

अखिल भारतीय आयुर्विज्ञान संस्थान  
अंसारी नगर, नई दिल्ली  
(अजा/ अजजा/ अपिव/ महिला प्रकोष्ठ)

फा.सं.6-1/2020/एनसीएससी/स्था.(एससीटी)

दिनांक: 12.10.2020

### परिपत्र

विषय: राष्ट्रीय अनुसूचित जनजाति आयोग, 2016-17 की अनुशंसा संबंधी

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अधोहस्ताक्षरी को निदेश हुआ है कि उपर्युक्त विषय के संबंध में संलग्न स्वास्थ्य एवं परिवार कल्याण मंत्रालय के दिनांक 21.08.2020 कार्यालय ज्ञापन फा.सं.ए.14014/01/2020-डबल्यूपीजी एवं राष्ट्रीय अनुसूचित जनजाति आयोग के संयुक्त सचिव के दिनांक 10.08.2020 के अर्धशासकीय पत्र की प्रति एवं इसके अनुलग्नक प्राप्त करें। तदनुसार इस संस्थान के सभी नियंत्रक प्रशासनिक अनुभागों से अनुरोध है कि समिति की संलग्न रिपोर्ट के अध्याय-3 के अनुच्छेद-6 में वर्णित अनुशंसा का अनुपालन करें। संबंधित अनुशंसा निम्नानुसार है:

“अतः समिति की अनुशंसा है कि केंद्र और राज्य के संबंधित विभागों / मंत्रालयों / संगठनों में प्रभावी कदम उठाए जाएं ताकि प्रत्येक सरकारी अधिकारी को अनुसूचित जनजातियों को प्रदान किए गए सुरक्षा उपायों से अवगत कराया जाना सुनिश्चित हो सके। इसके लिए संबंधित अधिकारियों/कर्मचारियों को उनके दिए गए कार्य से संबंधित नियमों में निर्धारित उनके कर्तव्यों और जिम्मेदारियों के बारे में सेवा के आरंभ से प्रशिक्षण प्रदान किया जाना चाहिए ताकि अनुसूचित जाति और अनुसूचित जनजाति अत्याचार निवारण अधिनियम 1989 के अंतर्गत विभिन्न विकास योजनाओं के अंतर्गत अनुसूचित जनजाति के कर्मचारियों/ लाभार्थियों, विशेष कर अत्याचार के पीड़ितों को सुरक्षा के उपायों की उपलब्धता सुनिश्चित हो सके।”

इसे सर्वसंबंधितों के सूचनार्थ एवं आवश्यक कार्रवाई हेतु जारी किया जाता है।

संलग्न: यथोपरि ।

अनिता डेटे  
12/10/2020  
(अनिता डेटे)  
प्रशासनिक अधिकारी

#### वितरण:

1. कुल-सचिव (एम्स)/ प्रभारी आचार्य (भर्ती एवं संकाय)/ मुख्य प्रशासनिक अधिकारी
2. वरिष्ठ प्रशासनिक अधिकारी/ प्रशासनिक अधिकारी/ सहायक प्रशासनिक अधिकारी  
(सभी स्थापना अनुभाग - निदेशक कार्यालय / मुख्य अस्पताल / डॉ. रा.प्र.कै. / ह.त.कै. / डॉ. भी.रा.अं.सं.रो.कै.अ. / ज.प्र.न.ए.ट्रॉ.केंद्र / एनडीडीटीसी / सीडीईआर / एनसीआई, झज्जर / दग्ध एवं प्लास्टिक/ भर्ती प्रकोष्ठ/ संकाय प्रकोष्ठ)
3. प्रभारी आचार्य, कंप्यूटर सुविधा, इसे अ.भा.आ.सं. के पोर्टल पर लोकहित में अपलोड करने के अनुरोध के साथ।

#### सूचनार्थ प्रति:

निदेशक महोदय के प्रधान निजी सचिव/ उप-निदेशक (प्रशा.) के निजी सचिव

श्री सजीव कु-जी  
संजय गुप्ता  
14/10

File No.A.14014/01/2020-WPG

File No. A.14014/01/2020-WPG  
Government of India  
Ministry of Health & Family Welfare  
W&PG Section

Nirman Bhawan, New Delhi  
Dated the August, 2020.

**OFFICE MEMORANDUM**

Subject: Recommendation of National Commission for Scheduled Tribes, 2016-17-reg.

The undersigned is directed to enclose herewith the DO letter dated 10.08.2020 from JS, National Commission for Scheduled Tribes, along with its enclosures, on the subject cited above and to request to all administrative controlling heads of respective Institutes/Organisations in this Ministry to follow the recommendation of Committee as listed in Para-6 of Chapter-3 of enclosed Report. This is for information and further necessary action.

Digitally signed by VANDANA  
CHAUDHARY  
Date: Fri Aug 21 16:32:05 IST  
2020  
Reason: Approved

(Vandana Chaudhary)  
Under Secretary to the Govt. of India  
Tel: 011-23061843

Encl: As above

To

Director(CGHS)/ All Directors/ Deputy Secretaries for furnishing information in  
r/o Hospitals/ Institutes/ Organizations under their administrative control.

Copy for information to: All Joint Secretary(s)/ Economic Advisers



11:31 PM/18.8.20

ए. के. सिंह  
A. K. SINGH  
संयुक्त सचिव  
Joint Secretary  
Tel : 91-11-23340488



भारत सरकार  
जनजातीय कार्य मंत्रालय  
जीवन तारा बिल्डिंग, संसद मार्ग,  
नई दिल्ली - 110001  
Government of India  
Ministry of Tribal Affairs  
Jeevan Tara Building, Parliament Street,  
New Delhi-110001  
10.08.2020.

D.O. No. 18012/01/2019-NCST

Dear Sir,

1849493  
Date: 10/08/2020

The National Commission for Scheduled Tribes (NCST) in pursuance of Clause 5(d) of Article 338A of the Constitution has submitted its Twelfth Report for the year 2016-17. As per the provisions of Clause (6) of Article 338A, the President shall cause all such reports to be laid before each House of the Parliament, along with a 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 such recommendations.

2. I shall be grateful if you could kindly get the recommendation(s) pertaining to your Ministry/Department/Organization (copy enclosed) examined on priority basis and furnish the action taken or proposed to be taken on the same or reasons for non-acceptance of recommendation(s), as the case may be, at the earliest, so as to enable this Ministry to lay the Report before the Parliament.

WUE Regards.

Yours Sincerely.

(A.K. Singh)

10.8.20

Shri Rajesh Bhushan,  
Secretary,  
Ministry of Health and Family Welfare,  
C-Wing, Nirman Bhawan, New Delhi.

Vsant(A)  
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### CHAPTER-3

#### SITTINGS TAKEN BY HON'BLE CHAIRPERSON/ VICE-CHAIRPERSON/ MEMBERS ON THE IMPORTANT CASES WITH FOCUS OF RESOLVED CASES.

Under Article 338A (5) (b) of the Constitution, Commission has been assigned duty "to inquire into specific complaint with respect to the deprivation of rights and safeguards of the Scheduled Tribes".

The Commission receives representations from individual members of Scheduled Tribes, or their associations, etc. These representations/ petitions pertain to:

- (i) The violation of the instructions for reservation in services/ posts,
- (ii) Problems relating to the socio-economic development of Scheduled Tribes such as admission in educational institutions, land alienation, rehabilitation and displacement as a result of setting up of projects etc., and
- (iii) Atrocities on members of Scheduled Tribes by non-Scheduled Tribe persons.

These representations are referred to the concerned organizations of the Central Govt. or the State Govts. by the Commission, requesting them to furnish full facts within a given timeframe. The facts furnished by the concerned organization are examined by the Commission; and in case, on examination, the Commission finds that there has been violation of the safeguards of the members of Scheduled Tribes, provided under the Constitution or under any other law or order of the Government, it advises the concerned organization to take corrective measures within a given timeframe and apprise the Commission of the action taken.

A copy of the reply sent by the concerned organization is forwarded to the petitioner for his/her information and in case the petitioner submits a rejoinder containing additional material, the same is further examined in consultation with the concerned organization. If the Commission does not get a reply from the concerned organization on the points raised in the petition/ rejoinder despite repeated reminders, the Commission holds a sitting in the case and invites the Head of the organization and/ or any other senior officer of that organization to appear before the Commission for discussion. The petitioner is also permitted to be present during the hearing. The recommendation made after the discussions are recorded and sent to the respective organization for taking necessary action on the Commission's advice/recommendation within a specified period of time. The Commission held 66 sittings during the year 2016-17.

While dealing in the specific complaints, Commission noted the matter or a complaint which could have been resolved within by the Departments authorities and thereby Scheduled Tribes persons would not have been victimised/ harassed for their legitimate rights/ safeguards. Commission has further noted that specific complaints take from several months to year because



concerned officials try to ignore such complaints and also the communication from the National Commission for Scheduled Tribes, possibly due to lack of knowledge and lack of humanitarian attitude towards the needs and problems of poor and shying Scheduled Tribes persons for their legitimate rights and enshrined by the Constitution.

The Commission therefore, recommends that the concerned Departments/ Ministries/ Organizations in Centre and State should take effective steps to ensure that each Government official is made aware of the safeguards provided for Scheduled Tribes for which training should be imparted to the dealing officers/ officials in the beginning of service about their duties and responsibilities prescribed in the rules relating to the subject matter to be assigned to him/her to ensure availability of safeguards to the Scheduled Tribes employees/ beneficiaries under various development schemes and particularly to the victims of atrocity under the Scheduled Castes and Scheduled Tribes POA Act, 1989.

3.1 PROCEEDINGS OF THE SITTING TAKEN BY SHRI RAVI THAKUR, HON'BLE VICE CHAIRPERSON, IN THE APPLICATION FILED BY SHRI HARI SHANKAR MEENA, KARAUJI, RAJASTHAN FOR EXTENSION OF JOINING TIME TO ASSUME THE POST OF INSPECTOR IN CENTRAL EXCISE, COIMBATORE.  
(F. No. HSM/25/2014/MFIN9/SEHRMT/RU-IV) (1)

Date of Sitting - 12.04.2015

3.1.1 The case in brief in respect of the application filed by Shri Hari Shankar Meena, resident of Karauli, Rajasthan was briefly explained to the Hon'ble Vice-Chairperson. The case in brief was that Shri Hari Shankar Meena - Roll No. 240503546 and Rank No. SLD/3957 was nominated for appointment to the post of inspect in the Central Excise in Central Excise Zone, Chennai in the PB-2 scale of Rs. 9300-34800 plus Grade Pay of Rs. 4600/- through the Combined Graduate Level Examination for 2012 conducted by Staff Selection Commission vide Board's letter dated 16.09.2013. He was issued offer of appointment vide letter dated 4.12.2013 of Chief Commissioner of Central Excise, Chennai. He was supposed to join by 31.12.2013 in the normal joining time.

3.1.2 Shri Hari Shankar Meena requested for extension of joining time on the grounds of family exigencies in two separate spells of 3 months each. He was given an extension to join duty till 03.06.2014 from the date of issue of offer of appointment and not from the date of initial expiry of joining time which was 31.12.2013, citing his mother's illness vide letter dated 21.03.2014, in accordance with O.M. dated 06.06.78 and 09.06.95 of Department of Personnel & Training. He has made all out efforts to join within this time and has booked air tickets twice. But he could not proceed to Coimbatore as his mother fell seriously ill and he had to cancel the tickets. Hence, he has again requested for extension of another 12 days time till 15.06.2014 to join the post by a fax sent on 01.06.2014 citing his mother's illness. This date is before expiry of the extended date of joining which was 03.06.2014.

3.1.3 Since the period of extension requested by Shri Hari Shankar Meena was beyond six months of extended period (which includes the normal one month joining time) the office of Chief Commissioner of Central Excise, Chennai Zone, Chennai forwarded the request to Staff Selection Commission, Chennai Regional Office.