

To,

The First Appellate Authority,
Employees' State Insurance Corporation,
Panchdeep Bhawan, CIG Road,
New Delhi – 110002.

Subject : **First Appeal in case of refusal to my application for seeking information under the Right to Information Act, 2005.**

Sir,

With due regard, I would like to submit that I was called for examination by the **Internal Complaint Committee of ESIC Hospital & PGIMS Basaidarapur** as a respondent, whereby I came to now that a false complaint dated 19-05-2023 was filed by an Aggrieved Woman against me with subject "Complaint of harassment, humiliation and creating an intimidating, offensive, hostile environment by undersigned".

During my examination I was provided with the contents of allegations made by Aggrieved Woman. From contents of complaint, it was clearly evident that allegations were not only false, fabricated and unfounded but it in no way comes within the definition of "Sexual Harassment" as per Section 2(n) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Though, the aggrieved woman had raised complaint before the Chairperson of Sexual Harassment Committee but the content of complaint does not depict any conduct on my part which can be considered as act or behaviour (whether directly or by implication) namely:-

- (i) physical contact and advances; or
- (ii) a demand or request for sexual favours; or
- (iii) making sexually coloured remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

This kind of false and frivolous allegation has caused immense damage to my character and reputation built over last 15 years. It has not only tarnished my image in person but also as Secretary General of All Indian ESIC SC/ST Officers/Employees Federation where I have protected the interest of many Aggrieved Women.

Now, since, the Aggrieved Woman's statement also confirms absence of "Sexual Harassment" in my conduct and the Committee had also concluded in its final report by giving decision that although there is no corroborative evidence related to Sexual Harassment, but the use of word "Chhoti Medical Superintendent" inspite of objection by AW and use of "DD(G) in

collusion with AD(F) in the files”, “corruption” and other accusations against the AW in public forum/website has created a hostile work environment for the aggrieved woman.

In absence of conduct without attributes as enlisted in definition of “Sexual Harassment” in Section 2(n) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 the circumstance as prescribed in Section 3(2) will not amount to “Sexual Harassment.

It is clearly a case of misuse of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 for using it as a ground of defence against all kind of Corrupt practices by the Basai Corrupt Regime.

In public interest following information was required to restore my dignity and honour which are essential part of right to life, hence, I had requested for following information on urgency basis I submitted enclosed RTI Application on 11.09.2023 so that, I could seek justice at appropriate forums:

- 1) A copy of complaint and rejoinders (if any) submitted by the Aggrieved Woman with all annexures.
- 2) A copy of all communication made by the Internal Complaint Committee with all annexures.
- 3) A copy of all evidences recorded by witnesses with all annexures.
- 4) A copy of all letter and references received from any source for bringing direct or indirect pressure on ICC.
- 5) A copy of related noting of file in which the complaint dated 19-05-2023 was dealt.

Hence, the First Appellate Authority is requested to kindly direct the CPIO Headquarters to release the information as early as possible.

Yours faithfully,



Enclosed : As above.

Date : 12-10-2023.

(Heera Singh)
House No. 1041, Sector 15,
Vasundhara, Ghaziabad,
UP - 201012.
Mobile No. 9868241160

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)			
Registration Number (पंजीकरण संख्या) :	ESICO/R/E/23/02833	Date of Receipt (प्राप्ति की तारीख) :	11/09/2023
Type of Receipt (रसीद का प्रकार) :	Online Receipt	Language of Request (अनुरोध की भाषा) :	English
Name (नाम) :	HEERA SINGH	Gender (लिंग) :	Male
Address (पता) :	House No. 1041,, Sector 1, Vasundhara,, Ghaziabad, Pin:201012		
State (राज्य) :	Uttar Pradesh	Country (देश) :	India
Phone Number (फोन नंबर) :	+91-8860772418	Mobile Number (मोबाईल नंबर) :	+91-9868241160
Email-ID (ईमेल-आईडी) :	eeera18@yahoo.co.uk		
Status (स्थिति)(Rural/Urban) :	Urban	Education Status :	Above Graduate
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	Citizenship Status (नागरिकता)	Indian
Amount Paid (राशि का भुगतान) :	10) (original recipient)	Mode of Payment (भुगतान का प्रकार)	Payment Gateway
Does it concern the life or Liberty of a Person? (क्या यह किसी व्यक्ति के जीवन अथवा स्वतंत्रता से संबंधित है?) :	No(Normal)	Request Pertains to (अनुरोध निम्नलिखित संबंधित है) :	Heera Singh Hosp. PGIMS. BASAIDARAPUR
Information Sought (जानकारी मांगी):	Please provide me information as per the attached RTI Application.		
<input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/>			

ANNEXURE - A

To,

The Central Public Information Officer,
ESIC Headquarters Office,
New Delhi 110002.

Subject: **Application for seeking information under the Right to Information Act, 2005.**

Sir,

I was called for examination by the **Internal Complaint Committee of ESIC Hospital & PGIMS Basaidarapur** as a respondent, whereby I came to know that a false complaint dated 19-05-2023 was filed by an Aggrieved Woman against me with subject "Complaint of harassment, humiliation and creating an intimidating, offensive, hostile environment by undersigned".

During my examination I was provided with the contents of allegations made by Aggrieved Woman. From contents of complaint it was clearly evident that these were not only false, fabricated and unfounded allegations but it in no way comes within the definition of "Sexual Harassment" as per Section 2(n) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Though, the aggrieved woman had raised complaint before the Chairperson of Sexual Harassment Committee but the content of complaint does not depict any conduct on my part which can be considered as act or behaviour (whether directly or by implication) namely:-

- (i) physical contact and advances; or
- (ii) a demand or request for sexual favours; or
- (iii) making sexually coloured remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

It is clearly evident to all that there is no supportive evidence of any kind of sexual harassment to Aggrieved Woman.

This kind of false and frivolous allegation has caused immense damage to my character and reputation built over last 15 years. It has not only tarnished my image in person but also as Secretary General of All Indian ESIC SC/ST Officers/Employees Federation where I have protected the interest of many Aggrieved Women.

In view of this complaint, I put on hold my fight against corruption in ESIC Hospital Basaidarapur (which is necessary to improve the functioning of Hospital) as my fight against corruption is being depicted as an act of Sexual Harassment by the Aggrieved Woman. I have waited for time limit of 90 days for completion of investigation by ICC so that no external pressure could be felt by the Committee.

Now, I feel that the Committee had concluded its investigation in the matter and hence, I want to seek legal recourse in the matter. Since, the information is required to restore my dignity and honour which are essential part of right to life, hence, you are requested to kindly provide me following information on urgency basis:

- 1) A copy of complaint and rejoinders (if any) submitted by the Aggrieved Woman with all annexures.
- 2) A copy of all communication made by the Internal Complaint Committee with all annexures.
- 3) A copy of all evidences recorded by witnesses with all annexures.
- 4) A copy of all letter and references received from any source for bringing direct or indirect pressure on ICC.
- 5) A copy of related noting of file in which the complaint dated 19-05-2023 was dealt.

Yours faithfully,



(Heera Singh)
Deputy Director (Admn)
ESIC Hospital and PGIMS
Basaidarapur,
New Delhi – 110015

Dated : 11-09-2023