

	<p>कर्मचारी राज्य बीमा निगम Employee State Insurance Corporation (श्रम एवं रोजगार मंत्रालय, भारत सरकार) (Ministry of Labour & Employment, Govt of India)</p>	 <p>सत्यमेव जयते</p>	<p>क.रा.बी.नि. चिकित्सा महाविद्यालय एवं अस्पताल, बसईदारापुर ESIC Medical College and Hospital, Basaidarapur रिंग रोड/Ring Road, दिल्ली/Delhi-110015 फोन/Phone - 011-25100664 ms-basaidarapur.dl@esic.nic.in e2-basaidarapur.dl@esic.gov.in</p>
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F.No: Z-17012/111/2025-E-II

Dated: 27.09.2025

CIRCULAR

Subject: Official intimation of expiry of term of office of existing elected body/office bearers of Service Association / Union bearing the name **ESIC D(M)D Employees' Union** and simultaneous withdrawal of privileges of such office bearers/union/service association till a valid and duly elected "accountable" body is installed or constituted in a transparent manner in public interest in conformity with Central Civil Services (Recognition of Service Association) Rules, 1993 circulated / amended vide Notification No. 2/10/80/-JCA dated 5th & 9th Nov. 1993 and 31st Jan. 1994 of Ministry of Personnel and Public Grievances and Pensions, and DoP&T OM No. 27/1/2007-Dir(C) dated 8th Feb. 2010.

Whereas, instructions provide that when any service association / union is recognized, ordinarily there shall be no change in its position for a period of 2 years from the date of its recognition or renewal of the representative office bearers provided it is not in breach of any kind of stipulations imposed for such recognition and failure to conduct elections within three months of the expiry of the term of any such body shall lead to de-recognition as mandated in Central Civil Services (Recognition of Service Association) Rules, 1993 circulated / amended vide Notification No. 2/10/80/-JCA dated 5th & 9th Nov. 1993 and 31st Jan. 1994 of Ministry of Personnel and Public Grievances and Pensions, and DoP&T OM No. 27/1/2007-Dir(C) dated 8th Feb. 2010, and the Department may also be at liberty to recognize any other union / service association till such de-recognized body fulfils all necessary conditions for re-recognition.

Whereas, vide Circular No. Z-17012/111/2025-E-II dated 20.08.2025, a reasonable opportunity was afforded to **ESIC D(M)D Employees' Union** to submit necessary documents / information to witness "Compliance Confirmation" under its Constitution / Bye-Laws, with respect to Headquarters Letter No. B-11/13/1/Union Info, -2024-E-II dated- 24.04.2025, and to present its case to not withdraw the recognition thereof.

Till date, the service association / union has not submitted its list of members and office bearers and up-to-date copy of the Rules and an audited Statement of Accounts of its income and expenditure as prescribed, and has also not submitted (a) Copy of their Constitution, Articles of Association / Memorandum of Understanding / Bye-Laws and associated Terms & Conditions; (b) Copy of the Registration Certificate; (c) Copy of approval letter of its recognition; (d) Details of the last election held and list of elected Office Bearers as per its Constitution, Articles of Association / Memorandum of Understanding / Bye Laws and associated Terms & Conditions and if no such election has been held within the time frame, reason thereof; and (e) Undertaking on confirmation compliance with CCS (RSA) Rules, 1993 as amended from time to time.

Whereas, the elections to such a representative body were last held in December, 2022 and thereafter, no such elections were held and new executive of the Service Association / Union has not been appointed from amongst the members even after lapse and expiry of the legitimate term of office of 2 years of their last elected term ending December, 2024 leave alone three months of expiry of such term, as stipulated in CCS (RSA) Rules, 1993 as amended from time to time. Alternatively, so as to say, nothing substantial has been heard from the service association / union even after a lapse of 9 months from the date of expiry of term of office as per last held election. However, the representative entity / governing body / executive of the Service Association / Union in question has been consistently representing or agitating its causes of engaging in or promoting 'common service interest' of its members before ESIC Medical College and Hospital, Basaidarapur with scant regard for CCS (RSA) Rules, 1993 and stepping-up unauthorizedly and unabashedly to take up cudgels on behalf of its members without any lawful mandate from them. Thus, it is reasonably held that technically, inferentially and authoritatively it has lost its "**totem locus-standi**" to use the platform of duly elected representative body espousing the cause, grievances, representations, demands, etc. of the personnel under its banner in the premises of ESIC Medical College and Hospital, Basaidarapur, New Delhi for the employees affiliated to such entity

Most saliently, the model constitution as mandated by **Central Civil Services (Recognition of Service Association) Rules, 1993** features that "**An Office bearer should have a fixed term not exceeding two years. if elections are not held within three months, of expiry of the term, the office bearer will cease to be duly-elected representatives of the Association**".

In view of the above, there are no grounds to extend the rights and privileges reserved for a recognized service association / union to **ESIC D(M)D Employees' Union** for all legitimate purposes in so far as ESIC Medical College and Hospital, Basaidarapur,

New Delhi is concerned – having failed to comply with the conditions set out in Rule 5 or Rule 6 or Rule 7 of the CCS (RSA) Rules, 1993 even after affording reasonable opportunity vide Circular No. Z-17012/111/2025-E-II dated 20.08.2025.

ESIC D(M)D Employees' Union and its office bearers are hereby estopped from the following activities till a valid and duly elected "accountable" body is installed or constituted in a transparent manner in public interest in conformity with Central Civil Services (Recognition of Service Association) Rules, 1993 circulated / amended vide Notification No. 2/10/80/-JCA dated 5th & 9th Nov. 1993 and 31st Jan. 1994 of Ministry of Personnel and Public Grievances and Pensions, and DoP&T OM No. 27/1/2007-Dir(C) dated 8th Feb., 2010 and during such period, the such rights and privileges, inter-alia, shall remain withdrawn or stay in "suspended animation"

(i) Right to raise issues of general nature concerning the terms of employment and conditions of service of employees in general and its member - employees in particular;

(ii) Right to collect membership fees/subscriptions payable by members to the service association / union within the premises of ESIC Medical College and Hospital, Basaidarapur, New Delhi directly and/or through Drawing & Disbursing Officer and receive grants, if any, made by ESIC for the furtherance of the objects of the Service Association / Union;

(iii) Right to amend the Constitution/Bye-Laws of the Service Association/ Union, without the prior and express approval of ESIC;

(iv) Right to put up or cause to put up a Notice Board on the premises of ESIC Medical College and Hospital, Basaidarapur, New Delhi and affix or cause to be affixed thereon or on property of any kind or description situated within the campus (including the boundary wall) notices relating to meetings, list of members and office bearers and up-to-date copy of the rules and an audited Statement of Accounts of its income and expenditure and other announcements & communications made or addressed by the Service Association/Union or by any office-bearer on its behalf, which are abusive, disrespectful, indecent and in improper language or inflammatory or subversive of discipline in general or otherwise contrary to the CCS (Conduct) Rules, 1964 as amended from time to time, in particular [any violation of defacement of ESIC property within the premises of ESIC Medical College and Hospital, Basaidarapur shall be prosecutable under " The Delhi Prevention of Defacement of Property Act, 2007" (Delhi Act 1 of 2009) (As passed by the Legislative Assembly of the National Capital Territory of Delhi on 31st March 2008) (17th January, 2009) and

notified vide Notification No. F 14(28)/ LA-2006/LC LAW/42-51 dated the 29th January, 2009];

- (v) Right to hold discussions with the employees who are members of the service association / union anywhere within the premises of ESIC Medical College and Hospital, Basaidarapur, New Delhi;
- (vi) Right to meet and discuss with the management of ESIC Medical College and Hospital, Basaidarapur, New Delhi or any officer appointed in this behalf for the purpose of prevention or settlement of an industrial dispute or any grievances related to its members employed in the premises of the immediate employer;
- (vii) Right to send any representation/s on its letter head or delegation/s in connection with matter/s of common interest and cause related to members of the Service Association / Union on its platform;
- (viii) Right to start or publish and circulate any periodical, magazine or bulletin without the prior and express approval of ESIC;
- (ix) Right to nominate its representatives on the Grievance Committee constituted under the grievance procedure in the establishment, if any;
- (x) Right to nominate its representatives on any welfare committee/s, canteen committee, official farewell functions of retiring employees and such like.

This issues with the approval of DEAN.

**Digitally signed by
Paschal Vivek Dsouza
Date: 01-10-2025
16:06:57**

Dr. (Prof.) Paschal Vivek D' Souza
Medical Superintendent
(for DEAN)
ESIC Medical College and Hospital
Basaidarapur, New Delhi – 110015

To,

ESIC D(M)D Employees' Union
[through Sh. Abishek Kumar Singh, Gen. Secretary]

Copy to (for information and necessary action as may be required) -

1. Sh Arindam Bhaumik, Jt. Director (E-II) / Sh. Manoj Kumar Sahoo, Asstt. Director (E-II), ESIC HQRS Office for favour of information w.r.t. letter no. B-11/13/1/UnionInfo.-2024/E-II dated. 24.04.2025.
2. Jt. Director (E-V) HQRS Office.
3. RD, Delhi Regional Office, ESIC, Rajendra Bhawan, Rajendra Place, Delhi - 110008.
4. Dean, ESIC Medical College & Hospital, Basaidarapur, New Delhi – 110015.
5. Branch Officer (E – I / II / III / IV / General / IT / Legal / PG & RTI / Rajbhasha) / O/o Dy. Nursing Superintendent / **DDO**, ESIC Medical College & Hospital, Basaidarapur.
6. ESIC Hospital, Rohini / Jhilmil / Okhla / Noida / Sahibabad / Gurugram / Faridabad / Manesar / D(M)D.
7. ESIC Medical Officers Association (Delhi-NCR) [through Dr. Md. Mozaffaruddin, Gen. Secretary (ESIC MOA)] / ESIC (M) Employee's Union (Delhi/Noida) [through Sh. Surender Pal, Gen. Secretary] / ESIC Nursing Officer's Association (Delhi-NCR) [through Sh. Deepak Yadav, Gen. Secretary] / ESIC Pharmacist Association, Delhi [through Sh. Kashmir Singh Gen. Secretary] / All India ESIC (Medical) Employees Federation [through Sh. Kishan Chand, OT Technician].
8. Website Content Manager, HQRS Office for uploading on ESIC website.

Dr. (Prof.) Paschal Vivek D' Souza
(for DEAN)

