

Medical Branch(H)

Persec

Subject: Application for seeking information under RTI Act-2005 -Sh. Roshan Malkoti

With reference to U.O. note no. DM(H)C-22/15/33/09.Per.Sec(H) 4992 dt. 08/10/09 on above cited subject desired information is furnished as under:

1. The hierarchy at item no. 1 in question exists. It is the prerogative of HOD.
2. The working hours of M.O. is up to 40 hours per week
The working hours of Sr. Resident is 48 per week
3. The Compensatory off is given for duties on National Holiday.
4. To the best of our knowledge, the hierarchy at point no 1 exists.

[Signature]
Dr. Pramod Gandhi
Addl. Med. Supdt.

ole H

Per.Sec.(H).

DM(H)-16/52/72/07/Med.(H)

Dated:19/12/09

EMPLOYEES' STATE INSURANCE CORPORATION

PANCHDEEP BHAWAN, C.I.G. ROAD, NEW DELHI-02

<http://esic.nic.in> / www.esic.org.in

No.V-15/15/06-MS-Med.I

March 27, 2006

To

All the Medical Superintendents

ESIC/Model Hospital / Director (Med.) Delhi

Sub. Minutes of the meeting of Medical superintendents held at ESIC Hqrs. Office on 27.2.2006 - reg. Timings of ESIC medical institutions.

Sir/Madam,

In the above referred meeting, after detailed discussion, it was decided as under:-

- ❖ All hospitals will follow a six-day a week schedule.
- ❖ OPD hours shall be as per the State Govt. hospital timings.
- ❖ Duties of staff can be adjusted as per requirement.
- ❖ Forty hours a week working schedule should be adopted for all staff as a norm, except where specified otherwise.

You are requested to take urgent action as per above decision and send an action taken report to this Office.

Yours faithfully,

(DR. S.K. JAIN)

DY. MEDICAL COMMISSIONER

Copy for information & necessary action to:

1. All Sr. State Medical Commissioners / State Medical Commissioners.
2. Director (FW)/HIV AIDS/Central Store.
3. Rajbhasha for translation.
4. All Medical Branches at Hqrs. Office.
5. Guard File.

DY. MEDICAL COMMISSIONER

Speed Post

EMPLOYEES' STATE INSURANCE HOSPITAL
Rohini, Sector-15, New Delhi – 110089
Website:www.esic.nic.in



Phone: 27860004
Fax: 27553098

F.No.- 115-A-38/59/RTI/Act/2010

7242

Date: - 23-09-2010

2579163

To,

Dr. P.K. Jain,
Convener JAC of All India ESIC Doctors,
C-7, I Floor,
Arya Samaj Road,
Adarsh Nagar,
Delhi-110033.

Sub: Information under RTI Act 2005.

Sir,

Kindly refer to your letter no. nil dated 19.08.2010 on the subject cited above. The point wise reply of your letter is attached herewith alongwith copies of Duty Roasters 16 in Nos.

This is for your kind information. However, in case you are not satisfied with the reply you can appeal to Appellate Authority as per address given below.

Name & Address of Appellate Authority

Dr. Jasmeet Singh,
Medical Superintendent,
ESI Hospital, Rohini,
Sec-15, Delhi-110085.

Yours faithfully

(Y.S. Rathee)
Director/CPIO

Encl: As above (24)Copies

Copy to,

1) Director/CPIO, Hqrs. Office, E.S.I.C Panchdeep Bhawan, C.I.G. Marg, New Delhi-2
w.r.t Hqrs. Letter no. Z-12/14/ID No. 1627/Dr. P.K.J./10-RTI-443-Dtd. 11.08.2010 for
information.

Encl: As above(24)Copies

Director/CPIO

Annexure -A

S.N o.	Question	Reply				
1	Please furnish details of the total duty hours per week & month performed by SR's, IMO's and Specialists Gr.I & Gr.II individually in ESIC Hospital Rohini in Deptt. Of Medicine, surgery, Anesthesia, Gynae, ICCU, ICU & Paediatrics.	Period for which information is required has not been mentioned.				
2	What are the stipulated duty hours of SR's, IMOs and Specialists Gr.I & II in ESIC as per rule, kindly provide copy of order/instructions/guidelines for the same.	GDMOs/Specialists = 40 hours in a week Copy of terms and conditions for SRs are enclosed.				
3	How many SR's, IMO's and Specialists Gr. I & Gr.II are posted in above mention department since 01.01.2009 and how may SRs, IMOs and Specialists Gr.I & II are absent continuously for more than one month on unauthorizedly.	As on 31.08.2010 SRs (Regular)=11 SRs (Contractual)=02 GDMOs=39 Specialist=10				
4	How many duty hours in excess per week were done by Srs, IMOs and Specialists Gr.I & Gr.II in Dept. of above mention hospitals since 01.06.2009.	Medicine	Surgery	Gyane	Anesthesia & ICU	Paediatrics
		No excess duty hours were done	No excess duty hours were done	This information does not exist in the Dept.	No such instruction regarding duty hours has been received, the fixed pattern of duties is only applicable in full strength (sanctioned), Duties and Compensatory off are adjusted according to need of Dept., Need of duty doctors who perform duties,,nature of essential services provided to all existing specialty by Deptt.. & refer circular No. V-14/12/1/07-Med.I CPA issued by M.C.	This information does not exist in the Dept.
5	How these duty hours in excess are being compensated viz financially or by way of compensatory off. What are the rules and regulations in ESIC to safeguard such exploitations.	Medicine	Surgery	Gyane	Anesthesia & ICU	Paediatrics
		NA	NA	Compensatory offs are given for excess duties	Dept maintain the equilibrium among doctors by providing Compensatory offs are given for excess duties, accordingly to availability of strength of doctors.	Compensatory offs are given for excess duties on Sundays and Holidays.

	Who is supposed to be responsible for such exploitation of SRs, IMOs only and what action is contemplated against such erring officials.	Not applicable. No complaints received so far.				
7	Is there any policy against such exploitations of forcing doctors to perform more duty hours per week than stipulated duty hours.	Policies are made at Hqrs. level.				
8	What actions have been taken by competent authority till date to combat such exploitations of doctors.	Not applicable. No complaints received so far.				
9	What is the role of HOD's in making the duty roster for IMOs and SRs, if they are responsible for such exploitation, what actions has been taken against them till date.	Not applicable. No complaints received so far.				
10	Who is supposed to sign the duty roster of concerned deptt. And is there is any provision to provide copy of the duty roster to individual doctor.	Medicine	Surgery	Gyane	Anesthesia & ICU	Paediatrics
		Roaster is signed by Roaster I/c, countersigned by HOD, noted by individual Dr. and displayed on notice Board.	Sr. Surgical Specialist. There is a provision.	Roaster is signed by Roaster I/c and noted by individual Doctor and displayed on notice Board.	Roaster is prepared & signed by Roaster I/c and noted by individual Doctor and displayed on notice Board.	Duty Roaster is signed by HOD. Noted by individual Doctor and displayed on notice Board.
11	Are there any guidelines issued to HODs for making duty roster of IMOs, SRs and Specialists Gr.I & II for specific duty hours for each category.	Yes, HODs/Unit In charges are also suppose to extend duties in the interest of patients.				
12	What is the nature and type of duties of doctor who is on call duty.	Medicine	Surgery	Gyane	Anesthesia & ICU	Paediatrics
		No specific guidelines but in practice to guide Dr. on duty regarding any problem i.e. management	No guidelines. To provide guidance to doctors on floor duty.	No specific guidelines are issued. Perform floor duties during routine duty hours (9 am to 4 pm). After	No instructions has been received and controversial issues for which many esquires has already been held in ESIC.	Doctor on call duty performed the floor duty during routine hours After that they

		of patient, administrative & legal issues.		that provide telephonic consultation and visit hospital as and when required.		provide telephonic consultation and visit the hospital as and when required.
13	In above mention department since when compensatory off for excess duty hours above the stipulated duty hours are not granting compensatory off.	Medicine	Surgery	Gyane	Anesthesia & ICU	Paediatrics
		Not applicable as no excess duty has been taken	Not applicable	Compensatory offs are given in O & G.	In accordance to their comfort and convenience of Deptt Comp. Off are adjusted later on.	Compensatory offs are given in Paeds Deptt for Sundays and Holidays)
14	What are timing of morning, evening & night shift in above mention departments of each hospital mentioned in point no. 1.	Medicine	Surgery	Gyane	Anesthesia & ICU	Paediatrics
		Two shift in Dept. i.e. Day duty (9 am to 8 pm) & Night duty (8 pm to 9 am). Rest of doctors are in OPD/Wards duty from 9 am to 4 pm.	In addition to morning OPD, day and night duty.	Two shifts i.e. Morning (9 am to 4 pm) night (4 pm to 9 am) Saturday (9 am-1 pm) & (1 pm to 9 am) & Sunday 24 hours (9 am to 9 am)	Routine duty (9 am to 4 pm) and emergency duties (3 pm to 9 am)	Day duty (9 am to 8 pm), Night duty (8 pm to 9 am). Rest doctors perform 9 am to 4 pm except Saturday 9 am to 1 pm
15	Are doctors supposed to put time of arrival and departure in attendance register.	Medicine	Surgery	Gyane	Anesthesia & ICU	Paediatrics
		No	No	No	Presence on duties is self explanatory, no such instruction /guidelines.	No
16	If yes, is the same being followed in all ESI Hospitals.	Medicine	Surgery	Gyane	Anesthesia & ICU	Paediatrics
		Cannot comment	Not applicable	Not applicable	Not applicable	Not applicable
17	Provide copy of duty roaster of SRs, IMOs And Specialist Gr.I & II since 01.06.2009 of above mention department.	Medicine	Surgery	Gyane	Anesthesia & ICU	Paediatrics
		Duty roaster w.e.f. 1.6.09 are enclosed.	Duty roaster for the month of August, 2010 is attached	The information is not available in the Dept.	While submitting the SQD & WI manual of Deptt. Of Anesthesia for ISO approval. The document No. OT/FF/Anesthesia/16 i.e. duty roaster for doctors and paramedical staff – retentive time – one month.	The information is not available in the Dept.

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		No	No	No	Presence on duties is self explanatory, no such instruction /guidelines.	No
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		Cannot comment	Not applicable	Not applicable	Not applicable	Not applicable
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		Duty roaster w.e.f. 1.6.09 are enclosed.	Duty roaster for the month of August,2010 is attached	The information is not available in the Dept.	While submitting the SQD & WI manual of Deptt. Of Anesthesia for ISO approval. The document No. OT/FF/Anesthesia/16 i.e. duty roaster for doctors and paramedical staff – retentinal time – one month .	The information is not available in the Dept.

18	Is eligibility criteria for SRs & JRs is followed before appointing in Hospitals of ESIC like candidate should not have total experience of more than 3 years and 1 year respectively from any government Hospitals.	Regular SRs have been appointed by D(M)D Office and JR (dental) have been appointed by ESI Hosp., Basaidarapur.
19	How many JRs & SRs have been appointed in ESIC in Violation of eligibility criteria for appointment of JRs and SRs.	No SRs on contract basis have been appointed in this hospital in violation of eligibility criteria for appointment of SRs

6

**STANDARD TERMS & CONDITIONS TO BE INCORPORATED FOR
A POINTMENT TO THE POST OF SENIOR RESIDENTS ON CONTRACT
BASIS**

Reference your application and interview, the Selection Committee has recommended your candidature for appointment as Senior Resident on contract basis for a period of one year only on the following terms and conditions:

1. You will be paid pay & allowances as per VIth Pay Commission.
2. The appointment will be subject to your being declared medically fit and verification of character and antecedents.
3. You will be required to produce original documents, substantiating your age, educational qualifications and M.C.I registration & certificate and SC/ST/OBC certificate in case candidate belongs to any of these categories.
4. Private practice of any kind will not be allowed.
5. No T A/DA will be admissible for joining purpose.
6. Submission of declaration of marital status and declaration of having only one living spouse in case of married individual and making a solemn affirmation to the effect of registration and taking an oath of allegiance/faithfulness to the Constitution of India
7. It is a contractual post for one year only and contract will be signed on a stamp paper of Rs.100/-. The original contract will be with the hospital and its copy will be with the candidate.
8. Senior Resident will be entitled to avail off days, which will be computed at pro rata basis of two days per month.
9. The duties of the Senior Resident will be as assigned by M.S of the hospital. They will be required to attend emergency duties as assigned by M.S. or her representative.
10. While on emergency duty the Senior Resident will not leave the department without handing over the charge to the reliever or the Unit In-Charge.
11. It is essential for the Senior Resident to wear own white coat with nameplate during the duty hours.
12. The candidate will be required to deposit security of Rs.4,000/- (Rs. Four thousand only) through Demand Draft in favour of ESI Fund Account No.1 at the time of joining which is refundable after completion of contract period and production of "No dues certificate".
13. The either party to this contract may at any time terminate this contract by giving to the other party one month's notice in writing of its intention to do so and on the expiration of such notice period, the contract shall stand terminated. It shall also be open to either party to terminate this contract by giving or tendering one month's consolidated emoluments to the other in lieu of such notice. It shall not be necessary for either party to assign any reason for termination of this contract to the other. However, the engagement shall automatically come to an end on the expiry of the period herein first mentioned and no further notice would be required for termination of contract of the first party.

14. Hostel accommodation/quarters will not be provided.
15. If these terms and conditions are acceptable, the candidate may submit acceptance and join duty on or before _____ after being declared medically fit and signing a contract on a stamp paper of Rs.100/- failing which it will be presumed that the candidate is not interested in the post and the offer will automatically stand canceled without any further correspondence.
16. Candidate is required to submit four passport size photographs for medical examination and report to Medical Superintendent between 9:00A.M to 4:00 P.M. from Monday to Friday on any working day, before the stipulated date.

""The appointment is subject to the outcome of LPA NQ. 14/2009 & C.M. No. 489/2009 filed by ESIC before the Hon 'ble High Court of Delhi.

**Dy. Medical Superintendent
For Medical Superintendent**

To,

Medical Supdt

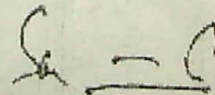
IGESI Hospital Jhilmil, Delhi - 95

Subject :- Reply of your letter no 113/A-12/11/11/07/RTI /Med -3808, Dated 27/09/10.

Respected Madam

Para wise reply of desired information's, according to the availability in the department are as such ----

1. Duty hours in a week / month varies according to the availability of doctors in the department & burden of work load however it is approximately 42 hours in a week.
2. Doctors who perform day duty on Sunday / G.H, and night duty on Saturday, pre G.H night avails compensatory off, hence no matter of excess duty hours arises.
3. Fixed Rules & regulations are not available in the department for the fixed duty hours of doctors & the means of compensation of excess hours if any. Department tries its best for smooth functioning of doctors but simultaneously the precious life of patients, availability of doctors in the department is also considered before making duty rosters.
4. No such information is available in the department.
5. To ensure the smooth functioning of IMO'S & SR's / duty doctors in the department.
6. Duty rosters is displayed in each month on all the required sites, it can be seen by any one, any time for that current month. All the doctors of department is suppose to sign the duty rosters, to note their duty & to highlight the discrepancies if any. One senior person of the department makes the duty roster after consultation with all other doctors.
7. It depends on the condition of patients & as per the need of floor duty doctors.
8. It varies as per the availability of doctors in the department & burden of work load.
9. No proper desired information is available in the department, as department do not have the record keeper post.



HOD - Department of Paediatrics,
IGESI Hospital Jhilmil, Delhi - 95

Dr. Ajay Choudhary And Others vs Govt. Of Nct Of Delhi And Others on 30 May, 2001

Cites 1 docs

Shri Ajay Pal Singh vs State (Nct Of Delhi) And Ors. on 2 February, 2001

Citedby 3 docs

Resident Doctors Association Of ... vs All India Institute Of Medical ... on 20 December, 2001

Shri Ajay Kumar vs Govt Of Nct Of Delhi And Arr. on 24 July, 2002

Ajay S/O Shri Hazara Mandal vs The State Through Standing ... on 15 November, 2006

Bench: M Sharma

Dr. Ajay Choudhary And Others vs Govt. Of Nct Of Delhi And Others on 30/5/2001

ORDER

Dr. Mukundakam Sharma, J.

1. I have considered the rival submissions of the counsel appearing for the parties and have considered the records placed before me. The Government of India introduced the Residency Scheme in replacement of the system of House Surgeons, Postgraduate students and Registrars in Central Institutions/Hospitals. The said scheme is dated 22.4.1974. The said scheme was also adopted by the State Government for its four hospitals in Delhi. The said scheme provides for recruitment of Junior Resident and Senior Resident doctors. Paragraph 4 provides the rate of emoluments which is to be paid to such Junior Resident and Senior Resident Doctors. Paragraph 5 provides for payment of allowances to such of the doctors namely Junior Residents and Senior Residents. It is also provided that Junior and Senior Residents would be entitled to dearness allowance, CCA and HRA as per Government Orders on the subject on the basis of their monthly emoluments. Paragraph 11 thereof provides that the Resident doctors will be provided with free furnished accommodation, free electricity and water within reasonable limits as may be fixed by the Government from time to time.
2. Paragraph 13 thereof states that continuous active duty for resident doctors means (s.r., j.r., dnb residents) will not normally exceed **12 hours per day and that subject to exigencies of work the resident doctors would be allowed one weekly holiday by rotation.** The resident doctors are also require to be on call duty not exceeding 12 hours at a time.