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By Speed Post



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

Dated: 18/03/2019

To,

1. The Secretary,  
Health & Family Welfare Department,  
Govt. of NCT of Delhi,  
9th Level, A-Wing,  
Delhi Secretariat,  
Delhi – 110002.
2. 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 05.03.2019 at 4:30 P.M. under the Chairmanship of Miss 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.

Yours faithfully,

(Rajeshwar Kumar/राजेश्वर कुमार)  
Assistant Director/ सहायक निदेशक  
Tel: 011-24641640.

Copy for necessary action to:

The Chief Secretary,  
Govt. of NCT of Delhi,  
Delhi Secretariat  
New Delhi-110002

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 (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 05/03/2019 at 4:30 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 for 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 for scheduled tribe category in Govt. of NCT of Delhi.

This case was discussed in the sitting(s) convened by the Commission on 29/08/2016, 13/10/2017, 13/03/2018, 04/05/2018, 11/06/2018 and 26.09.2018 with the Officers of Health & Family Welfare Department, GNCT Delhi, Services Department, GNCT Delhi and the Delhi Subordinate Services Selection Board (DSSSB) and the petitioner(s).

After detailed discussions with the Secretary, Health and Family Welfare Department, GNCTD and officers of DSSSB in the sitting held on 26.09.2018 the Commission has observed that H&FW Department has not taken action in time to invite the ST candidates recommended by the DSSSB against the post code No. 20/2013. It was decided by the Commission that matter should be taken up with the Hon'ble Lt. Governor of Delhi to revive the panel/ waitlist prepared by DSSSB vide Order No. 513 dated 26/07/2016 for the post code No. 20/2013 by NCST.

Commission suggested/ recommended that the Health & family Welfare Department, GNCTD, should also take up the matter with the Hon'ble Lt. Governor of Delhi to revive the panel/ waitlist of ST candidates prepared by DSSSB against the post code No. 20/2013. The action taken/ to be taken should be submitted by H&FW GNCTD to the Commission within a month from receipt of the proceedings of the sitting.

As per decisions taken in the sitting, the Hon'ble Vice- Chairperson, NCST vide DO No. NE/2/2016/STGDH/SEOTH/RU-I dated 09.10.2018 had taken up the matter with the Hon'ble Lt. Governor of Delhi for intervening in the matter and relax/ revive the panel/ waitlist in ST category Post Code NO. 20/2013 prepared by the DSSSB. The proceedings of sitting were sent to the Chief Secretary,

  
शुश्री अनुसुईया उइके/Miss Anusuiya Uikey  
उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार  
Govt. of India  
लोक नयक भवन/ New Delhi

GNCTD, Secretary, Health & family Welfare Department, GNCTD and Chairman, DSSSB vide NCST letter dated 10.10.2018. The response was not received from the concerned Department. The Hon'ble Vice- Chairperson fixed the sitting for 01.03.2019 which was postponed for 05.03.2019 to discuss the issue with the Secretary, Health & family Welfare Department, GNCTD and Chairman, DSSSB. Accordingly, the summons was issued Secretary, H & FW and notice to Chairman, DSSSB.

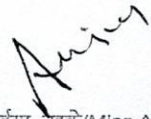
Special Secretary, H & FW, GNCTD appeared on behalf of Secretary, H & FW, Chairman, DSSSB deputed the officers to attend the sitting and petitioner (s) were present in the sitting. The Hon'ble Vice- Chairperson asked the petitioners to explain the present position for issuance of order of appointment by Health & Family Welfare Department. The petitioner (s) explain that the Health & Family Welfare Department has not issued any order for appointment so far.

The Hon'ble Vice- Chairperson asked the representative of DSSSB to explain the action taken by them in the matter. The representative of DSSSB provided a copy of the letter No. 4 (389)/DSSSB/CC-I/2013/11885-88 dated 06.11.2018 addressed to the Secretary, H& FW, GNCTD regarding the case. In this letter the DSSSB had requested H & FW Department, to process the matter for approval of the Competent Authority in compliance of the directions contained in the minutes of sitting held in NCST on 13.10.2017 and 26.09.2018. It was also informed that the DoPT is the Nodal Agency for such cases.

The Hon'ble Chairperson asked the representative of H& FW, GNCTD to explain the action taken by them in the matter. The representative informed that the order has been issued to inquire the facts and punished the default officer due to whom, the ST candidates has not obtained the offer of appointment. The matter is under active consideration for referring the matter to the Hon'ble LG. The matter will be referred very soon by the Department to Hon'ble LG. As and when response/ comments received from Hon'ble LG, the same will be communicated to NCST by the Department.

The Commission took seriously that Health & Family Welfare Department, GNCTD has not submitted report on the suggestions of sitting held on 26.09.2018 at NCST. It was observed that the Health Department is not serious about the Scheduled Tribes and the constitutional body set up under Article 338A of the Constitution of India.

After detailed discussions, the Hon'ble VC suggested/ recommended that the H& FW Department and DSSSB should suggest the Commission who is the Competent Authority to revive/ extend the panel for the Post Code No. 20/2013. The H & FW Department, should prepare the list of person working in contract basis in the hospital (s) against the nursing posts. Report on action taken/ to be taken on the suggestions may be sent to the Commission within one month from receipt of the proceedings of the sitting.

  
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

Government of India  
National Commission for Scheduled Tribes

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

Date of Sitting: 05.03.2019 at 04.30 PM

List of participants:

**I. National Commission for Scheduled Tribes**

1. Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson
2. Shri P.T. Jameskutty, Deputy Secretary
3. Shri Rajeshwar Kumar, Assistant Director
4. Shri R.S. Misra, Senior Investigator
5. Shri Gaurav Kumar, P. S. to Hon'ble Vice-Chairperson

**II. Health & Family Welfare Department, GNCTD**

Shri R.P. Meena, Special Secretary

**III. Delhi Subordinate Services Selection Board, Delhi**

1. Shri A.K. Singh, COE
2. Shri K.K. Mishra, Deputy Secretary

**IV. Petitioner**

Number of petitioners were present