

Subject Re: Sunil Kumar Yadav, Dy. Director (Trainee0)
From Arvind <jd-sys@esic.nic.in>
Date Tuesday, March 1, 2011 10:52 pm
To sunil yadav <sunil23145@gmail.com>
Cc dir-nta@esic.nic.in
Bcc cskedar@gmail.com

Dear Sunil,

Good work done in your training– to begin with I would say. I throw the following questions:

1. Should ESIC not act immediately, by deputing SSO, when challans stop coming? (This could be due to uninformed closure of the factory / establishment).
2. Did you find any such promptness in review procedures?
3. What evidence ESIC should look for, years after closure of the factory / establishment, on delayed inspection?
4. Think, how can we leverage ICT tools to approach these types of problem and give your candid suggestions.
5.
 - a. What measures you suggest in a case having got neglected for 11 years (Everett)?
 - b. What is the lapse?
 - c. Any remedial action taken for inaction?
 - d. What would be fate of C-18 which covers a period more than 5 years back from demand? (In the light of recent amendment).
 - e. Can the claim of less salary paid by employer be verified and accepted?
6. Can you elaborate the legal issues involved in ICWA case.
7. Should there be a time limit for deciding the issue relating to whereabouts not known cases?
8. How was it deduced that 3 voucher payments meant employment of 3 persons?(Dadu Rubber case). Do you recall that on any particular day there were 10 persons?
9. Do you visualize any innovative method(s) for coverage of uncovered employees found in the factory / establishment premises? (Hi Lux case). How can we better leverage IT to handle these types of defaults?
10. How can we use IT to tackle cases like Punjab Steel Works? (Hint: Internet access to SSOs, in place of intranet as of now for our officials). What provisions should exist in the ESI Act to handle cases of non-production of records; any amendments needed in the Act?
11. (a) Can you enlighten me further strictly on the basis of reference to ESI Act / Regulations as to what are the exact requirements to fulfill super speciality criteria.
(b)What action can be taken in accident cases, if employer does not show records? (Ref. Bft. Branch visits).
12. What can be done to solve cases where employer does not file accident report/does not cooperate? (Raj Kumar case; Hint: ESI Corporation is obliged to pay DB to dependents of the deceased IP, covered or not and even if coverable). Should the obligation of ESIC rest on the cooperation or non-cooperation of he employers? Is forcing the beneficiary to resort to court battle only solution?
13. Should maternity benefit be not at double the rate (i.e. 200% of the IW's wages) since she has to support herself as well as growing / infant child till certain period (Hint: ESIC's balance sheet would comfortably afford it. I used to discuss this with a close colleague of mine when I had joined ESIC 15 years back).
14. What all MIS would you like for Revenue and Benefit matters now that we would have all types of data / information relating to employers and IPs in our system, in the light of abovementioned thought provoking points (I hope) to make the ESI Scheme really unique, responsive and lovely?

Good work done by you. My expectations have risen. You can take time to think, even discuss/share with your fellow probationers / faculties / other officers and come back to me slowly – surely seriously. Some questions might be very serious. I know it will take time.

With my best wishes.

Sincerely yours.

Arvind Kumar, Joint Director (Systems)

MENTOR

----- Original Message -----

From: sunil yadav <sunil23145@gmail.com>
Date: Tuesday, March 1, 2011 9:25 pm
Subject: Sunil Kumar Yadav, Dy. Director (Trainee0)
To: Arvind <jd-sys@esic.nic.in>

> Dear Sir,

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> Good Evening !

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> I am enclosing daily diary for your kind perusal and comments. I request you to guide me as a mentor and point out the shortcomings so as to enable me to improve further.

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> Sir, have you any collection of case laws regarding esic in soft copy ? If yes, then please mail me the same.

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> **With warm regards,**

>

> **Sunil Kumar Yadav**

> **Dy. Director (Trainee)**

> **Mob. 9999908575**

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