete the departmental enquiries expeditiously in their jurisdiction and see that all cases pending as on date are completed before holding the next RDs Conference.

Item No.14	Passing of Final orders in Disciplinary cases.
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Director (Vigilance) requested the RDs to pass the orders in the pending disciplinary cases as early as possible.

Item No.15	Improving Vigilance Administration by Leveraging Technology.
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To comply with the CVC's directions Director (Vigilance) stressed the need for transparency through effective use of websites and every instruction / tender notice and award of the contracts should be placed on website simultaneously with its advertisement and ensure that these can be downloaded by the Employers.

Item No.16	Intensive examination of workers by CTE's organization.
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Director (Vigilance) requested all the RDs and PMD Hqrs. to follow the instructions of CVC for sending the quarterly report in respect of all award of contracts over and above the monetary limits prescribed by the CVC by 5th of the following month of the respective quarter so that consolidated report could be sent to the CVC in time.

PLANNING AND DEVELOPMENT BRANCH

Item No.17	Extension of ESI Scheme to Educational Institutions and Private Medical Institutions.
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Insurance Commissioner advised all the RDs to take up the matter with State Governments where the action is pending for implementation of ESI Scheme to Educational and Private Medical Institutions and show progress in the next RDs conference.

Item No.18	Implementation of ESI Scheme to new areas as per phased programme for 2008-09.
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Insurance Commissioner advised all the RDs to achieve the target for implementation of ESI Scheme as per the phased programme in consultation with the State Govts and show progress in the next RD's Conference. He also suggested that in case State Govt. is not in a position to arrange medical facility they should obtain NOC from the State Govt. and go ahead with IMP System.

FINANCE & ACCOUNTS BRANCH-VI

Item No.19	Timely submission of statement of Internal and External Audit Paras.
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Director (Finance) requested all the RDs to settle more than one year old pending Audit paras on priority basis. Since the pendency was on a very higher scale, FC suggested Director (Finance) to call a meeting at Hqrs. office particularly of those RDs where the pendency of Internal & External Audit paras is one thousand and above.

Item No.20	Amount outstanding under Objection Book.
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Director (Finance) requested all the RDs to settle the amount outstanding as per Objection Book and report at the end of October 2008.

EXAM CELL

Item No.21	Limited Departmental Competitive Examination for promotion to the post of Insurance Inspector to be held on 05.09.2008.
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Director (Rectt.) requested all the RDs to make all necessary arrangement for smooth conduct of exam.

Item No.22	Direct Recruitment of Insurance Inspector.
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Director (Rectt.) requested all the RDs to make all necessary arrangement for smooth conduct of exam.

Item No.23	IMO Examination to be held on 14.09.2008.
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Director (Rectt.) requested all the RDs to make all necessary arrangement for smooth conduct of IMO exam.

Item No.24	Examination for ad hoc LDC / Steno on 21.1.2008.
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Director (Rectt.) listed out the various activities which have to take place in the near future

RD, Ahmedabad and RD, Himachal Pradesh informed that there are very few candidates for the Steno Test to be held in November, 2008 and enquired whether the steno skill test can also be held on the same date after written examination . AC(Rectt.) agreed to the same.

SYSTEM DIVISION

Item No.25	Use of various IT infrastructure and facilities by Regions.
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Director (System) made a presentation on the subject and informed that the IT roll out will be based on BOOT model only. All the RDs expressed their anxiety.

PG CELL

Item No.26	Timely clearance of Public Grievances.
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AC (PG) requested all the RDs to clear the pendency of Public Grievance cases and timely submission of the returns of the same to the Hqrs. Office.

BENEFIT DIVISION

Item No.27	Relaxation in contributory condition under maternity benefit.
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After discussion all the RDs expressed their apprehension about misuse of the benefit at a large scale and action against the employer may also be not possible. It was finally decided that the matter may be examined at Hqrs. office level.

Item No.28	Relaxation in conditions for availing super speciality treatment.
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After detail discussion all the RDs supported the present conditions.

ADMINISTRATIVE BRANCH

Item No.29	A presentation involving position of officers and Staff in regions including review of staff and proportionate distribution of staff between ROs and SROs.
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Item No.30	Recruitment and DPCs vis-à-vis contract workers engaged in ROs and Hospitals.
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Item No.31	New Initiatives taken up towards bringing accountability and transparency in functioning of administration.
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Item No.32	Suggestions from RDs involving proper manpower planning of the organization including adoption of VIth Pay Commission's Report and Organized Services etc.
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A presentation was made reflecting the action plan of the administration in r/o item No. 29, 30, 31 & 32 and progress made till date. AC (P&A) requested that the sanctioned strength of the RO and SRO must be reached to Hqrs. by the end of this month under the joint signatures of RD and JD (I/c).

DIRECTOR GENERAL clarified that there will be no contractual employees in ESIC offices except security and sweeping. All the vacancies of peons, LDCs should be filled through regular recruitment. He further made it clear that if necessary only services could be hired but not individual persons.

ITEM SPONSORED BY RD

RD INDORE

Item No.33	Circulation of the Agenda and minutes of the meeting of ESI Corporation and Standing Committee among the RDs.
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Regional Director, Indore suggested that circulation of agenda and minutes of meeting of ESIC and SC among the field units should be resumed, as the same has been discontinued after 2003. Other RDs also supported the suggestion of RD, Indore and impressed that in the absence of complete agenda and minutes of the said meeting they are not able to deal with policy issues with the State Govt.

DIRECTOR GENERAL informed that circulation of the agenda and minutes are restricted to only members. Moreover, whenever decision is taken based on Standing Committee / Corporation meeting the same is circulated for compliance. He further

clarified that without final decision of particular item it will be of no use to intimate the RDs.

RD GOA

Item No. 34	Applicability of Sec.93(A) of ESI Act in case of Transfer of Factory/Estt. by Public Auction by the Financial Agency.
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AC(R) informed that the instruction is free from any kind of ambiguity; RDs should put-up the case before the official liquidators / any other authority and forcefully claim that Corporation has already incurred expenditure towards the benefit of I.Ps.

JD (I/C) AURANGABAD

Item No.35	Discontinuation of existing practice of provisional date of coverage of factories and establishment and straightway final coverage.
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Insurance Commissioner appreciated the suggestion and advised that even otherwise final date of coverage should be decided within three months. All the RDs assured to take action accordingly.

Item No.36	Opening of Services Centre at distant new implemented areas to cater basic/minimum requirements of insured persons and employers viz. Registration of insured persons, issue of DICs/PICs.
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The item was agreed by the DIRECTOR GENERAL.

Item No.37	Decentralization of LDC/UDC cadre SRO/RO wise and to treat Assistant Cadre as a Regional Cadre.
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AC (P & A) advised all the RDs/JD ICs to first send the sanctioned strength under joint signatures.

RD PUNJAB

Item No.38	Providing of Computers to Insurance Inspector
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DIRECTOR GENERAL assured to take of this after I.T. roll out.

Item No.39	Delegation of powers to Branch Offices (Bft.) / Regional Offices.
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The AC (Benefit) informed that instructions are already there, however, the case will be re-examined at Hqrs. Office level for further necessary direction if necessary.

RD ORISSA

Item No.40	Enhancement of fees paid to the Chairman and members of the Medical Board, constituted by the State Government.
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It was agreed to enhance fees of chairman medical board and members after following proper procedure.

RD PUDUCHERRY

Item No.41	Filling up of vacancies in the cadre of Asstt. H.C. & UDC / UDC-C- Recruitment of LDCs against these vacancies.
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Matter was discussed once again and all the RDs were advised by AC (P & A) to first intimate present sanctioned strength to Hqrs. Office.

JD (I/C) TIRUNELVELI

Item No.42	To examine the procedure for issuance of code number in the absence of advance payment of contribution.
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After discussions, DIRECTOR GENERAL was of the view that the impact of the new policy should be judged first.

RD PUNE

Item No.43	Delivery of PICs to the IPs within 2 days.
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Insurance Commissioner appreciated the suggestion.

JD (I/C) KOLLAM

Item No.44	Levy of damages for delay in payment of contributions.
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DIRECTOR GENERAL suggested that we must indicate the valid reasons in detail for levy of damages in speaking orders so that the same can be justified in the court of law.

Item No.45	Payment of cash benefit for SB / ESB etc. after retirement or when the factories are under closure.
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After detailed discussion it was decided that it is not permissible.

Item No.46	Enhancement in the duration of Maternity Benefit and grant of Paternity Leave to Insured Persons.
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Not agreed.

Item No.47	Amendment to Section 2(6) (A) of the ESI Act to remove the infirmity in the definition of dependants in ESI Act.
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Not agreed.

Item No.48	Lack of infrastructure in the newly set-up Sub-Regional / Divisional Offices.
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DIRECTOR GENERAL made it clear to all the RDs that no more staff will be provided / sanctioned till the IT is rolled out however infrastructure of SRO/DO should be improved as per new norms and RDs should submit a proposal to this effect to the Hqrs. Office.

Item No.49	Instructions on Maternity Benefits.
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It was decided to re-examine the issue at Hqrs. as already decided against item No. 27.

Item No.50	Corporation's resolution on Extended Sickness Benefit.
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It was decided to re-examine the issue at the level of Hqrs. Office.

Item No.51	Relaxation in the conditions for super specialty treatment.
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As already discussed against item No. 28.

Item No.52	Coverage of Medical Institutions.
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AC (R) assured to re-examine the issue at Hqrs. Office level.

Item No.53	Necessity for consulting Medical Referee for acceptance of Occupational Disease cases confirmed by the Special Medical Board of Occupational Diseases Centres of ESI Corporation.
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DIRECTOR GENERAL assured to examine the issue at the Hqrs. office level.

Item No.54	New Inspection Policy.
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DIRECTOR GENERAL desired that the coverage should be done as per new Inspection Policy and directed all the Regional Directors to adopt new Inspection Policy but at the same time, census work should not be stopped.

Item No.55	Relaxation in coverage ceiling from 10/20 to 5 persons irrespective of power – using and non-power using factories / establishments.
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Status-quo may be maintained.

Item No.56	Levy of Damages.
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As discussed against item No. 44.

Item No.57	Target of Recovery.
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As discussed against item No. 2.

Item No.58	Medical Benefit under Rule-61 of ESI (Central) Rules, 1950 to the persons retired on VRS / ERS and other schemes.
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AC (B) informed that at present Rule does not permit however it will be further examined at Hqrs. Office.

Item No.59	Supply Liveries.
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AC (P&A) informed that the matter is already under active consideration.

Item No.60	Supply of Computers.
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Director General informed that supply of computers is already under consideration.

Item No.61	Revision of Delegation of powers in respect of refreshment vis-à-vis provision of refreshment charges to officers up to JD Level.
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AC (P & A) assured to examine the matter at Hqrs. Office.

JD (I/C) LUDHIYANA

Item No.62	Provision of Security Guards at Branch Offices.
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AC (P & A) confirmed that RDs / JDs I/c are fully empowered to engage security guards on need based but they should employ ex-army employees only.

Item No.63	Enhancement of Monthly Conveyance Limit to Insurance Inspectors.
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AC (P & A) assured to examine the matter at Hqrs. Office.

JD (I/C) DO ROHINI

Item No.64	Conversion of Divisional Office into SRO.
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DIRECTOR GENERAL stated that matter is already under consideration and would be taken up in the ensuing meeting of Standing Committee wherever necessary.

Item No.65	Extension of facility of Staff Car to the JD (I/c) Divisional Office at par with JD (I/c) SRO's.
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AC (P & A) informed that provision is already there to hire Car on need basis; however matter will be re-examined at Hqrs. Office.

Item No.66	Withdrawal of power to sanction and investigate cases of accidents from the Branch Managers.
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The proposal submitted by DO, Rohini was not accepted.

Item No.67	Opening of Branch Offices in within a vicinity of 3 to 5 km radius – regarding.
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DIRECTOR GENERAL directed the JD I/c, Rohini to relocate and re-organize the Branch Offices.

Item No.68	Implementation of official language
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JD (OL) requested the RDs to explore the possibilities of working in Hindi language as per Annual Programme of the Government. Every body must be given in service training. Computers should be equipped with Hindi Software. Parliamentary Committee on official language has also taken very serious note of these requirements.

Item No.69	Suggestions for amendment to Rule 60/61 of ESI (Central) Rules, 1950 for provision of medical benefit to IPs who cease to be in insurable employment on account of Physical Disorder.
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It was decided to consider the proposal for examination.

The meeting ended with vote of thanks to the Chair.