

	<p><b>क.रा.बी.निगम</b>  <b>आदर्श अस्पताल</b>  <b>बसईदारापुर, रिंग रोड,</b>  <b>नई दिल्ली -15</b></p>	 सत्यमेव जयते	<p><b>ESIC</b>  <b>Model Hospital</b>  Basaidarapur, Ring Road, New Delhi -  15</p>
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## VIGILANCE CELL

**Subject: Departmental proceedings in respect of Smt. Rajwinder Kaur, Nursing Officer-reg**

IT Cell may refer this branch U.O. note of even no. dated 11/05/2024 vide which it was requested to upload the information stated in the letter on website as per direction of the M.S. but no information regarding the same has been uploaded yet.



Therefore, it is once again requested to upload the copy of charge sheet (copy enclosed) on website under intimation to this branch so that HQ office may be apprised about the action taken report on the matter.

Signed by Thao Apao  
Date: 06-08-2024 14:00:51  
(Assistant Director,  
Vigilance)

IT Cell, ESIC Hospital, Basaidarapur

F.No.: 14/14/250/2022 MS(PS)

Date:-06/08/2024

 <b>क.रा.बी.न.</b> <b>E.S.I.C.</b>	<b>कर्मचारी राज्य बीमा निगम</b> <b>(श्रम एवं रोजगार मंत्रालय, भारत सरकार)</b> <b>EMPLOYEES' STATE INSURANCE CORPORATION</b> <b>(Ministry of Labour &amp; Employment, Govt. of India)</b>	 <b>सत्यमेव जयते</b>	<b>मुख्यालय/HEADQUARTER</b> <b>पंचदीप भवन, सीआईजी मार्ग, नई दिल्ली 110002-</b> <b>Panchdeep Bhawan, CIG Marg, New Delhi-110002</b> <b>Phone: 011-23238273, VOIP: 10011056</b> <b>Email: <a href="mailto:ac-vig@esic.nic.in">ac-vig@esic.nic.in</a></b> <b>Website: <a href="http://www.esic.nic.in">www.esic.nic.in</a> / <a href="http://www.esic.in">www.esic.in</a></b>
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No. C-14/14/06/2023--Vig.

Dated: 20.06.2023

**MEMORANDUM**

It is proposed to hold an Inquiry against Smt. Rajwinder Kaur, Nursing Officer, ESIC Model Hospital, Basaidarapur, New Delhi under Regulation 14 & Para 3 of the Third Schedule of the Employees' State Insurance Corporation (Staff and Conditions of Service) Regulations, 1959 (as amended). The substance of the imputations of misconduct or misbehavior, in respect of which the inquiry is proposed to be held is set out in the statement of article of charge at Annexure-I. A statement of the imputations of misconduct or misbehavior in support of article of charge is enclosed at Annexure-II. A list of documents by which, and a list of witnesses by whom, the article of charge is proposed to be sustained are at Annexures-III & IV respectively.

Smt. Rajwinder Kaur is directed to submit within 10 days of the receipt of this memorandum, a written statement of her defence and also to state whether she desires to be heard in person.

She is informed that inquiry will be held in respect of the article of charge in case same is not admitted. She should, therefore, specifically admit or deny article of charge.

Smt. Rajwinder Kaur is further informed that if she does not submit her written statement of defence on or before the date specified in Para 2 above or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Regulation 14 and Para 3 of the Third Schedule of the Employees' State Insurance Corporation (Staff and Conditions of Service) Regulations, 1959 (as amended) or the orders/directions issued in pursuance of the said Regulations, the inquiring authority may hold the inquiry against her, ex-parte.

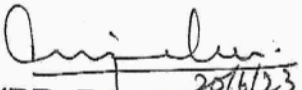
Attention of Smt. Rajwinder Kaur is invited to Rule 20 of the Central Civil Services (Conduct) Rules, 1964 under which no employee shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interests in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Smt. Rajwinder Kaur is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of Rule 20 of the CCS (Conduct) Rules, 1964, which are applicable to the employees of the Corporation by virtue of Regulation 23 of the ESIC (Staff and Conditions of Service) Regulations, 1959.

**STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SMT. RAJWINDER KAUR, NURSING OFFICER, ESIC MODEL HOSPITAL, BASAIDARAPUR, NEW DELHI**

**Article of Charge-I**

Smt. Rajwinder Kaur, Nursing Officer while posted at ESIC Model Hospital, Basaidarapur, New Delhi has committed misconduct, in as much as, in gross violation of Rule 7 of CCS (Leave) Rules, 1972, she has been absenting herself from duties unauthorizedly with effect from 01.10.2021.

By the aforesaid act, the said Smt. Rajwinder Kaur has exhibited lack of devotion to duty and acted in a manner unbecoming of a Corporation employee and thereby, violated Rule 3(1) (ii) & (iii) of the CCS(Conduct) Rules, 1964 read with Regulation 23 of the ESIC (Staff and Conditions of Services) Regulations, 1959, as amended.

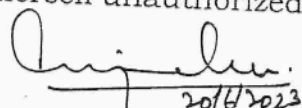
  
(DR. RAJENDRA KUMAR)  
DIRECTOR GENERAL



**STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF THE  
ARTICLE OF CHARGE FRAMED AGAINST SMT. RAJWINDER KAUR, NURSING  
OFFICER, ESIC MODEL HOSPITAL, BASAIDARAPUR, NEW DELHI**

1. Smt. Rajwinder Kaur, Nursing Officer vide letter dated 01.10.2021 submitted an application to Medical Superintendent, ESICMH Basaidarapur, New Delhi with the request of grant her leave citing that she is a single mother and there is no one to look after her son, without mentioning the nature of leave and its duration.
2. In view of the above, Smt. Rajwinder Kaur was informed telephonically on 11.10.2021 that her request had not been accepted and she was asked to forward the online request for leave. She failed to submit the same or resumed duties.
3. Smt. Rajwinder Kaur was issued a memorandum on 13/19.01.2022 by ESIC Model Hospital, Basaidarapur to explain the reasons for absenting herself unauthorizedly from duties w.e.f. 01.10.2021. The said memorandum was received back undelivered.
4. Another memorandum dated 14/17.02.2022 was issued to her for remaining absent from duty and was dispatched to her last known address(es), but she failed to submit any reply.
5. As Smt. Rajwinder Kaur did not report for duties even after the issue of the aforesaid memorandums dated 13/19.01.2022 and 14/17.02.2022, ESIC Model Hospital, Basaidarapur, New Delhi issued a Show Cause Notice under file No. 14/14/250/2022 MS(PS) dated 25.06.2022. However, she neither submitted any reply to said notice nor reported for duties.
6. As per Rule 7 of CCS (Leave) Rules, 1972 which are applicable to the employees of Corporation by virtue of the Second Schedule of the ESIC (Staff and Conditions of Service) Regulations, 1959:
  - a. *Leave cannot be claimed as of right.*
  - b. *When the exigencies of public service so require, leave of any kind may be refused or revoked by the authority competent to grant it, but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the Government servant*

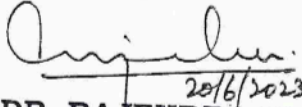
It is, therefore, evident that Smt. Rajwinder Kaur, Nursing Officer, in gross violation of Rule 7 of CCS (Leave) Rules, 1972, has been absenting herself unauthorizedly w.e.f. 01.10.2021.

  
20/6/2023  
(DR. RAJENDRA KUMAR)  
DIRECTOR GENERAL

**ANNEXURE-III**

**LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SMT. RAJWINDER KAUR, NURSING OFFICER, ESIC MODEL HOSPITAL, BASAIDARAPUR, NEW DELHI IS PROPOSED TO BE SUSTAINED**

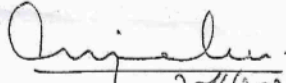
1. Memorandum issued by ESIC Model Hospital, Basaidarapur, New Delhi under F. No. ESI/BSH/Estt/1009/E-I (H) dated 13/19.01.2022
2. SCN issued by ESIC Model Hospital, Basaidarapur, New Delhi under F. No. 14/14/250/2022 MS (PS) dated 25.06.2022.
3. Rule 7 of CCS (Leave) Rules, 1972.

  
25/6/2023  
(DR. RAJENDRA KUMAR)  
DIRECTOR GENERAL

**ANNEXURE-IV**

**LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SMT. RAJWINDER KAUR, NURSING OFFICER, ESIC MODEL HOSPITAL, BASAIDARAPUR, NEW DELHI IS PROPOSED TO BE SUSTAINED**

1. Sh. R.P. Meena, the then Assistant Director (Vig.), ESIC MH, Basaidarapur, New Delhi.
2. Ms. Santosh Kumari, the then A.N.S., ESIC MH, Basaidarapur, New Delhi

  
20/6/2023  
(DR. RAJENDRA KUMAR)  
DIRECTOR GENERAL