



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

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

File No. SKT/3/2016/STGDH/SEHRMT/RU-I

Date: 18/09/2018

To

(1) The Secretary,
Ministry of Health & Family Welfare
Nirman Bhavan,
Maulana Azad Road,
New Delhi -110011.
Tel: 23061863, 23063221.
Fax: 23061252.
Email: secyhfw@nic.in

(2) The 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

Sub: Representation dated 10/05/2016 received from Dr. Sanjeev Kumar Tudu, Professor & Head, Department of Surgery, Maulana Azad Medical College & Association Hospital, New Delhi - 110002 regarding justice for unjustified transfer from MAMC.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held in the Headquarters of National Commission for Scheduled Tribes on 10/09/2018 at 4:00 P.M. under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes in the matter, for information and appropriate action.

Encl: As above.

Yours faithfully,


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

Copy to:

Dr. Sanjeev Kumar Tudu,
Professor & Head,
Department of Surgery,
Maulana Azad Medical College & Association Hospital,
New Delhi - 110002.

Copy for information to:

1. PS to Hon'ble Chairperson, NCST
2. NIC (for hosting on Commission's website).

Govt. of India
National Commission for Scheduled Tribes

(File No. SKT/3/2016/STGDH/SEHRMT/RU-1)

Minutes of sitting held on 10/09/2018 at 4:00 P.M. under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, NCST in the case of Shri S. K. Tudu, Professor and Head, Department of Surgery, Maulana Azad Medical College and Association Hospital, New Delhi regarding un-justified transfer from Maulana Azad Medical College (MAMC) to Lady Harding Medical College (LHMC).

List of participants is annexed.

A representation dated 13/06/2018 was received from SC/ST Medical Association, Delhi regarding unjustified transfer of Shri S. K. Tudu from Maulana Azad Medical College (MAMC) to Lady Harding Medical College (LHMC).

The matter was referred to Secretary, Ministry of Health & Family Welfare, Govt. of India and Principal Secretary, Health & Family Welfare, Govt. of NCT Delhi for facts and comments vide NCST's letter dated 19/06/2018. The Health & Family Welfare Department, GNCTD vide letter No. 234(250)/NCST/COMM./H&FW/2017-1054-55 dated 09/07/2018 requested the Dean, Maulana Azad Medical College, GNCTD, for furnishing the ATR directly to the NCST. A copy of this letter endorsed to NCST. The Ministry of Health & Family Welfare vide O.M. No. A-44011/2/2016-CHS-III dated 18/07/2018 has furnished the detailed list of chronology of events in the matter and points emerged thereon in the case. In this letter, it was informed that Dr. Tudu has filed an O.A. No. 2377/2018 in the Hon'ble CAT, Principal Bench, New Delhi against his transfer from GNCT of Delhi to LHMC. The matter is sub-judice.


A sitting was convened by the Hon'ble Chairperson on 10/09/2018 at 4:00 P.M. to discuss the matter with the Ministry of Health & Family Welfare, Govt. of India and Department of Health & Family Welfare, GNCT of Delhi and petitioner. In the sitting, representative of Ministry of Health & Family Welfare, Govt. of India and Department of Health & Family Welfare, GNCTD appeared and petitioner was absent.



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

The representative of Ministry of Health & Family Welfare, Govt. of India reiterated their comments submitted to the Commission in the matter. It was also informed that the Ministry of Health & Family Welfare is the cadre controlling authority of teaching cadre Officers in CHS. Shri Tudu belongs to CHS cadre. The Special Secretary, Health & Family Welfare, GNCTD submitted the facts vide letter No. F.51/1161/H&FW/2015/CD No. # 112326786/2158 dated 10/09/2018. In the letter, it had been mentioned that "the petitioner has filed a petition in the Hon'ble CAT vide OA No. 100/2377/2018 challenging the Ministry of Health & Family Welfare transfer Order dated 22/05/2018. The said matter is sub-judiced in the Hon'ble CAT and the date of next hearing in the case is 25/09/2018.

After discussions, it was decided that since, the matter is subjudice before the Hon'ble CAT and the petitioner did not appear, this case should be closed. If, petitioner has any issue in the matter, then he may file a fresh application indicating the status of his case before the Hon'ble CAT, Delhi to NCST within a month from the receipt of the proceedings.


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

27.9.18

Govt. of India
National Commission for Scheduled Tribes

(F. No. SKT/3/2016/STGDH/SEHRMT/RU-1)

Date of sitting: 10/09/2018 at 4:00 P.M.

List of participants

Sr. No.	Name and Designation
I	<u>National Commission for Scheduled Tribes</u>
1.	Shri Nand Kumar Sai, Hon'ble Chairperson
2.	Shri H. K. Damor, Hon'ble Member
6.	Shri Raghav Chandra, Secretary,
7.	Shri S. K. Ratho, Joint Secretary
8.	Shri P.T. Jameskutty, Deputy Secretary
9.	Shri Rajeshwar Kumar Assistant Director
10.	Shri R. S. Misra, Senior Investigator
II	<u>Secretary, Ministry of Health & Family Welfare Department, Govt. of India.</u>
1.	Ms. Gayatri Mishra, Joint Secretary, Nirman Bhawan, New Delhi
III	<u>Health & Family Welfare Department, Govt. of NCT of Delhi.</u>
1.	Shri R. P. Meena, Special Secretary, Sachivalaya, IP Estate, New Delhi.
IV	<u>Petitioner</u>
1.	Absent