



Government of India
National Commission for Scheduled Tribes

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

File No. SG/1/2019/MHFW3/SEPROM/RU-III

Date: 18.12.2019

To,

1. Special Chief Secretary,
Department of Medical Health & Family Welfare,
5th Block Ground Floor, AP Secretariate,
Velagapudi Amaravathi -522503 -AP
2. Director,
Public Medical Health & Family Welfare,
AP Secretariate,
Velagapudi Amaravathi -522503 -AP

Sub: Minutes of the Sitting taken by Shri Nand Kumar Sai, Hon'ble Chairperson, NCST on 22.11.2019 on the issue of by Medical and health dept. Vizianagaram District Irregular promotion from MPHA(F) to MPHS (F) (Health visitor) without observing the rule of reservation for the ST candidate.

Sir,

I am directed to enclose herewith a copy of Proceedings of the Sitting taken by Shri Nand Kumar Sai, Hon'ble Chairperson of National Commission for Scheduled Tribes (NCST) on 22-11-2019 for information and necessary action.

It is, requested that action taken report in this regard may please be sent to the Commission within one month.

Encl: As above

Yours faithfully,

(Dr. Lalit Latta)
Director

Copy to:

1. Shri Sunadhi Gowriswari, MPHA (F),
ST Colony Vengapuram Village/Post, Balijpeta Mandal.
District Vizianagaram, (A.P)
2. ✓ SAS, NIC, NCST upload on the web site.

Government of India


NATIONAL COMMISSION FOR SCHEDULED TRIBES

(SG/1/2019/MHFW3/SEPROM/RU-III)

PROCEEDING OF SITTING TAKEN BY DR. NAND KUMAR SAI, HON'BLE CHAIRPERSON, NCST ON 22/11/2019 IN THE CASE OF SHRI SUNADHI GOWRISWARI, MPHA (F) AND OTHERS R/O COLONY VENGAPURAM VILLAGE/POST., BALIJPETA MANDAL, DISTRICT VIZIANAGARAM, (A.P) REGARDING IRREGULAR PROMOTION FROM MPHA (F) TO MPHS (F), (HEALTH VISITOR) BY MEDICAL AND HEALTH DEPT. VIZIANAGARAM WITHOUT OBSERVING THE RULE OF RESERVATION FOR THE ST CANDIDATES.


Date of sitting	:	22/11/2019
List of officers present in sitting	:	Annexure

1. The National Commission for Scheduled Tribes received a representation dated 08/02/2019 from Shri Sunadhi Gowriswari, MPHA (F) and others R/O colony Vengapuram Village/post Balijpeta Mandal. District Vizianagaram regarding irregular promotion from MPHA (F) to MPHS(F), (Health Visitor) by Medical and health dept. Vizianagaram without observing the rule of reservation for ST candidates.
2. In this case, last sitting was held on 09/05/2019 and recommendations of the Commission were as under :-
 - The Department is advised that all the applicants should be given time to submit the Local Schedule Tribe Certificates. If all these certificates are submitted, then they should be promoted from the date of notification.
 - Their seniority should not be reduced. It should also be ensured that no junior employee is given promotion before them.
3. In this connection, a reply dated 05/08/2019 has been received by the Commission. It is stated that as per recommendation of the Commission, seniority list of MPHA (F) in ST category has been prepared. Local scheduled tribe certificates are called from individuals for consideration of their candidature to the post of MPHA (F) in ST category. Department has


डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

given 30 days' time for submit this certificate. As per second recommendation, 46 existing vacancies are filled in the cadre of MPHS(F) with eligible MPHA(F) and three ST candidates are observed under roster points 25(ST), 33(ST) and 58(ST) as per seniority duly following rule of reservation.


4. As per direction of the Hon'ble Chairman, a sitting was convened on 22/11/2019 at 14.00 Hrs. In the sitting Dr. S. Aruna Kumari, DPH&FW and Dr. G. Savitri, RDM&HS were present from the Department of Health, Medical & family welfare.
5. During the sitting, the Commission first desired to know the position of petitioner, who submitted that the Dept. had submitted false report in the previous sitting stating that The Department had transferred some employees to scheduled area who belong to plain area. In the previous sitting the Dept. stated that they will give promotion to the Applicant Ms. Sunadhi Gowriswari and had given letter to the Commission about her promotion but promotion was not given to her.
6. Representative of the Department of Health, Medical & Family Welfare stated that the Dept. has not given promotion to Ms. Sunadhi Gowriswari because she was not eligible for promotion. Since she has not submitted local scheduled tribe certificate, she did not get promotion. Another candidate Ms. Polamma produced local scheduled tribe certificate and she got promotion.
7. Petitioner Ms. Sunadhi Gowriswari stated said that she had received letter informing about her promotion by to Department through Hon'ble Commission. If she was not considered for promotion, then how Department sent the letter. Department intimated to Hon'ble Commission about her promotion then how they can refuse it now.
8. Representative of the Department of Health, Medical & Family Welfare stated that they have not issued office order about promotion of Ms. Sunadhi Gowriswari who is next in line for promotion under ST Quota in her batch. Department is considering separate promotion of local scheduled tribe employees. Petitioner will get promotion after approximately 2 months because her number is expected to come in that period.


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अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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9. The Commission, after hearing from both parties made the following recommendations:-

- The Department of Health, Medical & Family Welfare, Govt. of Andhra Pradesh is advised that roster register should be maintained from the date of Govt. order for post based roster and separate points of local scheduled tribes and scheduled tribes of plain area should be clearly specified.
- Petitioner Ms. Sunadhi Gowriswari should be promoted according to her seniority from the date of eligibility within two months period. It should also be ensured that no discrimination is made between local scheduled tribe or scheduled tribe of plain area.

In compliance with the above recommendations, the Commission should be sent action taken report within two month of receipt of the proceedings.


13.12.019
डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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NATIONAL COMMISSION FOR SCHEDULED TRIBES

(SG/1/2019/MHFW3/SEPROM/RU-III)

LIST OF PARTICIPANTS IN THE SITTING HELD ON 22/11/2019 IN THE NATIONAL COMMISSION FOR SCHEDULED TRIBE, NEW DELHI. IN THE CASE OF Ms. SUNADHI GOWRISWARI, MPHA (F) AND OTHERS R/O COLONY VENGAPURAM VILLAGE/POST, BALIJPETA MANDAL, DISTRICT VIZIANAGARAM, (A.P) REGARDING IRREGULAR PROMOTION FROM MPHA(F) TO MPHS(F), (HEALTH VISITOR) BY MEDICAL AND HEALTH DEPT. VIZIANAGARAM WITHOUT OBSERVING THE RULE OF RESERVATION FOR THE ST CANDIDATES.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

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|-------------------------|---------------------|----------|
| 1. Shri Nand Kumar Sai, | Hon'ble Chairperson | IN CHAIR |
| 2. Shri H. K Damor, | Hon'ble Member | |
| 3. Shri K. Touthang, | Joint Secretary | |
| 4. Dr. Lalit Latta, | Director | |
| 5. Shri R. K. Dubey, | Asstt. Director | |
| 6. Shri A. K. Dwivedi, | Consultant | |

Officer of the Department of Medical Health and Family Welfare

- | | |
|------------------------|--------|
| 1. Dr. S. Aruna Kumri, | DPH&FW |
| 2. Dr. G. Savitri, | RDM&HS |

Petitioner

1. Ms. Sunadhi Gowriswari

डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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