



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. PMT/5/2015/STGDH/SEPROM/RU-I

Dated: 18/03/2019

To,

1. The Secretary,  
Health & Family Welfare Department,  
Govt. of NCT of Delhi,  
Delhi Secretariat,  
Delhi – 110002.
2. The Principal Secretary,  
Services Department,  
Government of NCT of Delhi,  
Delhi Secretariat,  
Delhi- 110002

Sub: Representations of Ms. Poonam Madhuri Toppo and Shri Lokesh Kumar Meena, Male Nurse, G.B. Pant Hospital, R/o WZ – 276/17, IInd floor, Inderpuri, New Delhi regarding injustice with Scheduled Tribe employees working in the Health & Family Welfare Department, 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:

1. Ms. Poonam Madhuri Toppo,  
R/o House No. 65C, 3rd Floor,  
LIG, DDA Flat, Prasad Nagar,  
New Delhi – 110005.
2. Shri Lokesh Kumar Meena,  
A-1 A/30, Gali No. 9, Chanakya Place,  
Opp. Janakpuri – C 1,  
Uttam Nagar  
New Delhi – 110059.  
(Mob – 9717576460).

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. PMT/5/2015/STGDH/SEPROM/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 Ms. Poonam Madhuri Toppo and Shri Lokesh Kumar Meena, Male Nurse, and others G.B. Pant Hospital, R/o WZ – 276/17, IInd floor, Inderpuri, New Delhi regarding injustice with Scheduled Tribes employees working in the Health & Family Welfare Department, Govt. of NCT of Delhi.

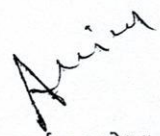
List of participants is annexed.

Representations of Ms. Poonam Madhuri Toppo and Shri Lokesh Kumar Meena, Male Nurse, G.B. Pant Hospital, R/o WZ – 276/17, IInd floor, Inderpuri, New Delhi regarding injustice with Scheduled Tribes employees working in the Health & Family Welfare Department, Govt. of NCT of Delhi.

The issue was discussed in the sitting held on 13.10.2017, 20.02.2018, 11.06.2018 and 26.09.2018 at NCST with the Officers of Health and Family Welfare Department, GNCTD, Services Department, GNCTD and the petitioners. After detailed discussions in the sitting held on 26.09.2018, it was decided that H&FW Department should submit the report to NCST on the following points within a month.

- (i) As assured by the Secretary, H&FW Department, petitioners can meet him any day for presenting their case.
- (ii) Roster should be prepared within a month by adopting the due procedure. The cases for promotion of all affected ST persons should be examined as per latest judgment of Hon'ble Supreme Court.
- (iii) The ST candidate promoted as Sr. Nursing Officer on Ad-hoc basis may be regularized as per rules.
- (iv) As special case, H&FW Department can constitute a DPC for considering the cases of affected ST persons.

The action taken report was not received from the Health & Family Welfare Department and the petitioner (s) met the Hon'ble Vice- Chairperson and Hon'ble Chairperson of the Commission and requested for justice. The Hon'ble Vice Chairperson fixed the sitting for 05.03.2019 for discussion on the issue with the Secretary, H& FW and Secretary, Services Department, GNCT Delhi along with petitioner (s).

  
सुधी 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

Secretary, H & FW deputed Special Secretary, H & FW GNCT Delhi to attend the sitting, the representative of Services Department appeared on behalf of Secretary, Services before the Commission and petitioner (s) were present in the sitting. The Hon'ble VC asked the petitioner (s) to explain the grievances. The petitioners informed that as per directions of sitting held on 26.09.2018 at NCST, they met Secretary, H & FW Department and issues were discussed in detail but no concrete action has been taken by the Health Department so far. They also stated that the employees belonging to other categories have been promoted but ST employees has not been promoted, which is injustice with the ST people.

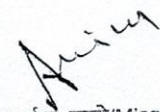
The Hon'ble Vice- Chairperson asked the representatives of H & FW Department to explain the action taken by the Department in the matter. The representative informed that the Roster is under finalization. The Department is also working for constitution of DPC for considering the cases of affected ST persons. The CP No. 347/2015 is pending before the Hon'ble CAT, therefore, the Department is unable to consider the cases of the petitioner (s) as raised in the representation (s). The Department will take action as per the directions of the Hon'ble CAT.

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 also observed that in the sitting held on 26.09.2018, the officers of H & FW Department informed that the Roster is under finalization and now again stated the same position in respect of preparation of Roster.

The representative of Services Department submitted that there is no role of Services Department in the instant case, hence, the Services Department may be exempted from appearance before the Commission.

After detailed discussions with the representative of Health Department, Hon'ble Vice-Chairperson advised that H&FW Department should submit the report on action taken/ to be taken to NCST on the following points within a month from receipt of the proceedings of the sitting.

- (i) Roster should be prepared in consultation with the DoPT by adopting due procedure.
- (ii) DPC may be constituted by H&FW Department as special case, for considering the cases of affected ST persons, in consultation with the Services Department, GNCTD and other stake holders.

  
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. PMT/5/2015/STGDH/SEPROM/RU-I

List of participants of the sitting held on 05/03/2019 at 04:30 PM under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice- Chairperson, NCST in the case of Ms. Poonam Madhuri Toppo and Shri Lokesh Kumar Meena, Male Nurse, G.B. Pant Hospital, R/o WZ – 276/17, IInd floor, Inderpuri, New Delhi regarding injustice with Scheduled Tribe employees working in the Health & Family Welfare Department, Govt. of NCT of Delhi.

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

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

**II**                    **Department of Health & Family Welfare, Govt. of NCT of Delhi**

Shri R.P. Meena,  
Special Secretary

**III**                    **Services Department, Govt. of NCT of Delhi**

1. Shri Ashwani Kumar Mehta,  
Deputy Secretary
2. Shri D.K. Mishra,  
Section Officer

**IV**                    **Petitioner**

1. Shri Lokesh Kumar Meena
2. Smt. Poonam Madhuri Toppo & Others