



**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. NE/2/2016/STGDH/SEOTH/RU-I

Date: 21 /11/2017

To

The Secretary,  
Health & Family Welfare Department,  
Govt. of NCT of Delhi,  
9th Level, A-Wing,  
Delhi Secretariat,  
Delhi – 110002.

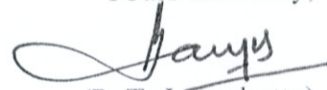
**Sub:** Representation dated 15/12/2015 received from Shri Nabor Ekka, President, Indian Confederation of Indigenous and Tribal People, C/o C, W.W.S., Plot No. 1, West Kidwai Nagar, New Delhi regarding non filling the vacant posts of Staff Nurse under post code 20/13 under scheduled tribe category in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

Sir,

I am directed to enclose a copy of the minutes of Sitting held in the Commission under the Chairmanship of Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson, NCST on 13/10/2017 on the above mentioned subject for necessary action. Action Taken Report in this regard may be furnished to the Commission at the earliest.

Encl: As above.

Yours faithfully,

  
(P. T. Jameskutty)  
Deputy Secretary

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:

SSA NIC (for hosting on Commission's website)

**Minutes of sitting held in the Commission on 13/10/2017 at 02:00 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.**

List of participants placed at annexure A.

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 who 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, of out of total contractual engagement, approx. 70 ST candidates were working on contract basis (the figure is 51 as on date). 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.


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. Accordingly, a sitting notice has been issued.

**Discussion:**

Smt. Rashmi Krishnan, Secretary, Department of Health & Family Welfare, Govt. of NCT of Delhi appeared before the Commission. The petitioner was also present in the sitting. The matter was discussed in details. The Hon'ble Vice-Chairperson, NCST asked to the petitioner about his grievances. The petitioner informed that 18 posts (Staff Nurse) are reserved for ST category in the Health & Family Welfare Department which was not filled up by the DSSSB and Department till date.

In this regard, the Hon'ble Vice-Chairperson asked to the Secretary, Department of Health & Family Welfare, Govt. of NCT of Delhi to explain the case. The Secretary, H&FW Department, Govt. of Delhi submitted to the Commission that in pursuance of the recruitment advertise No. 20/13 for 2199 posts in which 244 posts were reserved for ST category, 242 dossiers were received from DSSSB and, 28 dossier of ST candidates were returned to DSSSB as candidate did not join. Further, DSSSB has provided 10 more dossiers for 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 Hospital / Medical Institution for appointment process. She has submitted that to fill up of 18 posts under ST category, the matter will be taken up with the DSSSB by the Health & Family Welfare Department in proper manner and intimated to the Commission at the earliest. She also assured that the validity period of Panel List will be got extended with approval of Lieutenant Governor.

The Hon'ble Vice-Chairperson, NCST advised the Secretary, H&FW Department, Govt. of NCT of Delhi that procedure for appointment of ST candidates on 18 posts (Staff Nurse) reserved for ST from amongst the qualified ST candidates from the Panel should be completed with the approval of Competent Authority and apprised to this Commission within 15 days.

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

Attendance Sheet

Sr. No.	Name and Designation
<b>I</b>	<b><u>National Commission for Scheduled Tribes</u></b>
1.	Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson
2.	Shri P.T. Jameskutty, Deputy Secretary
3.	Shri Rajeshwar Kumar, Assistant Director
4.	Shri Gaurav Kumar, P. S. to Hon'ble Vice-Chairperson
5.	Shri H. R. Meena, Senior Investigator
<b>II</b>	<b><u>Health &amp; Family Welfare Department, Govt. of NCT of Delhi</u></b>
1.	Ms. Rashmi Krishnan, Secretary
2.	Shri Vinod Kumar Singh, Section Officer
<b>III</b>	<b><u>Petitioner</u></b>
1.	Shri Vung Ngaih Kim