



**Government of India
National Commission for Scheduled Tribes**

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

File No. NE/2/2016/STGDH/SEOTH/RU-I

Date: 18/05/2018

To

1. The Secretary,
Health & Family Welfare
Department,
Govt. of NCT of Delhi,
9th Level, A-Wing,
Delhi Secretariat,
Delhi – 110002.
2. The Secretary,
Services Department,
Govt. of NCT of Delhi,
Delhi Secretariat,
Delhi.
3. The Chairman,
Delhi Subordinate Services
Selection Board,
FC-18, Near Railway
Reservation Centre,
Institutional area, Karkardooma,
New Delhi – 110092.

Sub: Representation dated 15/12/2015 received from Shri Nabor Ekka, President, Indian Confederation of Indigenous and Tribal People, C/o C, W.W.S., Plot No. 1, West Kidwai Nagar, New Delhi regarding non filling the vacant posts of Staff Nurse under post code 20/13 under scheduled tribe category in 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 04/05/2018 at 12:30 P.M. under the Chairmanship of Shri H. K. Damor, Hon'ble Member, 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.

Yours faithfully,

(Rajeshwar Kumar)
Assistant Director
Tel: 011-24641640.

Copy to:

Shri Nabor Ekka,
President,
Indian Confederation of Indigenous and Tribal People,
C/o C, W.W.S., Plot No. 1,
West Kidwai Nagar,
New Delhi – 110023.

Copy for information to:

1. PS to Hon'ble Vice-Chairperson, NCST
2. PA to Hon'ble Member (Shri H. K. Damor), NCST
3. NIC (for hosting on Commission's website)

Government of India
National Commission for Scheduled Tribes

(F. No. NE/2/2016/STGDH/SEOTH/RU-I)


Minutes of sitting held in the Commission on 04/05/2018 at 12:30 P.M. under the Chairmanship of Shri H. K. Damor, Hon'ble Member, NCST in the case of Shri Nabor Ekka, President, Indian Confederation of Indigenous and Tribal People, C/o C, W.W.S., Plot No. 1, West Kidwai Nagar, New Delhi regarding non filling the vacant posts of Staff Nurse under post code 20/13 under scheduled tribe category in Govt. of NCT of Delhi.

List of participants is annexed.

Representation dated 15/12/2015 was received from Shri Nabor Ekka, President, Indian Confederation of Indigenous and Tribal People, C/o C, W.W.S., Plot No. 1, West Kidwai Nagar, New Delhi regarding non filling of the vacant posts of Staff Nurse under post code 20/13 for scheduled tribe category in Govt. of NCT of Delhi.

The matter was taken up with the Secretary, DSSSB vide this Commission's letter dated 19/01/2016 and reminder dated 13/05/2016. A reply dated 05/05/2016 was received from the DSSSB wherein it was intimated that Board has not received any communication from the User Department regarding cancellation of 18 candidates of ST category as they have not furnished their acceptance. As and when the User Department request for extra dossiers, the Board will take appropriate action. In this regard a sitting was fixed by the former Vice-Chairperson (Shri Ravi Thakur), NCST on 29/08/2016 with the Chief Secretary, Govt. of NCT of Delhi and the Principal Secretary, Health & Family Welfare Department, Govt. of NCT of Delhi. In the proceedings, the Commission advised that the Delhi Govt. may appoint the 18 ST candidates who have qualified for appointment for the post of staff nurse, as filling up the vacant posts on contract is not justified, when there are candidates available for regular appointment. Accordingly, proceedings of sitting was forwarded to the above authorities for necessary action in the matter.

In response to the Commission's sitting letter dated 04/08/2016 the Department of Health and Family Welfare, Govt. of NCT of Delhi replied vide their letter dated 27/10/2016 that from the beginning, since, health care service are essential services, therefore various posts in Hospitals were being filled up by contractual engagement (as temporary arrangement) as well as regular appointment (through DSSSB). The post filled by contractual engagement were being considered as vacant post for the purpose of regular recruitment. At the time, out of total contractual engagement, approx. 70 ST candidates were working on contract basis. However, requisition was sent to DSSSB for filling up post of staff nurses lying vacant in H&FW Department and in the month of March, 2013 the DSSSB advertise 2199 vacancies, indicating 244 posts reserved for ST category candidates considering above said 70 contractual engagements, as vacant. It is also informed that till date the Department has received 241 dossiers from the DSSSB and as on date 51 ST category candidates are working on contract basis. Therefore, this figure reaches to 292, whereas vacancies were 244. Hence, the allegation regarding filling 18 vacant posts by contractual engagements are baseless because since March 2013, no further contractual engagement has been made by H&FW Department.


Hari Krishna Damor
Member
National Commission for Scheduled Tribes
Govt. of India
New Delhi

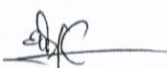
Reference to reply dated 27/10/2016 of the Health & Family Welfare Department, Govt. of NCT of Delhi, Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson, NCST has fixed second sitting with the Secretary, Health & Family Welfare Department, Govt. of NCT of Delhi for discussion in the matter on 13/10/2017 at 2:00 P.M. No ATR has been received from the concerned Department yet. Therefore, Hon'ble Vice-Chairperson, NCST has fixed a further sitting for discussion in the matter on 13/03/2018 at 3:00 with the Secretary, Health & Family Welfare Department, Secretary, Services Department and DSSSB, Govt. of NCT of Delhi. Accordingly, a sitting notice has been issued.

Smt. Gitanjali Gupta, Chairperson, DSSSB, Shri S. S. Kanawat, Controller of Examination, DSSSB, Shri D. Kartikeyan, Deputy Secretary, Services Department, Shri Vinod Kumar Singh, S.O. Health and Family Welfare Department, Govt. of NCT of Delhi appeared before the Commission on day of sitting. Petitioner was also present in the day of sitting. Matter was discussed in detail.

The petitioner submitted to the Commission that 18 posts of staff nurse reserved for ST candidates has not been filled up by the Health & Family Welfare Department, Govt. of NCT of Delhi w.r.t. minutes of sitting held in the Commission on 13/10/2017. The Health Department has earlier informed that in pursuance of the recruitment advertisement No. 20/13 for 2199 posts in which 244 posts were reserved for ST candidates, 242 dossiers were received from DSSSB and, 28 dossiers of ST candidates were returned to DSSSB as candidate did not join. Further, DSSSB has provided 10 more dossiers of ST category. Hence, out of 244 vacancies for ST category, DSSSB has furnished total 224 dossiers for this category which had been further forwarded to the Hospitals / Medical Institution for appointment process as per the vacancy status. Many candidates have already joined the post.

Now DSSSB has stated that they have no record of any dossier been returned before 25/07/2017 i.e. the date which the validity of the panel expired. If the Health Department can give proof that the dossiers were returned before 25/07/2017, the such candidates can be considered for appointment. Section Officer, Health Department has assured the Commission that he will submit proof of dossiers being returned to DSSSB before 25/07/2017 within 2 days from the day of sitting. The Commission advised that on receipt of proof of return of dossiers, the DSSSB should take necessary action to fill up the vacancies from the panel.

Reference to minutes of sitting held in the Commission on 13/03/2018, no reply / action taken report has been received from the Health & Family Welfare Department, Govt. of NCT of Delhi. Therefore, Hon'ble Vice-Chairperson Ms. Anusuiya Uikey has fixed a further sitting for discussion in the matter on 04/05/2018 at 12:30 P.M. with the Secretary, Health & Family Welfare Department, Secretary, Services Department and Chairman, DSSSB, Govt. of NCT of Delhi. Accordingly, sitting notice has been issued.


Hari Krishna Damor
Member
National Commission for Scheduled Tribes
Govt. of India
New Delhi

Discussion:

Shri R. P. Meena, Special Secretary and Shri H. P. Meena, Administrative Officer, Health & Family Welfare Department, Govt. of NCT of Delhi appeared before the Commission on 04/05/2018 at 12:30 P.M. The petitioners were also present in the day of sitting. None was present from the Services Department and DSSSB. Matter discussed in detail. The Hon'ble Member asked to the Special Secretary, Health & Family Welfare Department to explain the latest position of the case. The Special Secretary submitted the Commission that he is not aware with the case factually. Hence, the Commission viewed seriously of the negligence of the Health & Family Welfare Department, Govt. of NCT of Delhi.

The Commission observed that information regarding dossiers of post under ST category returned to DSSSB by the Health & Family Welfare Department, Govt. of NCT of Delhi has not been provided to the Commission till date as assured in the previous sitting held on 13/03/2018 that the details will be provided within two days.

The Commission advised the Health & Family Welfare Department, Govt. of NCT of Delhi that details regarding dossiers of ST category (staff nurse) returned to the DSSSB before 25/07/2017 and those were not returned to DSSSB so far by the Health & Family Welfare Department, Govt. of NCT of Delhi should be provided to the Commission within two weeks. Thereafter, matter will be discussed in next sitting in the Commission.



Hari Krishna Damor
Member
National Commission for Scheduled Tribes
Govt. of India
New Delhi

List of participants

I National Commission for Scheduled Tribes

1. Shri H. K. Damor, (In Chair)
Hon'ble Member
2. Shri P.T. Jameskutty,
Deputy Secretary
3. Shri S. P. Meena,
Assistant Director
4. Shri H. R. Meena,
Senior Investigator
5. Shri Gaurav Kumar,
P. S. to Hon'ble Vice-Chairperson

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

1. Shri R. P. Meena,
Special Secretary
2. Shri H. P. Meena,

III Services Department, Govt. of NCT of Delhi

1. NIL

IV Delhi Subordinate Services Selection Board,

NIL

V Petitioners

1. Ms. Vung Ngain Kim
2. Ms. Toshang Hongsha
3. Ms. K. Adaphro,
4. Ms. R. A. Mirror Tharmla
5. Ms. Thorewon T. S.