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सत्यमेव जयते

भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

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

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

Date: 15/06/2018

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
3. The Chairman,  
Delhi Subordinate  
Services Selection Board,  
FC-18, Near Railway  
Reservation Centre,  
Institutional area,  
Karkardooma,  
New Delhi – 110092.  
Tel: 22370309, 22370237

**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 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,

(Rajeshwar Kumar)  
Assistant Director  
Tel: 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. NIC, NCST (for hosting on Commission's website).

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

F. No. NE/2/2016/STGDH/SEOTH/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 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.

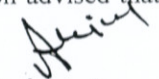
List of participants is at annexed.

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.

This case was discussed on 29/08/2016 in the sitting with Deputy Secretary, Health & Family Welfare Department, Govt. of NCT of Delhi and petitioner(s) under the chairmanship of the then 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 for appointment of 18 candidates. The Minutes of the sitting was sent to Chief Secretary, Govt. of NCT of Delhi and Health & Family Welfare Department on 26/09/2016 with request to submit the action taken report in the matter at the earliest. No satisfactory action taken report submitted to the Commission.

Hon'ble Vice-Chairperson, NCST fixed the sitting on 13/10/2017 at 2:00 P.M. to discuss the issue with the Principal Secretary, Health & Family Welfare Department and the petitioner. In the sitting, the Principal Secretary, Health and Family Welfare Department appeared. In the sitting Commission advised that procedure for appointment of ST candidates on 18 posts (Staff Nurse) reserved for STs from amongst the qualified ST candidates from the panel should be completed with the approval of Competent Authority and apprised to the Commission within 15 days. The minutes of sitting was sent on 21/11/2017. The action taken report was not received. The Hon'ble Vice-Chairperson again fixed the sitting on 05/02/2018 at 3:00 P.M. with the Secretary, Health & Family Welfare Department and the petitioner(s). None was present from the Health & Family Welfare Department but the petitioner(s) were present. The sitting was postponed and fixed for 13/03/2018.

In the sitting held on 13/03/2018, the Section Officer, Health Department, Deputy Secretary, Services Department and Chairperson, DSSSB and the petitioners were present. In the sitting, DSSSB stated that "they have no record of any dossiers been return before 25/10/2017 i.e. the date which 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. The Section Officer Health Department has assured the Commission that he will submit proof of dossier being returned to DSSSB before 25/07/2017 within two days from the day of sitting. The Commission advised that on receipt of

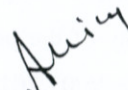
  
सुश्री अनुसुइया उइके/Miss Anusuiya Uikey  
उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India

proof of return of dossiers, the DSSSB should take necessary action to fill up the vacancies from the panel". The minutes of the sitting was circulated on 10/04/2018. The action taken report was not received from the Health Department, the NCST fixed the sitting on 04/05/2018 at 12:30 P.M. to discuss the issue with the Secretary, Health & Family Welfare Department, Secretary, Services Department, Chairman, DSSSB and Liaison Officer of Health & Family Welfare Department. In the sitting, Special Secretary, Health & Family Welfare Department were present and the petitioners. No one was appeared from the Services Department and DSSSB. In this sitting, it was advised to the Health & Family Welfare Department that the details regarding dossiers of ST category (Staff Nurse) returned to the DSSSB before 25/07/2017 and those were not returned DSSSB so far by the Health & Family Welfare Department should be provided to the Commission within two weeks. Thereafter matter will be discussed in the next sitting of the Commission." The minutes were circulated on 18/05/2018 to all concerned.

The Health & Family Welfare Department vide letter No. 8/284/H&FW/Nursing/2016/2182 dated 21/05/2018 has informed that "this Department did return only 13 dossiers of ST candidates not 28 dossiers as informed earlier". The petitioner(s) have also visited the NCST on 23/05/2018 and requested for justice. Therefore, the Hon'ble Vice-Chairperson fixed the sitting (on 08/06/2018 at 4:30 P.M. which was postponed) on 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 Chairman, DSSSB, New Delhi and the petitioners. In the sitting Deputy Secretary, Health & Family Welfare Department (reached at 3:00 P.M.), the Additional Secretary, Services Department and the Member, DSSSB and the petitioner(s) were present.

The Hon'ble Vice-Chairperson asked the representative to explain the action taken by the Department in the matter. The representative explained that the Department informed earlier that 28 dossiers returned to DSSSB, which is not correct. The Department returned only 13 dossiers of ST candidates to DSSSB. The dossiers of 11 candidates received from DSSSB out of which 10 have been processed and sent to the concerned Hospital for appointment. Dossier of one candidate is in process and will be sent concerned Hospital / Medical Institution for appointment. The Hon'ble Chairperson asked the representative to provide the list of candidates, who got appointment letter / working in Hospital / Medical Institution. He was unable to produce the list.

The Hon'ble Vice-Chairperson, NCST asked the representative of DSSSB to explain the action taken by the Department. The DSSSB produced a letter dated 19/04/2018 addressed to the Principal Secretary, Health & Family Welfare Department. In this letter, it had been mentioned that only 13 dossiers for ST candidates have been returned by the Health Department to DSSSB. It was also requested that the details of 28 dossiers of ST candidates, which have been pointed out by the Department of Health & Family Welfare before the Hon'ble NCST be made available to DSSSB.

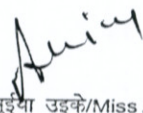
  
सुश्री अनुसुईया उइके/Miss Anusuiya Uikey  
उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

The Hon'ble Vice-Chairperson asked the petitioners to explain the problems. The petitioners informed that 18 posts of Staff Nurse reserved for ST candidates have not been filled and now the Department of Health is pointed out only 12 posts which have been filled.

During discussion, it was observed that the Health & Family Welfare Department pointed out 28 dossiers returned to DSSSB but now the Health & Family Welfare Department vide letter dated 21/05/2018 has informed only 13 dossiers returned to the DSSSB which is contradictory. The posts reserved for STs were 18 (Staff Nurse). The Health & Family Welfare Department is taking this issue very carelessly and giving wrong information to the Constitutional Body.

The Commission advised that the Department of Health & Family Welfare should submit the following information within fortnight from the receipt of the minutes of the sitting. After receipt of the information, the date in first week of July, 2018 for sitting to discuss the issue with the Chief Secretary, Govt. of NCT of Delhi and Principal Secretary, Health & Family Welfare Department, Govt. of NCT of Delhi will be decided by the Commission.

- (1) Number of total candidates and ST candidates (for post of Staff Nurses) advertised in the 2013 vide post code no. 20/2013, out of which how many ST candidates have been appointed in the Hospital / Medical Institution so far.
- (2) Statement showing the name of candidates, letter and date of nomination of candidates recommended for appointment in the Hospital / Medical Institution by the Health & Family Welfare Department and appointment letter issued by the concerned Hospital / Medical Institution (for the ST candidates appointed against the post code no. 20/2013).
- (3) Total Number of Nursing posts in the Health & Family Welfare Department, Govt. of NCT of Delhi and posts reserved for Scheduled Tribes.

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

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

List of participants 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, Hon'ble Vice-Chairperson, 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.

**I****National Commission for Scheduled Tribes**

1. Ms. Anusuiya Uikey, (In chair)  
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

**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****Delhi Subordinate Services Selection Board**

1. Shri L. R. Garg, Member  
(Mob: 8800995555)
2. Shri Sohan Singh Kanawat,  
Controller of Examination
3. Shri Manish Jain,  
Deputy Secretary,  
(Mob: 9810867700)

**V****Petitioner**

1. Shri Nabor Ekka (not present) 15 others (petitioners)