



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

File No. Review/20/AIIMS/2023-SSW

Dated: 03/11/2023

To,

Dr. M. Srinivas,
Director,
All India Institute of Medical Science (AIIMS),
Ansari Road,
New Delhi-110029
(Ph No. 011-26588500)
(Email: director@aiims.ac.in)

Sub: Review of Constitutional Safeguards for Scheduled Tribes of AIIMS.

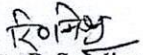
महोदय,

I am directed to refer to the subject cited above and to enclose copy of minutes of Review Meeting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 18.09.2023 at AIIMS, New Delhi.

It is requested that the report on action taken/ to be taken on the recommendations may be sent within 30 days from receipt of the letter, for placing it before the Hon'ble Member.

Encl: As above.

Yours faithfully,


आर.एस.मिश्र / R.S. Misra)
अनुसंधान अधिकारी / Research Officer
Ph No. 011-24641640

Copy for information to:

1. PS to Hon'ble Member, NCST
2. PS to Secretary, NCST
3. O/o JS, NCST
- ✓ 4. NIC, NCST for uploading on the website of the Commission

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

REPORT AND RECOMMENDATIONS UNDER ARTICLE 338A(5)(e) OF THE CONSTITUTION OF INDIA ON THE MEASURES TO BE TAKEN BY THE ALL INDIA INSTITUTE MEDICAL SCIENCES (AIIMS), NEW DELHI FOR EFFECTIVE IMPLEMENTATION OF CONSTITUTIONAL SAFEGUARDS AND REVIEW AND MONITORING OF SCHEMES FOR THE PROTECTION, WELFARE AND SOCIO-ECONOMIC DEVELOPMENT OF THE SCHEDULED TRIBES BY THE NATIONAL COMMISSION FOR SCHEDULED TRIBES.

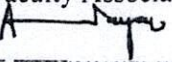
[File No. Review/20/AIIMS/2023-SSW]
Date of Review: 18.09.2023 at AIIMS, New Delhi

The National Commission for Scheduled Tribes (NCST) is a constitutional body set up under Article 338A of the Constitution of India to investigate and monitor all matters relating to protection, welfare and socio-economic development of Scheduled Tribes in the Country. As per the Constitutional provisions, the Union and every State Govt. shall consult the Commission on all major policy decisions affecting Scheduled Tribes. The Commission is required to present to the Hon'ble President of India, Reports upon working of those safeguards and all such Reports are to be laid before each House of Parliament along with Memorandum explaining the Action Taken or proposed to be taken on the recommendations relating to the Union and the reasons for non- acceptance, if any, of any of such recommendations.

2. In pursuance of the above constitutional mandate, Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes, in the presence of Smt. Alka Tiwari, Secretary, NCST and other senior officials of the Commission took a review meeting with the Director and other senior officers, AIIMS on 18.09.2023 to evaluate the implementation of constitutional safeguards for Scheduled Tribes Employees of the AIIMS, New Delhi and also to review implementation of various other service safeguards and other developmental schemes/programmes for the welfare and development of Scheduled Tribes employees and Scheduled Tribes.

3. The List of Officers of AIIMS, New Delhi who were present in the Review Meeting at 12:00 Noon on 18.09.2023 and List of Office Bearers of SC/ST Employees Welfare Association, AIIMS, New Delhi and ST Employees of AIIMS who attended the meeting at 11:00 AM on 18.09.2023 are Annexed.

4. Hon'ble Member, NCST, in the presence of Secretary, NCST and other Officials of the Commission had interaction and discussion with Office bearers of SC/ST Employees Welfare Association of AIIMS, New Delhi and nominees of Liaison Officer, AIIMS, New Delhi on the problems and difficulties faced by ST employees in the organization. The SC/ST Employees Welfare Association, AIIMS and Faculty Association for Equality and Rights


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

(Forum), AIIMS, New Delhi has drawn the attention on the following points for protection and welfare of employees of the AIIMS:-

- a. In pursuance of Judgment of Hon'ble Supreme Court, DoPT vide OM No. 36012/16/2019-Estt (Res) dated 12.04.2022 has issued the guidelines regarding reservation in promotion. Therefore, previous DPCs for all posts in the Nursing Cadre may be reviewed.
- b. Reservation Roster for Nursing Cadre requires to be corrected so that backlog seats in respective categories may be filled on urgent basis.
- c. Cases pertaining to Bharti, Siddhartha Priya, STO, Radiology and Ramnarayan Meena, TO may be reviewed keeping in view Roster points.
- d. Cases of Shri Bandhan Oraon, Masalchi Bearer may be considered on priority basis for promotion to the post of Sanitary Inspector;
- e. Feasibility of giving time bound promotion to employees working in OTA Section may be considered;
- f. The MRT Cadre needs to be reviewed. Experienced employees working in the Section may be given opportunity for training for adequate skill/knowledge upgradation for promotion/before Departmental Exams;
- g. Instances have been highlighted where Faculty Position to ST Employees of AIIMS, New Delhi had been denied by citing "Not Found Suitable" Clause by Administration/Selection Committee. This may be reviewed so that eligible ST Candidates do not face undue discrimination, harassment and deprivation ;
- h. AIIMS has not uploaded the Faculty Reservation Roster on AIIMS website. This should be uploaded on priority basis duly signed by all as per DoPT rules.
- i. The SC/ST Cell in the AIIMS is not working effectively. Hence, the SC/ST cell requires to be strengthened and to be monitored by Director, AIIMS.
- j. Adequate sensitization may be given periodically to Officers/HoD on issues pertaining to the problems of Scheduled Tribes.
- k. Apparently, there is inadequate representation of STs in Senior Positions and Administration of AIIMS, New Delhi. An action plan should be prepared for adequate representation of STs in the Administration/Management of the AIIMS, New Delhi.


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5. After the interaction with SC/ST Employees Welfare Association, AIIMS, New Delhi Hon'ble Member, NCST, in the presence of Secretary, NCST and other Sr. Officers of NCST held a review meeting of AIIMS with the Director, AIIMS and Senior Officers of AIIMS, New Delhi regarding service related safeguards of Scheduled Tribes. After a round of introduction, Secretary, NCST briefed all present in the review meeting about the functions and duties of the NCST and requested Director, AIIMS to apprise the activities being undertaken by AIIMS for the welfare and protection of Scheduled Tribes Employees. A power point presentation was made by the AIIMS team highlighting the Faculty, Non-Faculty Positions, Reservation Roster, Recruitment, SC/ST Grievance Cell and other activities. It was *inter-dia* informed that the total number of sanctioned posts is 14661 out of which 11723 were in position. There are 628 employees belonging to Scheduled Tribe community which constitute 5.35% of total employees. Out of 641 Sr. Residents (non-academic), 38 belong to Scheduled Tribes community. Similarly, out of 164 Junior Residents (non-academic July, 2023 session), 13 belong to the Scheduled Tribe community.

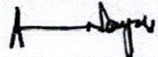
6. Observations of the Commission:

The number of Scheduled Tribe employees in position is much lower than the required percentage which is 7.5%. This could be due to non-filling up of vacancies. As such, the vacancies, both for faculty and non-faculty, needs to be filled up by the Institute keeping in view the vacant seats/posts reserved for Scheduled Tribes. As such, there is inadequate representation of STs in senior positions.


7. Recommendations of the Commission

The following are the recommendations of the Commission:

- i. Both Faculty and Non-Faculty Rosters for AIIMS Staff to be prepared as per DoPT guidelines, in consultation with the Liaison Officer and thereafter, upload on the website of AIIMS, New Delhi;
- ii. Separate Liaison Officer for Scheduled Tribes Employees may be appointed/nominated.
- iii. Separate Internal Grievance Redressal Committee for the Scheduled Tribe employees to be set-up.
- iv. Administration may consider incorporating rotation of staff in all areas (core and non-core work), to the extent possible, in the transfer policy so that non-Faculty Employees may gain adequate experience/exposures.
- v. Adequate sensitization be ensured periodically to the Officers/HoDs on issues pertaining to the problems faced by the Scheduled Tribes employees.
- vi. Action Plan needs to be made for adequate representation of STs in the Administration/Management of the AIIMS, New Delhi.
- vii. The DPCs conducted for Nursing and other Non-Faculty Posts may be reviewed keeping in view of the DoPT OM dated 12.04.2022.


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- viii. The DPC Meetings for Promotions wherever due, may be convened at the earliest, particularly where the names of ST Employees are included for consideration for promotion.
- ix. The ST Employees working in Non-Faculty Positions may be given opportunity to attend appropriate training programmes before promotion/Departmental Exams.
- x. The experience of ST employees may be given due consideration during Review of the Cadre;
- xi. The Scheduled Tribe backlog vacancies of seats in Faculty/Non-Faculty Positions may be advertised during the current year i.e. 2023 as assured to by the Director, AIIMS.
- xii. The Minutes of last two meetings of Management of AIIMS with SC/ST Employees Welfare Association and Action Taken by the Management thereon may be furnished;
- xiii. Instances have been brought to the notice of the Commission by the SC/ST Association where Faculty Position to ST Employees of AIIMS had been denied by citing "Not Found Suitable" Clause by Administration/Selection Committee. This may be reviewed so that eligible ST Candidates do not face undue discrimination, harassment and deprivation of legitimate rights on this aspect;


(Ananta Nayak)

Member, National Commission for Scheduled Tribes
New Delhi

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भारत सरकार/Govt. of India

Annexure

List of participants of the Review Meeting held on 18.09.2023 at AIIMS, New Delhi under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi.

I	<u>National Commission for Scheduled Tribes</u>
1.	Smt. Alka Tiwari, Secretary
2.	Shri K. Touthang, Joint Secretary
3.	Smt. Miranda Ingudam, Director
4.	Shri R.K. Dubey, Dy. Director
5.	Shri R. S Misra, Research Officer
6.	Shri R.K Tripathy, Spl. Rapporteur
7.	Shri Neelmani Thakur, JLRC
II.	<u>AIIMS, Administration</u>
1.	Shri Srinivas M., Director
2.	Shri Manisha Saxena, Addl. Director (Admin)
3.	Dr. Sanjay Kumar Arya, Prof. Hosp. Admin & in-charge Faculty Cell
4.	Dr. Sanjeev Lalwani, M.S
5.	Dr. Girija Prasad Rath, Registrar
6.	Dr. Kapil Yadav, Representing SC/ST Liaison Officer
7.	Dr. Prabhat Kumar Chaudhari, Rep. SC/ST Liaison Officer, AIIMS
8.	Shri Deo Nath, CAO
9.	Dr. M. Bajpai, Dean (A)
III.	<u>SC/ST Welfare Employees Association, AIIMS</u>
1	Shri Vijay Kumar, President
2	Shri Lokesh Kumar, Joint Secretary
3	Imnainla. Vice-President
4	Mr. Amit Kumar, Executive Member
5	Shri Ramakant Meena, Executive Member
6	Shri Deepak Kumar, TO, Radiology
7	Shri Roshan Lal Meena, General Secretary
8	Dr. Suman Lata, Joint Secretary

9	Dr. Kapil Yadav, President, Forum	
10	Dr. Prabhat Kumar Chaudhari, Add. Prof. CDER	
11	Shri Kaushal K. Bharti, Technical Officer, CDER	
12	Shri Manish Kumar Meena, Nursing Officer	
13	Shri Budh Prakash, Sanitation	
14	Shri Santosh Sah (TO)	
15	Shri Bandhan Oraon,	
16	Shri Satveer Singh (Technical Radio)	