

Speed Post



Government of India  
National Commission for Scheduled Tribes

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

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

Date: 14.06.2019

To,

- |   |   |
|---|---|
| 1 Special Chief Secretary,<br>Department of Medical Health & Family Welfare,<br>5 <sup>th</sup> Block Ground Floor, AP Secretariate,<br>Velagapudi Amaravathi -522503 -AP | 2 Director,<br>Public Medical Health & Family Welfare,<br>AP Secretariate,<br>Velagapudi Amaravathi -522503 -AP |
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Sub: Minutes of the Sitting taken by Ms. Anusuiya Uike, Hon'ble Vice Chairperson, NCST on 09.05.2019 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 Ms. Anusuiya Uike, Hon'ble Vice -Chairperson of National Commission for Scheduled Tribes (NCST) on 09-05-2019 for information and necessary action.

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

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 09/05/2019 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 CANDIDATE.

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Date of sitting : 09/05/2019  
List of officers present in sitting : Annexure

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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 candidate. The Commission took cognizance of the complaint and information was sought on 21.02.2019 from Respondents by sending notice.
2. In the case, a letter of Medical and Health Department, Govt. of A.P dated 03.04.2019 was received which stated that total cadre strength of MPHS(F) in Zone I is 359 and total No. of ST Candidates working in Zone I is 52. It was also submitted that there are 45 existing vacancies available at present and three ST candidates will be considered out of 45 under Roster points 25(ST), 33(ST) and 58(ST) duly observing the rule of reservation. Promotions are issued to the post of MPHS(F) from the feeder cadre of MPHA(F) duly observing the rule of reservation.

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

3. In the case, as per the directions of the Hon'ble Chairman the sitting was convened on 09.05.2019 at 3.00 PM. In this regard, the sitting notice dated 16.04.2019 was sent to the Special Chief Secretary, Department of Medical Health & Family Welfare and Director, Public Medical Health & Family Welfare Department Govt. of A.P
4. During the sitting, the Commission first wanted to know the position of petitioner, who submitted that Scheduled Tribes personnel have not been given promotion even after 30 years of service. Other category persons have been appointed in the Schedule V Area by department. Scheduled Tribes personnel also did strike for promotion.
5. The official of medical and health department of Government of A.P said that in zonal cadre, there are total 359 posts of MPHS (F) against which 52 ST candidates are working. It means that the promotion is being given to the employees according to the seniority.
6. Petitioner said that ST candidate will have to be appointed in all the posts in schedule V areas. According to GO 3 and 68, other category people cannot be appointed there but the STs of the Plane areas have been transferred there by the department. According to the roster, there are 300 seats in the plane area, in which 19 seats are for ST, which has been given to people of schedule V area.
7. The official of Government of A.P said in total 359 posts are in zonal cadre in which 58 posts are in schedule V area. These posts have to be filled by only for the candidate of scheduled V area. In addition to schedule V and plain areas, 45 employees are employed on total ST posts and 13 vacancies. Those posts will be filled soon. 6 percent reservation is given to the STs in the state of Andhra Pradesh. People who live in schedule V area have to submit residence certificate that they live there since past 50 years. There are 18 seats of ST in the Plane Area, in which all the seats have been filled.
8. On the contrary the petitioner submitted that, posts in schedule V areas are being filled with the people of the plain area. In roster the employee of serial number 62 got promotion while serial number 53 BHARTI and serial number 49 V V LAKSHMI were not promoted.
9. The residence certificate of the local area was not given by these people during the promotion, due to which they were not promoted.

  
नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
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नई दिल्ली/New Delhi

10. The Commission, after listening to both sides made the following recommendation :-

- The department is advised that all the applicants should be given time to submit the Local Schedule Area Certificate. 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.

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

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6.6.019  
नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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**Government of India**

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

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

SUB : REPRESENTATION 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 CANDIDATE. ATTENDANCE OF PARTICIPANTS IN THE SITTING HELD ON 09/05/2019 IN THE NATIONAL COMMISSION FOR SCHEDULED TRIBE, NEW DELHI.

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**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. Smt. M.C.I.,         | Hon'ble Member      |          |
| 4. Shri A. K. Singh,    | Secretary           |          |
| 5. Shri S. K. Ratho,    | Joint Secretary     |          |
| 6. Dr. Lalit latta,     | Director            |          |
| 7. Shri A. K. Dwivedi,  | Consultant          |          |

**Officer of the Department of Medical Health and Family Welfare**

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|--------------------------|---------------|
| 1. Dr. G. Savitri,       | Add. Director |
| 2. Dr. Vijayalakshmi J., | Dy. Director  |

**Petitioner**

1. Shri Sunadhi Gowriswari