



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

*By Speed post*

File No. ADM/1/2016/STGMH/SEHRMT/RU-IV

Dated: 17.06.2019

To,

1 The Director and Commandant,  
Military Hospital,  
Range Hills, Kirkee,  
Pune- 411 020  
(Maharashtra)

2 The Commissioner of Police,  
2, Sadhu Vaswani Road,  
Camp, Pune - 411 001  
(Maharashtra).

**Sub: Proceedings of the Sitting taken by Smt. Maya Chintamn Inate, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 03.06.2019 in the matter of Smt. Anita Devi Meena, Ward Sahayika, Military Hospital, Kirkee, Pune regarding harassment by Hospital Administration.**

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held under the Chairmanship of Smt. Maya Chintamn Inate, Hon'ble Member, National Commission for Scheduled Tribes on 03.06.2019 on the above mentioned subject for necessary action at your end.

It is requested that an action taken report on the Commission's recommendation in the case may please be sent to this Commission within 30 days positively for placing the same before the Hon'ble Member, NCST.

Yours faithfully,

*(Signature)*  
(Y.K. Bansal)  
Research Officer  
Ph. 24645826

*(Encl: As above)*

Copy for information to:

Smt. Anita Devi Meena,  
Qtr No. 12/2, Type-P (R.H.E)  
Military Hospital, Kirkee  
Pune - 411 020  
(Maharashtra).

5050-52  
18/6/19

जारी

*(Signature)*

*Copy to: - SAS, NIC, NCST.*

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

Case File No. ADM/1/2016/STGMH/SEHRMT/RU-IV

**PROCEEDINGS OF SITTING HELD ON 03.06.2019 CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SMT. ANITA DEVI MEENA, KIRKEE, PUNE REGARDING HARASSMENT BY HOSPITAL ADMINISTRATION.**

Date of Sitting: 03.06.2019


List of officers present in sitting is Annexed.

The petitioner Smt. Anita Devi Meena, Kirkee, Pune vide his representation dated 16.03.2016 has submitted the grievances regarding harassment by Hospital Administration.

She was stated that she is working as Ward Sahayika in Military Hospital (MH), Kirkee, Pune from 26.03.2007. Her husband was injured seriously in Kargil War due to grenade attack and till date 14 operations have taken place in his left leg. After these operations, the medical board of the Army declared him unfit. Thereafter, she along with her husband and family members are residing in the Government quarter allotted by the Military Hospital since, 2012. In the meanwhile, from 22.07.2015 to 15.01.2016, the Military Hospital authorities issued 7 notices for vacating the Government accommodation without any valid reason. No notice for vacating the Government accommodation to other employees belonging to general category were issued. Her neighbours Miss Vandana Kamble and Smt. Sheeba Royichen who occupied the accommodation unauthorisedly often quarrel with her and family members and threaten to kill her family members. Miss Kamble has also trapped her in the false charges of burning house and always harass her on caste ground. She has also filed a police complaint against her harassment and no police action was taken. She had made several complaints against Miss Kamble and other employee for harassment and no action was taken against these employees by the Hospital authorities. Thus, the Hospital administration is pressing for vacating the accommodation without any justified ground, since she belonged to ST community and a far away state of Rajasthan. She had also not sanctioned day off leave.

In addition, the Hospital authorities has also not paid salary for the period of 28 days w.e.f 04.05.2015 to 31.05.2015 being showing her absentee despite she was on medical leave duly sanctioned by the Hospital authorities. She further alleged that the action of the Hospital authority is biased, caste based and terrorize to an employee of the Scheduled Tribes. After the attack, her husband got injured and he admitted in the Military Hospital for treatment for pain in chest and neck. The officers of the Military Hospital did not treat her husband property and discharged him from the Military Hospital as per wrong directions to the subordinate officers based on her status of caste and tribes.

2. The NCST vide its notices dated 22.07.2016 and 08.12.2017 sought a report from the Commissioner of police, Pune and Military Hospital, Kirkee. The Deputy Commissioner of Police, Sub-Division – IV, Pune replied vide their letter dated 19.05.2017 that allegation made by the petitioner in her complaint has been found baseless.

  
Smt. Maya Chintamnivate  
Member  
National Commission for Scheduled Tribes  
Govt. of India  
New Delhi

The Military Hospital, Kirkee also submitted the report wherein following action taken in the matter has been informed.

- (i) There is no individual namely Shri M. Yadav posted with hospital as complained by the petitioner.
- (ii) As per record, the office has sanctioned Day off to Smt. Anita Devi Meena on 13.08.2017.
- (iii) Against her complaint of sexual harassment, an internal complaint committee for harassment of women at work place was constituted. However, the petitioner did not approach to the standing committee for any issue. The petitioner was also given so many opportunities to submit her grievances before the committee and she never approached the committee.
- (iv) The petitioner was involved to level frivolous allegations against the department by using RTI Act and making complaints to the various authorities. However, there is no substance in her allegations. She was replied also. There is no case of harassment with her on case ground.

3. Since the report of the Military Hospital, Kirkee was found to be unsatisfactory and therefore the Hon'ble Member, NCST, Smt. Maya Chintamn Ivnate fixed a sitting on 03.06.2019 to have a discussion with the Military Hospital, Kirkee authorities and the Commissioner of Police, Pune in the matter. Accordingly, sitting notice dated 21.05.2019 was issued.

4. In sitting, on behalf of the Commandant of the Hospital, the Medical Officer, Military Hospital, Kirkee appeared before the Commission on 03.06.2019. The petitioner was also present in the sitting.

5. At the outset, the petitioner submitted her grievances to the Commission that Military Hospital Administration is harassing her from 2015 in all manners i.e. non sanction of leave, non marking of attendance in Attendance Register, restriction of her husband and children for visiting her, pressurising for vacating of accommodation, issuing of Memos and misbehaviour of her neighbour, Miss Vandana Kamble. She also apprised to the Commission that she had applied for leave for Medical illness in May, 2015. But the Military Hospital Admin did not consider her request for sanction of Medical leave and also did not pay her salary for 28 days w.e.f. 04.05.2015 to 31.05.2015. Her neighbour Miss Vandana Kamble was residing in front of her quarter, who always misbehaved with her and her family members. In this connection, she had made several complaints against Miss Vandana Kamble to the Military Hospital Administration. However, the Hospital Administration favoured to Miss Vandana Kamble and no action was taken against her. On other hand, the Hospital Administration issued 7 notices to her for vacation of the Government accommodation. No notice for vacation of accommodation was issued to her neighbours. She further alleged that on the basis of her complaint made against Miss Vandana Kamble and request application for non vacation of accommodation to the Hospital authorities, she was informed that the Military Hospital Administration had set up an inquiry committee regarding not obeying the Department's orders of vacating the quarter and thus she has been harassing since back. She has made a complaint to the Commissioner of Police, Pune about action taken against Miss Vandana Kamble and no action was taken by the Police authorities. She requested the Commission to

  
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grant justice in the matter of payment of her due salary for 28 days, non vacation of Govt. accommodation and action against Miss Kamble for misbehaving with her.

6. In sitting, the officer appeared has submitted a report on the allegations of the petitioner. He further informed the Commission that as per records held with this hospital, Smt. Anita Devi Meena was detailed for night duty during the period from 24 April, 2015 to 08 May, 2015. She applied for 26 days EL w.e.f. 06 May 2015 to 31 May 2015, which was not sanctioned by the competent authority due to shortage of Ward Sahayika. Despite being communicated of the same on 29 April 2015 by the Family Wing Matron of the hospital she absented herself for 28 days w.e.f. 04 May 2015 to 31 May 2015. Meanwhile, she forwarded a medical certificate on 06 May 2015 wherein it was mentioned that she is suffering from Sub Acute Intestinal Obstruction and required 02 to 04 weeks rest. Subsequently after 28 days she reported back to duty on 01 June 2015 and submitted an application requesting for regularisation of the period of absence. She was asked to produce the relevant medical documents. However, since the documents produced by her to justify her absence from duty for the period from 04 May 2015 to 31 May 2015 were not found to be cogent and convincing, the absence period was regularised by grant of EOL vide MH Kirkee DO Part II No. 26/09/15 dated 06 June 2015. Hence while preparing pay bill for the month of June 2015 an amount of Rs. 16,622 was deducted as per rules in vogue. Hence, no injustice has been meted out to her based on gender, caste, creed or religion.

The Military Hospital Administration further informed that Smt. Anita Devi Meena, Ward Sahayika, Miss Vandana Kamble, female Safaiwali & Smt. Sheeba Royichen, Ward Sahayika are employees of this hospital and were residing in Building No. 12 of MH Kirkee, wherein they had frequent spats and altercations. In an incident of assault and affray Shri Sita Ram Meena (Husband of Smt. Anita Devi Meena) physically assaulted Smt. Seema Naik Navare (elder sister of female Safaiwali, Miss Vandana Kamble) on 16 December, 2015. Subsequently, both were brought to emergency department of this hospital by their relatives, where after rendering necessary first aid, she was referred to civil hospital. However, Shri Sita Ram Meena, being an ESM, was admitted for observation and he was discharged from this hospital on 17 December, 2015 with a diagnosis of BLUNT INJURY ABDOMEN (INV)-NAD. Hence, it is reiterated that no partiality in treatment was offered to her husband.

They have submitted that to maintain the dignified environment in the family quarters, all three of them were directed to vacate their quarters, however only Miss Vandana Kamble and Smt. Sheeba Royichen vacated their accommodation on 28 December 2015 and 21 January 2016 respectively. Since Smt. Anita Devi Meena refused to vacate the quarter, she was issued with vacation notices.

Smt. Anita Devi Meena of this hospital had forwarded a letter dated 19 January 2016 addressed to Commandant MH Kirkee along with a CD, where in she had complained about misdeeds and immoral activities of Miss Vandana Kamble, Female Safaiwali. The CD was screened to Miss Vandana Kamble, Smt. Anita Devi Meena and Smt. Sheeba Royichen in the conference hall on 13 February 2016 in the presence of Sr. Registrar & OC Tps with Smt. Manju Das as the female representative of Civilian employee and a member of SC/ST category of MH Kirkee. In the CD, Miss Vandana Kamble was observed to be surreptitiously setting fire to a piece of heisson cloth in front of the door of Govt. Md Accd No. P-21/1 occupied by Smt Sheeba Royichen, Ward Sahayika in Bldg No. 12. On account of the same Miss Vandana Kamble was counselled vide this hospital letter No. 357/M-3(B)/PF/VPK/2016 dated 22 February, 2016 and was accordingly warned. It is pertinent to state that both Miss

  
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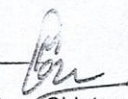
Vandana Kamble and Smt. Sheeba Royichen were directed to vacate their Govt. Md Accommodation which they complied on 28 December 2015 and 21 January 2016 respectively. Hence, the claim that no action was taken against them is not correct.

As per directions received from IHQ of MoD (Army) DGMS-3(B) an inquiry was conducted under rule 14 of CCS (CCA) Rules 1965 against her for violation of correspondence of channel and refusal to comply with the orders to vacate the allotted Govt. MD Accn. The Inquiry Officer has already established the charges beyond doubt.

7. After detailed discussion, the Commission observed that the petitioner Smt. Anita Devi Meena was harassed by the concerned officers of Military Hospital, Kirkee in all her working manners. She was allotted a government accommodation in the year 2012 and then the Hospital authorities issued notices in 2015 and 2016 to vacate the accommodation without considering her request of retention of the quarter. The reason behind for issuing of notice for vacating house was that the petitioner had earlier made complaint against her neighbours for misbehaving with her and her family members. But no notice for vacating house was issued to the petitioner's neighbour. However, during the discussion, it was observed that the petitioner's neighbour namely Miss. Vandana Kamble has vacated accommodation and thus, the Hospital Administration should not insist to vacate the petitioner's accommodation and should consider her request for retention of quarter. The Commission further noted that the petitioner had applied for medical leave with all relevant documents. However, her leave was not sanctioned and her salary for 28 days from the period of 04.05.2015 to 31.05.2015 was deducted. In this regard, the Hospital administration did not verify the medical certificates and took one side action without considering the relevant documents. Thus, the action of the department seems to be unjustified. In addition, the petitioner was harassed by way of non marking of attendance in the attendance register, misbehaviour by the senior officers at every stage since she belongs to ST woman category and issuing of Memos for unjustified reasons. Since, she repeatedly approached to the higher authorities against her harassment and therefore, her plea/submission were not taken into consideration by the Hospital authorities. Regarding approaching to the higher authorities by way of making representations, she was not aware about all rule and regulations for approaching her grievances to the concerned authority and hence, initiating departmental inquiry seems to be unjustified. Thus, it appears to be a case of harassment with ST petitioner.

8. In view of the above, the Commission recommends to the Military Hospital, Kirkee authorities that:

- Her application for medical leave for 28 days from 04.05.2015 to 31.05.2015 should be sanctioned and be considered to release her salary of that period immediately. If required, the petitioner's medical certificates be verified from the concerned authorities.
- The quarter allotted to the petitioner who at present residing with her family should not be vacated as because Miss Vandana Kamble and other employee has already vacated her quarters as per direction of the Hospital authorities.
- Departmental inquiry initiated against the petitioner for violation of correspondence with higher authorities without proper channel and refusal to vacate the allotted Government quarter by her should be stopped or withdrawn as she was not aware

  
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about the Hospital's Rules and Regulations and a sympathetic view should be taken towards a marginalised ST community lady.

- It may be ensured that no discrimination/harassment should be meted out in future on caste/community basis against the petitioner and also be ensured to create a peaceful environment in the Hospital premises so that the petitioner could discharge her duties in meaningful manner.
- An action taken report on the Commission's recommendations should be submitted to the NCST within 30 days from the receipt of this proceedings.

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**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

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**List of participants**

**NCST**

1. Smt. Maya Chintamn Ivnate(In chair)
2. Shri R.K. Dubey, Assistant Director
3. Shri Y.K. Bansal, Research Officer
4. Shri H.R. Meena, Sr. Investigator
5. Shri Sudhir Atram, PS to Member

**Officers of Ministry of Defence**

1. Captain Sudip Kumar Patra, Medical Officer, Military Hospital, Kirkee
2. Shri Kedav Kulkarni, Steno Gr-II, Military Hospital, Kirkee

**Petitioner**

1. Smt. Anita Devi Meena
2. Shri Sita Ram Meena