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भारत सरकार

Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

6th floor, 'B' Wing, Loknaya Bhawan
Khan Market, New Delhi-110 003.

File No. PMT/5/2015/STGDH/SEPROM/RU-I

Date: 13/06/2018

To

1. The Principal Secretary,
Health & Family Welfare Department,
Govt. of NCT of Delhi,
9th Level, A-Wing, Delhi Secretariat,
Delhi – 110002.
Tel: 23392017, Fax: 23392464
Email: pshealth@nic.in
2. The Principal Secretary,
Services Department,
Govt. of NCT of Delhi,
Delhi Secretariat,
Delhi – 110002.
Tel: 23392142, Fax: 23392150.
Email: secservices@nic.in

Sub: Representations of Ms. Poonam Madhuri Toppo and Shri Lokesh Kumar Meena, Male Nurse, G.B. Pant Hospital, R/o WZ – 276/17, IInd floor, Inderpuri, New Delhi regarding injustice with Scheduled Tribe employees working in the Health & Family Welfare Department, Govt. of NCT of Delhi.

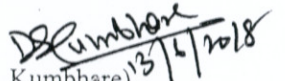
Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held in the National Commission for Scheduled Tribes on 11/06/2018 at 2:00 P.M. under the Chairmanship of Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes in the matter.

It is, requested that action taken on the suggestions / recommendations of the Commission may please be sent to the NCST at the earliest.

Encl: As above.

Yours faithfully,


(D. S. Kumbhare) 13/6/2018
Under Secretary
24657271.

Copy to:

1. Ms. Poonam Madhuri Toppo,
R/o House No. 65C, 3rd Floor,
LIG, DDA Flat, Prasad Nagar,
New Delhi – 110005.
2. Shri Lokesh Kumar Meena,
A-1 A/30, Gali No. 9, Chanakya Place,
Opp. Janakpuri – C 1,
Uttam Nagar
New Delhi – 110059.
(Mob – 9717576460).

Copy for information to:

1. PS to Hon'ble Vice-Chairperson, NCST
- ✓ 2. NIC, NCST (for hosting on Commission's website).

भारत सरकार
Govt. of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

F. No. PMT/5/2015/STGDH/SEPROM/RU-I

Minutes of the sitting held in the NCST, Lok Nayak Bhawan, New Delhi on 11/06/2018 at 2:00 P.M. under the chairmanship of Ms. Anusuiya Uikey, NCST in the case of Ms. Poonam Madhuri Toppo and Shri Lokesh Kumar Meena, Male Nurse, and others G.B. Pant Hospital, R/o WZ – 276/17, IInd floor, Inderpuri, New Delhi regarding injustice with Scheduled Tribe employees working in the Health & Family Welfare Department, Govt. of NCT of Delhi.


List of participants is at annexed.

Representation(s) of Ms. Poonam Madhuri Toppo and Shri Lokesh Kumar Meena, Male Nurse, G.B. Pant Hospital, R/o WZ – 276/17, IInd floor, Inderpuri, New Delhi regarding injustice with Scheduled Tribe employees working in the Health & Family Welfare Department, Govt. of NCT of Delhi.

This case was discussed on 13/10/2017 in the sitting with Secretary, Health & Family Welfare Department, Govt. of NCT of Delhi and petitioner(s) under the chairmanship of Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson, NCST. In the sitting, Commission advised that action taken in the matter may be apprised to this Commission within 15 days. The Minutes of the sitting was sent to Health & Family Welfare Department on 21/11/2017 with request to submit the action taken report in the matter at the earliest. The action taken report was not received. A representation dated 11/12/2017 was received from the petitioner(s). The same was forwarded to Chief Secretary, Govt. of NCT and Principal Secretary, Health & Family Welfare Department, Govt. of NCT of Delhi for furnishing the comments vide letter dated 29/12/2017. The reply was not received, the Hon'ble Vice-Chairperson, NCST fixed the sitting for 05/02/2018 at 4:00 P.M. to discuss the issue with the Secretary, Health & Family Welfare Department. In the sitting, the Special Secretary, Health and Family Welfare Department appeared at 5:00 P.M. Hence, the sitting was postponed. After that notice dated 06/02/2018 for sitting on 13/03/2018 at 2:00 P.M. was issued to Secretary, Health & Family Welfare Department, Secretary Services Department and Liaison Officer for ST, Health & Family Welfare Department, Govt. of NCT of Delhi.

Meanwhile, petitioner(s) visited the NCST on 12/02/2018. Accordingly, the Hon'ble Chairperson, NCST preponed the sitting scheduled for 13/03/2018 for 20/02/2018 at 3:00 P.M. to discuss the issue with the all concerned. In the sitting, Special Secretary, Health & Family Welfare was appeared and none was appeared from the Services Department and Liaison Officer, Govt. of NCT of Delhi. In the sitting held on 20/02/2018, Commission advised that:

"Since, 42 Nursing Officer are working on ad-hoc basis and there are 64 vacant posts of STs in the grade of Sr. Nursing Officer, the Health Department may hold review DPC immediately after resorting to separate zone of consideration / separate list of eligible ST officials and fill up vacant 64 posts identified for STs after giving priority of regularizing the promotion of 42 Senior Nursing Officers who are working on ad-hoc basis now. The effective date of should be from the date from which these vacancies were available. It was also advised that this exercise should be completed within a period of one month.


सुश्री अनुसुइया उइकी/Miss Anusuiya Uikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

It was also brought to the notice of the Commission that many Departments in Delhi Govt. do not have Liaison Officer for SC/ST. The Commission has advised that a formal reference made to the Chief Secretary to confirm this position and also get a list of Liaison Officers appointed in various Departments of Delhi Govt. alongwith their designation".

The minutes of sitting was circulated to all concerned vide NCST letter dated 26/03/2018 with request to furnish the action taken report in the matter. The action taken report was not received from the Department. The petitioner vide representation dated 27/05/2018 has again requested for justice. The Hon'ble Vice-Chairperson fixed the sitting & for 11/06/2018 at 2:00 P.M. to discuss the issue with the Principal Secretary, Health & Family Welfare Department, Principal Secretary, Services Department and the petitioner(s). In the sitting, Deputy Secretary, Health & Family Welfare Department appeared at 3:00 P.M. and the Additional Secretary, Services Department, Govt. of NCT appeared at 2:00 P.M. and petitioner(s). Therefore, sitting was delayed due to not adherence of time by the Deputy Secretary, Health & Family Welfare Department.

The Hon'ble Vice-Chairperson asked the representative of Health & Family Welfare Department to explain regarding action taken by the Health & Family Welfare Department on the advice of the NCST in the previous sitting. He was unable to explain the action taken by the Department in the case. Commission observed that the Health & Family Welfare Department is deliberately avoiding National Commission for Scheduled Tribes and the Scheduled Tribes employees.

The Hon'ble Vice-Chairperson asked the representative of Service Department to explain the action taken by the Department in the matter. Representative of Service Department explained that advice on 08/06/2018 has been sent to Department of Health & Family Welfare for implementation of reservation in promotion. The matter has been referred to the DoPT through Ministry of Home Affairs for providing necessary instructions / clarifications in view of the latest order(s) of Hon'ble Supreme Court. The instructions from MHA is awaited.

The Hon'ble Vice-Chairperson asked the petitioner(s) to present the problems in brief. Petitioner(s) pointed out that the all 42 ST candidates to be regularized from the date of vacant posts i.e. DPC, 2011 and withhold the all DPC held after 17/05/2018. A Liaison Officer to be posted separately for SCs & STs in the Health & Family Welfare Department. After discussion, Commission suggested / advised that Health & Family Welfare Department should submit the report to the NCST within fortnight on the following points, after that a sitting will be convened with the Chief Secretary, Govt. of Delhi and Principal Secretary, Health & Family Welfare Department to resolve the issue.

- (i) All 42 ST candidates to be regularized from the date of vacant posts i.e. DPC, 2011.
- (ii) All DPC held after 17/05/2018 in case of nursing posts withheld immediately.
- (iii) Total sanctioned posts, filled posts and vacant posts in Nursing category and status of backlog of ST posts.
- (iv) Other vacant posts reserved for Scheduled Tribes in Health & Family Welfare Department be filled.
- (v) The roster register in respect of nursing staff be provided.
- (vi) Liaison Officer in the Health & Family Welfare Department be appointed.

F. No. PMT/5/2015/STGDH/SEPROM/RU-I

List of participants in the sitting held on 11/06/2018 at 2:00 P.M. in the case of Ms. Poonam Madhuri Toppo and Shri Lokesh Kumar Meena, Male Nurse, G.B. Pant Hospital, R/o WZ - 276/17, IInd floor, Inderpuri, New Delhi regarding injustice with Scheduled Tribe employees working in the Health & Family Welfare Department, Govt. of NCT of Delhi.

I National Commission for Scheduled Tribes

1. Ms. Anusuiya Uikey,
Hon'ble Vice-Chairperson,
2. Shri R. K. Dubey,
Assistant Director
3. Shri Rajeshwar Kumar,
Assistant Director
4. Shri R. S. Misra,
Senior Investigator
5. Shri Gaurav Kumar,
PS to Hon'ble Vice-Chairperson

(In chair)

**II Department of Health & Family Welfare,
Govt. of NCT of Delhi**

1. Shri Amit Kumar Pamasi,
Deputy Secretary
(Mob: 7895359098)

III Service Department, Govt. of NCT of Delhi

1. Shri Ranjeet Singh,
Additional Secretary,
(Mob: 9871145111)
2. Shri D. K. Mishra,
Section Officer

IV Petitioner

1. Shri Lokesh Kumar Meena
(Mob. 9717576460)
2. Ms. Poonam Madhuri Toppo and 17 others.
(Mob: 9968075220)