



कर्मचारी राज्य बीमा निगम
(श्रम एवं रोजगार मंत्रालय) भारत सरकार
EMPLOYEES' STATE INSURANCE CORPORATION
(Ministry of Labour & Employment, Govt. of India)



मुख्यालय/Headquarters

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संख्या: A-29012/3/2023-DPC(M)

दिनांक: 17.10.2023

ORDER

WHEREAS, an Original Application No. 2019/2023 dated 01.06.2023 was filed by ESIC Medical Officer Association (MOA), through Dr. Md. Mazaffar Uddin, General Secretary, ESIC, MOA, before Hon'ble CAT, Principal Bench, New Delhi for directions to ESIC for deciding representation dated 21.02.2023 given by MOA and to follow model DPC Calendar dated 25.02.2021 for granting promotion to eligible GDMOs.

2. AND WHEREAS, vide order dated 17.07.2023, Hon'ble CAT, Principal Bench, New Delhi disposed of the Original Application No. 2019/2023, with the direction to (1) dispose of the petitioner's representation dated 21.02.2023 (date 21.02.2023 incorrectly mentioned as 21.02.2022 in order dated 17.07.2023) and (2) decide the aforesaid representation on its own merit and in accordance with law, by passing a speaking order.

3. AND WHEREAS, the following points were submitted by the petitioner in the representation dated 21.02.2023 (Ref: 14/2023):

- A model calendar for DACP was published by ESIC Hq of 25.02.2021, which specifies timeline/guidelines for promotion for various grades of IMOs.
- Unfortunately, ESIC Hqrs is not adhering to its DACP calendar for IMOs for reasons best known to concerned officials/officers. Schedule DACP for promotion of IMO II to IMO I, CMO to NFSG, NFSG to Sag, SAG to HAG has not occurred even after several months/year of delay.
- This, besides being violation of existing rules, adversely affects the morale of eligible GDMOs besides causing them significant financial losses in NPS.
- I am anguished to say that concerned ESIC Hq officers (for promotion & DACP) have yet again lived to their image of delays and non-performance.
- Recently DOPT has also expressed concerns about non-adherence to DACP/DPC model calendar and has again emphasized timely and advance action in the DPC in terms of Model Calendar vide OM No. 22011/1/2021-Estt (D) dated 27/08/2021.
- Given the above said facts, I request to direct the concerned officers to follow the model DPC calendar in true letter & spirit and accordingly schedule DACP/DPCs be conducted at the earliest. This shall help in giving timely promotion to eligible GDMOs.

4. As per the direction of the Hon'ble Court, I have examined the case in detail on the basis of all available records and my observations are as under:

4.1. The petitioner's representation (Ref: 14/2023) dated 21.02.2023 was received in ESIC Hqrs. This has duly been replied by ESI Corporation vide letter no. A-29012/3/2023-DPC(M) dated 10.04.2023 with the following information:

“.....that DPC are being convened on regular basis, as per the calendar. However, some of the DPC's have not been completed 'in toto' due to administrative reasons. Efforts in this regard is continuously being made to adhere to the specified timeline.”

4.2 Model calendar of DPC was issued on 25.02.2021. During 2020-21, 35 DPCs were convened. During 2021-22, 27 DPCs were convened. During 2022-23, 25 DPCs were convened. During 2023-24, 6 DPCs (upto 30.09.2023) have been convened. In this way, a total 93 DPCs have been convened in respect of Medical Officers of all cadres (GDMO/Specialist/AYUSH/Dental/Teaching sub cadres) including promotional issues of absorbed medical officers in different states and Biomedical Engineer as per enclosed **Annexure-I**.

93 DPCs

DPCs in GDMO sub cadre including absorbed MO	DPCs in Specialists sub cadre	DPCs in AYUSH sub cadre	DPCs in Dental sub cadre	DPCs in Teaching sub cadre	DPCs in Biomedical Engineer cadre
43 (including DPCs of absorbed M.O., confirmation, review etc.)	15 (including DPCs of absorbed M.O., confirmation, review etc.)	6 (including DPCs of absorbed M.O.)	6 (including DPCs of absorbed M.O., confirmation, review etc.)	21	2 (confirmation and MACP)

5. I also examined the cadre wise details of main regular DPCs of different cadres upto 30.09.2023.

5.1 Regular DPCs convened in respect of Teaching sub cadre: -

Feeder	Promotional post	Completed upto	Remarks
Assistant Professor (Med)	Associate Professor (Med)	31.03.2022 DPC held on 02.02.2023	Eligibility for 2022-23 is being prepared. Publications have been received for which publication scrutiny committee meeting will be held after its constitution.
Associate Professor (Med)	Professor (Med)	31.03.2022 DPC held on 03.04.2023	Eligibility for 2022-23 is being prepared. Publications have been received for which publication scrutiny committee meeting will be held after its constitution.
Professor (Med)	Director Professor (Med)	31.03.2022 DPC held on 20.12.2022	For 2022-23: to be initiated.
Assistant Professor (Dental)	Associate Professor (Dental)	31.03.2022 DPC held on 02.02.2023	For 2022-23, under process.
Associate Professor (Dental)	Professor (Dental)	31.03.2022 DPC held on 03.04.2023	For 2022-23, under process.
Professor (Dental)	Director Professor (Dental)	31.03.2022 DPC held on 20.12.2022	For 2022-23: to be processed.



5.2 Regular DPCs convened in respect of Specialist sub cadre: -

Feeder	Promotional post	Completed upto	Remarks
Specialist (Jr.Scale)	Specialist (Sr. Scale)	31.03.2021 DPC held on 16.06.2021, 23.02.2022 29.06.2022	For 2021-22, under process.
Specialist (Sr.Scale)	Specialist (Grade I)	31.03.2021 DPC held on 23.02.2022, 29.06.2022	For 2021-22 and 2022-23: to be processed.
Specialist (Grade I)	Specialist (SAG)	31.03.2022 DPC held on 25.01.2023	For 2022-23: to be processed.

5.3 Regular DPCs convened in respect of GDMO sub cadre: -

Feeder	Promotional post	Completed upto	Remarks
IMO Grade II	IMO Grade I	01.01.2021 DPC held on 19.02.2021 (No. of M.O. considered 147), 19.04.2021 (No. of M.O. considered 95)	Eligibility from 01.01.2021 to 31.03.2021 is prepared. Matter is under process.
IMO Grade I	CMO	31.03.2021 DPC held on 07.09.2021 (No. of M.O. considered 402), 21.01.2022 (No. of M.O. considered 130)	For 2021-22 and 2022-23: to be processed.
CMO	NFSG	31.03.2022 DPC held on 22.04.2022 (No. of M.O. considered 85)	For 2022-23: to be processed.
NFSG	SAG	01.01.2020 DPC held on 16.06.2020 (No. of M.O. considered 76)	For 2020-21 and 2021-22, matter is under process in r/o 49 medical officers.

5.4 Regular DPCs convened in respect of Dental sub cadre:

Feeder	Promotional post	Completed upto	Remarks
Dental Surgeon	Jr. Staff Surgeon	No one eligible	No one eligible
Jr. Staff Surgeon	Staff Surgeon	31.03.2021 DPC held on 22.12.2020.	For 2021-22 and 2022-23, no one eligible.
Staff Surgeon	NFSG (Dental)	--	No one eligible prior to 2022-23, for 2022-23, to be processed for eligible doctors.
NFSG	SAG (consultant)	Only two NFSG cases are pending	Only two NFSG cases are pending for which matter is already under process.

[Signature]

5.5 Regular DPCs convened in respect of AYUSH sub cadre: -

Feeder	Promotional post	Completed upto	Remarks
MO (Ayurveda)	SMO (Ayurveda)	No one eligible	No one eligible
SMO (Ayurveda)	CMO (Ayurveda)	31.03.2021 DPC held on 22.03.2022, 02.09.2022	--
CMO (Ayurveda)	NFSG (Ayurveda)	31.03.2023 DPC held on 24.07.2023	No one eligible
NFSG(Ayurveda)	SAG (Ayurveda)	RR notified in 2022	Matter of eligible cases is under process.
MO (Homeopathy)	SMO (Homeopathy)	No one eligible	No one eligible
SMO (Homeopathy)	CMO (Homeopathy)	RR notified in 2021	Matter of 12 eligible cases is under process.

5.6. DPCs convened in respect of Absorbed medical officers of all cadres:

Cadre	Promoted upto	Remarks
GDMO	All Eligible promoted upto NFSG	--
Specialist	All Eligible promoted upto NFSG (Spel. Grade I)	--
Ayurveda	CMO (Ayur)	NFSG of all eligible upto 2022-23 is convened on 25.09.2023
Dental	NFSG (Dental)	--
During the year 2020-21 and 2021-22, promotion upto CMO (NFSG) was granted to almost all absorbed medical officers even from date of absorption in a no. of cases. Almost all promotion related absorption issues were resolved by convening review DPCs/DPCs upto NFSG all over India. In this way, unsettled/unresolved issue of absorbed medical officers have been resolved.		

6. In light of the above facts, it is observed that DPCs are conducted on regular basis in respect of all cadres of medical officers for granting time bound promotion under DACP Scheme.

7. This speaking order is issued in compliance of direction of Hon'ble CAT, Kolkata Bench order dated 17.07.2023 in the OA No. 2019/2023.


(Dr. Rajendra Kumar)
Director General

To,

1. General Secretary, ESIC Medical Officers' Association, R/o C-7, 1st Floor, Arya Samaj Road, Adarsh Nagar, New Delhi – 110033.