



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A constitutional body under Article 338A of the Constitution of India)

F.No. NCST/SER-2510/MLAB/4/2025-RU-III

21.11.2025

To

The Director General,
Employees State Insurance Corporation (ESIC),
Panchdeep Bhavan,
Comrade Indrajeet Gupta CIG Marg,
New Delhi 110002
Email Id: dir-gen@esic.nic.in
Tel. No: 23235391

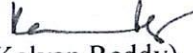
Sub: Denial of promotion to ST employee by ESIC in LDCE-2018 – a representation dated 10-07-2025 of Shri Mohd Bilal, LDC, ESIC, J&K Region

महोदय/महोदया,

I am directed to enclose herewith a copy of the minutes of the sitting held on 10.11.2025 at 03:40 PM under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject.

2. It is requested that the action taken/to be taken in the matter may be intimated to NCST within stipulated time from receipt of the letter for placing it before the Commission.

Yours faithfully,


(डॉ. पी. कल्याण रेड्डी/Dr. P. Kalyan Reddy)
निदेशक/Director
Telephone No. : 011-20819841

Copy for information:-

1. Mohd Bilal,
Lane No 0,5 Oak Street,
Kiryani Talab Narwal Bala
Jammu, Jammu & Kashmir - 181152
Bilalchouhan196@gmail.com Mobile No:7889353400
2. PS to Hon'ble Member (JH), NCST
- ✓ 3. NIC, NCST for uploading on the website of the Commission.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi in the case of Shri Mohd. Bilal, LDC, ESIC, J&K Region regarding loss of seniority.

NCST/SER-2510/MLAB/4/2025-RU-III

Date of the Sitting: 10/11/2025, 03:40 PM

Participants in the Sitting: As per Annexure

Shri Mohd. Bilal, LDC, ESIC, J&K Region, vide his representation dated 10.07.2025, has stated that he was denied promotion in the LDCE-2018 examination despite securing 63 marks, which were above the UR qualifying marks (54) prescribed as per DOPT O.M. No. 39020/01/2013-Estt(B), dated 09.10.2015. He alleged that two SC candidates with 36 and 35 marks were wrongly promoted under the UR category, in violation of DOPT norms that require reserved category candidates to meet UR standards when competing for UR posts. He contends that this denial has caused severe career stagnation, financial loss, and emotional distress, depriving him of legitimate promotion, increments, and seniority. He also mentions a prior instance of seniority manipulation during his MTS tenure, where a compassionate appointee was placed above him despite his earlier joining. The petitioner has sought rectification of the LDCE-2018 result, retrospective promotion with notional benefits, investigation into procedural lapses, and restoration of his MTS seniority, along with consideration of the emotional and financial harm caused.


2. NCST vide notice dated 18.08.2025 sought facts and comments from the Director General, Employees State Insurance Corporation (ESIC) within 30 days.

3. The Assistant Director, ESIC, Jammu & Kashmir Region, vide letter no. A-2011/1910/2023-Admn dated 19.09.2025, has informed that the LDCE-2018 result belatedly on 29.09.2023, nearly five years after the examination and the matter has already been referred to ESIC Headquarters vide letter dated 03.10.2024 with multiple reminders on 15.01.2025, 04.03.2025, 04.08.2025, and 21.08.2025. The decision from Headquarters is still awaited and further action will be taken upon its receipt. Regarding the grievance on MTS seniority, it was clarified that a draft seniority list had been circulated on 07.09.2015, inviting objections and finalized on 20.05.2016 after no objections were received, including from the petitioner. Therefore, the request for rectification after nine years cannot be entertained. The reply was issued with the approval of the Regional Director. This was sent to the petitioner for information vide NCST letter dated 15.10.2025.

4. The Commission has decided to discuss the issue with the authority and the petitioner on 10.11.2025. Accordingly, a Sitting Notice was sent on 04.11.2025. The DG, ESIC vide letter dated 7.11.2025 has sought exemption and deputed Regional Director to attend the sitting.

5. In the sitting, the Regional Director, ESIC and petitioner were present. The petitioner reiterated his earlier submissions. The officials of ESIC informed that the issue of MTS seniority had not been examined in detail as it was raised after quite a long time. The issue of LDCE-2018 was pending with the Head office, New Delhi and will be examined and corrected.

6. The Commission noted that the petitioner belongs to the ST community and may not have been fully aware of all applicable rules at the relevant time. Prima facie, he appears to have suffered loss of seniority on two occasions without any fault of his own. It seems that he lacked sufficient knowledge when the MTS seniority list was circulated or when the LDCE-2018 result was declared. However, ESIC also appears to have erred, and the onus lies primarily on the organization to ensure that the rights of ST employees are duly protected. ESIC should function as a single, coordinated entity to resolve such grievances, rather than the regional office deflecting responsibility to the Head Office. The Commission appreciates the assurance given by ESIC officials that both issues will be examined in detail and appropriate corrective action will be taken to restore the petitioner's rightful seniority.


जाटोतु हुसैन / Jatothu Hussain
सदस्य / Member
भारत सरकार / Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली / New Delhi

7. After hearing both the sides, the Commission recommend the following and action taken there on may be submitted within 30 days from receipt of the minutes—


- Regional Office, ESIC, J&K to re-examine the case of seniority of the petitioner expeditiously and take corrective actions
- The ESIC Head Office to work closely with regional office and issue necessary instructions for corrective measures regarding LDCE – 2018 Exam.
- TA and Special Leave may be reimbursed in favour of the petitioner as per his entitlement and rules.

(Jatothu Hussain)

जाटोतु हुसेन / Jatothu Hussain
सदस्य / Member
भारत सरकार / Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली / New Delhi

F. No NCST/SER-2510/MLAB/4/2025-RU-III

List of participants of the sitting held on 10.11.2025 at 5:00 PM under the chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST at New Delhi.

Sr. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Dr. P.Kalyan Reddy Director		
2.	NCST Officials		
II	<u>ESIC</u>		
Sr. No.	Name, Designation and Address	Phone No.	Signature
	Rodhush K. Gantim IC (PCA)	9810998316	
III	<u>Petitioner</u>		
	Mahd. Bilal we	7889353400	<u>Mahd. Bilal</u>