

To,

The Director General,  
Headquarters Office,  
Employees' State Insurance Corporation,  
CIG Road, New Delhi – 110002.

Subject: For tendering reply to Show Cause Notice bearing File No. C-12/18/11/115/  
2023-Vig./1223 dated 18.07.2023.

Respected Sir,

With due regard, I would like to submit that I have received above referred Show Cause Notice on 20<sup>th</sup> July, 2023.

My reply to this SCN is appended in two parts as indicated below :

- A. Para-wise reply to Show Cause Notice.
- B. Detail of misdeed of Dealing Assistant cited in Show Cause Notice and Mafia active in ESIC Model Hospital Basaidarapur.

I am hopeful that after going through the facts of both two parts supported by Annexures, your good-self will not find my misconduct in my functioning.

I take this opportunity to reiterate that nothing is personal in my website [www.basaiherapheri.com](http://www.basaiherapheri.com) and every pinch of contents of website are official relating to ESIC Hospital Basaidarapur. All contents are public information uploaded for cause of public and in public interest in parlance with legal provisions and policy of Government of India for maintaining zero tolerance for corruption and cent percent transparency in public dealings.

Hence, the Hon'ble Director General is requested to kindly uphold the cause of public interest by absolving me of from these false and frivolous allegations.

Apart from these facts, I will submit addendum to these facts as the list of irregularities prevailing in Hospital are unending.

Yours faithfully,

Dated : 04<sup>th</sup> August, 2023.

( Heera Singh )  
Deputy Director (Admn)  
ESIC Model Hospital Basaidarapur,  
Delhi – 110015.

**Enclosed : Part – A, Part-B, and 16 Annexures.**

PART - A

Sr.No.	PARAS	REPLY
1.	<p>WHEREAS it has been brought to the notice of competent authority that Shri Heera Singh, Dy. Director, ESI Hospital, Basaidarapur has opened a website with name <a href="http://www.basaiherapheri.com">www.basaiherapheri.com</a> and uploaded official documents on the said website. The existence of website has been checked. It is further observed that official documents have also been uploaded on the said website.</p>	<p>As per Section 93 of the ESI Act, 1948 all officers and servants of the Corporation shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860) and hence, I am a public servant.</p> <p>I have been designated with the pious role of Central Public Information Officer and Public Grievance Officer of ESIC Model Hospital, Basaidarapur, Delhi 110015. In view of this pious roles I was supposed to extract actionable applications from website of RTI Portal and Public Grievances Portal of Government of India. And in order to pacify the demand of information and remedial action I was supposed to provide related public information / documents to public in public interest as per the policy of GOI under the RTI Act, 2005 and Public Grievance Redressal policy of GOI.</p> <p>All contents and materials disseminated under the statutory provisions of Section 4 of the RTI Act, 2005 read with para 29 of Part IV <b>GUIDE ON RIGHT TO INFORMATION ACT-2005</b> which states as follows :</p> <p>“The Act makes it obligatory for every public authority to make suomotu disclosure in respect of the particulars of its organization, functions, duties and other matters, as provided in section 4 of the Act. The information so published, according to sub-section (4) of section 4, should be easily accessible with the Public Information Officer in electronic form. The Public Information Officer should, therefore, make concerted efforts to ensure that the requirements of the Section 4 of the RTI Act 2005 are met and maximum information in respect of the public authority is made available on the internet. It would help him in two ways. First, the number of applications under the Act would be reduced and secondly, it would facilitate his work of</p>

		<p>providing information inasmuch as most of the information would be available to him at one place.”</p> <p>Hence, I reiterate that nothing is personal in my website and every pinch of contents of website are official relating to ESIC Hospital Basaidarapur. All contents are public information uploaded for cause of public and in public interest in parlance with above cited legal provisions and policy of Government of India for maintaining zero tolerance for corruption and cent percent transparency in public dealings.</p>
2.	<p>WHEREAS opening/hosting of an electronic media is gross violation of CCS (Conduct) Rules. Shri Heera Singh has not only opened the website but uploaded the official documents also. He has, thus, failed to maintain propriety of Govt./official documents and tried to defame the image of Organisation.</p>	<p>Sir, I grossly deny the allegation that I have opened / hosted electronic media. Hosting electronic media is a very costly affair beyond my capability and capacity. Hosting electronic media require sufficient space, equipment and manpower. Whereas opening a website only require knowledge of webpage designing only and little borrowed space on public web servers.</p> <p>The allegation of myself failing to maintain propriety of Govt./official documents and tried to defame the image of Organisation is grossly denied on same grounds as specified against para- I above.</p> <p>Hence, I reiterate that I always maintain propriety of official documents. I have never done anything which has damaged the image of ESIC Hospital, Basaidarapur. Rather, I would like to state that I was trying to bring lost reputation of ESIC Hospital Basaidarapur which has degraded during last 10 to 15 years because of prevailing corruption. All contents are public information uploaded for cause of public and in public interest in parlance with legal provisions and policy of Government of India for maintaining zero tolerance for corruption and cent percent transparency in public dealings.</p>

3.	<p>AND WHEREAS on the relieving order of an Assistant, Shri Heera Singh levied serious allegation against him (Asst.) and uploaded the same on above mentioned website whereas as per comments of Controlling Authority, nothing such has been observed by the office. He has, thus, defamed the image of Corporation and an individual as well.</p>	<p>The allegations levelled against Assistant are based on concrete facts and the lapses committed by the Assistant under supervision of Primary Buyer, i.e. MS, Secondary Buyer Ex-DDG, PAO, AD(F), OS(G) is detailed in PART – B of this document.</p> <p>The Comments of Controlling Authority that nothing such has been observed by the office is grossly incorrect and All the instances on which the Controlling Officer had ordered to seek explanation of DA is explained in PART – B of this document.</p> <p>The act of controlling authority i.e. Medical Superintendent as mentioned in SCN is a clear offence under :</p> <ol style="list-style-type: none"> <li>1. Section 3 (q) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as the Controlling Authority has given false or frivolous information to any public servant (i.e. the Director General, ESIC) and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe.</li> </ol> <p>Under Section 8 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 it is proved that the accused was having personal knowledge of the victim's identity as member of SC/ST as victim being Secretary General of All India ESIC SC/ST Officers' and Employees' Federation.</p>
4.	<p>Thus, his above actions are in gross violation of CCS (Conduct) Rules.</p>	<p>In view of above I strongly deny the allegation made and want to submit that the SCN issued to me was a confidential document and on the very next days a copy of the same was circulating in social media and the aim of the circulation was to bring defame to my name.</p> <p>I hope the Hon'ble DG will sensitize the responsible officers for this kind of defamatory action.</p>

5.	NOW, THEREFORE, Shri Heera Singh, Dy. Director is called upon to Show Cause and clarify, within 15 days from the receipt of this notice, as to why disciplinary action should not be initiated against him for the aforesaid lapses. If no reply is received from him within the stipulated period, It will be presumed that he has nothing to state in the matter and action as deemed fit will be initiated accordingly.	In view of above facts, it is clear that all actions are initiated for cause of public and in public interest in parlance with legal provisions and policy of Government of India for maintaining zero tolerance for corruption and cent percent transparency in public dealings.  Hence, the Hon'ble Director General is requested to kindly uphold the cause of public interest by absolving me of from these false and frivolous allegations.
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Dated : 04<sup>th</sup> August, 2023.

( Heera Singh )  
Deputy Director (Admn)  
ESIC Model Hospital Basaidarapur,  
Delhi – 110015

## PART – B

### MISDEEDS OF SHRI RAJESH KUMAR, ASSISTANT.

1. F. No. 112-DM(H)D-34/14/H.K.M/2018/NMS/Gen-29. (Enclosed Noting page No. 180/N to 206/N as [ANNEXURE - I](#))

A. Shri Rajesh Kumar, Assistant was involved in procurement of Bio Medical Waste bags as DA to GeM Secondary buyer at a cost of Rs. 15,61,450/- which as per agreement was to be supplied by House Keeping Agency in their work contract. This undeserving spending was done in spite of the fact that the same was recorded by the DA of file of House Keeping subject clearly stated that it is to be supplied by agency. Note of DA dated 19-05-2022 in page No. 180/N, note dated 21-06-2022 in page No. 183/N, note dated 19-07-2022 in page No. 186/N, note dated 16-08-2022 in page No. 189/N, Note dated 30-08-2022 on page No. 190/N, note dated 14-09-2022 in page No. 193/N, note dated 26-09-2022 in page No. 194/N, note dated 29-09-2022 in page No. 195/N, note dated 10-10-2022 in page No. 197/N, note dated 16-11-2022 in page No. 196/N, note dated 05-12-2022 in page No. 201/N and note dated 09-12-2022 in page No. 202/N has contributed in this unlawful procurement.

The matter has been submitted to DG and CVO, Hqrs Office for vigilance action.

B. Shri Rajesh Kumar, Assistant was involved in processing of payment vide his **note dated 12-01-2023 on page No. 203/N** or procurement of some item in GeM work Order No. 511687775690682 dated 25-03-2019 and GeM Work Order No. 511687734157666 dated 16-07-2019 the file was forwarded to me vide note dated 14-01-2023 with the proposal that before processing payment Finance and Accounts branch may be requested to verify whether the said bill have not been cleared as yet.

The procurement work Order was related to year 2019 and the file was being submitted for payment in year 2023 which should have ideally been issued within 10 days of creation of CRAC. Hence, I made following observations in file vide my **note dated 14-01-2023 on page No. 203/N to 205/N** submitted before MS:

“A) Both the procurements were made in 2019 on GeM Portal.

- B) Both the payment for procurement related to GeM Procurement Order No. 511687775690682 dated 25-03-2019 and GeM Procurement Order No. 511687734157666 dated 16-07-2019.
- C) It is clear from proposal that this office is not in position to verify the status of payments in these cases in spite of fact that procurement is made in GeM portal.
- D) It is clear that all secondary role users (i.e. Buyer, Consignee and PAO) are either not dealing procurement subject in synchronized manner or are intentionally delaying payments / harassing third party / vendors. By doing so they are also creating scope for creation of fake / double payment as is done in past also.
- E) Asking employer to submit indemnity Bond in spite of prevalent provision of Recovery under Section 70 under ESI Act, 1948 also seems to be malicious.

Hence, following are actionable points:-

- a) All users of Buyer roles should share list of procurement of last 4 years with user of consignee and PAO roles.
- b) All users of Consignee role should verify their physical verification / consignment receipt and Acceptance Certificate on GeM portal.
- c) All users of PAO role should verify detail of payment on GeM portal.
- d) There is a smell of foul play in the matter, Hence, case may be referred to Vigilance."

The MS in place of sensitizing GeM procurement system of ESIC Model Hospital Basaidarapur made observation in file as follows :

1. DA to explain regarding for File being send to other department / section.
2. AD (F) to see & do the needful.

Subsequently, I came to know that because of these kind of irregularities the ESIC Model Hospital Basaidarapur has been marked with Red Flag indicator terming Hospital as defaulter for not following the terms and conditions of GeM Portal thus defaming department.

2. **F. No. 112-DM(H)D-15/20/02/2018/Gem. (Enclosed Noting page No. 51/N to 65/N as ANNEXURE - II)**

**Bid No. GeM/2022/B/2429763**

The work order was issued on the basis of fake OEM authorization Certificate for Lexmark cartridges and supply of fake/duplicate cartages were procured the DA was instrument in operating GeM portal on behalf of the then DDG and ignored these fake certificate and receipt of fake cartridges out of this procurement process.

The DA was instrumental in processing the file vide his note dated 08-10-2022 on page No. 57/N, note dated 12-10-2022 on page No. 58/N, note dated 25-10-2022 on page No. 59/N.

Irregularities in procurement was indicated in the file by the undersigned on noting page No. 64/N to 65/N of file.

The MS recorded in file to seek explanation of DA for delaying processing of file vide his note on page No. 65/N.

The letter of OEM declaring authorization certificate as fake is enclosed as ANNEXURE – III.

3. **F. No. DM(H) 18/27/Misc/Cart/2017/GeM-04 (Enclosed Noting page No. 92/N to 118/N as ANNEXURE - IV)**

The work order was issued on the basis of fake OEM authorization Certificate OEM cartridges in the name of M/s Kyocera and fake / duplicate cartages were procured the DA was instrument in operating GeM portal on behalf of the then DDG and ignored these fake OEM Auth. certificate and receipt of fake cartridges out of this procurement process.

The DA was instrumental in processing the file vide his note dated 03-08-2022 on page No. 102/N, note dated 27-07-2022 on page No. 101/N, note dated 28-09-2022 on page No. 108/N.

Irregularities in procurement was indicated in the file by the undersigned on noting page No. 117/N to 118/N of file.

The MS recorded in file to seek explanation of DA for delaying processing of file on noting page No. 118/N.



The letter of OEM declaring authorization certificate as fake is enclosed as [ANNEXURE – V](#).

The documentary evidence of use of fake cartridge is enclosed as [ANNEXURE – VI](#).

4. **F. No. 112-DM(H)D-17/14/2018/GeM-07 (Enclosed Noting page No. 79/N to 123/N as ANNEXURE - VII)**

1. While processing bill of M/s Vardhman Printers, I got opportunity to examine noting page No. 79/N to 123/N and gross irregularities detected by the undersigned are as follows :

It was observed that Shri Rajesh Kumar, Assistant under supervision of Basai Mafia has submitted a proposal for payment of Rs. 15,69,905/- (Rs. Fifteen lakhs Sixty nine thousand nine hundred five only) to M/s Vardhman Printers for supply of 53 numbers of stationery and printing items in GeM Bid No. GEM/2022/B/2356638 dated 22/07/2022 and GeM Contact No. 5116877-35003830 in File F.No. 112-DM(H)D-17/14/2018/GeM-07 on 14-02-2023.

- A. A committee was constituted on noting page No. 81/N for purpose of carting printed stationary items with members as 1) DDG, 2) Shri R.P. Meena, 3) Sister Santosh and 4) ADF. Whereas, on noting page No. 85/N the committee in absence of one of the members Sister Santosh carted stationery printing items with BID No. GEM/2022/B/2356638 dated 22/07/2022.

**[The DA has failed to seek approval of Competent Authority on change of composition of Committee.]**

- B. On noting page No. 89/N the committee coopted Sister Santosh in violation of committee approved by Competent Authority on noting page No. 85/N.

**[The DA has failed to seek approval of the Competent Authority on change of composition of Committee.]**

- C. On noting page No. 90/N a committee was constituted by officiating MS for financial evaluation of bids comprising 1) DDG, 2) Sister Santosh and AD(F). The tender

opening committee evaluated financial bids on page No. 93/N and on noting page No. 95/N the Finance and Accounts gave concurrence on the basis of which specimens of documents to be printed were given to printing agency. On noting page No. 100/N proposal was made to make contingent purchases in absence of supply from vendor which was due for delivery by date 14-09-2022. On noting page No. 103/N the Deputy Director (General) recommended that “Vendor may be called telephonically to supply the items within 3 days else we may cancel the order” which was approved by the then Medical Superintendent. On noting page No. 103/N in view acceptance of recommendation of DD(G) for cancellation of work of GeM Order No. 5116877-35003830 dated 30-08-2022 if deliveries are not made within three days the contingent proposal of alternate procurement was accepted by MS and concurred by Finance and Accounts Branch.

- D. On noting page No. 109/N it is found that note was moved by DA on 24/11/2022 in eoffice file number GE/83/2022-Gen (not reflected in noting) for nominating inspecting officer for inspection of stationery items which was routed through OS, DDG which was approved by the officiating MS. It is observed that the GeM procurement which was approved to be cancelled by the Medical Superintendent on hard file was submitted to officiating MS in eoffice file so that the facts regarding decision of cancellation of GeM procurement by MS could not be detected.

**[The DA has misled the Competent Authority on material facts that the procurement process has been approved for cancellation by the Competent Authority on Noting page No. 103/N.]**

- E. The GeM Order was issued on 30-08-2022. The last date fixed for supply was till 14-09-2022. The Consignee Receipt & Acceptance Certificate is issued by the Consignee Shri S.P. Pandey, Deputy Director on 23<sup>rd</sup> December, 2022.

**[The DA has failed to remind GeM secondary user Consignee for issuing of Consignee Receipt and Acceptance Certificate of items for over two months causing unnecessary delay in GeM bill settlement process]**

F. Under GeM procurement regime the designated person to accept and reject the consignment is the secondary user Consignee who is expected to generate Consignee Receipt and Acceptance Certificate (CRAC). Once the CRAC statement is generated the designated person i.e. secondary user buyer can generate e-bill for making payment.

**[Whereas, DA in violation of GeM procedure had mislead the Competent Authority to nominate officer other than Consignee to verify supplies from Seller vide his note dated 24-11-2022 in Noting page No. 109/N.]**

G. That, in spite of the fact that the process of GeM procurement which was approved to be cancelled on noting page No. 103/N by Medical Superintendent the DA had neither sought cancellation of GeM procurement on portal nor sought permission to restore the procurement process from Competent Authority.

**[The DA has failed in his above mentioned duties.]**

H. That, in spite of the fact that the process of GeM procurement which was approved to be cancelled on noting page No. 103/N by Medical Superintendent was processed and recommended by the DA without highlighting these material facts.

**[The DA has concealed necessary facts and had not recommended for suitable action of rectifying the errors in GeM procurement process for seeking condonation of deviation from the competent authority.]**

2. Apart from above, some more serious irregularities were observed in procurement process simultaneously initiated during the period of processing of this GeM procurement transaction:

- A. In most of these procurement proposals, the reference of relevant GFR rule under which the procurement process is being initiated is not quoted / reflected.

**[The DA has failed in his above-mentioned duties.]**

- B. The modalities which are prescribed under Rule 155 of GFR, 2017 for purchase of goods by Local Purchase Committee is not being followed as no survey of market is conducted by the committee members. (Reference Noting Page No. 87/N, 101/N-102/N & 113/N.)

**[The DA has failed in his above-mentioned duty of ensuring survey of market.]**

- C. The modalities which are prescribed under Rule 162 of GFR, 2017 for purchase of goods by Limited Tender Enquiry is not being followed as the number of supplier firms in Limited Tender Enquiry should be more than three. Whereas the bids evaluated in all cases are three only. (Reference Noting Page No. 87/N, 101/N-102/N & 113/N.)

**[The DA has failed in his above-mentioned duty of ensuring inviting at least four bids under Limited Tender Enquiry.]**

- D. Thus, **the DA allowed cocktail of two entirely different processes while following GFR,2017 and failed in maintaining sanctity of procedures giving clear cut scope for doubt on procurement process.**
- E. On date 01-10-2022 in noting page No. 107/N of hard file it was observed that a proposal was moved for procuring some items from GeM for which the Medical Superintendent nominated a committee of three officers namely 1) DDG, 2) Shri Heera Singh and 3) ADF. Subsequently vide one eoffice file noting which is placed in hard file at noting page No. 112/N same proposal was again moved on 07-12-2022 and without highlighting the fact that one committee is already constituted by regular Medical Superintendent and thus made officiating MS to nominate a fresh Committee.

**[The DA had misled the Competent Authority to nominate a committee for a purpose for which one Committee was already existing. For this purpose, option of processing note on E Office was misused]**

F. In noting page No. 111/N it was approved by the Medical Superintendent that the purchase officer for purchasing 20 % of GeM requirement is Shri R.P. Meena, AD. Whereas, the procurement was made by following mix procedure of Local Purchase Committee (Rule 155 of GFR Rule, 2017) and Limited Tender process (Rule 162 of GFR Rule, 2017) by bypassing the duly nominated / designation officer Shri R.P Meena, Assistant Director.

**[The DA had failed to ensure that the procurement is made by the designated officer only.]**

3. The matter was proposed to be referred to Headquarters Vigilance to Competent Authority and the Competent Authority has taken it very seriously and instructed to seek explanation from DA and OS on above misconducts in pointwise manner copy enclosed as [ANNEXURE - VIII](#).

Shri Rajesh Kumar, Assistant, General Branch was instructed to give explanation on his act of misconduct (**Copy of Memorandum issued to DA is enclosed as [ANNEXURE - IX](#)**)

The casual reply of Shri Rajesh Kumar, Assistant, General Branch was received (**Enclosed as [ANNEXURE - X](#)**)

Copy of noting showing warning to DA signed by MS is **also enclosed as [ANNEXURE - XI](#)**.

Since, lastly the proposal for cancellation of work order was approved by Medical Superintendent in file on page No. 103/N and the deliveries were received without extension of supply period by Primary and Secondary Buyer. Subsequently, the supply period was

extended without approval of Competent Authority and CRAC was generated lately by user role consignee and the bill was generated by user role buyer. When the bill was submitted before the undersigned the Proposal was moved to seek ratification of this irregularity from Headquarters Office which MS refused and payment was approved by MS on his own on recommendation of a committee and thus payment was released.

Subsequently, a fake Complaint (**enclosed as ANNEXURE - XII**) was received from Shri Veeru Singh from Bangalore with some absurd allegations with some xerox copies of records of the office. The complainant was issued one letter which returned back undelivered. Since, the allegation was with respect to transaction with M/s Vardhman Printers the matter was examined and vendor was asked to give his opinion on complaint.

The Vendor vide his letter dated 09-06-2023 (**Copy enclosed as ANNEXURE - XIII**) denied the facts of complaint of Shri Veeru Singh against Shri Rakesh Kumar, LDC and rather stated that the DA Shri Rajesh Kumar harassed him by various means and the detail of complaint are as follows :

1. The specimen of printable items was not provided immediately by Shri Rajesh Kumar and it was delayed from one week to four weeks. It is suspected that the delay was caused only to compel vendor to cancel work order so that they could give the work order to their known vendors.
2. The work order was sincerely executed by vendor but due to delay in giving of specimen of printable items the work order could not be completed in due time as per GeM requirement.
3. Deliveries of all printable items were received by the consignee but the last date of delivery of items was not extended so that the process of creating CRAC and Generating bill on GeM portal could not be allowed.
4. In the process he also pressurized him to submit delivery challans of single date i.e. 27-09-2022 on the pretext that GeM portal is not accepting multiple dated delivery challans.
5. Later on, Shri Heera Singh, Deputy Director informed that the work order in this case has been approved to be cancelled by Medical Superintendent and delivery and

acceptance of delivery was not proper. It needs to be rectified by Headquarters and the payment may take some time.

6. The Vendor received payment very late in violation of GeM procedure and Vendor should have been paid interest at a rate of 12 % for delay of nearly eight months as he had paid interest to the paper dealers for non payment in time.
7. The deduction of Rs. 22,215/- liquidated damages on account of late delivery but providing of specimens were late from Hospital's end as well as approval of proof was also delayed at Hospital's end.
8. Further to above it was also complained by vendor that Shri Rajesh Kumar, Dealing Assistant had demanded 10% of tender value for smooth clearing of work order, which was too high to be accommodated.

Shri Rajesh Kumar, Dealing Assistant was asked to give his facts on the matter vide Public Grievance Officers UO Note No C-12018/45/2023-PG dated 22-07-2023 enclosed as [ANNEXURE – XIV](#).

Shri Rajesh Kumar, Assistant submitted his reply vide his application dated 02-08-2023 copy enclosed as [ANNEXURE – XV](#) which was addressed to the Medical Superintendent. Since, Shri Rajesh Kumar, Assistant was DA of subject during the period he was asked to confirm the facts of subject recorded on file vide detail given in para 1 to 9, to which Shri Rajesh Kumar kept mum. In para 10 Shri Rajesh Kumar, Assistant was asked to give detail of facts of allegation levelled by Vendor which was also not replied. On the contrary Shri Rajesh Kumar, Assistant seems to be focussing on just complaining against the undersigned.

While examining facts of the case and perusal of File noting enclosed as [ANNEXURE – VII](#) Noting page No. 96/N out of 59 only 34 samples were provided on 03-09-2022, whereas the GeM Order No. 5116877-35003830 was issued on 30-08-2022 and the last date for supply of printed stationery was 14-09-2023. The file is silent on delivery of remaining sample items. Hence, all allegations of Vendors are found to be true. The DA is being protected by the Officiating MS for reason of his own involvement in the irregularities.

Shri Rajesh Kumar, Assistant had not only shown complete disregard for a Public Grievance Officer but also disrespected the Grievance Redressal Mechanism of Government of India and for every irregularity he is being protected by the Medical Superintendent at the cost of defame

to our one time reputed Hospital. **The Hospital is currently marked as Red Flag defaulter buyer for want of lack of sincerity of in Officers assigned the roles of GeM i.e. Buyer Primary and Secondary, Consignee and Pay and Accounts Officer.**

It was also found that Shri Rajesh Kumar, Assistant had drawn multiple temporary Advance in his name and not submitted adjustment. He was issued a Memorandum enclosed as **ANNEXURE – XVI** whereby he was directed to give detail of advances drawn by him and to this reply he submitted a list of 9 advances. Shri Rajesh Kumar, Assistant failed to give settlement of advances during my tenure as Deputy Director (General Branch) and AD (F) was adamant to not to release any contingent advance in absence of these settlement.

All these irregularities were detected during my short tenure and with the study of very limited files. Because of all these kinds of inefficiencies he was not found fit for sensitive seats specially those seats which deal with third party work or bills.

Further irregularities are as follows :

Shri Rajesh Kumar Assisted GeM Buyer, Primary, GeM Buyer Secondary, GeM Consignee and GeM Pay and Accounts Officer in committing following irregularities in violation of GFR and GeM portal Guidelines:

1. The procurement was processed in five parts in year 2022-23 by splitting the Annual Requirement in financial year 2022-23 in violation of GFR Rule 149(vi).
  - i) BID No. GEM/2022/B/2227549
  - ii) BID No. GEM/2022/B/2307377
  - iii) BID No. GEM/2022/B/2429763
  - iv) BID No. GEM/2022/B/2994410
  - v) BID No. GEM/2022/B/2994455
2. The procurement on GeM was done by customising the Bid (BOQ) in spite of fact that the product category was available in GeM Portal, which is in violation of GeM guidelines.
3. BOQ / Customized bidding is strictly forbidden for procurement below the value of Rs. 5,00,000, whereas it is found that a total of four procurement proposal below the value of Rs. 5,00,000=00 were processed under BOQ/ Customized bid by the GeM buyer secondary without specific approval of GeM Buyer Primary in collusion with Pay and Accounts Officer.



4. The procurement Bid was customized (BOQ) in such a way that only known vendors could become eligible.
5. The eligibility conditions were customized in such a way that only OEM authorized vendors with fake authorization certificate could be treated as eligible.
6. Similar set of suppliers are bidding for variety of diverse products with fake certificates.
7. Many of Kyocera Printers were found non-functional due to use of fake cartridges and the Authorized Service partner gave Report that Toner damaged + Empty and Developer Unit faulty due to duplicate toner use which was ignored by GeM Buyer Primary, GeM Buyer Secondary and GeM Pay and Accounts Officer.
8. Re-furbished junk material was being purchased and the users were pressurized to consume these junk items.
9. Many of our Doctors and Medical and Para-Medical Staff of Hospital use to purchase indispensable consumable stationery items and get their printer cartridges refilled at their own cost in order to run the working of Hospital.
10. The conniving elements in order to pursue this mode of corruption made three costly Toshiba Photocopier machines unutilized so that consumption of fake laser printer cartridges could be increased. The Toshiba Photocopier machines were also not covered under any AMC / CMC.
11. Neither Computer peripherals nor printers were covered under AMC / CMC so that the issue of fake printer cartridges could not be detected.
12. During Committee Meetings these fake (L-1) OEM Certificates were called for and entertained with the title of Proprietary Article Certificate, whereas, from nowhere it was Proprietary Article Certificate.

It is also informed that I have recommended nearly one dozen case to be referred to Vigilance to Medical Superintendent all of which were turned down. Further to it, I have raised issued on only those issues which came to me during course of my work only which included work of Non-Medical Stores only. If Medical Store is examined a lot of seepage of public fund can stopped.

Sir, I am hopeful that all above facts must be sufficient to establish that the Controlling Authority has bluffed the vigilance machinery of Headquarters Office on circumstances prevailing in ESIC Model Hospital Basaidarapur and role of various officials of this Hospital. I am making sincere efforts for improving the condition of our prestigious Hospital and we all have to work sincerely on gross irregularities to improve services to our stake holders.

Dated : 04<sup>th</sup> August, 2023.

( Heera Singh )  
Deputy Director (Admn)  
ESIC Model Hospital Basaidarapur,  
Delhi – 110015

**Enclosed : 16 Annexures.**

List detail.

- [Annexure – 1](#) (pages 27)
- [Annexure – 2](#) (pages 10)
- [Annexure – 3](#) (pages 4)
- [Annexure – 4](#) (pages 20)
- [Annexure – 5](#) (pages 1)
- [Annexure – 6](#) (pages 2)
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