



शरीरमाद्यं रक्तु धर्मस्वप्नम्

# ALL INDIA INSTITUTE OF MEDICAL SCIENCES

## AGENDA

(PART-I)

FOR THE 162<sup>nd</sup> MEETING OF THE

# GOVERNING BODY

TO BE HELD ON : Wednesday 9<sup>th</sup> October, 2024

TIME : 11:00 A.M.

PLACE : R.No.347, A-Wing, Committee Room,  
Nirman Bhawan, New Delhi

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES**

No.F. 2-2/2024-Genl. (GB-162)

Ansari Nagar, New Delhi-29

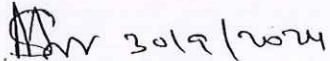
Dated: 30 SEP 2024

**MEMORANDUM**

**Subject:- 162<sup>nd</sup> meeting of the Governing Body scheduled to be held on Wednesday the 09<sup>th</sup> October, 2024 at 11:00 A.M. in Room No. 347, A-Wing, Committee Room, Nirman Bhawan, New Delhi.**

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Further to this office Memorandum of even number dated 23.09.2024 on the above mentioned subject, the **Agenda** for the Governing Body Meeting is enclosed.

  
(PROF. M. SRINIVAS)  
DIRECTOR &  
MEMBER SECRETARY

**Encl.:** As above

The Chairman and all the  
Members of the Governing Body



**ALL INDIA INSTITUTE OF MEDICAL SCIENCES**Present composition of the **Governing Body** Members

- |   |                               |
|---|-------------------------------|
| 1. <b>Shri J.P. Nadda</b><br>Hon'ble Minister of Health & Family Welfare<br>Nirman Bhawan, New Delhi – 110011   | Chairman                      |
| 2. <b>Shri Surendra Singh Nagar, M.P (Rajya Sabha)</b>  | Member                        |
| 3. <b>Secretary (H&amp;FW)</b><br>Ministry of Health & Family Welfare<br>Govt. of India,<br>Nirman Bhawan, New Delhi – 110011   | Member                        |
| 4. <b>Shri K. Sanjay Murthy</b><br>Secretary to the Govt. of India<br>Department of Higher Education,<br>Ministry of Education,<br>Shastri Bhawan, New Delhi-110001                 | Member                        |
| 5. <b>Shri Jaideep Kr. Mishra</b><br>Addl. Secretary and Financial Adviser<br>Ministry of Health & Family Welfare,<br>Govt. of India,<br>Nirman Bhawan, New Delhi – 110011          | Member<br>(Ex-Officio)        |
| 6. <b>Dr. Atul Goel</b><br>Director General of Health Services<br>Govt. of India<br>Nirman Bhawan, New Delhi – 110011   | Member<br>(Ex-Officio)        |
| 7. <b>Dr. Kameshwar Prasad</b><br>H.N.224, Hauz Khas Apartment,<br>Aurobindo Road, New Delhi-110016   | Member<br>(w.e.f. 28.04.2022) |
| 8. <b>Dr. Pranjal Modi</b><br>Vice Chancellor<br>Gujarat University of Transplantation Sciences,<br>Opp. Trauma Centre, Civil Hospital Campus,<br>Asarwa, Ahmedabad-380016, Gujarat | Member<br>(w.e.f. 28.4.2022)  |
| 9. <b>Prof. Yogesh Singh</b><br>Vice Chancellor<br>University of Delhi, Delhi – 110007  | Member                        |
| 10. <b>Prof. Vijay Kumar Shukla</b><br>B-33/10-A, 36-37,<br>Koshlesh Nagar, Sunderpur,<br>Varanasi-221 005, UP.   | Member<br>(w.e.f. 09.3.2022)  |
| 11. <b>Prof. M. Srinivas</b><br>Director, AIIMS   | Member Secretary              |

**AGENDA FOR THE 162<sup>ND</sup> GOVERNING BODY MEETING TO BE HELD ON 09.10.2024 AT 11:00 A.M. IN ROOM NO.347, A-WING, COMMITTEE ROOM, NIRMAN BHAWAN, NEW DELHI.**

**PART-I**

<b>ITEM NO.</b>	<b>DESCRIPTION</b>	<b>PAGE NO.</b>
<b>GB-162/1</b>	Confirmation of the minutes of the 161 <sup>st</sup> meeting of the Governing Body held on 11 <sup>th</sup> March, 2024 in the Conference Room (3rd Floor), MoHFW, Nirman Bhawan, New Delhi.	<b>1 - 6</b>
<b>GB-162/2</b>	Action Taken Report on the minutes of the 161 <sup>st</sup> meeting of the Governing Body held on 11 <sup>th</sup> March, 2024 in the Conference Room (3rd Floor), MoHFW, Nirman Bhawan, New Delhi.	<b>7 - 13</b>
<b>GB-162/3</b>	Ratification of the minutes of the 227 <sup>th</sup> meeting of the Standing Finance Committee held on 16 <sup>th</sup> April, 2024 in the in the Committee Room (No.155, A Wing) 1st Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.	<b>14 - 22</b>
<b>GB-162/4</b>	To consider the proposal for Ex-post facto ratification of the decision of President, AIIMS allowing retention of lien in case of Dr. Rimple Sharma, Associate Professor, College of Nursing at the AIIMS, New Delhi.	<b>23 - 33</b>
<b>GB-162/5</b>	To consider the proposal or ex-post facto ratification - decision of President, AIIMS to approve extension of Lien one more year beyond two years in r/o Dr. Kamlesh Kumari Sharma, Associate Professor, College of Nursing at the AIIMS, New Delhi.	<b>34 - 45</b>
<b>GB-162/6</b>	To consider the proposal for ratification of voluntary retirement granted to Dr. Milind P. Hote, Professor of C.T.V.S. from the service of this institute w.e.f. 02.05.2024 (F.N.)	<b>46 - 52</b>
<b>GB-162/7</b>	To consider the proposal for ratification of voluntary retirement granted to Dr. Shiv Kumar Choudhary, Professor and Head of C.T.V.S. from the service of this Institute w.e.f. 04.05.2024 (F.N.)	<b>53 - 60</b>



<b>GB-162/8</b>	To consider the proposal for ratification of voluntary retirement granted to Dr. Balram Bhargava, Professor and HOD of Cardiology and Chief of C.T. Centre from the service of this Institute w.e.f. 05.04.2024 (F.N.).	<b>61 - 66</b>
<b>GB-162/9</b>	To consider the proposal for ratification of voluntary retirement granted to Dr. Sandeep Aggarwal, Professor of Surgical Discipline from the service of this institute w.e.f. 30.06.2024 (F.N.).	<b>67 - 75</b>
<b>GB-162/10</b>	To consider the proposal for ratification of voluntary retirement granted to Dr. V. Seenu, Professor of Surgical Discipline from the service of this Institute w.e.f. 01.10.2024 (F.N.).	<b>76 - 85</b>
<b>GB-162/11</b>	To consider the proposal for ex-post-facto ratification of the decision of President AIIMS, for retention of lien of Dr. Dalim Kumar Baidya, Professor of Anaesthesia, CDER at the AIIMS, New Delhi	<b>86 - 95</b>
<b>GB-162/12</b>	To consider the proposal of amendment in AIIMS Act, Rules & Regulation regarding inclusion of members belonging to SC/ST/OBC/Minorities and Women in all Selection Committees for Recruitment of Faculty Posts at the AIIMS, New Delhi.	<b>96 - 102</b>
<b>GB-162/13</b>	To consider appeal against the penalty order issued under CCS (CCA) Rules, 1965 of Mr. Sanjay Saini, Ex-Nursing Officer, AIIMS, New Delhi & Charged Official (Group "B").	<b>103 - 204</b>
<b>GB-162/14</b>	To consider the proposal for ex-post facto ratification of voluntary retirement granted to Mrs. Selinamma Varghese, Assistant Nursing Superintendent (Group "A" Staff) from the service of this Institute w.e.f. 05.01.2024 (A/N).	<b>205 - 214</b>
<b>GB-162/15</b>	To consider the recommendations of Hon'ble National Commission for Scheduled Castes dated 05.11.2019 and 06.05.2022 in respect of Ms. Sushil, Senior Nursing Officer.	<b>215 - 362</b>



**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/1**

**Confirmation of the minutes of the 161<sup>st</sup> meeting of the  
Governing Body held on 11<sup>th</sup> March, 2024 in the  
Conference Room (3rd Floor), MoHFW, Nirman Bhawan,  
New Delhi.**



1

No. V-16020/44/2024-INI-1  
 Government of India  
 Ministry of Health & Family Welfare  
 Department of Health & Family Welfare  
 (INI-1 Section)

Item No. GB-162/1

Nirman Bhawan, New Delhi  
 Dated 04-04-2024

To,  
 The Director,  
 All India Institute of Medical Sciences,  
 Ansari Nagar, New Delhi-110029

**Subject: Minutes of the 161st GB meeting of AIIMS, New Delhi held on 11.03.2023 under the Chairmanship of Hon'ble HFM at Nirman Bhawan, New Delhi. -reg.**

Sir,

I am directed to refer to the subject mentioned above and to forward the approved Minutes of the 161st Governing Meeting of AIIMS, New Delhi held on 11.03.2023 under the Chairmanship of Hon'ble HFM in Nirman Bhawan, New Delhi (Annexure-A). The Institute is requested to take further necessary action accordingly.

**Encl.: As above.**

Yours faithfully,

Signed by

Bishnu Pada Kirtania

(Date: 04-04-2024 10:49:13)

Under Secretary to the Government of India  
 Tel. No. (011) 23061843(O)

Copy for information to:

1. PS to HFM/Senior PSS to MoS (SPSB)/PS to MoS (BPP)
2. PSO to Secretary (HFW)/
3. Director, AIIMS, New Delhi
4. PS to AS, MoHFW
5. JS (INI), MoHFW, Nirman Bhawan, New Delhi
6. Section Officer, O/o Hon'ble MoS (SPSB/BPP), MoHFW, New Delhi.
7. Director (INI), MoHFW, Nirman Bhawan, New Delhi



## 2

**MINUTES OF THE 161ST MEETING OF THE GOVERNING BODY OF AIIMS, NEW DELHI HELD ON 11TH MARCH, 2024 AT 12:00 P.M. UNDER THE CHAIRMANSHIP OF HON'BLE UNION MINISTER OF HEALTH & FAMILY WELFARE IN THE CONFERENCE ROOM (3RD FLOOR), MOHF&W, NIRMAN BHAWAN, NEW DELHI.**

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The 161st meeting of the Governing Body of AIIMS, New Delhi was held on 11th March, 2024 at 12.00 P.M. in the Conference Room (3rd Floor), MoHFW, Nirman Bhawan, New Delhi under the Chairmanship of Hon'ble Union Minister of Health & Family Welfare. The list of members who attended the meeting physically/virtually is as follows:-

- |  |                  |
|--|------------------|
| 1. Dr. Mansukh Mandaviya<br>Minister of Health & Family Welfare<br>Nirman Bhawan, New Delhi – 110011   | Chairman         |
| 2. Dr. Anil Jain, M.P (Rajya Sabha)<br>D-244, Anupam Garden,<br>Saiyad Ul Ajaib, New Delhi-68  | Member           |
| 3. Shri Apurva Chandra<br>Secretary (H&FW)<br>Ministry of Health & Family Welfare<br>Govt. of India,<br>Nirman Bhawan, New Delhi – 110011  | Member           |
| 4. Shri Jaideep Kr. Mishra<br>Addl. Secretary and Financial Adviser<br>Ministry of Health & Family Welfare,<br>Govt. of India,<br>Nirman Bhawan, New Delhi – 110011.                                     | Member           |
| 5. Dr. Kameshwar Prasad<br><br>Director<br>Rajendra Institute of Medical Sciences,<br>Bariatu, Ranchi-834009, Jharkhand  | Member           |
| 6. Dr. Pranjal Modi<br>Vice Chancellor (Attended virtually online)<br>Gujarat University of Transplantation Sciences,<br>Opp. Trauma Centre, Civil Hospital Campus,<br>Asarwa, Ahmedabad-380016, Gujarat | Member           |
| 7. Prof. Vijay Kumar Shukla<br>Rector & Vice Chancellor,<br>Banaras Hindu University,<br>Varanasi-221005, U.P  | Member           |
| 8. Dr. Atul Goel<br>Director General of Health Services<br>Govt. of India<br>Nirman Bhawan, New Delhi – 110011   | Member           |
| 9. Prof. M. Srinivas<br><br>Director, AIIMS  | Member Secretary |

Dr. K. Sanjay Murthy, Secretary, Department of Higher Education and Prof. Yogesh Singh, Vice Chancellor, Delhi University were granted leave of absence.

The quorum for the meeting was fulfilled.

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Ms. Ankita Mishra Bundela, Joint Secretary, MoHFW, Prof. K.K. Verma, Dean (Academics), AIIMS, New Delhi, Shri Karan Singh, Addl. Director (Admn.), AIIMS, New Delhi and Ms. Divya Yanamandala, Sr. Financial Advisor, AIIMS, New Delhi attended the meeting as Special Invitees.

The deliberations on the agenda items are as follows:-

**ITEM NO. GB-161/01**

**CONFIRMATION OF THE MINUTES OF THE 160TH MEETING OF THE GOVERNING BODY HELD ON 13TH DECEMBER, 2023 IN THE DR. RAMALINGASWAMI BOARD ROOM, AIIMS, NEW DELHI.**

The Governing Body discussed the comments received from the members Dr Kameshwar Prasad, Prof V K Shukla and Dr Atul Goel as a part of action taken report on minutes of 160th GB and accordingly confirmed the minutes of the 160th Governing Body Meeting held on 13th December, 2023.

The Governing Body clarified that post creation and recruitment in the Institute should be done for Institute as a whole and not in any specific Centre or Unit. The individuals selected should be posted in various Centres /Units and Divisions as per need on rotation basis.

**ITEM NO. GB-161/02**

**ACTION TAKEN REPORT ON THE MINUTES OF THE 160TH MEETING OF THE GOVERNING BODY HELD ON 13TH DECEMBER, 2023 IN THE DR. RAMALINGASWAMI BOARD ROOM, AIIMS, NEW DELHI.**

Director AIIMS apprised the members about the action taken on the decisions made in the 160th Governing Body meeting held on 13.12.2023.

**ITEM No. GB-161/03**

**TO CONSIDER THE PROPOSAL FOR EX-POST FACTO RATIFICATION – DECISION OF PRESIDENT, AIIMS FOR RETENTION OF LIEN OF DR. L. GOPICHANDRAN, ASSOCIATE PROFESSOR, COLLEGE OF NURSING AT THE AIIMS, NEW DELHI.**

The Governing Body considered and ratified the retention of lien to Dr. L. Gopichandran, Associate Prof. College of Nursing.

**ITEM No GB-161/04**

**TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO PROF. S.V.S. DEO, PROFESSOR AND HOD OF SURGICAL ONCOLOGY, DR. BRAIRCH FROM THE SERVICE OF THIS INSTITUTE W.E.F. 01.02.2024 (F.N.).**

The Governing Body considered and ratified the voluntary retirement granted to Prof. S.V.S. Dev, Prof. & Head of Surgical Oncology, Dr. BRAIRCH.

**ITEM No GB-161/05**

**TO CONSIDER THE PROPOSAL FOR EX-POST-FACTO RATIFICATION OF VOLUNTARY RETIREMENT TO DR. MANMOHAN SINGH, PROFESSOR OF NEUROSURGERY FROM THE SERVICE OF THIS INSTITUTE W.E.F. 16.01.2024 (F.N.).**



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The Governing Body considered and ratified the voluntary retirement granted to Dr. Manmohan Singh, Professor of Neurosurgery.

**ITEM No GB-161/06**

**TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO DR. ARVIND CHATURVEDI, PROFESSOR AND HEAD OF NEUROANAESTHESIOLOGY AND CRITICAL CARE, N.S. CENTRE FROM THE SERVICE OF THIS INSTITUTE W.E.F. 09.02.2024 (F.N.).**

The Governing Body considered and ratified the voluntary retirement granted to Dr. Arvind Chaturvedi, Professor and Head of Neuroanaesthesiology and Critical Care, N.S. Centre

**ITEM No GB-161/07**

**TO CONSIDER THE REPRESENTATION OF DR. AMARRANJAN SINGH, ADDITIONAL PROFESSOR OF LABORATORY ONCOLOGY, DR. BRAIRCH, AIIMS, NEW DELHI FOR HIS PROMOTION TO THE GRADE OF PROFESSOR UNDER ASSESSMENT PROMOTION SCHEME (APS) AT AIIMS, NEW DELHI.**

The Governing Body deliberated the representation given by Dr. Amar Ranjan Singh, Additional Professor, Laboratory Oncology, Dr. BRAIRCH and decided to uphold the decision of the Committee.

**ITEM No GB-161/08**

**TO CONSIDER THE PROPOSAL FOR EX-POST FACTO APPROVAL OF THE RECOMMENDATIONS OF THE STANDING SELECTION COMMITTEE MEETING HELD ON DECEMBER 24, 2023 FOR THE POSITION OF MEDICAL SUPERINTENDENT ON DEPUTATION BASIS AT AIIMS, NEW DELHI.**

The Governing Body deliberated the proposal and ratified the same.

**ITEM No GB-161/09**

**TO CONSIDER PROPOSAL FOR EX-POST FACTO APPROVAL TO OBJECTIVE SCREENING CRITERIA TO BE USED TO SCREEN APPLICANTS TO SHORTLIST THEM TO BE CALLED FOR INTERVIEW FOR FACULTY POSTS (OTHER THAN FACULTY OF COLLEGE OF NURSING) AT AIIMS, NEW DELHI**

The Governing Body deliberated the proposal and advised that parameters for screening candidates should focus on the eligibility, qualification, experience etc of the individuals and not on the status of the Institutions of their work/study. No marks /preference should be accorded to the candidates on the basis of the institutions of their work /study. Similarly, marks should be awarded on the length of teaching experience irrespective of level of teaching i.e. UG/PG etc. The scoring methodology should accordingly exclude any institutions or teaching level related criterion.

After making the above amendment the Institute may apply the already approved criteria for screening applicants to shortlist them for interview for faculty posts

**ITEM No GB-161/10**



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**TO CONSIDER THE REPRESENTATION OF DR. RITESH KUMAR NETAM, ASSOCIATE PROFESSOR OF PHYSIOLOGY, AIIMS, NEW DELHI FOR HIS PROMOTION TO THE GRADE OF ADDITIONAL PROFESSOR UNDER ASSESSMENT PROMOTION SCHEME (APS) AT AIIMS, NEW DELHI.**

The Governing Body deliberated the representation given by Dr. Ritesh Kumar Netam, Associate Professor, Physiology and decided to uphold the decision taken by the Committee.

**ITEM No GB-161/11**

**TO CONSIDER THE PROPOSAL FOR CENTRE FOR MEDICAL INNOVATION AND ENTREPRENEURSHIP.**

It was deliberated that a proposal for establishment of a section 8 Company under the aegis of DHR/ICMR for the similar nature of work as is proposed by the Institute for the Centre for Medical Innovation and Entrepreneurship, is already in advance stages and therefore, creation of another section 8 Company under AIIMS for the similar nature of activities does not make a sense. It was accordingly decided that the Institute shall explore the option to merge these activities with the said Centre of DHR/ICMR and Institute will facilitate clinical services for the said Centre.

**TABLE AGENDA**

**ITEM No GB-161/12**

**TO CONSIDER/ EX-POST FACTO APPROVAL ON REVISION OF RECRUITMENT RULES FOR THE POST OF ASSISTANT PROFESSOR OF PEDIATRIC CARDIOLOGY, AT AIIMS, NEW DELHI AND ADVERTISEMENT OF POST WITH REVISED RECRUITMENT RULES**

The Governing Body deliberated the proposal and ratified the same.

**ITEM No GB-161/13**

**TO CONSIDER THE MINUTES OF THE 121st ACADEMIC COMMITTEE MEETING HELD ON 09.02.2023 AT AIIMS, NEW DELHI**

The Governing Body deferred the item.

**ITEM No GB-161/14**

**TO CONSIDER THE MINUTES OF THE 122nd ACADEMIC COMMITTEE MEETING HELD ON 09.11.2023 AT AIIMS, NEW DELHI**

The Governing Body deferred the item.

**ITEM No GB-161/15**

**TO CONSIDER THE PROPOSAL OF PROVISION OF EARMARKED RESIDENTIAL ACCOMMODATION FOR TENURE BASED DEPUTATION POSTS IN AIIMS DELHI, ADMINISTRATION.**

The Governing Body considered and deliberated the proposal and decided that residential accommodation in AIIMS campus should be earmarked for Addl. Director (Admn.), Sr. Financial Advisor, Dy. Security and Chief Security Officer as

per their entitlement (Pay level) as these are tenure based deputation posts in AIIMS Delhi.

The meeting ended with a vote of thanks to the Chair and all those present.

**(PROF. M. SRINIVAS)**  
Member Secretary  
Governing Body  
AIIMS, New Delhi.

**(MANSUKH MANDAVIYA)**  
Chairman  
Governing Body,  
AIIMS, New Delhi.

**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/2**

**Action Taken Report on the minutes of the 161st meeting of  
the Governing Body held on 11th March, 2024 in the  
Conference Room (3rd Floor), MoHFW, Nirman Bhawan,  
New Delhi.**





Item No. GB-162/2

**ACTON TAKEN ON THE MINUTES OF THE 161<sup>ST</sup> MEETING OF THE GOVERNING BODY HELD ON 11<sup>TH</sup> MARCH, 2024 AT 12:00 P.M. IN THE CONFERENCE ROOM (3RD FLOOR), MOHF&W, NIRMAN BHAWAN, NEW DELHI.**

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DECISION	ACTION TAKEN
<p align="center"><b><u>ITEM NO. GB-161/01</u></b></p> <p><b>CONFIRMATION OF THE MINUTES OF THE 160TH MEETING OF THE GOVERNING BODY HELD ON 13TH DECEMBER, 2023 IN THE DR. RAMALINGASWAMI BOARD ROOM, AIIMS, NEW DELHI.</b></p> <hr/> <p>The Governing Body discussed the comments received from the members Dr Kameshwar Prasad, Prof V K Shukla and Dr Atul Goel as a part of action taken report on minutes of 160<sup>th</sup> GB and accordingly confirmed the minutes of the 160<sup>th</sup> Governing Body Meeting held on 13<sup>th</sup> December, 2023.</p> <p>The Governing Body clarified that in future, recruitment in the Institute should be done for Institute as a whole and not separately for any specific Centre or Unit. The candidates selected may be posted in various Centres/Units and Divisions, as per need, by the Director.</p>	<p>Decision of the Governing Body has been noted and will be implemented.</p>
<p align="center"><b><u>ITEM NO. GB-161/02</u></b></p> <p><b>ACTION TAKEN REPORT ON THE MINUTES OF THE 160TH MEETING OF THE GOVERNING BODY HELD ON 13TH DECEMBER, 2023 IN THE DR. RAMALINGASWAMI BOARD ROOM, AIIMS, NEW DELHI.</b></p>	

<p>Director AIIMS apprised the members about the action taken on the decisions made in the 160<sup>th</sup> Governing Body meeting held on 13.12.2023.</p>	<p>Noted</p>
<p><b><u>ITEM No.GB-161/03</u></b></p> <p><b>TO CONSIDER THE PROPOSAL FOR EX-POST FACTO RATIFICATION – DECISION OF PRESIDENT, AIIMS FOR RETENTION OF LIEN OF DR. L. GOPICHANDRAN, ASSOCIATE PROFESSOR, COLLEGE OF NURSING AT THE AIIMS, NEW DELHI.</b></p> <hr/> <p>The Governing Body considered and ratified the retention of lien to Dr. L. Gopichandran, Associate Prof. College of Nursing.</p>	<p>Noted</p>
<p><b><u>ITEM No GB-161/04</u></b></p> <p><b>TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO PROF. S.V.S. DEO, PROFESSOR AND HOD OF SURGICAL ONCOLOGY, DR. BRAIRCH FROM THE SERVICE OF THIS INSTITUTE W.E.F. 01.02.2024 (F.N.).</b></p> <hr/> <p>The Governing Body considered and ratified the voluntary retirement granted to Prof. S.V.S. Deo, Prof. &amp; Head of Surgical Oncology, Dr. BRAIRCH.</p>	<p>Noted</p>
<p><b><u>ITEM No GB-161/05</u></b></p> <p><b>TO CONSIDER THE PROPOSAL FOR EX-POST-FACTO RATIFICATION OF VOLUNTARY RETIREMENT TO DR. MANMOHAN SINGH, PROFESSOR OF NEUROSURGERY FROM THE SERVICE OF THIS INSTITUTE W.E.F.</b></p>	



<p>16.01.2024 (F.N.).</p> <hr/> <p>The Governing Body considered and ratified the voluntary retirement granted to Dr. Manmohan Singh, Professor of Neurosurgery.</p>	<p>Noted</p>
<p><u>ITEM No GB-161/06</u></p> <p><b>TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO DR. ARVIND CHATURVEDI, PROFESSOR AND HEAD OF NEUROANAESTHESIOLOGY AND CRITICAL CARE, N.S. CENTRE FROM THE SERVICE OF THIS INSTITUTE W.E.F. 09.02.2024 (F.N.).</b></p> <hr/> <p>The Governing Body considered and ratified the voluntary retirement granted to Dr. Arvind Chaturvedi, Professor and Head of Neuroanaesthesiology and Critical Care, N.S. Centre.</p>	<p>Noted</p>
<p><u>ITEM No GB-161/07</u></p> <p><b>TO CONSIDER THE REPRESENTATION OF DR. AMAR RANJAN SINGH, ADDITIONAL PROFESSOR OF LABORATORY ONCOLOGY, DR. BRAIRCH, AIIMS, NEW DELHI FOR HIS PROMOTION TO THE GRADE OF PROFESSOR UNDER ASSESSMENT PROMOTION SCHEME (APS) AT AIIMS, NEW DELHI.</b></p> <hr/> <p>The Governing Body deliberated the representation given by Dr. Amar Ranjan</p>	<p>The decision of the Governing Body has already been communicated to Dr. Amar</p>



<p>Singh, Additional Professor, Laboratory Oncology, Dr. BRAIRCH and decided to upheld the decision of the Committee.</p>	<p>Ranjan Singh vide Office Memorandum No. 6-84/2012-Estt.I dated 13.6.2024.</p>
<p align="center"><b><u>ITEM No GB-161/08</u></b></p> <p><b>TO CONSIDER THE PROPOSAL FOR EX-POST FACTO APPROVAL OF THE RECOMMENDATIONS OF THE STANDING SELECTION COMMITTEE MEETING HELD ON DECEMBER 24, 2023 FOR THE POSITION OF MEDICAL SUPERINTENDENT ON DEPUTATION BASIS AT AIIMS, NEW DELHI.</b></p> <hr/> <p>The Governing Body deliberated the proposal and ratified the same.</p>	<p>The proposal for obtaining ex-post facto approval of the Governing Body, Selected candidate have already been joined. No further action is required.</p>
<p align="center"><b><u>ITEM No GB-161/09</u></b></p> <p><b>TO CONSIDER PROPOSAL FOR EX-POST FACTO APPROVAL TO OBJECTIVE SCREENING CRITERIA TO BE USED TO SCREEN APPLICANTS TO SHORTLIST THEM TO BE CALLED FOR INTERVIEW FOR FACULTY POSTS (OTHER THAN FACULTY OF COLLEGE OF NURSING) AT AIIMS, NEW DELHI</b></p> <hr/> <p>The Governing Body deliberated the proposal and advise that parameters for screening candidates should focus on the eligibility, qualification, experience etc. of the individuals and not on the status of the Institutions of their work/study. No marks/preference should be accorded to the candidates on the basis of the institutions of their work/study. Similarly, marks should</p>	<p>As per decision of Governing Body objective Criteria for faculty selection has been revised and notified vide O.M. dated 08.07.2024.</p>

be awarded on the length of teaching experience irrespective of level of teaching i.e. UG/PG etc. The scoring methodology should accordingly exclude any institution or teaching level related criterion.

After making the above amendment the Institute may apply the already approved criteria for screening applicant to shortlist them for interview for faculty posts.

**ITEM No GB-161/10**

**TO CONSIDER THE REPRESENTATION OF DR. RITESH KUMAR NETAM, ASSOCIATE PROFESSOR OF PHYSIOLOGY, AIIMS, NEW DELHI FOR HIS PROMOTION TO THE GRADE OF ADDITIONAL PROFESSOR UNDER ASSESSMENT PROMOTION SCHEME (APS) AT AIIMS, NEW DELHI.**

The Governing Body deliberated the representation given by Dr. Ritesh Kumar Netam, Associate Professor, Physiology and decided to uphold the decision taken by the Committee.

The decision of the Governing Body has already been communicated to Dr. Ritesh Kumar Netam vide Office Memorandum No.F.6-84/2012-Estt.I dated 26.06.2024.

**ITEM No GB-161/11**

**TO CONSIDER THE PROPOSAL FOR CENTRE FOR MEDICAL INNOVATION AND ENTREPRENEURSHIP.**

It was deliberated that a proposal for establishment of a section 8 Company under the aegis of DHR/ICMR for the similar nature of work as is proposed by the Institute for the Centre for Medical Innovation and Entrepreneurship, is already in advance stages and therefore, creation of

This matter of importance to the Institute as has been pointed out by Dean (RS), Associate Dean (RS), former Associate Dean (RS) and Project Head (CMIE – AIIMS).

This proposal has been discussed by the Academic Committee in its 123<sup>rd</sup> Meeting and



<p>another section 8 Company under AIIMS for the similar nature of activities does not make a sense. It was accordingly decided that the Institute shall explore the option to merge these activities with the said Centre of DHR/ICMR and Institute will facilitate clinical services for the said Centre.</p>	<p>a decision is expected to be taken by the Academic Committee. It is requested that the Governing Body may re-consider this proposal after the decision of the Standing Academic Committee has been received.</p>
<p style="text-align: center;"><b>TABLE AGENDA</b> <b><u>ITEM No GB-161/12</u></b></p> <p><b>TO CONSIDER/ EX-POST FACTO APPROVAL ON REVISION OF RECRUITMENT RULES FOR THE POST OF ASSISTANT PROFESSOR OF PEDIATRIC CARDIOLOGY, AT AIIMS, NEW DELHI AND ADVERTISEMENT OF POST WITH REVISED RECRUITMENT RULES</b></p> <hr/> <p>The Governing Body deliberated the proposal and ratified the same.</p>	<p style="text-align: center;">Noted and implemented.</p>
<p style="text-align: center;"><b><u>ITEM No GB-161/13</u></b></p> <p><b>TO CONSIDER THE MINUTES OF THE 121<sup>st</sup> ACADEMIC COMMITTEE MEETING HELD ON 09.02.2023 AT AIIMS, NEW DELHI</b></p> <hr/> <p>The Governing Body deferred the item.</p>	<p>Brought as an Agenda item for this 162<sup>nd</sup> Governing Body.</p>
<p style="text-align: center;"><b><u>ITEM No GB-161/14</u></b></p> <p><b>TO CONSIDER THE MINUTES OF THE 122<sup>nd</sup> ACADEMIC COMMITTEE MEETING HELD ON 09.11.2023 AT AIIMS, NEW DELHI</b></p> <hr/> <p>The Governing Body deferred the item.</p>	<p>Brought as an Agenda item for this 162<sup>nd</sup> Governing Body.</p>



ITEM No GB-161/15

TO CONSIDER THE PROPOSAL OF PROVISION OF EARMARKED RESIDENTIAL ACCOMMODATION FOR TENURE BASED DEPUTATION POST IN AIIMS DELHI, ADMINISTRATION.

The Governing Body considered and deliberated the proposal and decided that residential accommodation in AIIMS campus should be earmarked for Addl. Director (Admn.), Sr. Financial Advisor, Dy. Secretary and Chief Security Officer as per their entitlement (Pay level) as these are tenure based deputation post in AIIMS Delhi.

Noted

**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/3**

**Ratification of the minutes of the 227th meeting of the Standing Finance Committee held on 16th April, 2024 in the in the Committee Room (No.155, A Wing) 1st Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.**





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No. V-16020/46/2024-INI-1  
 Government of India  
 Ministry of Health & Family Welfare  
 Department of Health & Family Welfare  
 INI-1 Section

Nirman Bhawan, New Delhi  
 Dated 16-05-2024

Item No. GB-162/3

To

Director, Member Secretary  
 All India Institute of Medical Sciences (AIIMS), New Delhi,  
 Ansari Nagar, New Delhi-110029

**Subject: Minutes of the 227th Standing Finance Committee (SFC) meeting of AIIMS, New Delhi- reg**

Sir,

I am directed to refer to the subject mentioned above and to enclose herewith **(Annexure-I)** the approved Minutes of 227th Standing Finance Committee meeting of AIIMS, New Delhi held on 16.04.2024 at 5.00 P.M. under the chairmanship of Secretary (HFW) in the Committee Room (No.155, A Wing) 1<sup>st</sup> Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi. The Institute is requested to take further necessary action accordingly.

**Encl: As above**

Yours faithfully,

Signed by

Bishnu Pada Kirtania

(Bishnu Pada Kirtania)  
 Date: 16-05-2024 19:56:17

Under Secretary to the Govt. of India  
 Tel.(011) 23061843(O)

Copy for information to:-

- i. PSO to the Secretary (HFW), MoHFW, Nirman Bhawan, New Delhi
- ii. PPS to JS(INI), MoHFW, Nirman Bhawan, New Delhi
- iii. Director (INI), MoHFW, Nirman Bhawan, New Delhi
- iv. Section Officer, O/o Hon'ble HFM, MoHFW, Nirman Bhawan, New Delhi
- v. Section Officer, O/o Hon'ble MoS (SPSB/BPP), MoHFW, Nirman Bhawan, New Delhi

Through Special Messenger  
By Speed Post

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES**

F.No. 4-1/2024-Genl (SFC-227)

Ansari Nagar, New Delhi-29


Dated: 22 MAY 2024

**MEMORANDUM**

**Subject:- Final Minutes of 227<sup>th</sup> Standing Finance Committee meeting held on Tuesday the 16<sup>th</sup> April, 2024 at 05:00 P.M. in the Dr. Ramalingaswami Board Room, AIIMS, New Delhi.**

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The Final Minutes of the Standing Finance Committee meeting held on 16<sup>th</sup> April, 2024 at 05:00 P.M. in the Dr. Ramalingaswami Board Room, AIIMS, New Delhi as approved by the Chairman of the Standing Finance Committee is being circulated to Chairman and all the Members of the Standing Finance Committee for information.



**(PROF. M. SRINIVAS)**  
**DIRECTOR & MEMBER SECRETARY**

**Encl: As above.**

The Chairman and all the  
Members of the Standing Finance Committee.

**MINUTES OF THE 227<sup>TH</sup> MEETING OF THE STANDING FINANCE COMMITTEE OF AIIMS NEW DELHI HELD ON TUESDAY 16<sup>TH</sup> APRIL 2024 AT 5:00 P.M. IN THE COMMITTEE ROOM (NO.155, A WING) 1<sup>ST</sup> FLOOR, MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.**

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The 227<sup>th</sup> meeting of the Standing Finance Committee of AIIMS New Delhi was held on Tuesday, the 16<sup>th</sup> April, 2024 at 5:00 P.M. in the Committee Room (No.155, A Wing) 1<sup>st</sup> Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi. The following members attended the meeting:

1. Shri Apurva Chandra (H&FW),  
Govt. of India Ministry of Health & Family Welfare,  
Nirman Bhawan, New Delhi-110011 - Chairman
2. Shri Ramesh Bidhuri, MP (Lok Sabha),  
H.N.179, Sunpath House, (attended through virtual mode)  
Village Tughlakabad, New Delhi-44 - Member
3. Dr. Amita Bali,  
Representative of Dr. Atul Goel,  
Director General of Health Services,  
Govt. of India, Nirman Bhawan, New Delhi - Member
4. Shri Jaldeep Kr. Mishra,  
Addl. Secretary and Financial Adviser,  
Govt. of India, Ministry of Health & Family Welfare,  
Nirman Bhawan, New Delhi-110011 - Member
5. Dr. Pranjal Modi,  
Vice Chancellor,  
Gujarat University of Transplantation Sciences,  
Opp. Trauma Centre, Civil Hospital Campus,  
Asarwa, Ahmedabad-380016, Gujarat - Member
6. Prof. M. Srinivas,  
Director, AIIMS - Member Secretary
7. Ms. Ankita Mishra Bundela  
Joint Secretary, MoHFW - Special Invitee
8. Dr. Nirupam Madaan,  
Medical Supdt., AIIMS, New Delhi - Special Invitee

Dr. K. Sanjay Murthy Secretary, Department of Higher Education and Dr. Vijay Raghvan, Former Principal Scientific Advisor, Dr. K.K. Verma, Dean (Academic) could not attend the meeting. The quorum for the meeting was fulfilled.

Shri Karan Singh, Addl. Director Administration, Ms. Divya Yanamadala, Sr. Financial Advisor, AIIMS and Smt. Priyadarshika Srivastava, Director INI also



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attended the meeting.

The deliberations on the agenda items are as follows:

**Item No. SFC-227/1**

**CONFIRMATION OF THE MINUTES OF 226TH MEETING OF THE STANDING FINANCE COMMITTEE OF AIIMS HELD ON 30.11.2023 IN DR. RAMALINGASWAMI BOARDROOM, AIIMS, NEW DELHI**

The SFC confirmed the minutes of the 226<sup>th</sup> meeting of the SFC held on 30.11.2023.

**Item No. SFC-227/2**

**ACTION TAKEN REPORT ON THE MINUTES OF THE 226TH MEETING OF THE STANDING FINANCE COMMITTEE OF AIIMS HELD ON 30.11.2023 IN DR. RAMALINGASWAMI BOARDROOM, AIIMS, NEW DELHI**

(i) The SFC discussed the status of OPD Block project in Masjid Moth campus of AIIMS. The project was approved in DIB Meeting held on 07.03.24 with condition that the space of the waiting area on the ground floor and public convenience therein needs to be increased by effecting necessary changes in the design. The SFC was informed that on receipt of the updated proposal approval of Hon'ble HFM will be obtained.

(ii) The SFC was informed that Department of Health Research has supported the proposal of AIIMS for creation of Institute Fellowship for PhD students. AIIMS was accordingly advised to submit a detailed proposal with financial implications to the Ministry for obtaining requisite approval of DoE.

(iii) As regards the purchase of Digital PET/CT Scanner and Electron Microscope High KV Cryo FEG which were approved by the SFC, the Institute informed that specifications for same are under finalization by the AIIMS Technical Committee. The SFC advised the Institute to expedite the procurement of the above medical equipment in a time bound manner.

(iv) The SFC also discussed the proposal for provision of Cyber Security Infrastructure in AIIMS Delhi. The Ministry informed that the Hon'ble HFM had made some observations that the IT needs of all AIIMS should be addressed collectively, to facilitate development of a dependable, robust and resilient IT infrastructure across the Institutions. Further, the Institute was asked to split the proposal in two two parts- (a) regular network improvement & IT Infrastructure (b) Cyber security.

The SFC was informed that subsequent to receipt of revised proposal by AIIMS, a meeting was convened on 9.4.24 under Chairmanship of JS(E-Health) to deliberate the proposal. The Institute was asked to provide 'Schedule of Deliverables' and 'Service Level Agreements' to be executed with the proposal for consideration of the Ministry. The Institute was also asked to provide the IT Information security baseline policy of AIIMS to ensure all aspects of information security & infrastructure audit, Incident & risk management as well as capacity building are covered.

(v) As regards the setting up of National Centre for Medical Device Development, Validation and Skill Training the Institute informed that the same has been brought as an Agenda for full funding from JICA.



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(vi) SFC also noted that the detailed proposals for post creation recommended by the SFC have not been sent by the Institute to the Ministry. The institute was advised to do the needful.

(vii) The Integration of the National Cancer Institute Jhajjar with the Cancer Centre of main AIIMS was discussed and the institute was advised to share a plan

**Item No. SFC-227/3**

**TO CONSIDER THE PROPOSAL FOR "CREATION OF 04 NOS. SEATS FOR SENIOR RESIDENTS (NON-ACAD) AT NCI-AIIMS, JHAJJAR.**

The SFC considered and approved the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure.

**Item No. SFC-227/4**

**TO CONSIDER THE PROPOSAL FOR STARTING A STIPEND OF RS.500/- PER MONTH EACH STUDENT FOR THE DURATION OF 3 YEARS AND RS.10,250/- FOR INTERNSHIP IN B.SC. (OTT) COURSE.**

The SFC considered and approved the proposal for payment of stipend @ Rs 10,250 per month during the period of internship to the students of BSc (OTT) course.

The proposal for payment of stipend of Rs. 500 per month during the 3 years of the course was considered and not approved.

**Item No. SFC-227/5**

**TO CONSIDER THE PROPOSAL REGARDING ESTABLISHMENT OF SCHOOL OF PUBLIC HEALTH AT AIIMS, NEW DELHI**

The SFC considered and recommended the proposal for establishment of the School of Public health at AIIMS, Delhi. The Institute was advised to forward a detailed proposal to the Ministry with financial implication for obtaining requisite approval of the Competent Authority.

**Item No. SFC-227/6**

**TO CONSIDER THE PROPOSAL FOR CREATION OF 4 POSTS OF SENIOR RESIDENT IN DEPARTMENT OF DERMATOLOGY AND VENEREOLOGY.**

The SFC considered and approved the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure.

**Item No. SFC-227/7**

**TO CONSIDER THE PROPOSAL FOR REVISED ESTIMATES FOR THE YEAR 2023-24 AND BUDGET ESTIMATES FOR THE YEAR 2024-25 UNDER GRANT-IN-AID SALARIES GENERAL, CREATION OF CAPITAL ASSETS OF THE INSTITUTE FROM GOVERNMENT.**

The SFC considered and approved the proposal with a BE of Rs 4523.00 cr.

**Item No. SFC-227/8**



**TO CONSIDER THE PROPOSAL FOR THE PROCUREMENT OF SURGICAL ROBOT FOR THE DEPTT. OF SURGICAL ONCOLOGY (DR.BRAIRCH).**

The SFC considered and approved the proposal.

**Item No. SFC-227/9**

**TO CONSIDER THE PROPOSAL FOR RECOMMENDATION OF THE INTERNAL COMMITTEE FOR CADRE REVIEW IN RESPECT OF VARIOUS GROUPS 'A' (NON-FACULTY), 'B', 'C' & ERSTWHILE 'D' ISOLATED POSTS AT THE AIIMS, NEW DELHI**

The SFC considered the proposal and recommended that the proposal may be sent to the Ministry for examination and consideration by the Cadre Review Committee constituted by the Ministry.

**Item No. SFC-227/10**

**TO CONSIDER THE PROPOSAL FOR CONVERSION OF SANCTIONED POSTS OF BLOOD TRANSFUSION AND ASSISTANT BLOOD TRANSFUSION OFFICER TO ASSISTANT PROFESSOR, TRANSFUSION MEDICINE AT AIIMS, NEW DELHI.**

The SFC considered the proposal and decided that conversion of existing posts of BTO and Assistant BTO to Assistant Professor cannot be done, as the Recruitment Rules for both are different.

The Institute was advised that BTO and Assistant BTO may be declared as a dying cadre with no further recruitment against the vacant posts and AIIMS may consider creation of new posts of Assistant Professor, Transfusion Medicine as per requirement.

**Item No. SFC-227/11**

**TO CONSIDER THE PROPOSAL FOR CREATION OF VARIOUS POSTS OF ASSISTANT PROFESSORS AT AIIMS, NEW DELHI.**

The SFC considered and recommended the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure

The SFC also advised AIIMS to formulate standard norms for creation of posts with reference to operational beds /patient load and other relevant factors for objective assessment of the requirement.

**Item No. SFC-227/12**

**TO CONSIDER THE PROPOSAL FOR CREATION OF 12 SENIOR RESIDENTS (NON-ACAD.) POSTS IN THE DEPARTMENT OF PATHOLOGY, AIIMS, NEW DELHI.**

The SFC considered and approved the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure

**Item No. SFC-227/13**

**TO CONSIDER THE PROPOSAL FOR CREATION OF 08 SENIOR RESIDENTS (NON-ACAD.) POSTS IN THE DEPARTMENT OF LAB. MEDICINE, AIIMS, NEW**



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DELHI.

The SFC considered and approved the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure

Item No. SFC-227/14

**TO CONSIDER THE PROPOSAL FOR CREATION OF 08 SENIOR RESIDENTS (NON-ACAD.) POSTS IN THE DEPARTMENT OF LAB. ONCOLOGY, AIIMS, NEW DELHI.**

The SFC considered and approved the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure

Item No. SFC-227/15

**TO CONSIDER THE PROPOSAL FOR PROVISION OF REFRESHMENT/FOOD FOR EMERGENCY DEPARTMENT (ED) STAFFS AT AIIMS.**

The SFC recommended that internal funds of AIIMS New Delhi may be utilised for such purposes.

Item No. SFC-227/16

**TO CONSIDER THE PROPOSAL FOR CREATION OF TWO (02) POSTS OF SENIOR RESIDENT/DEMONSTRATOR OF OCULAR MICROBIOLOGY AT R.P. CENTRE, AIIMS, NEW DELHI.**

The SFC considered and approved the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure

Item No. SFC-227/17

**TO CONSIDER THE PROPOSAL FOR 03 SENIOR RESIDENTS (NON-ACAD.) IN THE DEPARTMENT OF NEURO-PATHOLOGY, AIIMS, NEW DELHI.**

The SFC considered and approved the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure

Item No. SFC-227/18

**TO CONSIDER THE PROPOSAL FOR CREATION OF TWO (02) POSTS OF SENIOR RESIDENT/DEMONSTRATOR OF OCULAR PATHOLOGY AT R.P. CENTRE, AIIMS, NEW DELHI.**

The SFC considered and approved the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure

Item No. SFC-227/19

**TO CONSIDER THE PROPOSAL FOR CREATION OF 64 POSTS OF SENIOR RESIDENT (DM/MCH/FELLOWSHIP PROGRAMME (DM/MCH-56 POSTS AND 8-FELLOWSHIP) IN THE VARIOUS DEPARTMENTS AT AIIMS, NEW DELHI.**

The SFC considered and approved the proposal. The Institute was advised to forward the proposal to the Ministry with financial implication/check list for obtaining approval of the Department of Expenditure

**Item No. SFC-227/20**

**TO CONSIDER THE PROPOSAL FOR ENGAGEMENT OF IT MANAGEMENT IN REPLACEMENT OF EXISTING MANPOWER OF NURSING INFORMATICS SPECIALIST (NIS) ON OUTSOURCING BASIS.**

The SFC considered and approved the proposal. The SFC however advised that recurring 10%, financial increment to be renegotiated with NICS.

**Item No. SFC-227/21**

**TO CONSIDER THE PROPOSAL FOR THE PROCUREMENT OF WHOLE BODY 1.5 TESLA MAGNETIC RESONANCE IMAGING SYSTEM WITH ADVANCED CARDIOVASCULAR IMAGING AND POST-PROCESSING SOFTWARE**

The SFC considered and approved the proposal.

**Item No. SFC-227/22**

**TO CONSIDER THE PROPOSAL FOR ESTABLISHMENT OF CBRNE FACILITY AND EXPANSION OF 282 BEDS OF JAI PRAKASH NARAYAN APEX TRAUMA CENTER, AIIMS, NEW DELHI.**

The SFC considered and in principle approved the proposal. The Institute was advised to send a detailed proposal with financial implication to the Ministry for seeking approval of the Competent Authority .

**Item No. SFC-227/23**

**TO CONSIDER THE PROPOSAL FOR NATIONAL CENTRE FOR MEDICAL DEVICE DEVELOPMENT, VALIDATION AND SKILL TRAINING.**

The SFC considered and approved the proposal for establishment of the centre through funding from JICA . The Institute was advised to forward the proposal for sending the same to the Ministry of Finance .

**Item No. SFC-227/24**

**TO CONSIDER THE PROPOSAL FOR CONSTRUCTION OF HOSTEL ACCOMMODATION AT TRAUMA CENTRE EXTENSION AT AIIMS, NEW DELHI at an ESTIMATED COST OF RS 876.17 CR**

The SFC considered and in principle approved the proposal.

**Item No. SFC-227/25**

**TO CONSIDER THE PROPOSAL FOR PROCUREMENT OF "STATE-OF-THE-ART HIGH ENERGY LINEAR ACCELERATOR – 01NO." AS A REPLACEMENT OF 16-YEAR-OLD REPLACEMENT OF ELEKTA SYNERGY-S LINEAR ACCELERATOR UNDER TURNKEY AND BUYBACK BASIS.**

The SFC considered and approved the proposal.

The meeting ended with a vote of thanks to the Chair and all those present.



(PROF. M. SRINIVAS)  
Member Secretary  
Standing Finance Committee  
AIIMS, New Delhi

(APURVA CHANDRA)  
Chairman  
Standing Finance Committee,  
AIIMS, New Delhi

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**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/4**

**To consider the proposal for Ex-post facto ratification of the decision of President, AIIMS allowing retention of lien in case of Dr. Rimple Sharma, Associate Professor, College of Nursing at the AIIMS, New Delhi.**



No. F.6-123/2014-Estt.I  
NOTE FOR THE GOVERNING BODY

Item No. GB/162-4

23

PROPOSAL FOR EX-POST FACTO RATIFICATION OF THE DECISION OF PRESIDENT, AIIMS ALLOWING RETENTION OF LIEN IN CASE OF DR. RIMPLE SHARMA, ASSOCIATE PROFESSORS, COLLEGE OF NURSING AT THE AIIMS, NEW DELHI.

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1. INTRODUCTION-

1. Dr. Rimple Sharma, Associate Professors of College of Nursing was selected as Professor-cum-Principal, College of Nursing at AIIMS, Jammu. She had submitted her technical resignation w.e.f. 28.11.2023 (A.N.) with request to retain Lien to the post of Associate Professor in Nursing, College of Nursing, AIIMS, New Delhi for the period of 2 years from the date of resignation from the Institute. (Annex. I)

2. ADMINISTRATIVE COMMENTS -

2.1. As per Section-22 of Schedule I of AIIMS Regulations, 2019, the Director, AIIMS, New Delhi is the Competent Authority for accepting resignation in respect of all Group 'A' Officers except in case of Professor and Additional Professor.

Further as per Section-25 of AIIMS Regulations, 2019 (amended), the Governing Body is the competent authority for allowing retention of lien to Group A Officers in the Institute.

2.2. Accordingly her request for retention of the lien was put up to President, AIIMS New Delhi.

President AIIMS, New Delhi had very kindly approved the proposal for retention of lien in r/o Dr. Rimple Sharma in his capacity as Chairman of the Governing Body. While granting approval for retention of lien, he had directed that this case may be put up before the Governing Body for Ex post facto ratification in the upcoming Governing Body meeting. (Annex. II),

3. APPROVAL SOUGHT

Accordingly, the proposal for retention of lien for a period of two years from the date of resignation in r/o Dr. Rimple Sharma is submitted for Ex post facto ratification by the Governing Body.

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Annam - I

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Date: 01.11.23

To

The Director

AIIMS, New Delhi

Sub: Request for Technical Resignation with Lien

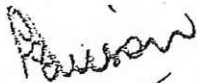
Respected Sir

I am happy to inform you that I have been selected as Professor-cum-Principal at College of Nursing, AIIMS, Jammu so I am submitting technical resignation and requesting lien for a period of two years. I have been working as Associate Professor in College of Nursing from 16.8.2014. I am attaching my appointment letter dated 30.10.2023 from AIIMS, Jammu according to which I am suppose to join within 30 days.

Kindly consider my request and relieve me on 28.11.23(AN). I shall be highly grateful to you.

Thanking You

Yours Sincerely



Dr Rimple Sharma

Associate Professor, CON

AIIMS, New Delhi

Forwarded

1/11/23

डॉ. ललिता वेंकटेश्वर (Dr. Lalitha Venkatesan)  
अभिज्ञान अधिकारी, कॉलेज ऑफ नर्सिंग, ए.आई.एम.एस. जम्मू  
आपका पत्र संख्या: 11/11/23  
दिनांक: 01.11.2023

Note # 60  
Ref. above:

As per the instruction, the revised proposal is as under:

Subject:- Submission of Technical Resignation from the post of Associate Professor: Dr. Rimple Sharma, Associate Professor, College of Nursing

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Faculty cell is in receipt an application dated the 01.11.2023 from Dr. Rimple Sharma, Associate Professor, College of Nursing wherein she has informed that she has been selected as Professor-cum-Principal at College of Nursing, AIIMS, Jammu. She has requested the following:

- (a) Accept her technical resignation on 28.11.2023 and relieved her on 28.11.2023 (AN)
- (b) Retention of Lien for the period of 2 years w.e.f. 29.10.2023 to 28.10.2025.

She has also requested to waive off notice period as she is moving in other AIIMS. (Page no. 39)

Her request has been forwarded by the Professor-cum-Principal, College of Nursing, AIIMS, New Delhi.

It may be stated that Dr. Rimple Sharma has been working as Associate Professor (Erstwhile Lecturer), College of Nursing at AIIMS, New Delhi since 16.08.2014. After the successfully completion of her probation period, she has been confirmed on the post of Associate Professor, College of Nursing w.e.f. 16.08.2016.

In the above connection, it is stated that Dr. Rimple Sharma had requested to issue her NOC to apply for the post of Professor-cum-Principal at AIIMS, Jammu. Her request was put up before the Competent Authority and she was granted NOC to apply for the said post vide letter dated 21.07.2023 (Please see page no. 34)

As per office records, it is submitted that 3 Associate Professor is on Lien & 1 is on deputation in MoHFW.

It is submitted that a request was sent for Vigilance cell for vigilance clearance & Legal cell for Legal Clearance, but the same is still awaited. However, final permission will only be issued after receiving vigilance clearance & Legal clearance in respect of Dr. Rimple Sharma, Associate Professor, College of Nursing.

As per rules, 3 months notice is required for acceptance of resignation after probation period. Dr. Rimple Sharma has submitted her resignation on 01.11.2023 and requested to relieve her on 28.11.2023. She has submitted 28 days i.e. 62 days short period notice. As per past precedence, the notice period of Dr. Pragya Pathak was waived off by the Competent Authority.

It may be stated that in accordance with the item No. 22 of the AIIMS Regulation, 1999(as amended) the Director is competent Authority to accept the resignation up to the level of Associate Professor and Dr. Rimple Sharma is holding the post of Associate Professor, College of Nursing.

As per Section 25 of Scheduled II of AIIMS Regulation, 2019, the Governing Body of the Institute has full powers to allow retention of lien in the institute for Group A posts, wherein employees when they are appointed elsewhere.

As per the 3.3 point of DoPT O.M. No. 1669266628362 dated 24.11.2022, Rules regarding Lien



on a post is as under:

Retention of lien for appointment in another central government office/ state government

- i. A permanent Government servant appointed in another Central Government Department/Office/State Government, has to resign from his parent department unless he reverts to that department within a period of 2 years, or 3 years in exceptional cases. An undertaking to abide by this condition may be taken from him at the time of forwarding of his application to other departments/offices.
- ii. The exceptional cases may be when the Government servant is not confirmed in the department/office where he has joined within a period of 2 years. In such cases he may be permitted to retain the lien in the parent department/office for one more year. While granting such permission, a fresh undertaking similar to the one indicated above may be taken from the employee.
- iii. Timely action should be taken to ensure extension/reversion/resignation of the employees to their parent cadres on completion of the prescribed period of 2/3 years. In cases, where employees do not respond to instructions, suitable action should be initiated against them for violating the agreement/undertaking given by them as per (i) and (ii) above and for termination of their lien. Adequate opportunity may, however, be given to the officer prior to such consideration.
- iv. Temporary Government servants will be required to sever connections with the Government in case of their selection for outside posts. No lien will be retained in such cases.

In view of the above, the proposal for (1) Waive off 62 days short period notice (2) Technical resignation in r/o Dr. Rimple Sharma, Associate Professor, College of Nursing w.e.f. 28.11.2023 (A.N.) and allow her to join at AIIMS, Jammu is submitted for the approval of Director, AIIMS, New Delhi (3) Retention of lien at AIIMS, New Delhi for a period of two years w.e.f. 29.11.2023 to 28.11.2025, on stipulated extant terms and conditions for the purpose, before the President, AIIMS being Chairman of the Governing Body for consideration/approval and the matter will further be placed before the Governing Body for ratification/post-facto-approval.

Submitted for the approval of Hon'ble President AIIMS, New Delhi please.

09/11/2023 01:00 PM  
RAGHAV DUBEY  
SENIOR ADMINISTRATIVE ASSISTANT  
Note # 61

In view of the above, proposal at Note No # 60 in favour of Dr. Rimple Sharma is therefore, submitted to the Honourable President, AIIMS, New Delhi for kind consideration & approval please.

09/11/2023 10:03 PM  
RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER  
Note # 62



Dr. Rimple Sharma, Associate Professor at AIIMS, New Delhi, has been selected as Professor-cum-Principal at AIIMS, Jammu. She has submitted her resignation on 01.11.2023 and requested to be relieved on 28.11.2023, with a request to waive her notice period. She has also requested for retention of lien for a period of two years from 29.11.2023 to 28.11.2025.

As per rules, 3 months notice is required for acceptance of resignation. However, since this is a technical resignation and Dr. Sharma is moving from AIIMS, New Delhi to AIIMS, Jammu, we can consider her request. We have waived off the notice period in the past.

The Director of AIIMS, New Delhi is the competent authority to accept the resignation of Associate Professors. The Governing Body of AIIMS has full powers to allow retention of lien in the institute for Group A posts. As practice, we are seeking the approval of the President, AIIMS, as Chairman of the Governing Body, for the retention of lien, and we will later seek the Governing Body's ratification of the President's decision.

In view of the above, the proposal for (1) technical resignation of Dr. Rimple Sharma, Associate Professor, College of Nursing w.e.f. 28.11.2023 (AN), (2) waiver of 62 days short period notice, and (3) retention of lien at AIIMS, New Delhi for a period of two years w.e.f. 29.11.2023 to 28.11.2025 is submitted for the approval of the competent authority. The matter will further be placed before the Governing Body for ratification/post-facto-approval.

10/11/2023 08:22 AM  
B:S.GILL  
SENIOR ADMINISTRATIVE OFFICER

Note # 63

Proposal at Note No 62 is submitted for favorable consideration. If agreed we may accept her resignation & waiv off rest of the notice period. We will submit a proposal for consideration of her request to retain lien to President AIIMS. If approved we will take the proposal for retention of lien to GB for Ex post facto approval.

10/11/2023 11:31 AM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 64

10/11/2023 04:36 PM  
MANISHA SAXENA  
DEPUTY DIRECTOR ADMIN

Note # 65

11/11/2023 09:49 AM  
DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR

Note # 66

Please discuss with me

13/11/2023 11:47 AM  
SRINIVAS.M  
DIRECTOR

Note # 67

Discussed with your goodself on 17.11.23.  
Resubmitted for kind consideration & approval.

18/11/2023 12:01 AM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 68  
ok. Please. Needs Honourable President approval.

18/11/2023 09:32 AM  
SRINIVAS.M  
DIRECTOR

Note # 69  
We may put up separate note for seeking approval of President AIIMS.  
Her technical resignation has been accepted & notice period waived off. Please do needful accordingly.

18/11/2023 10:55 AM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 70

18/11/2023 11:00 AM  
B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER

Note # 71

18/11/2023 11:35 AM  
RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER

Note # 72

Ref. above:

It is submitted that the technical resignation in r/o Dr. Rimple Sharma, Associate Professor, College of Nursing w.e.f. 28.11.2023 (A.N.) has been accepted by the Competent Authority vide NOTE NO 68.

Dr. Rimple Sharma has also requested for retention of lien at AIIMS, New Delhi for a period of two years w.e.f. 29.11.2023 to 28.11.2025. (may kindly be seen at Page no. 35)

As per the 3.3 point of DoPT O.M. No. 1669266628362 dated 24.11.2022, Rules regarding Lien on a post is as under:  
(page no. 6)

Retention of lien for appointment in another central government office/ state government

- i. A permanent Government servant appointed in another Central Government Department/Office/State Government, has to resign from his parent department unless he reverts to that department within a period of 2 years, or 3 years in exceptional cases. An undertaking to abide by this condition may be taken from him at the time of forwarding of his application to other departments/offices.
- ii. The exceptional cases may be when the Government servant is not confirmed in the department/office where he has joined within a period of 2 years. In such cases he may be



permitted to retain the lien in the parent department/office for one more year. While granting such permission, a fresh undertaking similar to the one indicated above may be taken from the employee.

- iii. Timely action should be taken to ensure extension/reversion/resignation of the employees to their parent cadres on completion of the prescribed period of 2/3 years. In cases, where employees do not respond to instructions, suitable action should be initiated against them for violating the agreement/undertaking given by them as per (i) and (ii) above and for termination of their lien. Adequate opportunity may, however, be given to the officer prior to such consideration.
- iv. Temporary Government servants will be required to sever connections with the Government in case of their selection for outside posts. No lien will be retained in such cases.

As per Section 25 of Scheduled II of AIIMS Regulation, 2019, the Governing Body of the Institute has full powers to allow retention of lien in the institute for Group A posts, wherein employees when they are appointed elsewhere.

In view of the above, it is submitted for consideration whether we may place the matter in respect of Dr. Rimple Sharma, Associate Professor, College of Nursing for retention of lien at AIIMS, New Delhi for a period of two years w.e.f. 29.11.2023 to 28.11.2025, on stipulated extant terms and conditions for the purpose, before the President, AIIMS being Chairman of the Governing Body for consideration/approval and the matter will further be placed before the Governing Body for ratification/post-facto-approval.

The above proposal is submitted to the Hon'ble President, AIIMS, New Delhi for kind consideration and approval please.

18/11/2023 12:53 PM  
RAGHAV DUBEY  
SENIOR ADMINISTRATIVE ASSISTANT  
Note # 73

18/11/2023 01:34 PM  
RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER  
Note # 74

Dr. Rimple Sharma, Associate Professor, College of Nursing, has resigned from AIIMS effective November 28, 2023. Her technical resignation has been accepted by the Director, AIIMS, who is the competent authority. She has also requested the retention of her lien at AIIMS, New Delhi, for a period of two years, from November 29, 2023, to November 28, 2025.

The proposal is being submitted to the President, AIIMS, who is the Chairman of the Governing Body, for consideration and approval. The decision of the Honorable President, AIIMS, will be placed before the Governing Body for ex-post-facto approval/ratification.

19/11/2023 07:08 PM  
B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER  
Note # 75  
Submitted for kind consideration of President AIIMS.



20/11/2023 11:04 AM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 76

21/11/2023 06:31 PM  
MANISHA SAXENA  
DEPUTY DIRECTOR ADMIN

Note # 77

22/11/2023 10:42 AM  
DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR

Note # 78

Submitted to the Honourable President, AIIMS, New Delhi for consideration and approval. please.  
The decision of the Honorable President, AIIMS, New Delhi will be placed before the Governing  
Body later for ex-post-facto approval/ratification.

23/11/2023 09:33 PM  
SRINIVAS.M  
DIRECTOR

Note # 79

FTS 8251619 - Ms. Rimple Ericson Lecturer College of Nursing - acceptance of technical resignation  
to join AIIMS Jammu.pdf

28/11/2023 01:04 PM  
MANSUKH MANDAVIYA  
HFM, MOHFW

Note # 80

29/11/2023 09:45 AM  
DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR

Note # 81

29/11/2023 05:37 PM  
MANISHA SAXENA  
DEPUTY DIRECTOR ADMIN

Note # 82

Please do needful.

29/11/2023 05:52 PM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 83

29/11/2023 06:13 PM  
RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER

Note # 84

It is submitted that Dr. Rimple Sharma, Associate Professors of College of Nursing was selected as Professor-cum-Principal at College of Nursing, AIIMS, Jammu and had submitted her technical resignation w.e.f. 28.11.2023 (A.N.) with request to retain Lien to the post of Associate Professor in Nursing, College of Nursing, AIIMS, New Delhi for the period of 2 years from the date of resignation from the Institute. (Please see note no. 79)

The President, AIIMS, had approved the proposal being chairman of the Governing Body with the direction in respect of Dr. Rimple Sharma and directed to put up her case before the Governing Body for ratification/Ex-Post Facto approval in the upcoming Governing Body meeting regarding lien.

In view of the above, DRAFT agenda to be put up before the upcoming G.B. Meeting is submitted to the kind consideration

30/11/2023 10:23 AM  
RAGHAV DUBEY  
SENIOR ADMINISTRATIVE ASSISTANT  
Note # 85

Please put-up as discuss

30/11/2023 10:49 AM  
RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER  
Note # 86  
Ref. above:

As per the approval at NOTE 79, DFA please.

30/11/2023 11:30 AM  
RAGHAV DUBEY  
SENIOR ADMINISTRATIVE ASSISTANT  
Note # 87

30/11/2023 02:02 PM  
RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER  
Note # 88  
Draft is submitted for kind perusal & approval.

01/12/2023 08:31 AM  
SANJAY KUMAR ARYA  
PROFESSOR  
Note # 89

06/12/2023 04:59 PM  
MANISHA SAXENA  
DEPUTY DIRECTOR ADMIN  
Note # 90

06/12/2023 05:13 PM  
DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR

Note # 91  
ok

07/12/2023 03:40 PM  
SRINIVAS.M  
DIRECTOR

Note # 92

08/12/2023 05:05 PM  
MANISHA SAXENA  
DEPUTY DIRECTOR ADMIN

Note # 93

08/12/2023 06:59 PM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 94

08/12/2023 08:15 PM  
B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER

Note # 95

09/12/2023 08:24 AM  
RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER



**ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI - 29**

No.F.6-123/2014 Estt.I.

Dated the:

23 NOV 2023

**OFFICE MEMORANDUM**


**Subject:-** Acceptance of Technical Resignation from the post of Associate Professor, College of Nursing, AIIMS, New : Dr. Rimple Sharma, Associate Professor, College of Nursing at the AIIMS, New Delhi.

\*\*\*\*\*

With reference to her letter dated the 1<sup>st</sup> November, 2023 on the subject cited above, Dr. Rimple Sharma, Associate Professor, College of Nursing is informed that the Competent Authority has been pleased to accept technical resignation tendered by her from the post of Associate Professor, College of Nursing w.e.f. 28.11.2023 (A.N.) to join the post of Professor-cum-Principal, College of Nursing at AIIMS, Jammu.

Dr. Rimple Sharma is advised to handover the charge of Associate Professor in Nursing, College of Nursing to the Professor-Cum-Principal, College of Nursing in the afternoon of 28.11.2023 and submit her charge relinquishment report along with a 'No Demand Certificate' to the undersigned.

Dr. Rimple Sharma is also advised to return the Identity Card/EHS Card issued to her to the Security Officer and Faculty Cell respectively.

  
(RAM SURAT)

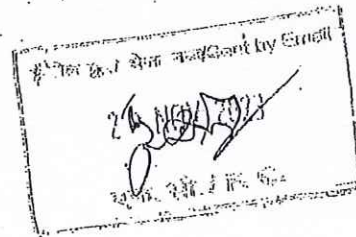
ASSTT. ADMINISTRATIVE OFFICER

Dr. Rimple Sharma  
Associate Professor of College of Nursing  
Thr: The Professor-cum-Principal, College of Nursing

**Copy to:-**

1. The Dean/(Academic/Research), AIIMS
2. The Dean (Examination), AIIMS
3. The Medical Superintendent, AIIMS
4. The Accounts Section II & III
5. The General Section
6. The Deputy Chief Security Officer
7. The Academic Section
8. The Asstt. Engineer (Telephone)
9. The Estate Section
10. The Dr. B.B. Dixit Library
11. The National Medical Library (DGHS), Ansari Nagar, New Delhi
12. The Central Animal Facility
13. The Bill Clerk, Main Hosp./Dr. R.P. Centre/C.N. Centre/Dr. B.R.A. IRCH
14. The Computer Facility
15. The Administrative Officer (Research)
16. The Officer-in-charge (Vehicles)
17. The Officer-in-charge, EHS (46001)
18. The Medical Institute Theft. & Credit Society Ltd.
19. Media & Protocol Division

It is requested that a 'No Demand Certificate' in favour of Dr. Rimple Sharma may kindly be issued at an early date.

**Copy for information please:-**

1. The PPS to Director, AIIMS
2. The P. & P.R.O. AIIMS
3. The Recruitment Cell
4. The Pension Cell
5. The ACR Cell, AIIMS
6. The RTI Cell, AIIMS
7. The SC/ST Cell, AIIMS
8. GPF Section

  
(ASSTT. ADMINISTRATIVE OFFICER)

**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/5**

**To consider the proposal or ex-post facto ratification –  
decision of President, AIIMS to approve extension of Lien one  
more year beyond two years in r/o Dr. Kamlesh Kumari  
Sharma, Associate Professor, College of Nursing at the  
AIIMS, New Delhi.**





No.F. 6-71/2005 Estt.I.  
NOTE FOR THE GOVERNING BODY

Item No. GB/162-5

34

**TO CONSIDER THE PROPOSAL FOR EX-POST FACTO RATIFICATION - DECISION OF PRESIDENT, AIIMS TO APPROVE EXTENSION OF LIEN ONE MORE YEAR BEYOND TWO YEARS IN R/O DR. KAMLESH KUMARI SHARMA, ASSOCIATE PROFESSOR, COLLEGE OF NURSING AT THE AIIMS, NEW DELHI.**

\*\*\*\*\*

**1. INTRODUCTION-**

Dr. Kamlesh Kumari Sharma was selected as Professor-cum-Principal at AIIMS Bathinda and had submitted her technical resignation w.e.f. 11.04.2022 (A.N.) with request to retain Lien to the post of Associate Professor in Nursing, College of Nursing, AIIMS, New Delhi for the period of 2 years from the date of resignation from the Institute. (Annexure - I)

She was allowed to maintain Lien till 10.04.2024.

Now, she has requested to allow her to retain Lien for 1 more year i.e. till 10.04.2025. (Annexure - II)

**2. ADMINISTRATIVE COMMENTS -**

2.1. As per Section-25 of AIIMS Regulations, 2019 (amended), the Governing Body is the competent authority for allowing retention of lien to Group A Officers in the Institute.

2.2. Accordingly her request for extension of lien for 1 more year i.e. upto 11.04.2025 was put up to President, AIIMS New Delhi.

President AIIMS, New Delhi had very kindly approved the proposal for retention of lien for 1 more year i.e upto 11.04.2025 in his capacity as Chairman of the Governing Body. He had directed that this may be put up before the Governing Body for ratification. (Annexure - II)

**3. APPROVAL SOUGHT**

Accordingly, the proposal for ratification of the decision of President, AIIMS to extend lien for 1 more year i.e upto 11.04.2025 (beyond 2 years) in r/o Dr. Kamlesh Kumari Sharma is submitted for ratification by the Governing Body.

\*\*\*\*\*

Dated: 02.03.2022

डॉ. लता वेंकटेश्वर / Faculty Cell  
 प्रोफेसर एवं प्रधानाचार्य/Principal  
 नर्सिंग महाविद्यालय/College of Nursing  
 अ.भ.आ.सं./AIIMS  
 नई दिल्ली-110029

3/3/2022  
 447

The Director

AIIMS

New Delhi

Through Proper Channel

Sub: Request for Submission of Technical Resignation with lien for joining as Prof. cum Principal at AIIMS, Bathinda

Dear Sir,

This is to inform you that I have got selected as Prof. cum Principal in AIIMS, Bathinda. Copy of the appointment letter is enclosed for your kind consideration.

I had applied for the above-stated post after informing the AIIMS, New Delhi authorities, and obtaining a No Objection Certificate. (Copy enclosed)

I would like to tender my technical resignation with lien request to join the new post.

I may kindly be granted permission and be relieved to join AIIMS Bathinda at the earliest.

My latest date of joining at AIIMS Bathinda is by 26/03/2022

*Kamlesh*

Thanking You

Yours Sincerely

*Kamlesh*

Dr. Kamlesh Kumari Sharma

Associate Professor

College of Nursing

AIIMS, New Delhi

Encl: Copy of the appointment letter and NOC

Forwarded to Faculty Cell

*Atbal*  
2/3/22

*Raghu*

डॉ. लता वेंकटेश्वर/Dr. Latha Venkatesh  
 प्राध्यापक एवं प्रधानाचार्य/Professor-cum-Principal  
 नर्सिंग महाविद्यालय/College of Nursing  
 अ.भ.आ.सं./AIIMS  
 नई दिल्ली-110029/New Delhi-110029

## Application for extension of Lien period post technical tesignation

1 message

Kamlesh Sharma <kamlesh\_con@yahoo.co.in>

Wed, Jan 3, 2024 at 2:14 PM

Reply-To: Kamlesh Sharma <kamlesh\_con@yahoo.co.in>





To: "admnofficerfacultycell@aiims.edu" <admnofficerfacultycell@aiims.edu>

Respected Sir,  
Please find attached herewith my application on the abovesaid subject matter for your kind consideration.  
Hoping for a favourable response

Thanks and Regards,

Prof (Dr.) Kamlesh Kumari Sharma  
M.Sc., Ph.D., FCRMEBM  
Professor cum Principal  
Institute of Nursing Education and Research  
All India Institute of Medical Sciences  
Bathinda-151001  
Phone: 91-1642868153 (O)  
Mobile: 91-9811336985

### 4 attachments

-  Lien extension\_ Dr Kamlesh K Sharma.pdf  
302K
-  GPF Case Dr Kamlesh Kumar - 1.pdf  
7837K
-  GPF Case - Dr Kamlesh Kumari Sharma.pdf  
331K
-  Dr.Kamlesh Kumari Sharma\_1 reg GPF.PDF  
119K



Dated: 3<sup>rd</sup> January 2024

37

To  
The Director  
All India Institute of Medical Sciences  
New Delhi -110029

**Subject: Extension of lien period post technical resignation**

Respected Sir,

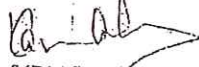
This is to submit that I joined AIIMS, Bathinda on 12 April 2022 as Professor cum Principal, College of Nursing after getting technical resignation and Lien with AIIMS, New Delhi (Refer office O.M. F.6-71/2005-Estt.I dated 11 April 2022. This is to bring to your kind notice that:

1. I have been in old pension scheme since 1983, and my GPF account had been maintained regularly since then at my respective places of work including AIIMS Delhi.
2. I have requested AIIMS Bathinda to allow me to continue in the old pension scheme and also my GPF account to be maintained. However, the same is not yet settled at AIIMS Bathinda since this institute is covered under New Pension Scheme.
3. AIIMS Bathinda has written twice to AIIMS Delhi for maintaining my GPF, but this request has been declined (Refer F.No. AIIMS/ED/GPF/KAMLESH KUMARI SHARMA/2022-23 Dated: 23-12-2022 & F.6-71/2005 Estt.I dated 3<sup>rd</sup> Oct 2023, copies enclosed).
4. At present, my case for settling the pension scheme and GPF issue is still under process at AIIMS Bathinda.

I, therefore, humbly request you to kindly grant me extension of lien for another year i.e. till April 2025.

In anticipation of a favourable response

Yours Sincerely



Prof. (Dr.) Kamlesh Kumari Sharma  
Professor cum Principal  
Institute of Nursing Education and Research  
All India Institute of Medical Sciences,  
Bathinda-151001  
Phone: 91-1642868153 (O)  
Mobile: 91-9811336985

**KAMLESH KUMARI SHARMA**  
Professor Cum Principal  
Institute of Nursing Education & Research  
AIIMS Bathinda.

38

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI - 29**

No.F.6-71/2005-Estt.I

Dated the:

**OFFICE MEMORANDUM**

13 MAR 2024

**Subject:-** Acceptance of Technical Resignation and maintain Lien to the post of Associate Professor in Nursing, College of Nursing, AIIMS, New Delhi for the period of 2 years from the date of resignation from this Institute : Dr. Kamlesh Kumari Sharma, Associate Professor in Nursing, College of Nursing at the AIIMS, New Delhi.

**Reference-** Extension of Lien period post technical resignation

\*\*\*\*\*

In continuation of this office memorandum of even number dated the 9<sup>th</sup> April, 2022 & with reference of her application dated 03.01.2024 on the subject cited above, Dr. Kamlesh Kumari Sharma, Ex- Associate Professor in Nursing, College of Nursing is informed that her request was put up before the Competent Authority and the President, AIIMS has been pleased to allow her to maintain Lien to the post of Associate Professor in Nursing, College of Nursing, AIIMS, New Delhi for 1 more year beyond 2 years granted earlier. Your lien stand extended up to 10.04.2025.

This issues with the approval of the Competent Authority.



(RAM SURAT)

ASSISTANT ADMINISTRATIVE OFFICER

016

1. Dr. Kamlesh Kumari Sharma  
Ex- Associate Professor in Nursing, College of Nursing
2. The Administrative Officer  
AIIMS, Bhatinda

**Copy to:-**

1. The Professor-cum-Principal, College of Nursing
2. The Accounts Section II & III
3. The General Section

**Copy for information please:-**

1. The PPS to Director, AIIMS
2. The Pension Cell
3. GPF Section





Subject:- Extension of lien period post technical resignation.

\*\*\*\*\*

Faculty cell is in receipt of E-mail from Dr Kamlesh Kumari Sharma, Ex- Associate Professor, College of Nursing AIIMS New Delhi, wherein she has been in old pension scheme since 1988, and my GPF account had been maintained regularly since then at my respective places of work including AIIMS Delhi. She has requested in AIIMS Bathinda to allow her to continue in the old pension scheme and also her GPF account to be maintained. However, the same is not yet settled at AIIMS Bathinda since this institute is covered under New Pension Scheme. AIIMS, Bathinda has written twice to AIIMS Delhi for maintaining my GPF, but this request has been declined ( Refer F.No.AIIMS/FD/GPF/Kamlesh Kumari Sharma / 2022-23 dated 23.12.2022 & F.6-71/2005 Estt.I dated 31 October 2023. At present, my case for settling the pension scheme and GPF issue is still under process at AIIMS Bathinda. She has requested to extend of lien period for one more year i.e. 11.04.2025 in AIIMS, New Delhi. (Page no. 102)

Dr. Kamlesh Kr. Sharma has submitted an undertaking that she has not been yet confirmed for the post of Professor-cum-Principal in AIIMS, Bathinda. The minimum probation period is 2 years. (Page no. 100)

As per office records, it is submitted that Dr. Kamlesh Kumari Sharma had worked in this Institute as Associate Professor (Erstwhile Lecturer), College of Nursing, AIIMS, New Delhi from 20.10.2005 to till 11.04.2022. She was selected for the Post of Professor-cum-Principal at AIIMS, Bathinda. The technical resignation with LIEN was accepted by the Competent Authority and she was relieved on 11.04.2022 (A.N.) from this Institute to join the post of Professor-cum-Principal in AIIMS, Bathinda. Her lien is maintained in this Institute till 11.04.2024. (Page no. 72).

Rules in this regard are as under:- (DoPT order dated 27.08.2018 is attached)

- A permanent Government Servant appointed in another Central Government Department/ office/ state Government, has to resign from his parent department unless he reverts to that department within a period of 2 years, or 3 years in exceptional cases. An undertaking to abide by this condition may be taken from him at the time of forwarding of his application to other departments/offices.
- The exceptional cases may be when the Government servant is not confirmed in the department/ office where he has joined within a period of 2 years. In such cases he may be permitted to retain the lien in the parent department/ office for one more indicated above may be taken from the employee.

As per Section 25 of Scheduled II of AIIMS Regulation, 2019, the Governing Body of the Institute has full powers to allow retention of lien in the institute for Group A posts, wherein employees when they are appointed elsewhere. Approval was sought from the PRESIDENT, AIIMS, NEW DELHI being Chairman of G.B. (Page no. 65) Her case has also Ex-post facto approved by the G.B. (Item no. GB- 160/15) (Minutes attached).

In view of the above, it is submitted for consideration whether we may place the matter of extension of Lien in r/o Dr. Kamlesh Kumari Sharma, Ex-Associate Professor, College of Nursing till 11.04.2025 on stipulated extant terms and conditions for the purpose, before the President, AIIMS being Chairman of the Governing Body for consideration/approval and the matter will further be placed before the Governing Body for ratification/post-facto-approval.

The above matter is submitted to the Hon'ble President, AIIMS, New Delhi for kind consideration please.

25/01/2024 01:09 PM  
SUNEEL KUMAR  
JUNIOR ADMINISTRATIVE ASSISTANT

Note # 48

25/01/2024 02:27 PM  
RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER

Note # 49

- Dr. Kamlesh Kumari Sharma, former Associate Professor in AIIMS College of Nursing, resigned with Lien on April 11, 2022, to join AIIMS Bathinda as Professor-cum-Principal.
- Her Lien in AIIMS Delhi is valid till April 11, 2024.
- She requests a one-year extension of her Lien (2024-2025).
- The order allows Lien retention for two years, with extensions in exceptional cases.
- Exceptions include non-confirmation in the new position within two years.
- Section 25 of Schedule II empowers the Governing Body to approve Lien extensions for Group A posts.
- If she is confirmed within the two-year period, the Lien extension request requires justification under "exceptional cases".
- A detailed explanation for Dr. Sharma's request beyond the standard two-year limit is required to assess justification for extension.

Submitted for further direction please.



26/01/2024 12:03 PM  
B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER

Note # 50

We may request Dr Kamlesh Sharma to provide detailed justification before her request can be processed.  
Submitted for kind consideration.

27/01/2024 09:01 AM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 51

Normally it is not permitted beyond two years and currently we are not allowing even two years also . May kindly decide.

27/01/2024 11:01 AM  
KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN

Note # 52

please discuss with me

28/01/2024 11:54 AM  
SRINIVAS.M  
DIRECTOR

Note # 53

Discussed with Director on 29/1/2024. Ad advised the undersigned had spoken to ADA. He has suggested that we may submit this request to President AIIMS for his kind consideration. Government is the competent authority to consider this request. We may submit this proposal to President AIIMS for kind consideration. If this is agreed we will submit a proposal in GB seeking Ex post facto approval.

Accordingly, submitted for kind consideration of President AIIMS.

30/01/2024 05:38 PM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 54

Submitted for kind consideration of President AIIMS New Delhi, please

30/01/2024 10:58 PM  
SRINIVAS.M  
DIRECTOR

Note # 55

FTS:8262984 - DR. Kamlesh Kumari Sharma Associate Professor College of Nursing.pdf

02/02/2024 01:48 PM  
MANSUKH MANDAVIYA  
HEM/MOHFW

Note # 56

03/02/2024 10:27 AM  
DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR

Note # 57

03/02/2024 06:44 PM  
KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN

Note # 58

05/02/2024 11:47 AM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 59

05/02/2024 12:02 PM  
B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER

Note # 60

06/02/2024 10:39 AM  
JYOTI KAPOOR  
ASSISTANT ADMINISTRATIVE OFFICER

Note # 61

06/02/2024 10:50 AM  
RAGHAV DUBEY

SENIOR ADMINISTRATIVE ASSISTANT

Note # 62

29/02/2024 04:50 PM

SUNEEL KUMAR

JUNIOR ADMINISTRATIVE ASSISTANT

Note # 63

07/03/2024 12:53 PM

MOHIT VERMA

JUNIOR ADMINISTRATIVE ASSISTANT

Note # 64

Ref. above:

Proposal at NOTE 55 has been approved by the Competent Authority with instruction that the same will be placed before the GB for Ex-Post facto approval.

Draft agenda is prepared and the same is put up to the competent authority for kind consideration and approval please.

07/03/2024 02:13 PM

MOHIT VERMA

JUNIOR ADMINISTRATIVE ASSISTANT

Note # 65

In view of the above, Draft Agenda Note for Governing Body and O.M. for extension of lien in favour of Dr. Kamlesh Kumar Sharma are put up for kind perusal & approval please.

07/03/2024 05:10 PM

RAM SURAT

ASSISTANT ADMINISTRATIVE OFFICER

Note # 66

08/03/2024 07:45 AM

B.S.GILL

SENIOR ADMINISTRATIVE OFFICER

Note # 67

Submitted for kind perusal & approval.

08/03/2024 11:58 AM

SANJAY KUMAR ARYA

PROFESSOR

Note # 68

09/03/2024 07:42 PM

KARAN SINGH

ADDITIONAL DIRECTOR ADMIN

Note # 69

अनुमोदित।

12/03/2024 10:28 AM

SRINIVAS M

DIRECTOR

Note # 70

13/03/2024 07:16 AM

B.S.GILL

SENIOR ADMINISTRATIVE OFFICER

Note # 71

13/03/2024 09:07 AM

RAM SURAT

ASSISTANT ADMINISTRATIVE OFFICER

Note # 72

13/03/2024 10:07 AM

MOHIT VERMA

JUNIOR ADMINISTRATIVE ASSISTANT



Reference F.R.

Subject:- Extension of lien period post technical resignation.

\*\*\*\*\*

Faculty cell is in receipt of E-mail from Dr Kamlesh Kumari Sharma, Ex- Associate Professor, College of Nursing AIIMS New Delhi, wherein she has been in old pension scheme since 1988, and my GPF account had been maintained regularly since then at my respective places of work including AIIMS Delhi. She has requested in AIIMS Bathinda to allow her to continue in the old pension scheme and also her GPF account to be maintained. However, the same is not yet settled at AIIMS Bathinda since this institute is covered under New Pension Scheme. AIIMS, Bathinda has written twice to AIIMS Delhi for maintaining my GPF, but this request has been declined ( Refer F.No.AIIMS/FD/GPF/Kamlesh Kumari Sharma / 2022-23 dated 23.12.2022 & F.6-71/2005 Estt.I dated 31 October 2023. At present, my case for settling the pension scheme and GPF issue is still under process at AIIMS Bathinda. She has requested to extend of lien period for one more year i.e. 11.04.2025 in AIIMS, New Delhi. (Page no. 102)

Dr. Kamlesh Kr. Sharma has submitted an undertaking that she has not been yet confirmed for the post of Professor-cum-Principal in AIIMS, Bathinda. The minimum probation period is 2 years. (Page no. 100)

As per office records, it is submitted that Dr. Kamlesh Kumari Sharma had worked in this Institute as Associate Professor (Erstwhile Lecturer), College of Nursing, AIIMS, New Delhi from 20.10.2005 to till 11.04.2022. She was selected for the Post of Professor-cum-Principal at AIIMS, Bathinda. The technical resignation with LIEN was accepted by the Competent Authority and she was relieved on 11.04.2022 (A.N.) from this Institute to join the post of Professor-cum-Principal in AIIMS, Bathinda. Her lien is maintained in this Institute till 11.04.2024. (Page no. 72).

Rules in this regard are as under:- (DoPT order dated 27.08.2018 is attached)

- A permanent Government Servant appointed in another Central Government Department/ office/ state Government, has to resign from his parent department



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unless he reverts to that department within a period of 2 years, or 3 years in exceptional cases. An undertaking to abide by this condition may be taken from him at the time of forwarding of his application to other departments/offices.

- The exceptional cases may be when the Government servant is not confirmed in the department/ office where he has joined within a period of 2 years. In such cases he may be permitted to retain the lien in the parent department/ office for one more indicated above may be taken from the employee.

As per Section 25 of Scheduled II of AIIMS Regulation, 2019, the Governing Body of the Institute has full powers to allow retention of lien in the institute for Group A posts, wherein employees when they are appointed elsewhere. Approval was sought from the PRESIDENT, AIIMS, NEW DELHI being Chairman of G.B. (Page no. 65) Her case has also Ex-post facto approved by the G.B.(Item no. GB- 160/15 ) (Minutes attached)

In view of the above, it is submitted for consideration whether we may place the matter of extension of Lien in r/o Dr. Kamlesh Kumari Sharma, Ex-Associate Professor, College of Nursing till 11.04.2025 on stipulated extant terms and conditions for the purpose, before the President, AIIMS being Chairman of the Governing Body for consideration/approval and the matter will further be placed before the Governing Body for ratification/post-facto-approval.

The above matter is submitted to the Hon'ble President, AIIMS, New Delhi for kind consideration please.

25/01/2024 01:09 PM

SUNEEL KUMAR  
JUNIOR ADMINISTRATIVE ASSISTANT, AIIMS

Note # 48

25/01/2024 02:27 PM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 49

- Dr. Kamlesh Kumari Sharma, former Associate Professor In AIIMS College of Nursing, resigned with Lien

- 44
- on April 11, 2022, to join AIIMS Bathinda as Professor-cum-Principal.
  - Her Lien in AIIMS Delhi is valid till April 11, 2024.
  - She requests a one-year extension of her Lien (2024-2025).
  - The order allows Lien retention for two years, with extensions in exceptional cases.
  - Exceptions include non-confirmation in the new position within two years.
  - Section 25 of Schedule II empowers the Governing Body to approve Lien extensions for Group A posts.
  - If she is confirmed within the two-year period, the Lien extension request requires justification under "exceptional cases".
  - A detailed explanation for Dr. Sharma's request beyond the standard two-year limit is required to assess justification for extension.
- Submitted for further direction please.

26/01/2024 12:03 PM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 50

We may request Dr Kamlesh Sharma to provide detailed Justification before her request can be processed.  
Submitted for kind consideration.

27/01/2024 09:01 AM

SANJAY KUMAR ARYA  
PROFESSOR, AIIMS

Note # 51

Normally it is not permitted beyond two years and currently we are not allowing even two years also. May kindly decide.

27/01/2024 11:01 AM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMS

Note # 52

please discuss with me

28/01/2024 11:54 AM

SRINIVAS.M  
DIRECTOR, AIIMS

Note # 53

Discussed with Director on 29.1.2024. Ad advised, the undersigned had spoken to ADA. He has suggested that we may submit this request to President AIIMS for his kind consideration.

Governing body is the competent authority to consider this request. We may submit this proposal to President AIIMS for kind consideration. If this is agreed we will submit a proposal in GB seeking Ex post facto approval.

Accordingly, submitted for kind consideration of President AIIMS.

30/01/2024 05:38 PM

SANJAY KUMAR ARYA  
PROFESSOR, AIIMS

Note # 54

Submitted for kind consideration of President AIIMS New Delhi, please

(HFM) / President AIIMS





**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/6**

**To consider the proposal for ratification of voluntary retirement granted to Dr. Milind P. Hote, Professor of C.T.V.S. from the service of this institute w.e.f. 02.05.2024  
(F.N.)**



**NOTE FOR THE GOVERNING BODY**

Item No. G.B/ \62-6

**TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO DR. MILIND P. HOTE, PROFESSOR OF C.T.V.S. FROM THE SERVICE OF THIS INSTITUTE W.E.F. 02.05.2024 (F.N.).****1. INTRODUCTION**

- 1.1 Dr. Milind P. Hote, Professor of C.T.V.S. vide his letter dated 02.02.2024 had requested for voluntary retirement w.e.f. 02.05.2024 (Forenoon), from the service of the Institute for personal reasons (Annexure-I).
- 1.2 Dr. Milind P. Hote had joined the Institute on 09.06.2003. He had not availed any Extra Ordinary Leave With-out Pay (EOL) during the above mentioned period. He had completed 20 years & 08 months of qualifying service at this Institute at the time of applying for VRS. He was due to superannuate on 31.05.2037. Since he had completed more than 20 years & 08 months of qualifying service, he was fulfilling the requisite condition for voluntary retirement. There was no vigilance/disciplinary case pending/contemplated against him at the time of submission of processing his request for VRS.

**2. ADMINISTRATIVE COMMENTS:**

- 2.1 In the above context, the following is submitted:-
- (i) AIIMS Regulations have no provision for VRS.

Regulation 30 (4) of AIIMS Regulation, 2019 provides as under :

*"Any employee of the Institute may, by giving notice of not less than three months in writing to the appointing authority, retire from the service after he has attained the age of fifty years, if he is in Group A or Group B service or post and had entered the service of the Institute before attaining the age of thirty-five years and in all other cases after he has attained the age of fifty-five years."*

Regulation No. 35 of the AIIMS Regulations, 2019 has provision as under:-

*"In respect of matters not provided for in these regulations, the rules as applicable to the Central Government servants regarding the general condition of service, pay, allowances including traveling and daily allowances, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the Central Government from time to time shall apply to the employees of the Institute."*



- (ii) The Rule 43 of CCS (Pension) Rules, 2021 stipulates that a Government Servant after completing 20 years of qualifying service can seek voluntary retirement from the service by giving notice of not less than 3 months in writing to the appointing authority.
- (iii) As per Item No. 1(ii) of the Schedule II under AIIMS Regulations, 2019, the Appointing Authority for Group A posts at AIIMS, New Delhi is Governing Body. Accordingly, in this case Governing Body is the competent authority to grant permission for voluntary retirement from the service of the Institute.

In this case, provisions of Rule 43 of CCS (Pension) Rules, 2021 are applicable. Since Dr. Milind P. Hote had completed 20 years & 08 months of qualifying service at the Institute, he was fulfilling the requirement as per the Rule referred above.

Honorable HFM had considered this case & approved the request of Dr. Milind P. Hote for voluntary retirement in his capacity as Chairman, Governing Body, AIIMS, New Delhi with directions that the Institute will get it ratified subsequently by the Governing Body (Annexure-II).

Dr. Milind P. Hote has been granted voluntary retirement from the service of the Institute w.e.f. 02.05.2024 (FN).

### 3. APPROVAL SOUGHT

In view of the above, approval accorded by Hon'ble President, AIIMS in capacity as Chairman of the Governing Body, AIIMS, New Delhi granting voluntary retirement to Dr. Milind P. Hote w.e.f. 02.05.2024 (FN) is submitted before the Governing Body for consideration & ratification.

\*\*\*\*\*

Annex-I

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To,

Dt 2<sup>nd</sup> February 2024

The Director

AIIMS, New Delhi

THROUGH PROPER CHANNEL

Sub - VRS from Post of Professor , Department of CTVS and services of All India Institute of Medical sciences , New Delhi

Respected Sir;

With due respect, I would like to submit that I have completed 25 years of service at AIIMS New Delhi in the Department of CTVS in various capacities. I also have completed 20 years of service as Faculty here.

I am hereby submitting my letter for seeking VRS from the services of All India Institute of Medical Sciences, New Delhi, effective from 2<sup>nd</sup> May 2024. The reasons for this are entirely personal.

I shall always be indebted to AIIMS New Delhi for all the teachings and support it has accorded me all throughout my career.

Thanking you

Sincerely

Dr Millind Hote

Professor CTVS

AIIMS, New Delhi

डॉ. मिलिंद पदमकर हॉटे / Dr. MILIND P HOTE  
भाषार्य/Professor  
सी.टी.वी.एस. विभाग/Deptt. of CTVS  
हृदय चिकित्सा केंद्र/Cardiothoracic Centre  
ए.ए.आर.सी., अंसारी नगर, नई दिल्ली-110029  
AIIMS, Ansari Nagar, New Delhi - 110029

Forwarded  
Chiu

03/02/2024

डॉ. शिव कुमार चौधरी  
Dr. SHIV KUMAR CHOUDHARY  
भाषार्य/Professor & Head  
सी.टी.वी.एस. विभाग/Department of CTVS  
हृदय चिकित्सा केंद्र/C.T. Centre  
ए.ए.आर.सी., नई दिल्ली/AIIMS, New Delhi-110029



In accordance with the Item No. 22 of the AIIMS Regulations, 2019 (as amended), the Governing Body (Appointing Authority) is the competent authority to permit the faculty members to seek voluntary retirement from the service of the Institute. Since, the meeting of the Governing Body is not likely to held near future, therefore, the proposal may be submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval.

According to Rule of 10 of CCS (Pension) Rules, if a pensioner who, immediately before his/her retirement was a member of the Central Service Group 'A' wishes to accept any commercial employment before the expiry of one year from the date of his/her retirement, he/she shall obtain the previous sanction of the Government of such acceptance by submitting an application in Form-25.

In view of the above, it is proposed that Dr. Milind P. Hote, Professor of Cardiothoracic and Vascular Surgery (CTVS) may be granted voluntary retirement from the service of the Institute w.e.f. 02<sup>nd</sup> May, 2024 (FN), as he fulfills the requisite requirement of the Rule-43 of the CCS (Pension), Rules, 2021 subject to the condition that he will be required to take 'No Objection Certificate' from the Institute in the event of his accepting any commercial employment within one year from the date of his voluntary retirement in accordance with the Rule 10 of CCS (Pension) Rules, 1972 and Regulation No. 35 of the AIIMS Regulations, 2019 (as amended).

The above proposal is therefore, submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval.

17/02/2024 07:35 PM

**GAGAN CHOPRA**  
**JUNIOR ADMINISTRATIVE OFFICER, AIIMS**

**Note # 24**

Dr. Milind Padmakar Hote joined the Institute on 09.06.2003 as a Faculty Member of this Institute and presently working till-date.



Till date, he has completed more than 20 years & 8 months qualifying service of this Institute and he fulfills the requisite requirement of the Rule 43 of the CCS (Pension), Rules, 2021 for grant of Voluntary Retirement from the service of the Institute w.e.f. 02.05.2024 (forenoon). Request forwarded by the HOD of CTVS (physically) and Chief of C.T. Center through electronic mode.

No vigilance case is pending/contemplated against Dr. Milind P. Hote as intimated by the Vigilance Cell, AIIMS (Page No. 41 - Sl.No.04).

Also, no Legal Case is pending against Dr. Milind P. Hote (Page No.17 - Sl. No. 02), may kindly be perused.

In view of the above, proposal **at Note No # 23** in favour of Dr. Milind Padmakar Hote, Professor of CTVS for granting him Voluntary Retirement (VRS) from the service of the Institute w.e.f. 04.05.2024 (forenoon) **on personal reasons/ground** is therefore, **submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval.**

18/02/2024 10:30 AM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 25

Dr. Milind P. Hote, Professor, Cardiothoracic and Vascular Surgery, requests voluntary retirement (VRS) effective May 2, 2024, citing personal reasons.

He meets the eligibility criteria, having joined AIIMS on June, 6, 2003, surpassing the 20-year minimum service requirement. He has completed more than 20 years and 8 months of qualifying service, has no pending vigilance cases, and is not under any bond.

The Governing Body (Appointing Authority) holds the authority to grant VRS in this case. Given the Governing Body meeting's unlikely occurrence shortly, it is submitted for seeking approval from the President, AIIMS, who chairs the Governing Body, for Dr. Hote's VRS. This matter will subsequently be presented to the Governing Body for ratification of the President's decision.

Therefore, Dr. Milind P. Hote's VRS effective May 2, 2024 (forenoon)

may be submitted before the Hon'ble President, AIIMS for consideration, please.

18/02/2024 11:00 AM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

**Note # 26**

Proposal is as per rules.  
Submitted for kind consideration of President AIIMS.

19/02/2024 10:26 AM

SANJAY KUMAR ARYA  
PROFESSOR, AIIMS

**Note # 27**

19/02/2024 10:34 AM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMS

**Note # 28**

please call him for one more meeting with me

19/02/2024 03:14 PM

SRINIVAS.M  
DIRECTOR, AIIMS

**Note # 29**

28/02/2024 09:47 AM

DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR, AIIMS

**Note # 30**

Please call both of them for a meeting

28/02/2024 09:38 PM

SRINIVAS.M  
DIRECTOR, AIIMS

**Note # 31**

29/02/2024 09:59 AM

DIRECTOR AIIMS SRINIVAS.M

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DIRECTOR, AIIMS

Note # 32

20/03/2024 10:29 AM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMS

Note # 33

Submitted to Honourable President AIIMS New Delhi.

20/03/2024 08:50 PM

SRINIVAS.M  
DIRECTOR, AIIMS

HFM/President AIIMS





**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/7**

**To consider the proposal for ratification of voluntary retirement granted to Dr. Shiv Kumar Choudhary, Professor and Head of C.T.V.S. from the service of this Institute w.e.f.**

**04.05.2024 (F.N.)**



NOTE FOR THE GOVERNING BODY

Item No. G.B/162-7

TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO DR. SHIV KUMAR CHOUDHARY, PROFESSOR AND HEAD OF C.T.V.S. FROM THE SERVICE OF THIS INSTITUTE W.E.F. 04.05.2024 (F.N.).1. INTRODUCTION

1.1 Dr. Shiv Kumar Choudhary, Professor & Head of C.T.V.S. vide his letter dated 05.02.2024 had requested for voluntary retirement w.e.f. 04.05.2024 (Forenoon), from the service of the Institute for personal reasons (Annexure-I).

1.2 Dr. Shiv Kumar Choudhary had joined the Institute on 05.11.1996. He had not availed any Extra Ordinary Leave With-out Pay (EOL) during the above mentioned period. He had completed 27 years & 6 months of qualifying service at present at this Institute. He was due to superannuate on 31.08.2029. Since he had completed more than 27 years & 6 months of qualifying service he was fulfilling the requisite condition for voluntary retirement. There was no vigilance/disciplinary case pending/contemplated against him at the time of grant of voluntary retirement.

2. ADMINISTRATIVE COMMENTS:-

2.1 In the above context, the following is submitted:-

(i) AIIMS Regulations have no provision for VRS.

Regulation 30 (4) of AIIMS Regulation, 2019 provides as under :

*"Any employee of the Institute may, by giving notice of not less than three months in writing to the appointing authority, retire from the service after he has attained the age of fifty years, if he is in Group A or Group B service or post and had entered the service of the Institute before attaining the age of thirty-five years and in all other cases after he has attained the age of fifty-five years."*

Regulation No. 35 of the AIIMS Regulations, 2019 has provision as under:-

*"In respect of matters not provided for in these regulations, the rules, as applicable to the Central Government servants regarding the general condition of service, pay, allowances including traveling and daily allowances, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the Central Government from time to time shall apply to the employees of the Institute."*



- (ii) The Rule 43 of CCS (Pension) Rules, 2021 stipulates that a Government Servant after completing 20 years of qualifying service can seek voluntary retirement from the service by giving notice of not less than 3 months in writing to the appointing authority.
- (iii) As per Item No. 1(ii) of the Schedule II under AIIMS Regulations, 2019, the Appointing Authority for Group A posts at AIIMS, New Delhi is Governing Body. Accordingly, in this case Governing Body is the competent authority to grant permission for voluntary retirement from the service of the Institute.

In this case, provisions of Rule 43 of CCS (Pension) Rules, 2021 are applicable. Since Dr. Shiv Kumar Choudhary had completed 27 years & 6 months of qualifying service at the Institute, he was fulfilling the requirement as per the Rule referred above.

Honorable HFM had considered this case & approved the request of Dr. Shiv Kumar Choudhary for voluntary retirement in his capacity as Chairman, Governing Body, AIIMS, New Delhi with directions that the Institute will get it ratified subsequently by the Governing Body (Annexure-II).

Dr. Shiv Kumar Choudhary has been granted voluntary retirement from the service of the Institute w.e.f. 04.05.2024 (FN).

3. **APPROVAL SOUGHT**

In view of the above, approval accorded by Hon'ble President, AIIMS in capacity as Chairman of the Governing Body, AIIMS, New Delhi granting voluntary retirement to Dr. Shiv Kumar Choudhary w.e.f. 04.05.2024 (FN) is submitted before the Governing Body for consideration & ratification.

\*\*\*\*\*

Annexure - I

**DR. SHIV KUMAR CHOUDHARY**  
Professor & Head  
Cardiothoracic & Vascular Surgery  
Tel: (Off). 91-11-26594835  
91-11-26593373  
Email: shivchoudhary@hotmail.com



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**CARDIO THORACIC SCIENCES CENTRE**  
**ALL INDIA INSTITUTE OF MEDICAL SCIENCES**  
**ANSARI NAGAR, NEW DELHI-110029**  
TELEPHONES: 26588500, 26588700  
EXT: 4835  
Fax: 91-11-26588663, 26588641

5<sup>th</sup> February 2024

To  
The Director  
All India Institute of Medical Sciences, New Delhi

(Through proper channel)

**Subject:** VRS from the post of Professor and Head, Department of CTVS and services of All India Institute of Medical Sciences

Dear Sir,

Through this letter, I am hereby submitting my letter for seeking VRS from the services of All India Institute of Medical Sciences, New Delhi effective from 4<sup>th</sup> May 2024.


This is really a difficult decision after working at AIIMS for more than 30 years in various positions. This decision is entirely because of personal reasons.

I would like to thank the AIIMS family for nurturing and mentoring me.

Thanking You,

Warm personal regards,

(Dr Shiv Kumar Choudhary)

 **डॉ. शिव कुमार चौधरी**  
**DR. SHIV KUMAR CHOUDHARY**  
प्रमुख/ प्रोफेसर/ Professor & Head  
कार्डियोथोरासिक/ Department of CTVS  
सेन्टर/ C.T. Centre  
ए. ए. ई. ए. रोड/ AIIMS, New Delhi-110029



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from the service of the Institute w.e.f. 04<sup>th</sup> May, 2024 (FN), as he fulfills the requisite requirement of the Rule-43 of the CCS (Pension), Rules, 2021 subject to the condition that he will be required to take 'No Objection Certificate' from the Institute in the event of his accepting any commercial employment within one year from the date of his voluntary retirement in accordance with the Rule 10 of CCS (Pension) Rules, 1972 and Regulation No. 35 of the AIIMS Regulations, 2019 (as amended).

The above proposal is therefore, submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval.

16/02/2024 09:26 PM

GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 28

Dr. Shiv Kumar Choudhary joined the Institute on 05.11.1996 as a Faculty Member and working till-date. Till date, he has completed more than 27 years 6 months qualifying service of this Institute and he fulfills the requisite requirement of the Rule 43 of the CCS (Pension), Rules, 2021 for grant of Voluntary Retirement from the service of the Institute w.e.f. 04.05.2024 (forenoon).

No vigilance case is pending/contemplated against Dr. Shiv Kumar Choudhary as intimated by the Vigilance Cell, AIIMS (Page No. 17 Sl. No. 207), may kindly be perused.

In view of the above, proposal at Note No # 27 in favour of Dr. Shiv Kumar Choudhary, Professor & Head, Department of CTVS for granting him Voluntary Retirement (VRS) from the service of the Institute w.e.f. 04.05.2024 (forenoon) on personal reasons/ground is therefore, submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval.

16/02/2024 09:40 PM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 29

Dr. Shiv Kumar Choudhary, Professor and Head of Cardiothoracic and



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Vascular Surgery, requests voluntary retirement (VRS) effective May 4, 2024, citing personal reasons.

He meets the eligibility criteria, having joined AIIMS on November 5, 1996, surpassing the 20-year minimum service requirement. He has completed more than 27 years and 6 months of qualifying service, has no pending vigilance cases, and is not under any bond.

The Governing Body (Appointing Authority) holds the authority to grant VRS in this case. Given the Governing Body meeting's unlikely occurrence shortly, it is submitted for seeking approval from the President, AIIMS, who chairs the Governing Body, for Dr. Choudhary's VRS. This matter will subsequently be presented to the Governing Body for ratification of the President's decision.

Therefore, Dr. Choudhary's VRS effective May 4, 2024 (forenoon) may be submitted before the Hon'ble President, AIIMS for consideration, please.

17/02/2024 09:49 AM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 30

17/02/2024 01:38 PM

SANJAY KUMAR ARYA  
PROFESSOR, AIIMS

Note # 31

17/02/2024 04:54 PM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMS

Note # 32

Please - one more meeting with him

17/02/2024 11:13 PM

SRINIVAS.M  
DIRECTOR, AIIMS

Note # 33

58

28/02/2024 09:47 AM

DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR, AIIMS

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Note # 34

Please call both of them for a meeting

28/02/2024 09:38 PM

SRINIVAS.M  
DIRECTOR, AIIMS

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Note # 35

29/02/2024 09:59 AM

DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR, AIIMS

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Note # 36

29/02/2024 06:34 PM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMS

---

Note # 37

29/02/2024 07:34 PM

SANJAY KUMAR ARYA  
PROFESSOR, AIIMS

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Note # 38

01/03/2024 09:38 AM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

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Note # 39

As per direction at Note No # 34.

PS/PA to Director, AIIMS, New Delhi is requested to give suitable date & time to call Dr. Shiv Kumar Choudhary & Dr. Milind P. Hote to discuss the issues VRS by these faculty members by Hon'ble Director, AIIMS, New Delhi.

Submitted please

01/03/2024 12:34 PM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMSNote # 40

01/03/2024 12:44 PM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMSNote # 41

01/03/2024 02:08 PM

SANJAY KUMAR ARYA  
PROFESSOR, AIIMSNote # 42

Meeting may be called on 08 March 2024 at 10 AM at the Director's Office

04/03/2024 12:01 PM

DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR, AIIMSNote # 43

04/03/2024 12:10 PM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMSNote # 44

04/03/2024 12:39 PM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMSNote # 45

Ref. Above.

As desired by AAO (F.C.), the file is re-sbmitted please.

12/03/2024 12:46 PM

GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER, AIIMSNote # 46



**As per direction at Note No # 42.**

Dr. Shiv Kumar Choudhary, Professor & HOD of CTVS was requested vide O.M.No.F.6-54/96-Estt. I. dated 4th March, 2024 (Page No. 34) to meet the Hon'ble Director, AIIMS, New Delhi on 08.03.2024 at 10.00 A.M. and discuss his request for VRS w.e.f. 04.05.2024 (FN).

Dr. Shiv Kumar Choudhary had met the Hon'ble Director, AIIMS, New Delhi on 08.03.2024 at 10.00 A.M.

File is re-submitted for information & further direction please.

12/03/2024 04:27 PM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

**Note # 47**

The proposal in Note 29 is re-submitted for consideration and direction please.

PIC (FC) - on leave

13/03/2024 07:48 AM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

**Note # 48**

20/03/2024 10:28 AM


KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMS

**Note # 49**

Submitted to Honourable President AIIMS New Delhi.

20/03/2024 08:51 PM

SRINIVAS.M  
DIRECTOR, AIIMS

(HFM) / President AIIMS 

**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/8**

**To consider the proposal for ratification of voluntary retirement granted to Dr. Balram Bhargava, Professor and HOD of Cardiology and Chief of C.T. Centre from the service of this Institute w.e.f. 05.04.2024 (F.N.).**





NOTE FOR THE GOVERNING BODY

Item No. G.B/162-8

TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO DR. BALRAM BHARGAVA, PROFESSOR AND HOD OF CARDIOLOGY AND CHIEF OF C.T. CENTRE FROM THE SERVICE OF THIS INSTITUTE W.E.F. 05.04.2024 (F.N.).1. INTRODUCTION

- 1.1 Dr. Balram Bhargava, Professor & Head of Cardiology and Chief of C. T. Centre vide his letter dated 29.02.2024 had requested for voluntary retirement w.e.f. 05.04.2024 (Forenoon), from the service of the Institute for personal reasons (Annexure-I).
- 1.2 Dr. Balram Bhargava had joined the Institute on 10.09.1992. He had availed Extra Ordinary Leave With-out Pay (EOL) for a period of 4 years in different spells. He had completed 27 years & 6 months of qualifying service at at this Institute at the time of submission of his request for VRS . He was due to superannuate on 31.07.2026. Since he had completed more than 27 years & 6 months of qualifying service, he was fulfilling the requisite condition for voluntary retirement. There was no vigilance/disciplinary case pending/contemplated against him at the time of processing his request for voluntary retirement.

2. ADMINISTRATIVE COMMENTS:-

2.1 In the above context, the following is submitted:-

- (i) AIIMS Regulations have no provision for VRS.

Regulation 30 (4) of AIIMS Regulation, 2019 provides as under :

*"Any employee of the Institute may, by giving notice of not less than three months in writing to the appointing authority, retire from the service after he has attained the age of fifty years, if he is in Group A or Group B service or post and had entered the service of the Institute before attaining the age of thirty-five years and in all other cases after he has attained the age of fifty-five years."*

Regulation No. 35 of the AIIMS Regulations, 2019 has provision as under:-

*"In respect of matters not provided for in these regulations, the rules as applicable to the Central Government servants regarding the general condition of service, pay, allowances including traveling and daily allowances, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the Central Government from time to time shall apply to the employees of the Institute."*

- (ii) The Rule 43 of CCS (Pension) Rules, 2021 stipulates that a Government Servant after completing 20 years of qualifying service can seek voluntary retirement from the service by giving notice of not less than 3 months in writing to the appointing authority.
- (iii) As per Item No. 1(ii) of the Schedule II under AIIMS Regulations, 2019, the Appointing Authority for Group A posts at AIIMS, New Delhi is Governing Body. Accordingly, in this case Governing Body is the competent authority to grant permission for voluntary retirement from the service of the Institute.

In this case, provisions of Rule 43 of CCS (Pension) Rules, 2021 are applicable. Since Dr. Balram Bhargava had completed 27 years & 6 months of qualifying service at the Institute, he was fulfilling the requirement as per the Rule referred above.

Honorable HFM had considered this case & approved the request of Dr. Balram Bhargava for voluntary retirement in his capacity as Chairman, Governing Body, AIIMS, New Delhi with directions that the Institute will get it ratified subsequently by the Governing Body (Annexure-II).

Dr. Balram Bhargava has been granted voluntary retirement from the service of the Institute w.e.f. 05.04.2024 (FN).

3. **APPROVAL SOUGHT**

In view of the above, approval accorded by Hon'ble President, AIIMS in his capacity as Chairman of the Governing Body, AIIMS, New Delhi, for voluntary retirement to Dr. Balram Bhargava w.e.f. 05.04.2024 (FN) is submitted before the Governing Body for consideration & ratification.

\*\*\*\*\*

29<sup>th</sup> February, 2024

To

The Director  
A.I.I.M.S.,  
New Delhi-110029.

Subject : Application for VRS

Dear Dr. Srinivas,

As you may be aware, I suffer from heart disease (coronary artery disease with two stents implanted). I joined the Institute in 1992 and have been here ever since except for the short stint as Secretary DHR. I have served the Institute for over 30 years as a doctor, as a teacher and as an administrator. During this period I have the satisfaction of having treated innumerable needy patients, and mentored many students.

However, I have now reached a stage when my health condition and my growing family needs do not allow me to pursue and do justice to a full-time job at the Institute.

I therefore submit my application to go on voluntary retirement from the 5<sup>th</sup> of April, 2024. I request that the remaining notice period be waived off as per rules.

Thanking You,

Best Regards,

Yours sincerely,



Prof. Balram Bhargava  
Chief CT Centre  
Dr. BALRAM BHARGAVA  
Senior Consultant, CT Centre  
K. J. Somaiya Institute of Cardiology  
A.I.I.M.S., New Delhi-29



Note # 58

**Subject: Grant of Voluntary Retirement – Dr. Balram Bhargava, Professor & HOD of Cardiology and Chief of C.T. Center at the AIIMS, New Delhi.(TOC 1388510).**

\*\*\*\*\*

Dr. Balram Bhargava, Professor & HOD of Cardiology and Chief of C.T. Center vide his letter dated 29th February, 2024 has requested that he may be granted Voluntary Retirement from the service of the Institute w.e.f. 05.04.2024 (FN) on account of his health grounds/personal reasons. He has also requested that remaining notice period falls short as per rules i.e. from 05.04.2024 to 28.05.2024 may kindly be waived off (Page No.22), may kindly be perused.

In this connection, it may be stated that Dr. Balram Bhargava joined the Institute as faculty member on 10.09.1992 and presently working till-date. His service period in AIIMS, New Delhi from 10.09.1992 till-date has been verified by the Account Section (Audit) stating that he had granted any Extra Ordinary Leave With-out Pay (EOL) for a period of 4 years in different spells (Page No.23). Therefore, Dr. Balram Bhargava has completed more than 27 years & 6 months of qualifying service at present at this Institute and he fulfills the requisite requirement for voluntary retirement. No vigilance case is pending/contemplated against Dr. Balram Bhargava (Page No. 25-31) as intimated by the Vigilance Cell, AIIMS, New Delhi. Also, no legal case is pending against Dr. Balram Bhargava (Page No. 24). As per office records, Dr. Balram Bhargava is not under any bond. His date of birth is 21.07.1961 and he is due for superannuation from the service of this Institute on 31.07.2026 (65 years).

Rule 43 of CCS (Pension) Rules, 2021 stipulates that after completing 20 years of qualifying service can seek voluntary retirement from the service by giving notice of not less than 3 months in writing to the appointing authority. The appointing authority at its discretion can accept a notice of less than 3 months, but commutation of pension can be applied for only after the expiry of normal notice period of three months. Since, Dr. Balram Bhargava has completed more than 27 years and 6 months of service at this Institute and he fulfill the requisite requirement of the Rule 43 of the CCS (Pension), Rules, 2021.

**i) Regulation 30 (4) of AIIMS Regulation, 2019 provides as under:-**

“Any employee of the Institute may, by giving notice of not less than three months in writing to the appointing authority, retire from the service after he has attained the age of fifty years, if he is in Group A or Group B service or post and had entered the service of the Institute before attaining the age of thirty-five years and in all other cases after he has attained the age of fifty-five years.”

ii) The AIIMS Regulations, 2019 (as amended) have no provisions for VRS. However, the Regulation No. 35 of the AIIMS Regulations, 2019 (as amended) provides as under:-



"In respect of matters not provided for in these regulations, the rules as applicable to the Central Government servants regarding the general condition of service, pay, allowances including traveling and daily allowances, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the Central Government from time to time shall apply to the employees of the Institute."

Hence, provisions of Rule 43 of CCS (Pension) Rules, 2021 are applicable.

In accordance with the Item No. 22 of the AIIMS Regulations, 2019 (as amended), the Governing Body (Appointing Authority) is the Competent Authority to permit the faculty members to seek voluntary retirement from the service of the Institute. Since, the meeting of the Governing Body is not likely to held near future, therefore, the proposal may be submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval.

In view of the above, it is proposed that Dr. Balram Bhargava, Professor & HOD of Cardiology and Chief of C.T. Center may be granted voluntary retirement from the service of the Institute w.e.f. 05.04.2024 (FN) as he fulfills the requisite requirement of the Rule-43 of the CCS (Pension), Rules, 2021 subject to the condition that he will be required to take 'No Objection Certificate' from the Institute in the event of his accepting any commercial employment within one year from the date of his voluntary retirement in accordance with the Rule 10 of CCS (Pension) Rules, 1972 and Regulation No. 35 of the AIIMS Regulations, 2019 (as amended). Notice period falls short i.e. from 05.04.2024 to 28.05.2024 may be waived off, subject to condition that the commutation of pension can only be applied after the expiry of normal notice period of three months i.e. after 28.05.2024.

The above proposal is therefore, be submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval.

23/03/2024 11:06 AM

RAM SURAT

ASSISTANT ADMINISTRATIVE OFFICER

Note # 59

The Audit Section of the Institute has verified Dr. Balram Bhargava's qualifying service, confirming he has more than 20 years. Additionally, no vigilance case is pending against him.

The proposal seeks consideration for granting Dr. Balram Bhargava voluntary retirement effective 5.4.24 (FN) with a waiver of his remaining notice period. However, this is subject to the condition that any commutation of his pension can only be granted after the expiry of the standard three-month notice period, which is upto 28.5.24.

In light of these details, the proposal in the preceding note may be submitted to the President, of AIIMS, in his capacity as Chairman of the Governing Body, AIIMS, New Delhi. The President's decision will be submitted to the Governing Body for ratification in its next meeting.

PIC (FC) - on leave

23/03/2024 11:52 AM

B.S.GILL

SENIOR ADMINISTRATIVE OFFICER

Note # 60

In view of above May be sent to H'ble President AAIMS for kind approval pl .

23/03/2024 12:30 PM

KARAN SINGH

ADDITIONAL DIRECTOR ADMIN

Note # 61

Submitted to the Honourable President AIIMS New Delhi

28/03/2024 10:31 AM

SRINIVAS.M

DIRECTOR

Note # 62

Approved as proposed.

01/04/2024 01:26 PM

MANSUKH MANDAVIYA

HFM, MOHFW

Note # 63

Please

01/04/2024 06:56 PM

SRINIVAS.M

DIRECTOR



**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/9**

**To consider the proposal for ratification of voluntary retirement granted to Dr. Sandeep Aggarwal, Professor of Surgical Discipline from the service of this institute w.e.f.**

**30.06.2024 (F.N.).**



NOTE FOR THE GOVERNING BODY

Item No. G.B/162-9

TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO DR. SANDEEP AGGARWAL, PROFESSOR OF SURGICAL DISCIPLINES FROM THE SERVICE OF THIS INSTITUTE W.E.F. 30.06.2024 (F.N.).1. INTRODUCTION

1.1 Dr. Sandeep Aggarwal, Professor of Surgical Disciplines vide his letter dated 15.03.2024 had requested for voluntary retirement (Forenoon), from the service of the Institute w.e.f. 30.06.2024 (Annexure-I).

1.2 Dr. Sandeep Aggarwal had joined the Institute on 27.11.1999. He had completed approximately 24 years & 07 months of service at the Institute. He was due to superannuate on 31.10.2032. Since he had completed approximately 24 years & 07 months of service, he was fulfilling the requisite condition for voluntary retirement. There was no vigilance/disciplinary case pending/contemplated against him at the time of his request for voluntary retirement.

2. ADMINISTRATIVE COMMENTS:-

2.1 In the above context, the following is submitted:-

(i) AIIMS Regulations have no provision for VRS.

However there is following provision in the Regulation 30 (4) of AIIMS Regulation:

*"Any employee of the Institute may, by giving notice of not less than three months in writing to the appointing authority, retire from the service after he has attained the age of fifty years, if he is in Group A or Group B service or post and had entered the service of the Institute before attaining the age of thirty-five years and in all other cases after he has attained the age of fifty-five years."*

Further, Regulation No. 35 of the AIIMS Regulations, 2019 has provision as under:-

*"In respect of matters not provided for in these regulations, the rules as applicable to the Central Government servants regarding the general condition of service, pay, allowances including traveling and daily allowances, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the Central Government from time to time shall apply to the employees of the Institute."*



- (ii) Accordingly, requests for VRS are considered under the Rule 43 of CCS (Pension) Rules, 2021. According to this rule, a Government Servant after completion 20 years of qualifying service, can seek voluntary retirement from the service by giving notice of not less than 3 months in writing to the appointing authority.
- (iii) As per Item No. 1(ii) of the Schedule II under AIIMS Regulations, 2019, the Appointing Authority for Group A posts at AIIMS, New Delhi is Governing Body. Accordingly, in this case Governing Body is the competent authority to grant permission for voluntary retirement from the service of the Institute.

Dr. Sandeep Aggarwal would had completed 24 years & 07 months of qualifying service at the Institute at the time of his proposed VRS. Thus, he was fulfilling the requirement as per the Rule referred above. A proposal was submitted to President AIIMS for his kind consideration.

Honorable HFM after having considered this case had approved the request of Dr. Sandeep Aggarwal for voluntary retirement in his capacity as Chairman, Governing Body, AIIMS, New Delhi with directions that the Institute will get it ratified subsequently by the Governing Body (Annexure-II).

Dr. Sandeep Aggarwal was granted voluntary retirement from the service of the Institute w.e.f. 30.06.2024 (FN) & relieved accordingly.

### 3. APPROVAL SOUGHT

Approval accorded by Hon'ble President, AIIMS in his capacity as Chairman of the Governing Body, AIIMS, New Delhi for voluntary retirement to Dr. Sandeep Aggarwal w.e.f. 30.06.2024 (FN) is submitted before the Governing Body for consideration & ratification.

\*\*\*\*\*



Department of Surgical Disciplines  
All India Institute of Medical Sciences  
Ansari Nagar, New Delhi- 110029, India

Auxer - I

Dr. Sandeep Aggarwal  
Professor  
E-mail: sandeep\_aiims@yahoo.co.in

69

Phone: 91-11-26551795(O)  
Cell : +919810235580

Dated : 15.03.2024

The Director,  
AIIMS,  
Ansari Nagar,  
New Delhi - 110029

Sub : Application under Section 30 (4) of the All India Institute of Medical Sciences Regulations 1999 for Voluntary Retirement from Service of the Institute with pensionary benefits as per rules.

Respected Sir,

I have been part of the AIIMS family when I joined as an undergraduate in the year 1984. I joined Junior Residency in 1990 and completed my Senior Residency in 1997. I have joined as Faculty in the Department of Surgical Disciplines as Assistant Professor in November, 1999.

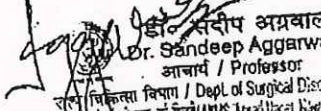
Presently, I am working as Professor and Head of Unit II in the Department of Surgical Disciplines and have completed 24 years of my service since I have joined as Faculty.

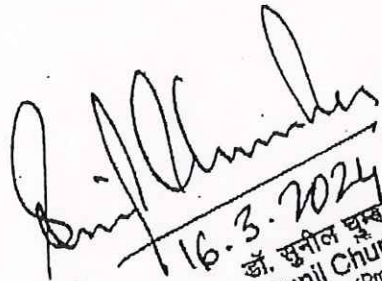
Due to some personal reasons, I wish to seek Voluntary Retirement from my Services of the Institute w.e.f. 15.03.2024 (FN). I am required to serve a notice period of three months. Therefore, I hereby give notice of my intent to retire under the VRS, effective from March 15, 2024 (FN).

Therefore I would therefore request you to grant approval to my request for Voluntary Retirement from Service. I may be relieved on 30.06.2024 (FN).

Thanking you,

Yours sincerely,

  
Dr. Sandeep Aggarwal  
आचार्य / Professor  
सर्व चिकित्सा विभाग / Dept. of Surgical Disciplines  
ए.आ.आ.नगर, नई दिल्ली / AIIMS, Ansari Nagar, New Delhi-110029  
Prof Sandeep Aggarwal

  
16.3.2024  
डॉ. सुनील चुम्बर  
Dr. Sunil Chumber  
आचार्य एवं विभागाध्यक्ष / Professor & Head  
सर्व चिकित्सा विभाग / Dept. of Surgical Disciplines  
ए.आ.आ.नगर, नई दिल्ली / AIIMS, Ansari Nagar, New Delhi-110029



Note # 43

70

Annexure-II

Ref. PIC (FC) comments at Note No # 40 is as under:-

"Period of EOL will be counted as part of the service period or otherwise?"

In this connection, it is submitted that as per our existing Guideline No.4 - Faculty Members of this Institute was granted permitted to avail of foreign assignments/fellowship/training/scholarships i.e. on Extra Ordinary Leave With-out Pay (EOL), with the condition that they are required to deposit pension contribution for the period of EOL availed for this purposes, so that their period of absence on account of EOL will be considered as qualifying service for pension purpose.

In this case, Dr. Sandeep Aggarwal had granted permission to availed of Post Doctoral Fellowship in the Department of Surgery at the Prestigious Mount Sinai School of Medicine, New York USA from 15.12.2005 to 13.12.2006 on Extra Ordinary Leave With-out Pay (EOL), with the condition that he was required to deposit pension contribution of this Institute.

On return from this fellowship, he had joined his duties on 14.12.2006 and had advised him to deposit the pension contribution for this period .

As per our office records, Dr. Sandeep Aggarwal did not deposit the pension contribution for the said period of EOL, so that his this period of absence cannot be considered as qualifying service for pension purpose, as per rules.

In view of the above, if approved, Dr. Sandeep Aggarwal was granted VRS w.e.f. 30.06.2024 (FN) may be placed to the next Meeting of Governing Body for taking ex-post-facto ratification/approval.

In view of the above, a draft agenda note for forthcoming Meeting of Governing Body of this Institute to this effect is submitted for kind consideration & approval please.

Submitted please.

14/08/2024 10:35 AM  
GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER

Note # 44

16/08/2024 03:44 PM  
NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER

Note # 45

16/08/2024 04:21 PM  
B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER



Note # 46

Can we discuss this matter with all concerned who had dealt the request for VRS & missed this aspect.

The proposal submitted is half baked. Proposal should be clear. What is rule position in such a scenario ?

16/08/2024 06:58 PM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 47

17/08/2024 12:05 PM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER

Note # 48

20/08/2024 11:27 AM

NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER

Note # 49

Ref. discussion with PIC (FC) over telephone.

As per the discussion with PIC (FC), sir over telephone now the submitted proposal note-43 is clear to him as evident in the above note i.e. Dr. Sandeep Aggarwal did not deposit the pension contribution for the said period of EOL, so that his this period of absence cannot be considered as qualifying service for pension purpose, as per rules, accordingly, the same is being resubmitted for consideration and approval please.

21/08/2024 03:02 PM  
GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER

Note # 50

27/08/2024 10:16 AM

NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER

Note # 51

Dr. Sandeep Aggarwal granted VRS with the approval of the Hon'ble President, AIIMS. Now to place the decision of the President, AIIMS for ratification, an agenda item prepared to be placed before the GB in its next meeting. the same is submitted for consideration and approval of the Director, AIIMS, please.

27/08/2024 10:21 AM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER

Note # 52

Draft note is submitted for kind consideration & approval before it is sent to General Section to be included in the agenda of GB in the next meeting.

27/08/2024 12:54 PM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 53

28/08/2024 06:54 AM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN

Note # 54  
please

72

28/08/2024 07:28 AM  
SRINIVAS.M  
DIRECTOR  
Note # 55

28/08/2024 07:31 PM  
KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN  
Note # 56

29/08/2024 11:22 AM  
SANJAY KUMAR ARYA  
PROFESSOR  
Note # 57

29/08/2024 11:53 AM  
B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER  
Note # 58

29/08/2024 12:53 PM  
NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER

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यह प्रस्ताव स्वीकार्य है.

03/04/2024 07:06 PM

SANJAY KUMAR ARYA  
PROFESSOR, AIIMS

Note # 12

04/04/2024 08:27 AM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 13

04/04/2024 08:39 AM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 14

Ref. TOC no. 1432182

The Account Section (Audit) (page no. 23) has informed that as per available records Dr. Sandeep Aggarwal has not received any salary or allowances for the period from 15th December, 2005 to 13th December, 2006 and there is no outstanding payments as of today date. A fair No Demand Certificate will be issued later by audit Section.

In view of the above, the proposal note-4 is resubmitted please.

05/04/2024 10:46 AM

GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 15

As per direction at Note No #.06.

The Account Section (Audit) (Page No. 23) has informed that as per available records Dr. Sandeep Aggarwal has not received any salary or allowances for the period from 15th December, 2005 to 13th December, 2006 and there is no outstanding payments as of today date. A fair No Demand Certificate will be issued later by Audit Section.

Accordingly, the revised Note along-with the following documents/papers may kindly be perused.



- 1) Request for VRS w.e.f. 30.06.2024 (FN) for personal reasons given notice from 15.03.2024, which was forwarded by the HOD of Surgical Disciplines (Page No. 22).
- 2) Service Verification for qualifying service by our Finance Division from 27.11.1999 to till-date (Page No.20).
- 3) No vigilance Case is pending against Dr. Sandeep Aggarwal, Professor of Surgery (Page No. 19).
- 4) No legal case is pending against Dr. Sandeep Aggarwal, Professor of Surgery (Page No.17).

Dr. Sandeep Aggarwal has completed more than 24 years and 7 months of qualifying service at this Institute and he fulfills the Rule 43 of CCS (Pension Rules, 2021 can seek Voluntary Retirement from the service of the Institute w.e.f. 30.06.2024 (FN).

In view of the above, it is proposed that Dr. Sandeep Aggarwal, Professor of Surgical Disciplines may be granted voluntary retirement from the service of the Institute w.e.f. June 30, 2024 (FN) as he fulfills the requisite requirement of the Rule-43 of the CCS (Pension), Rules, 2021, subject to the condition that he will be required to take 'No Objection Certificate' from the Institute in the event of his accepting any commercial employment within one year from the date of his voluntary retirement in accordance with the Rule 10 of CCS (Pension) Rules, 1972 and Regulation No. 35 of the AIIMS Regulations, 2019 (as amended).

The above proposal is therefore, be submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval please.

05/04/2024 10:51 AM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 16

75

05/04/2024 03:02 PM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 17

Proposal is in order. President AIIMS is the competent authority to consider such request.  
Submitted for kind consideration.

05/04/2024 06:20 PM

SANJAY KUMAR ARYA  
PROFESSOR, AIIMS

Note # 18

06/04/2024 05:25 AM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMS

Note # 19

submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval  
please.

06/04/2024 11:14 PM

SRINIVAS.M  
DIRECTOR, AIIMS

(HPM) / President AIIMS



**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/10**

**To consider the proposal for ratification of voluntary retirement granted to Dr. V. Seenu, Professor of Surgical Discipline from the service of this Institute w.e.f. 01.10.2024 (F.N.).**





NOTE FOR THE GOVERNING BODY

Item No. G.B/162-10

TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO DR. V. SEENU, PROFESSOR OF SURGICAL DISCIPLINES FROM THE SERVICE OF THIS INSTITUTE W.E.F. 01.10.2024 (F.N.).1. INTRODUCTION

1.1 Dr. V. Seenu, Professor of Surgical Disciplines vide his letter dated 01.07.2024 had requested for voluntary retirement (Forenoon), from the service of the Institute w.e.f. 01.10.2024 (Annexure-I).

1.2 Dr. V. Seenu had joined the Institute on 19.10.1996. He had completed approximately 23 years & 05 months of service at the Institute excluding period of Extra Ordinary Leave (without medical certificate) from 8.2.1999 to 24.2.1999, 27.8.2007 to 27.8.2009 and 14.5.2018 to 14.8.2020 (Total 4 years, 04 months approx ). He was due to superannuate on 30.06.2025. Since he had completed approximately 23 years & 05 months of service, he was fulfilling the requisite condition for voluntary retirement. There was no vigilance/disciplinary case pending/contemplated against him at the time of his request for voluntary retirement.

2. ADMINISTRATIVE COMMENTS:-

2.1 In the above context, the following is submitted:-

(i) AIIMS Regulations have no provision for VRS.

However there is following provision in the Regulation 30 (4) of AIIMS Regulation:

*"Any employee of the Institute may, by giving notice of not less than three months in writing to the appointing authority, retire from the service after he has attained the age of fifty years, if he is in Group A or Group B service or post and had entered the service of the Institute before attaining the age of thirty-five years and in all other cases after he has attained the age of fifty-five years."*

Further, Regulation No. 35 of the AIIMS Regulations, 2019 has provision as under:-

*"In respect of matters not provided for in these regulations, the rules as applicable to the Central Government servants regarding the general condition of service, pay, allowances including traveling and daily allowances, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the Central Government from time to time shall apply to the employees of the Institute."*

- (ii) Accordingly, requests for VRS are considered under the Rule 43 of CCS (Pension) Rules, 2021. According to this rule, a Government Servant after completion 20 years of qualifying service, can seek voluntary retirement from the service by giving notice of not less than 3 months in writing to the appointing authority.
- (iii) As per Item No. 1(ii) of the Schedule II under AIIMS Regulations, 2019, the Appointing Authority for Group A posts at AIIMS, New Delhi is Governing Body. Accordingly, in this case Governing Body is the competent authority to grant permission for voluntary retirement from the service of the Institute.

Dr. V. Seenu would had completed 23 years & 05 months of qualifying service at the Institute at the time of his proposed VRS. Thus, he was fulfilling the requirement as per the Rule referred above. A proposal was submitted to President AIIMS for his kind consideration.

Honorable HFM after having considered this case had approved the request of Dr. V. Seenu for voluntary retirement in his capacity as Chairman, Governing Body, AIIMS, New Delhi with directions that the Institute will get it ratified subsequently by the Governing Body (Annexure-II).

Dr. V. Seenu has been granted voluntary retirement from the service of the Institute w.e.f. 30.10.2024 (FN) & will be relieved accordingly.

### 3. APPROVAL SOUGHT

Approval accorded by Hon'ble President, AIIMS in his capacity as Chairman of the Governing Body, AIIMS, New Delhi for voluntary retirement to Dr. V. Seenu w.e.f. 01.10.2024 (FN) is submitted before the Governing Body for consideration & ratification.

\*\*\*\*\*





Department of Surgical Disciplines  
All India Institute of Medical Sciences  
Ansari Nagar, New Delhi- 110029, India

Anuar - II

Dr V. Seenu, MS, MNAMS, PhD FACS, FICS  
Professor & Surgical Unit Head

78

Phone : 91-11-26557822(O)  
: 91-11-2653675 (Res)  
Fax : 91-11-26588641, 26588663  
Mobile: 9910834455  
E-mail : vseenu@aiims.edu

Dated: 1<sup>st</sup> July 2024

To  
The Director  
AIIMS, New Delhi

(Through Proper Channel)

**Subject: Application for grant of Voluntary Retirement from Service (VRS)**

Dear Sir,

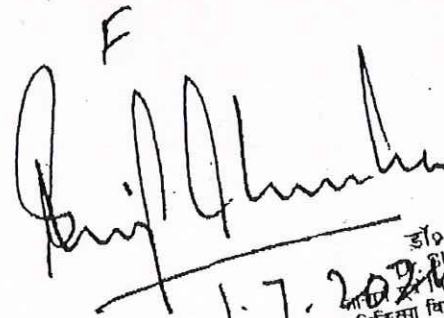
As you are aware, I have been serving at AIIMS, Delhi for more than 34 years initially as senior resident and later as senior research associate and faculty in the department of Surgical Disciplines. During this period I had the opportunity to take forward the mandate entrusted to AIIMS i.e. teaching, research and patient care. Over these three and a half decades, I had the satisfaction of having treated innumerable needy patients, taught many medical students, surgical residents & nursing students and mentored many surgeons from AIIMS, Armed Forces and other government institutions. I feel proud to say that my younger colleagues and senior residents trained in our unit can perform all surgeries that do, probably even better than me. AIIMS gave me all the opportunities to keep abreast of the latest advances. This enabled me to provide patients all the 'state of art surgical procedures' like sentinel node biopsy in breast cancer. I also conducted cutting edge research and developed cost effective sentinel node program for India.

However, as time elapsed, my children grew up and family responsibilities have increased. My son is currently pursuing surgical residency in USA and my wife has also moved there. My daughter is also planning to move to USA. As a result, I need to travel back and forth frequently. Also I need to take care of my physical health in view of stress and age related illnesses. I want to pursue personal interests and hobbies in the remaining part of my life. Under these circumstances, it is becoming increasingly difficult to dedicate full time devotion to work at AIIMS.

Therefore, I request you to permit me to take voluntary retirement (VRS). I am willing to serve the notice period as per rules.

Thanking You  
Yours Sincerely

(Dr. V. Seenu)  
Professor of Surgery

F  


डॉ० सुनील चुम्बर  
DR. SUNIL CHUMBER  
राज्य चिकित्सा विभाग / Professor & Head  
अखिल भारतीय आयुर्विज्ञान संस्थान / A.I.I.M.S.  
अंसारी नगर, नई दिल्ली-29 / Ansari Nagar, New Delhi-29

1.7.2024



Note # 17

Ref F.R. 1542266 /Cor.

**Subject: Grant of Voluntary Retirement - Dr. V. Seenu,  
Professor of Surgical Disciplines, AIIMS, NEW DELHI**

\*\*\*\*\*

Dr. V. Seenu, Professor of Surgical Discipline vide his letter dated the July 1<sup>st</sup>, 2024 has informed that his children grew up and family responsibilities have increased, his son is currently pursuing surgical residency in USA and his wife has also moved there, his daughter is also planning to move to USA, as a result, he needs to travel back and forth frequently, also he needs to take care of his physical health in view of stress and age related illness, he wants to pursue personal interests and hobbies in the remaining part of his life, under these circumstances, it is becoming increasingly difficult to dedicate full time devotion to work at AIIMS and he has therefore requested that he may be granted Voluntary Retirement as per VRS Scheme he is willing to serve the notice period as per rules. He has further informed that he serves a notice period of three months, therefore, he hereby gives notice of his intent to retire under the VRS effective from July 1<sup>st</sup>, 2024 (FN). His request has been forwarded by the HOD of Surgical Disciplines.

In this connection, it may be stated that Dr. V. Seenu joined the Institute as faculty member on 19.10.1996 and presently working till-date. His service period in AIIMS, New Delhi from 19.10.1996 till-date has been verified by the Account Section (Audit) stating that he had been granted Extra Ordinary Leave Without Pay (EOL) (without medical certificate) from 8.2.1999 to 24.2.1999, 27.8.2007 to 27.8.2009 and 14.5.2018 to 14.8.2020 (Total 4 years, 04 months approx) (may be seen at page no. 47). Therefore, Dr. V. Seenu has completed more than 23 years & 5 months approx of qualifying service at present at this Institute and he fulfills the requisite requirement for voluntary retirement.

Vigilance Cell issued a vigilance clearance vide letter dated 20th June, 2024 states that the faculties, whose names are not shown in the above list are clear from Vigilance Angle for all purposes, subject to any change in existing status, viz. due to suspension, initiation of charge-sheet etc. this clearance is valid till 19.7.2024, his name not shown in the aforesaid list therefore, No vigilance case & legal case are pending/contemplated against Dr.

V. Seenu as intimated by the Vigilance Cell, AIIMS (which may be seen at page no. 48 ) and legal cell AIIMS, New Delhi which may be seen at page no. 56.

As per office records, Dr. V. Seenu is not under any bond. His date of birth is 19.06.1960 and he is due for superannuation from the service of this Institute on 30.06.2025 (65 years).

Rule 43 of CCS (Pension) Rules, 2021 stipulates that after completing 20 years of qualifying service can seek voluntary retirement from the service by giving notice of not less than 3 months in writing to the appointing authority. The appointing authority at its discretion can accept a notice of less than 3 months, but commutation of pension can be applied for only after the expiry of normal notice period of three months. Since, Dr. V. Seenu has completed more than 23 years of service at this Institute and he fulfils the requisite requirement of the Rule 43 of the CCS (Pension) Rules, 2021.

i. Regulation 30 (4) of AIIMS Regulation, 2019 provides as under :-

*"Any employee of the Institute may, by giving notice of not less than three months in writing to the appointing authority, retire from the service after he has attained the age of fifty years, if he is in Group A or Group B service or post and had entered the service of the Institute before attaining the age of thirty-five years and in all other cases after he has attained the age of fifty-five years."*

ii) The AIIMS Regulations, 2019 (as amended) have no provisions for VRS. However, the Regulation No. 35 of the AIIMS Regulations, 2019 (as amended) provides as under:-

*"In respect of matters not provided for in these regulations, the rules as applicable to the Central Government servants regarding the general condition of service, pay, allowances including traveling and dally allowances, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the Central Government from time to time shall apply to the employees of the Institute."*



Hence, provisions of Rule 43 of CCS (Pension) Rules, 2021 are applicable.

In accordance with the Item No. 22 of the AIIMS Regulations, 2019 (as amended), the Governing Body (Appointing Authority) is the competent authority to permit the faculty members to seek voluntary retirement from the service of the Institute. Since, the meeting of the Governing Body is not likely to held near future, therefore, the proposal may be submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval.

According to Rule of 10 of CCS (Pension) Rules, if a pensioner who, immediately before his/her retirement was a member of the Central Service Group 'A' wishes to accept any commercial employment before the expiry of one year from the date of his/her retirement, he/she shall obtain the previous sanction of the Government of such acceptance by submitting an application in Form-25.

In view of the above, it is proposed that Dr. V. Seenu, Professor of Surgical Disciplines may be granted voluntary retirement from the service of the Institute w.e.f. 01<sup>st</sup> October, 2024 (FN), as he fulfills the requisite requirement of the Rule-43 of the CCS (Pension), Rules, 2021 subject to the condition that he will be required to take 'No Objection Certificate' from the Institute in the event of his accepting any commercial employment within one year from the date of his voluntary retirement in accordance with the Rule 10 of CCS (Pension) Rules, 1972 and Regulation No. 35 of the AIIMS Regulations, 2019 (as amended).

The above proposal is therefore, submitted to the Honorable President, AIIMS, New Delhi for kind consideration & approval.

15/07/2024 01:48 pm

GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 18

Submitted for kind consideration and approval please

18/07/2024 04:44 pm

NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 19

The President of AIIMS's approval being Chairman of the Governing Body is required in this case. The nomination of the Hon'ble HFM as President, of AIIMS, is still pending.

Since the date of VRS in respect of Dr. V. Seenu is 1st October 2024, we may wait for the nomination of Hon'ble HFM as President, AIIMS, and then submit the matter for his consideration.

For direction, please.

21/07/2024 12:03 pm

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 20

Please discuss.

22/07/2024 01:21 pm

SANJAY KUMAR ARYA  
PROFESSOR, AIIMS

Note # 21

22/07/2024 02:19 pm

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 22

22/07/2024 02:48 pm

NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 23

Ref. above.

As per verbally direction of the AAO (F.C.), the proposal note-17 above is submitted to the Hon'ble President, AIIMS, New Delhi for kind consideration and approval please.

20/08/2024 04:42 pm

GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 24

20/08/2024 04:49 pm

NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 25

21/08/2024 12:52 pm

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMSNote # 26

Proposal at Note No 17 is submitted for kind consideration of President AIIMS, New Delhi.

21/08/2024 02:05 pm

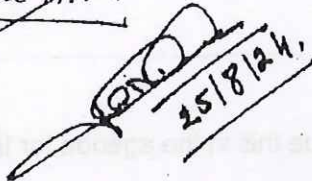
SANJAY KUMAR ARYA  
PROFESSOR, AIIMSNote # 27

22/08/2024 05:46 pm

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMSNote # 28

Submitted to the Hon'ble President, AIIMS, New Delhi for kind consideration and approval please.

22/08/2024 11:03 pm

SRINIVAS.M  
DIRECTOR, AIIMS~~Hon'ble HFM~~


25/8/24.



**Note # 22**  
Ref. above.

It is submitted that as per request of Dr. V. Seenu, Professor of Surgical Disciplines and with the approval of the Hon'ble President, AIIMS, New Delhi, he had been granted voluntary retirement from the service of the Institute w.e.f. October 1st, 2024 (FN).

As per Item No. 1 (ii) of the Schedule-II under AIIMS Regulations, 2019 (as amended), the Appointing Authority of Group 'A' posts at the AIIMS, New Delhi is Governing Body. Accordingly, Governing Body is the Competent Authority to approve voluntary retirement from the service of the Institute. With the approval of the Hon'ble President, AIIMS, New Delhi being Chairman of Governing Body of this Institute, Dr. V. Seenu was granted voluntary retirement from the service of the Institute w.e.f. 01.10.2024 (FN), subject to the condition that ex-post-facto ratification/approval of the Governing Body will be taken next meeting.

In view of the above, if approved, Dr. V. Seenu was granted VRS w.e.f. 01.10.2024 (FN) may be placed to the next Meeting of Governing Body for taking ex-post-facto ratification/approval.

In view of the above, a draft agenda note for forthcoming Meeting of Governing Body of this Institute to this effect is submitted for kind consideration & approval please.

18/09/2024 03:33 PM  
GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER

Note # 23

18/09/2024 03:37 PM  
NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER

Note # 24

Draft of agenda is submitted for kind perusal.

If approved, we may send this to the General section to include this in the agenda for the next meeting of GB.

18/09/2024 05:22 PM  
SANJAY KUMAR ARYA  
PROFESSOR

Note # 25

19/09/2024 01:51 AM  
KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN

Note # 26

अनुमोदित।

19/09/2024 11:03 PM

SRINIVAS.M  
DIRECTOR

Note # 27

20/09/2024 11:59 AM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN

Note # 28

20/09/2024 12:27 PM

SANJAY KUMAR ARYA  
PROFESSOR

Note # 29

20/09/2024 12:54 PM

NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER



**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/11**

**To consider the proposal for ex-post-facto ratification of the decision of President AIIMS, for retention of lien of Dr. Dalim Kumar Baidya, Professor of Anaesthesia, CDER at the AIIMS, New Delhi**





No. F. 5-59/2012 Estt. I.  
NOTE FOR THE GOVERNING BODY

Item No. GB/162-11

TO CONSIDER THE PROPOSAL FOR EX-POST FACTO RATIFICATION OF THE DECISION OF PRESIDENT, AIIMS FOR RETENTION OF LIEN OF DR. DALIM KUMAR BAIDYA, PROFESSOR OF ANAESTHESIA, CDER AT THE AIIMS, NEW DELHI.

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1. INTRODUCTION-

1. Dr. Dalim Kumar Baidya, Professor of Anaesthesia, CDER was selected as Professor at AIIMS, Guwahati and had submitted his technical resignation w.e.f. 27.05.2024 (A.N.) with request to retain Lien to the post of Professor of Anaesthesia at AIIMS, New Delhi for a period of 2 years from the date of resignation from the Institute. (Annex. I).

2. ADMINISTRATIVE COMMENTS -

2.1. As per Section-22 of Schedule I of AIIMS Regulations 2019 (Amended), the Director, AIIMS, New Delhi is the Competent Authority for accepting resignation in respect of all Group 'A' Officers except in case of Professor and Additional Professor. As per Section-25 of AIIMS Regulations, 2019 (amended), the Governing Body is the competent authority for allowing retention of lien to Group A Officers in the Institute.

2.2. Accordingly his request for retention of the lien was put up to President, AIIMS New Delhi. President AIIMS, New Delhi had very kindly approved the proposal for retention of lien in r/o Dr. Dalim Kumar Baidya in his capacity as Chairman of the Governing Body. He had directed that this matter may be put up before the Governing Body for ratification in the upcoming Governing Body meeting. (Annex. II)

3. APPROVAL SOUGHT

Accordingly, the decision of President AIIMS to grant permission for retention of lien for a period of two years from the date of resignation in r/o Dr. Dalim Kumar Baidya is submitted for ratification by the Governing Body.

\*\*\*\*\*

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All India Institute of Medical Sciences, New Delhi

Annex-I

1369319

Dated, 16<sup>th</sup> February, 2024

To

The Director,

Through Proper Channel

Subject: Requesting for Technical Resignation with Lien from AIIMS New Delhi in view of my offer of appointment at AIIMS Guwahati

Dear Sir,

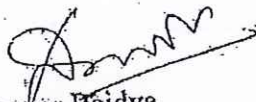
I have been offered appointment as Professor in the Department of Anaesthesiology, Critical Care and Pain Medicine at AIIMS Guwahati in due selection process and decided to join there. The offer letter is attached herewith.

I had obtained due permission / No objection certificate from competent authority at AIIMS New Delhi prior. The NOC is attached herewith.

I, hereby, would like to submit technical resignation with maintenance of lien for at least two years. Kindly consider this application as my three months notice period for technical resignation as well. I would like to be relieved on or before 27<sup>th</sup> May 2024.

Kindly approve the same and oblige.

Yours sincerely,

  
Dr. Dalim Kumar Baidya

Professor

Anesthesiology, Pain Medicine and Critical Care

Enclosure:

1. Appointment letter from AIIMS Guwahati
2. NOC from AIIMS New Delhi

1371977



Note # 82

Ref. above

It is submitted that Dr. Dalim Kumar Baidya, Professor of Anaesthesia, CDER was selected as Professor in the Department of Anaesthesiology, Critical Care and Pain Medicine at AIIMS, Guwahati and had submitted his technical resignation w.e.f. 27.05.2024 (A.N.) with request to retain Lien to the post of Professor of Anaesthesia, CDER, AIIMS, New Delhi for the period of two years w.e.f. 28.05.2024 to 27.05.2026. (Please see note no. 70)

The President, AIIMS, had approved the proposal being chairman of the Governing Body with the direction in respect of Dr. Dalim Kumar Baidya and directed to put up his case before the Governing Body for ratification/Ex-Post Facto approval in the upcoming Governing Body meeting regarding lien.

In view of the above, DRAFT agenda to be put up before the upcoming G.B. Meeting is submitted to the kind consideration

02/08/2024 04:26 PM  
 RAJHAV DUBEY  
 SENIOR ADMINISTRATIVE ASSISTANT  
 Note # 83

Ref. note-82

It is submitted that after approval given by the Honourable President, AIIMS, New Delhi being Chairman of Governing Body of this Institute, Dr. Dalim Kumar Baidya, Professor of Anaesthesia, CDER, had acceptance of his technical resignation and also retention lien to the post of Anaesthesia, CDER, AIIMS, New Delhi for the period of two years w.e.f. 28.5.2024 to 27.5.2026, subject to ex-post-facto approval of the Governing Body being Competent Authority.

In view of the above, a draft agenda note for forthcoming Meeting of Governing Body of this Institute to this effect is submitted for kind consideration & approval please.

03/08/2024 11:09 AM  
 GAJAN CHOPRA  
 JUNIOR ADMINISTRATIVE OFFICER  
 Note # 84  
 Draft agenda is submitted for approval please

09/08/2024 10:08 AM  
 NAROTTAM ANAND  
 ASSISTANT ADMINISTRATIVE OFFICER  
 Note # 85

Please attach the relevant provision of the AIIMS Regulations, 2019, that mandates the submission of this matter to the Governing Body.

09/08/2024 07:32 PM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER  
Note # 86

10/08/2024 11:29 AM

NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER  
Note # 87

Ref. remarks of Sr. A.O. (F.C.) above.

Provisions as given in AIIMS Regulations, 2019 in respect of Schedule -I (Sr. No. 25) which gives Power to Governing Body for allowing any faculty members of this Institute to retain lien in AIIMS, N.D. when he/she are appointed elsewhere (Page No. 129-130).

In the instant case, request of Dr. Dalim Kumar Baidya, Professor of Anaesthesiology, CDER, AIIMS for allowing him to take part in the Interview process and subsequent permission to join AIIMS, Guwahati under lien mode was placed before the President, AIIMS, N.D. for his approval and thereafter he was allowed to join in AIIMS, Guwahati.

Keeping in view of the above, the Draft Agenda Item for obtaining Ex-post facto approval of Governing Body as placed on Note No. 83 is re-submitted for kind perusal and approval please.

13/08/2024 11:58 AM  
GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER  
Note # 88

13/08/2024 12:43 PM

NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER  
Note # 89

13/08/2024 04:10 PM

GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER  
Note # 90

13/08/2024 04:20 PM

NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER  
Note # 91

14/08/2024 08:00 AM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER  
Note # 92

Draft agenda is submitted for kind consideration & approval before it is sent to General Section to be included in the agenda of the next meeting of GB.

14/08/2024 05:08 PM  
SANJAY KUMAR ARYA  
PROFESSOR  
Note # 93

14/08/2024 06:36 PM  
KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN  
Note # 94  
ok

16/08/2024 06:16 PM  
SRINIVAS.M  
DIRECTOR  
Note # 95

16/08/2024 07:23 PM  
KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN  
Note # 96

16/08/2024 08:12 PM  
SANJAY KUMAR ARYA  
PROFESSOR  
Note # 97

17/08/2024 12:14 PM  
B.S GILL  
SENIOR ADMINISTRATIVE OFFICER  
Note # 98

20/08/2024 10:36 AM  
NAROTTAM ANAND  
ASSISTANT ADMINISTRATIVE OFFICER



91

ADDITIONAL DIRECTOR ADMIN, AIIMS

Note # 60

Approved

02/01/2024 05:37 PM

SRINIVAS.M  
DIRECTOR, AIIMS

Note # 61

02/01/2024 06:12 PM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMS

Note # 62

03/01/2024 11:36 AM

SANJAY KUMAR ARYA  
PROFESSOR, AIIMS

Note # 63

03/01/2024 12:59 PM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 64

03/01/2024 01:13 PM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 65

Subject:- Request for submission of Technical Resignation with Lien fro AIIMS, New Delhi in view of his offer of appointment as AIIMS, Guwahati, Dr. Dalim Kumar Baidya, Professor of Anaesthesia, Pain Medicine and Critical Care, CDER, AIIMS, New Delhi.

\*\*\*\*\*

Dr. Dalim Kumar Baidya, Professor of Anaesthesia, CDER has

informed that he has offered appointment as Professor in the Department of Anaesthesiology, Critical Care and Pain Medicine at AIIMS, Guwahati in due selection process and decided to join there, offer letter submitted by him which may be seen at page no. 93-95. He had obtained due permission/No objection certificate from competent authority at AIIMS, New Delhi which may be seen at page no. 96. He has therefore, requested to submit Technical Resignation with maintenance of lien for at least two years and his three months notice period for technical resignation as well, he would like to be relieved on or before 27<sup>th</sup> May, 2024.

It may be stated that Dr. Dalim Kumar Baidya has been working as Professor of Anaesthesiology for CDER since 12.05.2012. After the successfully completion of his probation period, he has been confirmed on the post of Assistant Professor, Anaesthesia, CDER w.e.f. 11.05.2014.

No Vigilance (page no.84) and Legal case (page no. 91.) are pending against him as per records of Vigilance Cell.

As per rules, 3 months notice is required for acceptance of resignation after probation period. Dr. Dalim Kumar Baidya has submitted his resignation on 16.02.2024 and requested to relieve him on 27.05.2024 (A.N.).

In accordance with the item No. 22 of the AIIMS Regulation, 2019 (as amended), the Hon'ble President, AIIMS, New Delhi is Competent Authority to accept the resignation rendered by faculty members up to the level of Additional Professors & Professors. Dr. Dalim Kumar Baidya is holding the grade/post of Professor of Anesthesiology, CDER and the approval of the Hon'ble President, AIIMS, New Delhi will be required in this case.

As per Section 25 of Scheduled II of AIIMS Regulation, 2019, the Governing Body of the Institute has full powers to allow retention of lien in the institute for Group A posts, wherein employees when they are

appointed elsewhere.

As per the 3.3 point of DoPT O.M. No. 1669266628362 dated 24.11.2022, Rules regarding Lien on a post is as under: (page no. 6)

**Retention of lien for appointment in another central government office/ state government**

- i. A permanent Government servant appointed in another Central Government Department/Office/State Government, has to resign from his parent department unless he reverts to that department within a period of 2 years, or 3 years in exceptional cases. An undertaking to abide by this condition may be taken from him at the time of forwarding of his application to other departments/offices.
- ii. The exceptional cases may be when the Government servant is not confirmed in the department/office where he has joined within a period of 2 years. In such cases he may be permitted to retain the lien in the parent department/office for one more year. While granting such permission, a fresh undertaking similar to the one indicated above may be taken from the employee.
- iii. Timely action should be taken to ensure extension/reversion/resignation of the employees to their parent cadres on completion of the prescribed period of 2/3 years. In cases, where employees do not respond to instructions, suitable action should be initiated against them for violating the agreement/undertaking given by them as per (i) and (ii) above and for termination of their lien. Adequate opportunity may, however, be given to the officer prior to such consideration.
- iv. Temporary Government servants will be required to sever connections with the Government in case of their selection for outside posts. No lien will be retained in such cases.

In view of the above, it is proposed that, Dr. Dr. Dalim Kumar Baidya may be allow (i) for acceptance of his technical resignation w.e.f. 27.05.2024 (A.N.) and allow him to join at AIIMS, Guwahati and (ii) retention of lien at AIIMS, New Delhi for a period of two years w.e.f. 28.05.2024 to 27.05.2026, on



stipulated extant terms and conditions for the purpose.

The above proposal may therefore, be submitted to the Hon'ble President, AIIMS, New Delhi for kind consideration & approval please.

14/03/2024 12:51 PM

GAGAN CHOPRA  
JUNIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 66

14/03/2024 12:57 PM

RAM SURAT  
ASSISTANT ADMINISTRATIVE OFFICER, AIIMS

Note # 67

The President, AIIMS is the authority competent for acceptance of resignation in this case and the Governing Body is the authority competent for grant of retention of lien in the post.

In view of the above, the matter may be submitted before the President, AIIMS for acceptance of resignation as proposed in the preceding note and also the matter regarding retention of lien for two years as Chairman of the GB. If the matter is approved, we may place the matter before the Governing Body in its next meeting as and when held for ratification.

Submitted please.

PIC (FC) - on leave

18/03/2024 08:01 AM

B.S.GILL  
SENIOR ADMINISTRATIVE OFFICER, AIIMS

Note # 68

19/03/2024 05:15 AM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN, AIIMS

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Note # 69

Submitted to the Honourable President, AIIMS, New Delhi for kind consideration & approval please.

20/03/2024 09:20 AM

SRINIVAS.M  
DIRECTOR, AIIMS

President- AIIMS



**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/12**

**To consider the proposal of amendment in AIIMS Act, Rules  
& Regulation regarding inclusion of members belonging to  
SC/ST/OBC/Minorities and Women in all Selection  
Committees for Recruitment of Faculty Posts at the AIIMS,  
New Delhi.**





Item No. GB/162-12

TO CONSIDER THE PROPOSAL OF AMENDMENT IN AIIMS ACT, RULES & REGULATION REGARDING INCLUSION OF MEMBERS BELONGING TO SC/ST/OBC/MINORITIES AND WOMEN IN ALL SELECTION COMMITTEES FOR RECRUITMENT OF FACULTY POSTS AT THE AIIMS, NEW DELHI.

1. INTRODUCTION

An advisory has been received from Under Secretary, INI Section, MOHFW regarding mandatory inclusion of members belonging to SC/ST/OBC/Minorities and Women in all selection Committees/Boards constituted for recruiting persons to fill ten or more vacancies of both faculty and non faculty, referring to DoPT OM No. 42011/11/15/2014 dated 13.02.2014 and OM No. 42011/15/1995-Estt (SCT) dated 11.07.1995 (Annexure-I).

2. ADMINISTRATIVE COMMENTS

In AIIMS, New Delhi, appointments for faculty positions are done by Governing body on the recommendations of the Standing Selection Committee.

Standing Selection Committee is constituted as per Section 12(1) of AIIMS Regulations, 2019 (as amended) which is as under (Annexure-II)

12. Standing Committees:- (1) In addition to the Standing Finance Committee, the Institute may constitute other Standing Committees in accordance with sub-section (5) of Section 10 of the Act, consisting of a Chairman, a Vice-Chairman and not more than seven other members. The Director shall be a member and ex-officio Secretary of each committee. The Chairman, the Vice Chairman and other members of each Committee shall be nominated by the Institute."

Standing Selection Committee is constituted among the members of the Institute Body, as per sub-sections 5 & 6 of Section 10 of AIIMS Act, 1958 which reads as under:

(5) "Subject to such control and restrictions as may be prescribed by rules, the Institute may constitute as many Standing Committees and as many ad hoc committees as it thinks fit for exercising any power or discharging any function of the Institute or for inquiring into or reporting or advising upon any matter which the Institute may refer to them.

(6) A Standing committee shall consist exclusively of members of the Institute, but an ad hoc committee may include persons who are not members of the Institute but the number of such persons shall not exceed one-half of its total membership."

3. APPROVAL SOUGHT

As per the AIIMS Act, standing committee can be constituted out of Institute body members only.

Accordingly, the advisory of MOHFW is submitted for kind consideration and further directions of the Governing Body in this matter.



No. V-16020/77/2024-INI-I

Government of India  
Ministry of Health & Family Welfare  
Department of Health & Family Welfare  
(INI-I Section)

Nirman Bhawan, New Delhi  
Dated: 23-07-2024

To,  
The Director,  
AIIMS Delhi, PGIMER, JIPMER and all new AIIMS under PMSSY

**Subject:** Representation of SC, ST, OBC, Minorities and the Women on Selection Board/Committees-reg.

Sir,

I am directed to refer to DoPT OM No. No. 42011/15/2014-Estt (Res) dated 13.02.2014 and to say that DoPT has reiterated the instructions contained in their O.M. No. 42011/15/1995-Estt (SCT) dated 11.07.1995 regarding mandatory inclusion of members belonging to SC/ST/OBC/Minority in all Selection Committees/ Boards constituted for recruiting persons to fill ten or more vacancies.

2. Accordingly all Institutes are advised to strictly adhere to the instructions issued by DoPT cited supra and co-opt members of SC/ST/OBC/Minority in all Standing Selection Committees set up for recruitment of both faculty and non faculty.

3. This issues with approval of the Competent Authority.

Encl. As above.

Yours faithfully,

Signed by

Kumar Sourabh

Date: 23-07-2024 16:17:18

Under Secretary to the Government of India  
Tel. No. (011) 23062032



New Delhi, the || July, 1995.

OFFICE MEMORANDUM

Subject: Representation of SC/LT/OBC, Minorities and Women on selection Boards/Committees.

As the Ministries/Departments of the Government of India are aware, the instructions contained in this Department's D.O. No. 39016/9(S)/89-Estt. (B) dated the 16th August, 1990 provide that wherever a Selection Committee/Board exists or has to be constituted for making recruitment to 10 or more vacancies in Group 'C' or Group 'D' posts/services, it shall be mandatory to have one member belonging to Scheduled Caste/Scheduled Tribe and one member belonging to Minority Community in such committees/Boards. As part of measure to secure adequate representation of Other Backward Classes (OBC) and to ensure that women are given a fair deal in the matter of recruitment to posts/services under the Central Government, the Government have reviewed the above guidelines.

2. In partial modification of the above instructions, it has now been decided that wherever a Selection Committee/Board exists or has to be constituted for making recruitment to 10 or more vacancies in Group 'C' or Group 'D' posts/services, it shall be mandatory to have one member belonging to SC/ST/OBC and one member belonging to Minority Community in such Committees/Boards. Further, one of the members of the Selection Committee/Board, whether from the general category or from the minority community or from SC/ST/OBC, should be a lady failing which a lady member should be co-opted on the Committee/Board. It may also be ensured that where the number of vacancies against which selection is to be made is less than 10, no effort should be spared in finding a Scheduled Caste/Scheduled Tribe/Other Backward Classes officer, a Minority Community officer and a lady officer (as explained in para 1) for inclusion in such Committees/Boards.

3. Similar instructions in respect of public sector undertakings and financial institutions, including public

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(संदीप सक्सेना)  
(SANDEEP SAXENA)  
उप सचिव / Deputy Secretary  
कार्मिक एवं प्रशिक्षण विभाग  
Deptt. of Personnel & Training  
भारत सरकार India

contd/



(34)

from pre-page 1

sector banks, will be issued by the Department of Public Enterprises and Ministry of Finance respectively.

4. Hindi version will follow.

*Chitra Prasad*

(CHITRA PRASAD)

JOINT SECRETARY TO THE GOVT. OF INDIA

- To
1. All Ministries/Departments of Govt. of India.
  2. Union Public Services Commission, Dholpur House, New Delhi.
  3. Staff Selection Commission, C.G.O. Complex, Lodi Road, New Delhi.
  4. Central Vigilance Commission, Bikaner House, New Delhi.
  5. Department of Public Enterprises, New Delhi.
  6. Ministry of Finance, (Banking & Insurance Division), New Delhi.
  7. All attached and subordinate offices of the Ministry of Personnel, Public Grievances and Pensions.
  8. All officers and sections of the Ministry of Personnel, Public Grievances and Pensions.

It is requested that similar instructions may be issued in respect of public sector undertakings and financial institutions including public sector banks and insurance corporations.

*Sd/-*

(संदीप सखसेना)  
(SANDEEP SAXENA)  
सचिव / Deputy Secretary  
व्यक्तिगत एवं प्रशिक्षण विभाग  
Deptt. of Personnel & Training  
भारत सरकार / Govt. of India

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12. **Standing Committees:**- (1) In addition to the Standing Finance Committee, the Institute may constitute other Standing Committees in accordance with sub-section (5) of section 10 of the Act, consisting of a Chairman, a Vice Chairman and not more than seven other members. The Director shall be a member and ex-officio Secretary of each committee. The Chairman, the Vice Chairman and other members of each committee shall be nominated by the Institute.
- (2) In particular, a standing committee to be called the Academic Committee for the purpose of considering the matters specified in clauses (a) to (o) of section 14 of the act and another standing committee to be called the Estate Committee for the purpose of considering additions and alterations to buildings belonging to the Institute and other questions relating to their maintenance and use, may be constituted.
- (3) The term of office of members of a Standing Committee shall be five years. An out-going member shall be eligible for renomination.
- (4) a casual vacancy in a Standing Committee may be filled by the President by nomination.
- (5) All Standing Committees shall be advisory committees.
13. **Ad-hoc Committees:**- (1) An Ad-hoc Committee may be constituted by the Institute for such purposes as it may be necessary.
- (2) The Chairman and members of an Ad-hoc Committee shall be nominated by the Governing Body.
- (3) The term of office of members of an Ad-hoc Committee shall terminate as soon as the specific function for which the Committee is appointed is completed.
- (4) Any casual vacancy in an Ad-hoc Committee shall be filled by nomination by the Chairman of the Governing Body.
14. **Buildings and lands belonging to the Institute:**- (1) The Institute shall use its lands and buildings for the purposes of the Institute.
- (2) The allotment and the assessment and recovery of rent of buildings shall as far as may be made by the Director in accordance with the provisions of Fundamental Rules 45-A, 45-B and 45-C and the Supplementary Rules.
- (3) Every employee of Institute, if offered residential accommodation in the premises of the Institute, shall stay in that residence and pay thereof such rent and other charges as may be fixed by the Institute.
15. **Powers to award prizes, scholarships:**- The Institute may award such prizes, souvenirs, stipends and scholarships to its students, as may be decided by the Governing Body from time to time.



10. The Government shall use such rules of procedure in regard to the transaction of business at the first meeting as may be laid down by that Government and thereafter the Institute shall meet at such times and places and observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by regulations.

10. Governing Body and other Committees of the Institute

- (1) There shall be a Governing Body of the Institute which shall be constituted by the Institute from among its members in such manner as may be prescribed by regulations.
- (2) The Governing Body shall be the executive committee and discharge such functions as the Institute may, by regulations made in this behalf, confer or impose upon it.
- (3) The President of the Institute shall be the Chairman of the Governing Body and as Chairman thereof shall exercise such powers and discharge such functions as may be prescribed by regulations.
- (4) The procedure to be followed in the exercise of its powers and discharge of its functions by the Governing Body, and the term of office of, and the manner of filling vacancies among the members of the Governing Body shall be such as may be prescribed by regulations.
- (5) Subject to such control and restrictions as may be prescribed by rules, the Institute may constitute as many Standing Committees and as many ad hoc committees as it thinks fit for exercising any power or discharging any function of the Institute or for inquiring into, or reporting or advising upon, any matter which the Institute may refer to them.
- (6) A Standing Committee shall consist exclusively of members of the Institute; but an ad hoc committee may include persons who are not members of the Institute but the number of such persons shall not exceed one-half of its total membership.
- (7) The Chairman and members of the Governing Body and the Chairman and members of a standing com-

mittee or an ad hoc committee shall receive such allowances if any, as may be prescribed by regulations.

11. Staff of the Institute

- (1) There shall be a chief executive officer of the Institute who shall be designated as the Director of the Institute and shall, subject to such rules as may be made by the Central Government in this behalf, be appointed by the Institute.
- Provided that the first Director of the Institute shall be appointed by the Central Government.
- (2) The Director shall act as the Secretary to the Institute as well as the Governing Body.
- (3) The Director shall exercise such powers and discharge such functions as may be prescribed by regulations or may be delegated to him by the Institute or the President of the Institute or by the Governing Body or the Chairman of the Governing Body.
- (4) Subject to such rules as may be made by the Central Government in this behalf, the Institute may appoint such number of other officers and employees as may be necessary for the exercise of its powers and discharge of its functions and may determine the designations and grades of such other officers and employees.
- (5) The Director and other officers and employees of the Institute shall be entitled to such salary and allowances and shall be governed by such conditions of service in respect of leave, pension, provident fund and other matters as may be prescribed by regulations made in this behalf.

12. Location of the Institute

The Institute shall be located in New Delhi.

13. Objects of the Institute

The Objects of the Institute shall be:

- (a) To develop persons of teaching in undergraduate and postgraduate medical education in all its

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similar post under the Govt. or on scales of pay approved by the Government, classify them into grades and specify their designations:

Provided that no post above the Associate Professor's level shall be created except with prior approval of the Government.

The Director General of Health Services shall be a member of all Selection Committees constituted by the Institute for recruitment to faculty posts.

Appointment to the post of Director shall be made by the Institute with the prior approval of the Govt.

In the event of the Director proceeding on leave, resigning or retiring, or the post falling vacant in any other eventuality, till such time a new Director is appointed, the President may appoint the senior-most Professor to look after the functions of the Director for a period not exceeding six months:

Provided that the Institute may appoint, for reasons to be recorded in writing, any other person for a period not exceeding six months: Provided further that if the period of such appointment exceeds six months prior approval of the Govt. shall be taken for such appointment.

8. Budget Estimates:

The Annual Budget showing the estimated receipts and expenditure of the Institute shall be prepared in two parts in such form as may be laid down by the Government and shall be submitted to it in triplicate not later than the 15th October each year, namely:

- \*\* Part I relating to Non-Plan expenditure and
- \*\* Part II relating to Plan expenditure

9. Deposits into and withdrawals from the Fund:

- (1) All moneys credited to the Fund shall be deposited in any branch of the State Bank of India or a nationalised Bank in New Delhi.
- (2) The Fund shall be operated by the Director, and withdrawals from the Fund shall be made by cheques signed by the Director or an officer of the Institute duly authorised by the Director in this behalf.

Government shall nominate four persons to be members of the Institute having due regard to different disciplines.

4. Filling up of casual vacancies:

Any casual vacancy in the office of members other than ex-officio member shall be filled by nomination or election, as the case may be, in accordance with the provision of Section 4.

5. Allowances of President and Members:

(1) The President or any member shall not be entitled to any allowance or other remuneration. He may, however, draw the travelling and daily allowances, if any, to which he may be eligible under the regulations framed under Section 29.

(2) Nothing in sub-rule (1) shall apply to the Director who may draw the salary and allowances attached to the post of Director.

6. Standing Finance Committee:

(1) There shall be constituted a Standing Finance Committee which shall include member representing the Ministry of Finance. The Institute may also constitute any other standing or ad hoc committee in accordance with sub-section (5) of Section 10.

(2) The following matters shall be referred to the standing Finance Committee which shall consider them and make its recommendations thereon, namely:

- (a) annual accounts showing the receipts and expenditure of the Institute together with the audit report thereon;
- (b) budget estimates showing the estimated receipts and expenditure of the Institute;
- (c) all proposals for the creation of new post;
- (d) all financial matters pertaining to the Institute;
- (e) all matters relating to the invitation and acceptance of tenders.

7. Creation of posts and appointment thereon:

(1) The Institute may create posts, subject to specific provision in the budget, on scales of pay applicable to

**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/13**

**To consider appeal against the penalty order issued under  
CCS (CCA) Rules, 1965 of Mr. Sanjay Saini, Ex-Nursing  
Officer, AIIMS, New Delhi & Charged Official (Group "B").**





Item No. GB/162-13  
No.F-17-24/2009-Estt.(H)

Item No GB / \_\_\_\_\_

Agenda item for Governing Body

TO CONSIDER APPEAL AGAINST THE PENALTY ORDER ISSUED UNDER CCS (CCA) RULES, 1965 OF MR SANJAY SAINI, EX-NURSING OFFICER (AIIMS, ND) & CHARGED OFFICIAL (GROUP "B").

INTRODUCTION:-

Mr. Sanjay Saini, a former Nursing Officer, has filed an appeal dated October 5, 2023 (Annexure-'S'). This appeal challenges the penalty of "Dismissal from service, which shall ordinarily be a disqualification for future employment under the Government," imposed on him vide Order No. 17-24/2009-Estt.(H) dated August 28, 2023 (Annexure-'P'). The penalty was issued under Rule 11 of the CCS (CCA) Rules, 1965, in conjunction with Schedule-II of the AIIMS Regulations, 2019.

ADMINISTRATIVE COMMENTS:-

Mr. Sanjay Saini was charged with unauthorized absence from duty for 1,152 days (May 14, 2018 - July 8, 2021) vide OM No. 17-24/2009-Estt.(H) dated May 26, 2022 (Annexure-'H'). An inquiry confirmed the charges, as detailed in the report dated March 23, 2023 (Annexure-'I'). After considering the charged official's response dated May 16/24, 2023 on the findings of the Inquiry Officer and taking all relevant facts and circumstances of the case, the President, AIIMS, acting as the Disciplinary Authority, imposed a penalty of "dismissal from service, with disqualification for future government employment" (Annexure-'O'). The Director, AIIMS, on behalf of the President and Disciplinary Authority, issued the official order on August 28, 2023 (Annexure-'P').

Personal Information of the Charged Official

1	Name of employee	Shri Sanjay Saini,
2	Designation	Nursing Officer
3	Date of Birth	06.04.1983
4	Date of Appointment	12.03.2009
5	Date of Superannuation	30.04.2043
6	Charged Official Group	'B'
7	Pay Scale	Level-07 (PB-2-Rs.9300-34800+4600 GP)

The facts of the case on the appeal are as follows:

Sr. No.	Contention of the applicant (Shri Sanjay Saini)	Reply
Para 1	That the applicant was initially appointed to the post of Nursing Officer, in AIIMS on 12.03.2009 and since then the applicant served the department to the entire satisfaction of his seniors till the date of passing the impugned order.	The Service Record of Sh. Sanjay Saini does not reflect any adverse remarks/entries prior to his unauthorized absence from duty w.e.f. 14.05.2018.
Para	That in the year 2018, while working as Nursing	In this regard, Office record reflects



2	<p>Officer the applicant taken 5 days earned leave (Station leave) w.e.f. 9.5.2018 to 13.5.2018, which were duly sanctioned to go to native town in Rajasthan in respect of sickness of mother and wife of the applicant. It is submitted that due to sickness of the mother and wife of the applicant he was unable to join his duties after 5 days and informed /requested the competent authority i.e. immediate superior officer for extension of the leave in respect of sickness of his mother and wife. It is submitted that the applicant informed the concerned authority time to time and lastly joined his duty on 09.07.2021, It is submitted that the applicant submitted his leave application for extending period w.e.f. 14.05.2018 to 08.07.2021 and continuously working till passing the impugned penalty order.</p>	<p>that call for duty OM were issued on 11.06.2018 (Annexure – 'W') and 02.06.2020 (Annexure – 'X') however neither he joined his duties nor any correspondence was received from him. As such, his contention that he had submitted his leave applications is not supported by any documentary evidence</p>
Para 3	<p>That the Director AIIMS vide memorandum dated 26.05.2022 issued a major penalty chargesheet under Rule-14 of the CCS (CCA) Rules, alleging the following charges alleged against the applicant; "Article of Charge: That the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorizedly absent from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond o recall notices issued to him vide memorandum No.17-24/2009-Estt. (H) dated 11.06.2018 &amp; 02.06.2020. By this act of unauthorized absence, Shri Sanjay Saini, Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner Which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3(1) (ii), (iii) &amp; (xviii) of the CCS (Conduct) Rules, 1965 as applicable to the employees of the Institute."</p>	<p>It is a matter of record.</p>
Para 4	<p>That it is relevant to mention here that the applicant is a Group 'B' employee and therefore, the disciplinary authority of the applicant is President, AIIMS, but the above noted Charge sheet was issued by the Director, AIMS who is not the competent authority for issuing charge sheet under rule 14 of the CCS(CCA)Rules, 1965 which is clear from the final penalty order which has been issued by the President AIIMS. It is relevant to mention here that the impugned charge sheet was not even approved by the President AIIMS who was</p>	<p>It is a matter of record that in the referred similar matter of a Group-B employee who was charge sheet under Rule 14 by the Director, AIIMS, the Hon'ble High Court of Delhi has recently set aside an Order of Penalty issued by AIIMS, New Delhi in the matter of AIIMS Vs. S.P. Vashisht in W.P.(C) No.6525/2017 vide Judgement dated</p>



	<p>the competent authority and therefore, the entire disciplinary proceedings should liable to be set aside on this sole ground as held by the Hon'ble Delhi High Court recently in the case of AIIMS Vs. S.P, Vashisht in W.P.(C) No.6525/2017 decided on 25.05.2023 and the relevant part of the judgment is reproduced here as under;</p> <p>"24. In the light of settled position of law, in the instant case, in the absence of the approval of charge memo by the competent Disciplinary Authority i.e. the President, AIIMS, who is empowered to impose the penalties under clauses (v) to (ix) of Rule 11 of CCS (CCA) Rules, the very foundation of issuing the charge- sheet becomes fundamentally defective and is not capable of being validated by merely placing the file before the Disciplinary Authority (i.e. the President, AIIMS) at the final stage. As the initial action itself is not in accordance with law, the subsequent inquiry proceedings and the decision taken thereupon would fall to the ground.</p> <p>25. For the foregoing reasons, we agree with the findings of the Tribunal. However, we modify the operational part of the order whereby the liberty has been granted to initiate fresh disciplinary inquiry against the respondent by following the procedure laid down in CCS (CCA) Rules, 1965 and in terms of the law laid down by the Hon'ble Supreme Court in case of B.V. Gopinath (supra) by directing for initiating the proceedings not beyond a period of three months from today and, thereafter, the proceedings shall take its own course, as per law."</p>	<p>25.05.2023 (Annexure-'Q').</p> <p>However, it is relevant to note that the Institute has filed an SLP (C) Dy. No. 38084/2023 before the Apex Court wherein the operation of the said Order has been stayed on 09.10.2023 (Annexure-'R').</p> <p>Further, Rule 13(2) of CCS (CCA) Rules, 1965 states that "A Disciplinary Authority competent under these rules to impose any of the penalties specified in Clauses (i) to (iv) of Rule 11 may institute disciplinary proceedings against any Government servant for the imposition of any of the penalties specified in Clauses (v) to (ix) of Rule 11 notwithstanding that such Disciplinary Authority is not competent under these rules to impose any of the latter penalties.</p> <p>Accordingly, the Charge sheet O.M. dated 26.05.2022 was issued with the approval of Director, AIIMS being the Disciplinary Authority under Rule 14 (for all penalties) and later the penalty of '<i>Dismissal from service which shall ordinarily be a disqualification for future employment under the Government</i>' under Rule 11 of CCS(CCA) was imposed on him by the President, AIIMS.</p>
Para 5	<p>That the applicant submitted his reply to the charge memorandum vide representation dated 07.06.2022. It is submitted that while explaining the alleged charges the applicant also requested to grant personal hearing before taking any further action as per para 2 of the memorandum dated 26.05.2022.</p>	<p>The sub rule 5(a) to Rule 14 of CCS(CCA)Rules, 1965 provides as under:-</p> <p>"On receipt of the written statement of defence, the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or, if it considers it necessary so to do, appoint, under sub-rule (2), an inquiring authority for the purpose, and where all the articles of charge</p>

		<p>have been admitted by the Government servant in his written statement of defence, the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in rule 15. (b) If no written statement of defence is submitted by the Government servant, the disciplinary authority may itself inquire into the articles of charge, or may, if it considers it necessary to do so, appoint, under subrule (2), an inquiring authority for the purpose. (c) Where the disciplinary authority itself inquires into any article of charge or appoints an inquiring authority for holding an inquiry into such charge, it may, by an order, appoint a Government servant or a legal practitioner, to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge. Explanation- For the purposes of this rule, the expression 'Government servant' includes a person who has ceased to be in Government service"</p>
<p>Para 6</p>	<p>That the Director AIIMS without granting any personal hearing to the applicant as per the memorandum dated 26.05.2022 and as per the request of the applicant, appointed an Inquiry officer as well as the Presenting officer to conduct regular inquiry against the applicant, which is not only illegal and in violation of rules but also against the principle of natural justice.</p>	<p>The representation of the applicant was duly considered by Director, AIIMS (being the disciplinary authority) and the Inquiry Officer &amp; Presenting Officer were appointed thereafter to inquire into the charges framed against the C.O. as per the said provisions of Rule 14 of CCS (CCA) Rules, 1965.</p>
<p>Para 7</p>	<p>That the Inquiry officer conducted the inquiry in his own manner without following the rules and procedure and without applying the principle of natural justice. It is submitted that last prosecution witness was appeared in the inquiry on 23.1.2023 and after examination of the same, on the same day, the Inquiry officer closed the enquiry, without conducting any General Examination of the applicant under rule 14(18) of the</p>	<p>The DoPT OM No. 11012/3/2015-Estt.A-III dated 18.02.2015 (<u>Annexure-'T'</u>) wherein the importance of following the due process in disciplinary proceedings has been emphasized and the relevant Para 3. of the said OM reads as under:-  "Rule 14(18) of CCS (CCA) Rules,</p>



	<p>CCS(CCA)Rules and without given any opportunity to the applicant to produce his defence witnesses or to submit his defence statement, which is clear from the daily order sheet dt.23.1.2023. (Copy enclosed for ready reference) and therefore, entire proceedings is vitiated on this sole ground.</p>	<p><i>1965, provides that, "the inquiring authority may, after the Government servant closes his case, and shall, if the Government servant has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the Government servant to explain any circumstances appearing in the evidence against him." This is a formal action required to be taken by the inquiry officer before closing the inquiry. It has been seen that many a times this is not formally recorded and the inquiry gets vitiated. It is imperative that the inquiry is conducted strictly in accordance with the procedures prescribed."</i></p> <p>As per Daily Order sheet dated 23.01.2023 (Annexure-'V'), cross examination of PW-3 (Ms. Rajini Bajaj, ANS) was done by defence assistant of the CO. It was duly informed by the IO to PO to give written brief to the charged official, advising him to submit his representation, if any, directly to IO within 10 days from its receipt, failing which it will be presumed that he has nothing to say in his support and accordingly Inquiry Report will be prepared and the same will be submitted to Disciplinary Authority for further necessary action.</p>
<p>Para 8</p>	<p>That the applicant submitted his defence brief and the Inquiry officer Without considering the same and even considering the medical documents produced by the applicant, pre-minded submitted his report and proved the charges against the applicant. It is submitted that it is clear from the IO report, specially comments of the IO on the defence brief of the applicant, that IO was biased and acted like prosecutor nor as a judge and therefore, the entire IO report which is perverse is not sustainable in the eyes of law.</p>	<p>As per Inquiry Report dated 23.03.2023 (Annexure-'L') submitted by the IO, he has taken into consideration deposition of PWs, documents including written brief submitted by PO.</p> <p>In regard to allegations of bias against Inquiry Officer, it is submitted that prior to current appeal dated 05.10.2023, the C.O. did not put-forth his concern to the Disciplinary Authority in any</p>



		<p>of his submissions, which includes:-</p> <p>a) The Statement of Defence dated 07.06.2022, as taken on record at Annexure-'J'.</p> <p>b) The submission dated 16.05.2023/24.05.2023 (Annexure-'N'), received on 27.05.2023 which is a reply to this Office's OM dated 10.05.2023 (Annexure-'M') wherein the report of the I.O. was forwarded to the C.O. was also taken on record.</p>
Para 9	<p>That the Inquiry officer gone beyond the charges and given his findings that "Shri Sanjay Saini, Nursing Officer has shown disobedience....." It is submitted that there is no charge of disobedience in the charge sheet and therefore, the findings of the IO are beyond the charges and therefore, the same is not sustainable in the eyes of law.</p>	<p>The charge of disobedience was included in Article of charge and the same has also been mentioned by appellant in para 3 of his instant Appeal dated 05.10.2023 (Annexure-'S'). Thus, the content of para-9 are baseless and the IO has acted in accordance and within the mandate of the articles of charge.</p>
Para 10	<p>That it is submitted that the copy of IO report was supplied to the applicant vide Memorandum dt. 10.5.2023 and against the IO report, the applicant submitted his detailed representation vide dated 16.5.2023.</p>	<p>It is a matter of record.</p>
Para 11	<p>That the Director, AIIMS without application of mind, pre-minded decided to impose the penalty on the applicant and passed the impugned order and only take approval of the President, AIIMS on file, whereas, in fact competent disciplinary authority has not applied his mind and has not gone through the complete file.</p>	<p>The file related to departmental proceedings against Sh. Sanjay Saini along with the findings in the Inquiry Report dated 23.03.2023 (Annexure-'L') has been carefully considered by the President AIIMS, being the Disciplinary Authority to impose 'all penalties' of Rule 11 of CCS (CCA) Rules, 1965 while recording the well reasoned Note for imposition of Penalty (Annexure-'O').</p>
Para 12	<p>That the applicant was not willfully absent, but was absent for the reasons which were beyond his control and it is well settled principle of law laid down by the Hon'ble Tribunal that absent on ground of sickness is</p>	<p>Administrative comments on the cited Legal Order cannot be furnished. However, the appellant has not provided any documents</p>

	<p>not a misconduct in the case of Nathu Ram Versus Union of India &amp; Others reported in 1989 (1) ATJ 630.</p>	<p>proving his prolonged sickness and in his instant appeal dated 05.10.2023, the para-2 mentioned sickness of his mother and wife as the reason for his absence.</p> <p>The said Inquiry Report signed on 23.03.2023 does not record a finding of prolonged sickness of CO during the period 14.05.2018 to 08.07.2021 and apparently, the CO himself was not sick.</p> <p>The I/O found the charge imposed against the C.O. that he remained willfully and unauthorisedly absent from duty for 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority to be proved.</p>
<p>Para 13</p>	<p>That it is well settled principle of law laid down by the Hon'ble Tribunal in the case of Mr. A. Parasado Ram Versus Union of India reported in 1994 (2) ATJ 434 held that mere absence from duty, cannot be treated as a misconduct so as to attract, disciplinary proceedings. It is well settled principle of law "mere absence is no misconduct, only a willful one is misconduct" as held in the case of Mohd. Aslam Versus state, reported in 2005(3) AI SLJ 186(HC) and therefore, the impugned penalty order is liable to be quashed on this sole ground.</p>	<p>Administrative comments on the cited Legal Order cannot be furnished.</p>
<p>Para 14</p>	<p>That the inquiry officer submitted his report which is also in violation of Rule 14 of the CCS(CCA) Rules, 1965. It is submitted that in the above stated rule it is clearly mentioned that after conclusion of the inquiry a report shall be prepared as per the prescribed method/procedure but the inquiry officer failed to prepared a report as per the rules.</p>	<p>The applicant has not specified as to which provision of Rule 14 has been violated by the Inquiry Officer. Further, the Inquiry Report was duly shared with the C.O. to make a representation, if any, to the Disciplinary Authority. The applicant in his reply, dated 16.05.2023/24.05.2023 (Annexure-'N') opted to not mention any violation of the procedure by the I.O., moreover, the Disciplinary</p>



		authority has also accepted the said Inquiry Report.
Para 15	<p>That the Hon'ble Supreme court while deciding the Railway matter under Railway servants(D&amp;A) Rules, 1968 in the case of Mathura Prasad Vs Union of India &amp; Ors, AIR 2007 SC 381 held as under:</p> <p>"18. When an employee, by reason of an alleged act of misconduct, is sought to be deprived of his livelihood, the procedures laid down under sub rules are required to be strictly followed. It is now well settled that a judicial review would lie even if there is an error of law apparent on the face of the record. If statutory authority uses its power in a manner not provided for in the statute or passes an order without applicable of mind, judicial review would be maintainable. Even an error of fact for sufficient reasons may attract the principles of judicial review."</p> <p>And in present case there is total violation of rules and violation of principles of natural justice.</p>	Administrative comments on the cited Legal Order cannot be furnished.
Para 16	<p>That the punishment awarded to the applicant is disproportionate to the gravity of charges, which are based on absent on sickness of mother and wife and absent was not willful.</p>	<p>The Para-4 of Note of the President, AIIMS(Annexure-'O') states as under:-</p> <p><i>'Charged Officer has been unauthorizably absent from duty for a very long period of 1152 days, thus exhibiting extremely callous attitude in discharging his duties and has shown laxity and disobedience. AIIMS, New Delhi is not only as teaching institute but a very big hospital and provide medical facility to more than 15000 patients on a daily basis. Such an attitude of officers/staff definitely affect the patient care and the patient services of the Institute.'</i> While deciding the Penalty of 'dismissal from service which shall be a disqualification for</p>



<p>Para 17</p>	<p>That it is clear from the disciplinary authority order that same is a non-speaking, unreasoned and pre-minded orders only to punish the applicant and therefore, the same is liable to be quashed. It is submitted that the disciplinary authority without gone through the medical documents submitted by the applicant, passed a non-speaking and unreasoned order and imposed the stiff penalty of dismissal from service.</p>	<p><i>future employment under the Government'</i> by the Hon'ble President, AIIMS being the disciplinary authority.</p> <p>The Order of penalty No. 17-24/2009-Estt.(H) dated 28.08.2023 (Annexure-'P') is well reasoned and formatted in the form of a speaking order.</p> <p>Thus, the gravity of charges and proportionate penalty to be awarded, both have been considered by the Disciplinary Authority.</p>
<p>Para 18</p>	<p>In the case of Ranjit Thakur vs Union Of India And Ors on 15 October, 1987 at Paras 9 &amp; 10, the Hon'ble Supreme Court observed as under:-</p> <p>*9, Re: contention (d): Judicial review generally speaking, is not directed against a decision, but is directed against the "decision making process". The question of the choice and quantum of punishment is within the jurisdiction and discretion of the Court- Martial. But the sentence has to suit the offence and the offender. It should not be A vindictive or unduly harsh. It should not be so disproportionate to the offence as to shock the conscience and amount in itself to conclusive evidence of bias. The doctrine of proportionality, as part of the concept of judicial review, would ensure that even on an aspect which is, otherwise, within the exclusive province of the Court- Martial, if the decision of the Court even as to sentence is an outrageous defiance of B logic, then the sentence would not be immune from correction. Irrationality and perversity are recognized grounds of judicial review. In Council of Civil Service Unions v. Minister for the Civil</p>	<p>Administrative comments on the cited Legal Order cannot be furnished.</p>

Service, [1984] 3 Weekly Law Reports 1174 (HL) Lord Diplock said; " Judicial Review has I think developed to a stage today when without reiterating any analysis of the steps by which the development has come about, one can conveniently classify under three heads the grounds upon which administrative action is subject to control by judicial review. The first ground | would call 'illegality, the second 'irrationality' and the third 'procedural impropriety'. That is not to say that further development on a case by case basis may not in course of time add further grounds. I have in mind particularly the possible adoption in the future of the principle of "proportionality" which is recognised in the administrative law of several of our fellow members of the European Economic Community In *Bhagat Ram y. State of Himachal Pradesh*, A.L.R. 1983 SC 454 this Court held: "It is equally true that the penalty imposed must be commensurate with the gravity of the misconduct-and that any penalty disproportionate to the gravity of the misconduct would be violative of Article 14 of the Constitution. 7 Item No, 28 O.A. No. 120/2017 M.A. No. 1366/2022 The point to note, and emphasis is that all powers have legal limits. In the present case the punishment is so strikingly disproportionate as to call for and justify interference. It cannot be allowed to remain uncorrected in judicial review. 10. In the result, for the foregoing reasons, the appeal is allowed, the order of the High Court set aside, the writ petition preferred in the High Court allowed and the impugned proceedings of the Summary Court- Martial dated March 30, 1985, and the consequent order and sentence are quashed. The appellant is entitled to and shall be reinstated with all monetary and service benefits. There will, however, be no order as to costs."



Regulation 33 of AIIMS Regulations 2019 (Annexure-'U') which provides as under:-

33. Conduct, discipline and penalties:-
(1) The Central Civil Services (Conduct) Rules, 1964 as modified from time to time, shall apply to the employees of the Institute.
(2) <u>Part IV (Suspension), Part V (Penalties and Disciplinary Authorities) Part VI (Procedure for imposing penalties), Part VII (Appeals) and Part VIII (Review) of the Central Civil Service (Classification, Control and Appeal) Rules, 1965 as modified from time to time, shall apply to the employees of the Institute:</u> Provided that for the purpose of this regulation, - (a) Group A, Group B, Group C and D post in the Institute shall correspond to the Central Civil Services Group A, Group B, Group C and Group D post respectively; (b) The Appointing Authority, the disciplinary Authority for the realities that may be imposed and the Appellate Authority for the various posts in the Institute shall be as prescribed in Schedule-II; (c) In respect of Central or State Government servants borrowed by the Institute, the provision respectively of Rules 20 and 21 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 shall apply and the Institute shall exercise the functions of the Central or State Government, as the case may be, for the purpose of these rules; (d) No consultation with the Union Public Service Commission shall be necessary in any case.

Based on his submissions, the appellant (MR SANJAY SAINI, EX-NURSING OFFICER (AIIMS, ND)) has prayed the appellate authority as under:-

- a) To pass an order of quashing/set-aside the impugned penalty Order dated 28.08.2023.
- b) To pass an order of reinstatement of the applicant in service with all consequential benefits.
- c) To allow an opportunity for personal hearing before taking any final decision on the appeal.

In accordance with Schedule-II of the AIIMS Regulations 2019, the Governing Body acts as the Appellate Authority for Group 'B' posts. In this instance, the President, AIIMS, New Delhi, imposed the penalty of "Dismissal from service, disqualifying future government employment" on Mr. Sanjay Saini, Ex-Nursing Officer (Annexure-'O'). Exercising authority under Rule 15 of the CCS (CCA) Rules, 1965 and Regulation 33(2) of AIIMS Regulations, 2019, the President took this action after reviewing the case records and circumstances. The order, dated August 28, 2023, details this decision.

It is to submit here that due process was followed throughout. Mr. Saini was given ample opportunity to defend himself during the proceedings. The Inquiry Officer conducted a fair and transparent investigation, analyzing all evidence presented. Based on their findings, which deemed the charges proven, and Mr. Saini's subsequent response, the Disciplinary Authority (President) imposed the aforementioned penalty after considering all relevant facts and circumstances.



APPROVAL SOUGHT:-

114

In view of the above, the appeal of Mr. Sanjay Saini, Ex-Nursing Officer (AIIMS, ND), dated October 5, 2023, against the Order of penalty imposing "Dismissal from service, disqualifying future government employment," issued on August 28, 2023, is hereby submitted to the Governing Body, AIIMS, New Delhi, for consideration and decision in their capacity as the Appellate Authority.

This proposal has the approval of the Director, AIIMS, New Delhi.

\*\*\*\*\*

## SHRI SANJAY SAINI, EX-NURSING OFFICER, AIIMS, NEW DELHI

(Referencing/Flagging Sheet)

S.No.	Particulars	Date	Referencing/Flag
01.	Earned Leave application for 5 days w.e.f. 09.05.2018 to 13.05.2018.	09.05.2018	A
02.	Absentee report of Shri Sanjay Saini, Nursing Officer received from ANS.	05.06.2018	B
03.	Office Memo issued to Shri Sanjay Saini, Nursing Officer to report for duty immediately.	11.06.2018	C
04.	Office Memo issued to Shri Sanjay Saini, Nursing Officer to report for duty immediately.	02.06.2020	D
05.	Reply received from Shri. Sanjay Saini	09.07.2021	E
06.	Joining Report of Shri Sanjay Saini, Nursing Officer received from DNS	10.07.2021	F
07.	Undertaking regarding the leave of absence during the period of 14 <sup>th</sup> May 2018 to 8 <sup>th</sup> July 2021.	07.03.2022	G
08.	Charge sheet issued against Ms. Sanjay Saini	26.05.2022	H
09.	Appointment Order of Inquiry Officer and Presenting Officer	25.06.2022	I
10.	Mr. Sanjay Saini submitted representation against the charge sheet OM dated 26.05.2022.	07.06.2022	J
11.	Acceptance by Director, AIIMS (in capacity of Disciplinary Authority) to the Inquiry Report at pages N-33-37 of F.No.17-24/2009-Estt.(H)	-	K
12.	Inquiry Report submitted by the IO	23.03.2023	L
13.	Copy of the forwarding of Inquiry Report dated 23.03.2023 to the charged official.	10.05.2023	M
14.	Representation of the CO against Inquiry Report	16.05.2023/24.05.2023	N
15.	Note of Disciplinary Authority imposing the penalty of Dismissal from service against Ms. Sanjay Saini	Received by Office of Director, AIIMS on 10.08.2023	O

16.	Order of imposition of penalty against Ms. Sanjay Saini	28.08.2023	P
17.	The Hon'ble High Court of Delhi has recently set aside an Order of Penalty issued by AIIMS, New Delhi in the matter of AIIMS Vs S.P. Vashisht in W.P.(C) No.6525/2017	25.05.2023	Q
18.	The Institute has filed an SLP (C) Dy. No.38084/2023 before the Apex Court wherein the operation of the said Order has been stayed.	09.10.2023	R
19.	Ms. Sanjay Saini has filed an Appeal against Penalty Order dated 28.08.2023	05.10.2023	S
20.	OM No. 11012/3/2015-Estt.A-III of DoPT, Min. of Personnel, Public Grievance & pensions dated 18.02.2015.	18.05.2015	T
21.	Copy of Schedule-II of AIIMS regulations regarding determination of appropriate appellate authority	AIIMS Regulations, 2019	U
22.	Daily Order sheet of Disciplinary Proceedings held on 23.01.2023	23.01.2023	V
23.	Call for duty O.M. No. F. 17-24/2009 Estt.(H)	11.06.2018	W
24.	Call for duty O.M. No. F. 17-24/2009 Estt.(H)	02.06.2020	X



Annexure - A

Date of Birth : 06.04.1983

Date of Joining : 18.03.09

Biometric No. : 8059

अखिल भारतीय आयुर्विज्ञान संस्थान

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

APPLICATION FORM FOR GRANT OF LEAVE (OTHER THAN CASUAL LEAVE)

कार्यालय मुख्य नर्सिंग अधिकारी

OFFICE OF THE CHIEF NURSING OFFICER

1. आवेदक का नाम  
Name of the applicant : sonjay saini
2. पदनाम एवं विभाग  
Designation & Department : Nursing officer
3. अपेक्षित अवकाश की अवधि एवं दिनों की संख्या  
No. of Days & Period of Leave required : 5 days (9/5/18 - 13/5/18)
4. आवेदक अवकाश की प्रकृति  
Nature of Leave required : earned leave
5. अवकाश हेतु अपेक्षित कारण  
Reasons for grant of leave : for family Emergency
6. क्या स्टेशन छोड़ने की अनुमति भी चाहिए ?  
Whether permission is also need to leave the Station ? : Yes
7. अवकाश के दौरान घर/डाक का पता  
Residential/Postal address during leave period : saini bhawan, malama Durgam Chawl
8. यदि प्रसूति अवकाश के लिए आवेदन किया है तो इस तथ्य की घोषणा करें कि मेरे जीवित बच्चों की संख्या 2 से कम है और यह मेरा प्रथम/दूसरा प्रसूति अवकाश है।  
If applied for maternity leave Declaration for Maternity leave That I have less than two surviving Children and this is my first/Second Maternity leave : Rayasthan 322028

पदनाम सहित आवेदक के हस्ताक्षर

Signature of the applicant with designation

Department

Saini  
Nursing Officer  
C6 Ward

मुख्य नर्सिंग अधिकारी  
Chief Nursing Officer

अवकाश की सिफारिश की गई?  
Leave recommended

noted

9/5/18

दिनांक

Dated the 9/5/18

प्रभारी अधिकारी के हस्ताक्षर

Signature of the A.N.S. / Sister Incharge

To

The Medical Superintendent  
AIIMS  
Anasari Nager  
New Delhi

118

102

Annex-B

8261

Through Cooper channel 4088

Sub: Absent Report of Sayjay Salvi reg Officer AB<sub>2</sub> ward

Sir

I would like to inform that Mr Sayjay Salvi working in AB<sub>2</sub> ward was on leave (Earn Leave) from 9/5/18 to 13/5/18. He has to join duty on 14/5/18 but he informed me in phone that he wants to extend for 1 week but no written information/application form has been sent by him till date. So I would like to inform

Thanking you

Yours truly

Rajni

Rajni Bajaj

ANS AB<sub>2</sub> ward & ICU

~~Applied~~

Absent report rd on 29/5/18.

1 ~~Ans~~ ANS  
29/5/18

ANS  
29/5/18

Date - 18/5/18.

Noted  
AS I was on Exempt Duty.  
29-5-18.

forwarded for  
M.A.

31/5/18



*Annexure*  
*AD-1-C*

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)  
Ansari Nagar, New Delhi**

No. F: 17-24/2009 Estt (H)

Date: 11 JUN 2018

**MEMORANDUM****Subject: - Absence from Duty - Mr. Sanjay Saini, Nursing Officer**

\*\*\*\*\*

It has been reported by the Assistant Nursing Superintendent, AB2 Ward & ICU that Mr. Sanjay Saini, Nursing Officer was proceed on 5 days Earned Leave w.e.f. 09.05.18 to 13.05.18 which was duly sanctioned by the controlling authority. He was due to resume his duty on 14.05.18 after expiry of aforesaid leave, but did not reported for duty nor sent any intimation/ leave application till date for his unauthorized willful absence from duty and continue to be absent from duty till date without prior permission/ sanctioned of leave to him by the competent authority.

Mr. Sanjay Saini, Nursing Officer is therefore, directed to rejoin his duty immediately and submit his explanation for willful absence failing which action as deemed fit as per rules shall be initiated against him.

*Sharma*  
(G.R. PILLAI)

ADMINISTRATIVE OFFICER (H)

1. Mr. Sanjay Saini, Nursing Officer (AB2 Ward & ICU)  
F-195, Second Floor  
Lado Sarai, New Delhi-110030
  2. Mr. Sanjay Saini,  
Saini Bhavan, near old Police Station  
Malarna Doongar, Sawai,  
Madhopur, Rajasthan-322028
- 11/6/18*

**Copy To:-**

- 1 The Accounts Section II & III. (His Salary may not be released till further orders. Salary Code-N23045)
- 2 The Chief Nursing Officer.



120  
ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)  
Ansari Nagar, New Delhi

No. F: 17-24/2009 Estt (H)

Date: 02 JUN 2020

MEMORANDUM

Subject: - Absence from Duty - Mr. Sanjay Saini, Nursing Officer

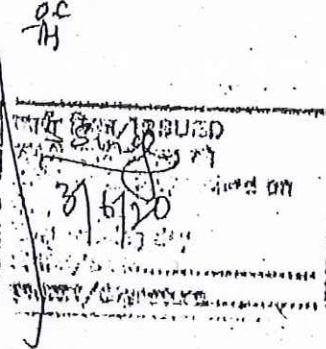
\*\*\*\*\*

Mr. Sanjay Saini, Nursing Officer informed that he is away from duty since 14.05.18 without any formal approval of the Competent Authority. He was directed to report for duty vide this office memorandum of even number dated 11.06.18. He neither reported for duty nor made any communication in response to the aforesaid office memorandum. He is thus, responsible for gross violation of the service rules.

Mr. Sanjay Saini, Nursing Officer is therefore, directed to report for his duty immediately failing which disciplinary action as deemed fit under the C.C.S. (C.C.A.) Rules, 1965 will be taken against him on amount of his unauthorized/willful absence from duty.

*Shew*  
(G.R. PILLAI)  
ADMINISTRATIVE OFFICER (H)

1. Mr. Sanjay Saini, Nursing Officer  
F-195, Second Floor, Lado Sarai  
New Delhi- 110030
2. Mr. Sanjay Saini, Nursing Officer,  
Saini Bhavan, near old police station,  
Malarna Doongar, Sawai, Madhopur,  
Rajasthan- 322028



Copy To:-

1. The Accounts Section II & III. (His Salary from 14.05.18 onwards may not be released till further orders. (Salary Code-N23045)
2. The Chief Nursing Officer.

Annexure - E

121

DOJ = 12/3/09  
DOB = 06/04/83  
Pay code = N23045

17/296  
From  
Sanjay Saini  
Nursing Officer  
AIMS MD  
110029

To,  
The medical superintendent  
AIMS MD  
Anandnagar  
110029.

Sanjay  
DNS  
9/7/21

Sub: Application to resume duty after the leave of absence.

Respected Sir,

I am Sanjay Saini, working as nursing officer in  
AIMS MD. My last duty was in ABZICU on 14.05.18 since  
then I was absent on duty due to personal reasons.  
I would like to resume my duties from today, 9/07/21;  
Kindly allow me to join, letter no F17-24/2009 Estt(H) attached.  
Kindly consider my application for the

same.

Thanking you.

Date: 9/07/21  
Place: - AIMS MD.

Yours faithfully  
Sanjay Saini  
SS

He was absent from duty on  
14/5/2018. He resume duty  
from today dated 9/7/2021.  
He will attached memo.  
No. F: 17-24/2009 Estt(H)

f. [Signature]  
09/07/21  
A/S

Sanjay  
DNS  
9/7/21

Filed

122 Annex - F

DOJ- 12/13/09  
DOB- 06/04/1983  
Pay code - N23045

9327

sanjay saini  
Main Hospital  
AIIMS Anand Nagar  
110029

11/27  
10/2/21

To, The medical superintendent

17/21  
DMS

AIIMS  
New Delhi  
110029

sub: Application to resume duty

Respected sir,

I am sanjay saini, working as nursing officer  
AIIMS. Batch 2009, would like to join back on  
my duties from 9/7/21.

kindly allow me to resume my duties.

Date: 9/07/21.

Thank you.

Yours faithfully

*[Signature]*

*[Signature]*  
DMS  
9/7/21

*[Signature]*  
09/07/21  
MS



To

The Medical Superintendent  
AIIMS NEW DELHI  
Ansari Nagar 110029

(Through proper channel)

Subject: undertaking regarding the leave of absence during the period of 14th may 2018 TO 8th July 2021.

Respected Sir

I Sanjay Saini, currently working as a nursing officer in C5 Ward, Joined AIIMS, on 12th March 2009. As per the above cited subject I took the leave of absence from 14th may 2018 to 8th July 2021 after that I have joined back on 9th July 2021. The primary reason for this leave of absence was psychosocial because my parents are old and remain sick most of the time and I am the only son to care for them over that I felt immense psychosocial pressure from my family and others as we were undergoing unexplained infertility treatment was last five years for which we were still taking the treatment these both things were causing so much disturbance which was further aggravated by the lock down due to covid-19 in this period I have tried many times to come back and join but things were very bad after much counseling and family understanding I finally convinced my parents and wife to join back my Institution on 9th July 2021.

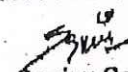
I hereby pledge solemnly that during this period I have not taken any part time or full time employment anywhere also during this period no criminal case of any kind was registered against me.

I am humbly requesting you to consider my case and do the needful as I have been serving my Institute from my heart and full passion and I promise to continue to do so. Kindly accept my undertaking, I will always remain grateful to you.

Date: 07.03.2022  
Place: AIIMS ND

Thanking you

Yours Faithfully



Sanjay Saini  
Nursing Officer  
C5 Ward AIIMS NEW DELHI

Noted  
Chh  
And  
7/3/22  
C5WD

No. F. 17-4/2009-Estt.(H)

Ansat Nagar, New Delhi-29  
Date: 28 MAY 2022

MEMORANDUM

1. It is proposed to hold an inquiry against Shri Sanjay Saini, Nursing Officer under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of imputation of misconducts or misbehaviors in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses, by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III & IV).
2. Shri Sanjay Saini, Nursing Officer is directed to submit within 10 days of the receipt of this memorandum a written statement of his defense and also to state whether he desires to be heard in person.
3. Shri Sanjay Saini, Nursing Officer is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.
4. Shri Sanjay Saini, Nursing Officer is further informed that if he does not submit his written statement of defense on or before the date specified in para 2 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, or the orders/directions issued in pursuance of the said Rule, the inquiring authority may hold the inquiry against him ex-parte.
5. Attention of Shri Sanjay Saini, Nursing Officer is invited to Rule 20 of the Central Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Shri Sanjay Saini, Nursing Officer is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the C.C.S (Conduct) Rules, 1964.
6. The receipt of this Memorandum may be acknowledged.

(PROF. RANDEEP GULERIA)  
Director & Disciplinary Authority

Shri Sanjay Saini, Nursing Officer,  
Through: Chief Nursing Officer (H)

26/5/22  
ED 6842418041H

स्वीकृत पोस्ट  
SPEED POST

Shri Sanjay Saini, Nursing Officer,  
R-195, 2<sup>nd</sup> Floor, Lado Sarai  
New Delhi-110030

RECEIVED  
26/5/2022  
Name of the officer  
Name of the office  
Place/Date  
Name/Signature

स्वीकृत पोस्ट

Shri Sanjay Saini, Nursing Officer,  
Saini Bhavan, Near Old Police Station,  
Malarna Doongar, Sawai Madhopur,  
Rajasthan-322028

ED 6842419231H



STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SHRI SANJAY SAINI,  
NURSING OFFICER POSTED IN THE MAIN HOSPITAL, AIIMS.

ARTICLE OF CHARGE

That the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorisedly absent from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No.17-24/2009-Estt.(H) dated 11.06.2018 & 02.06.2020.

By his act of unauthorized absence, Shri Sanjay Saini, Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3 (1) (ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1965 as applicable to the employees of the Institute.



(PROF. RANDEEP GULERIA)  
Director & Disciplinary Authority



STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE AGAINST SHRI SANJAY SAINI, NURSING OFFICER.

IMPUTATION OF ARTICLE OF CHARGE

It had been reported by Assistant Nursing Superintendent on 18.05.2018 that Shri Sanjay Saini, Nursing Officer, was absent from duty without prior permission or sanction of leave by the competent authority since 14.05.2018. As per report, Shri Sanjay Saini, Nursing Officer had applied for five days earned leave w.e.f. 09.05.2018 to 13.05.2018 and he was due to resume his duty on 14.05.2018. After receipt of absentee report, memorandum dated 11.06.2018 was issued to him in which he was directed to join his duty with immediate effect alongwith direction to the Accounts Section that his salary may not be released till further orders. Subsequently, an office memorandum dated 02.06.2020 was issued to him with the direction to join his duty with immediate effect without any delay. After issuing several directions/reminders, he reported back to duty on 09.07.2021 which was forwarded by Controlling Officer with the remarks "He was absent from duty on 14.05.2018. He resumed duty from today dated 09.07.2021. He will attached Memo No. F. 17-24/2009-Est.(H)". Thus he has failed to comply with the abovesaid orders and continued to remain absent from his duty unauthorizedly and is thus responsible for disruption in the smooth functioning of the Hospital.

All the correspondence were sent on his available address in the service book, but Shri Sanjay Saini, Nursing Officer failed to comply with the orders of this office and continued to be absent from his duty unauthorizedly from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021.

Shri Sanjay Saini, Nursing Officer by his above stated conduct, has failed to maintain devotion to duty and is not amenable to discipline and has thereby contravened Rule 3 (1) (ii), (iii) & (xviii) of the C.C.S. (Conduct) Rules, 1965.




(PROF. RANDEEP GULERIA)  
Director & Disciplinary Authority

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SHRI SANJAY SAINI, NURSING OFFICER AIIMS IS PROPOSED TO BE SUSTAINED

LIST OF DOCUMENTS

1. Earned Leave application dated 09.05.2018 for 5 days w.e.f. 09.05.2018 to 13.05.2018
2. Absentee report received from ANS on 05.06.2018.
3. Office Memo. issued to Shri Sanjay Saini, Nursing Officer on 11.06.2018 to report for duty immediately.
4. Office Memo. issued to Shri Sanjay Saini, Nursing Officer on 02.06.2020 to report for duty immediately.
5. Reply dated 09.07.2021 received from Shri Sanjay Saini, Nursing Officer.
6. Joining report received from DNS on 10.07.2021.
7. Undertaking regarding the leave of absence during the period of 14<sup>th</sup> May 2018 to 8<sup>th</sup> July 2021.

  
(PROF. RANDEEP GULERIA)  
Director & Disciplinary Authority

LIST OF WITNESSES BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SHRI SANJAY SAINI, NURSING OFFICER AIMS IS PROPOSED TO BE SUSTAINED.

1. Mrs. Meena Kumari  
Ex. Nursing Superintendent  
Main Hospital
2. Mrs. Teresa Bara  
Deputy Nursing Superintendent  
Main Hospital
3. Ms. Rajni Bajaj  
Asstt. Nursing Superintendent  
Main Hospital
4. Shri Ramesh Chander,  
Dealing Assistant  
Establishment Section (Hospital)



(PROF. RANDEEP GULERIA)  
Director & Disciplinary Authority



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No.F. 17-24/2009-Estt. (H)

Date:

ORDER

25 JUN 2022

WHEREAS an inquiry under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 is being held against Shri Sanjay Saini, Nursing Officer, AIIMS.

AND WHEREAS, the Disciplinary Authority considers that an Inquiring Authority should be appointed to inquire into the charge framed against the said Shri Sanjay Saini, Nursing Officer.

NOW, THEREFORE, Director (AIIMS) & Disciplinary Authority in exercise of the powers conferred by sub rule (2) of the said rules, hereby appoints Shri Rajender Singh, Administrative Officer, Recruitment Cell, AIIMS, New Delhi as the Inquiring Authority to inquire into the charges framed against the said Shri Sanjay Saini, Nursing Officer.

For & on behalf of the Director &  
the Disciplinary Authority



(DEO NATH SAH)

CHIEF ADMINISTRATIVE OFFICER

o/c

DISTRIBUTION:-

1. Shri Rajender Singh, Administrative Officer, Recruitment Cell, AIIMS & Inquiry Officer, along with a copy of charge sheet.
2. Shri Mahender Pal Singh, Asstt. Admn. Officer, Department of Pathology, AIIMS & Presenting Officer.
3. Shri Sanjay Saini, Nursing Officer, AIIMS  
Through: Chief Nursing Officer AIIMS.
4. Shri Sanjay Saini, Nursing Officer,  
F-195, 2<sup>nd</sup> Floor, Lado Sarai  
New Delhi-110030.
5. Shri Sanjay Saini, Nursing Officer,  
Saini Bhayan, Near Old Police Station,  
Malarna Doongar, Sawai Madhopur,  
Rajasthan-322028
6. Sr. Admn. Officer, Vigilance Cell, AIIMS for information.
7. Admn. Officer, Legal Cell, AIIMS for information.





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Annexure-J

To,

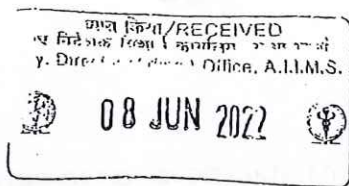
The Director

& Disciplinary Authority

All India Institute of Medical Sciences

Ansari Nagar,

New Delhi-110029.



Dated: 07-06-2022.



1952  
11/05/22  
Date.....

Subject:- Proposal to hold an inquiry against Sh. Sanjay Saini, Nursing Officer, Main Hospital, A.I.I.M.S., New Delhi under Rule 14 of the Central Civil Services (Classification, Control & Appeal) Rules, 1965 – Submission of Statement of Defence.

Ref:- Memorandum No. F.17-24/2009-Estt.(H) dated 26<sup>th</sup> May, 2022.

Respected Sir,

In response to your Memorandum dated 26<sup>th</sup> May, 2022 (received by me on 29<sup>th</sup> May, 2022), I hereunder submit my statement of defence for your kind and sympathetic consideration for grant of justice to me as I am innocent.

Statement of of Article of Charge framed against Shri Sanjay Saini, Nursing Officer, posted in the Main Hospital, AIIMS.

That the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorizedly absent from duty 1152 days w.e.f. 14.05.2018 to 08-07-2022 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No. 17-24/2009-Estt.(H) dated 11.06.2018 & 02-06-2020.

By his act of unauthorized absence, Shri Sanjay Saini, Nursing Officer has

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8/6/22

11/6/22  
JAO

De  
10/6/22  
AD(A)



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shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3 (1) (ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1965 as applicable to the employees of the Institute.

Imputation of Article of Charge:-

It had been reported by Assistant Nursing Superintendent on 18.05.2018 that Shri Sanjay Saini, Nursing Officer, was absent from duty without prior permission or sanction of leave by the competent authority since 14.05.2018. As per report, Shri Sanjay Saini, Nursing Officer had applied for five days earned leave w.e.f. 09-05-2018 to 13-05-2018 and he was due to resume his duty on 14.05.2018. After receipt of absentee report, memorandum dated 11.06.2018 was issued to him in which he was directed to join his duty with immediate effect along with direction to the Accounts Section that his salary may not be released till further orders. Subsequently, an office memorandum dated 02-06-2020 was issued to him with the direction to join his duty with immediate effect without any delay. After issuing several directions/reminders, he reported back to duty on 09-07-2021 which was forwarded by Controlling Officer with the remarks "He was absent from duty on 14.05.2018. He resumed duty from today dated 09-07-2021. He will attached Memo. No. F.17-24/2009-Estt.(H)". Thus he has failed to comply with the aforesaid orders and continued to remain absent from his duty unauthorisedly and is thus responsible for disruption in the smooth functioning of the Hospital.

All the correspondence were sent on his available address in the service book, but Shri Sanjay Saini, Nursing Officer failed to comply with the orders of this office and continued to be absent from his duty unauthorisedly from duty 1152 days w.e.f. 14.05.2018 to 08-07-2021.

Shri Sanjay Saini, Nursing Officer by his above stated conduct, has

Contd.....P/3.

failed to maintain devotion to duty and is not amenable to discipline and has thereby contravened Rule 3 (1) (ii), (iii) & (xviii) of the C.C.S. (Conduct Rules, 1965.

Statement of Defence.

1. That I had applied for and was granted Earned Leave for a period of 5 days w.e.f. 09-05-2018 to 13-05-2018 on account of some emergent family circumstances.
2. That as due to my continuing unavoidable and domestic circumstances I was not able to join duty after 13.05.2018, I had duly informed and requested my superior officer for extension of my leave for which I would submit my leave application on joining duty. Accordingly I continued my leave further from 14.05.2018 till 08.07.2021 and joined my duty w.e.f. 09-07-2021 and have been continuously performing my duties since then. The primary reason for this leave of absence was psychosocial because my parents are old and remain sick most of the time and I am the only son to care for them over that I felt immense psychosocial pressure from my family and others as we were undergoing unexplained infertility treatment during the last five years for which we were still taking the treatment, these both things were causing so much disturbance which was further aggravated by the lock down due to covid-19. During this period I tried many times to come back and join duty but things were very bad after much counseling and family understanding I finally convinced my parents and wife to join back my Institution on 9<sup>th</sup> July, 2021. Additionally, during my above leave period my parents also had some age related ailments and, therefore, had to look after their proper treatment also. I hereby pledge solemnly that during this period I have not taken any part time or full time employment anywhere also during this period no criminal case of any kind was registered against me.

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3. That somehow I did not receive memos No. F.17-24/2009-Estt. (H) dated 11.06.2018 and 02-06-2020 stated to have been issued to me.
4. I joined my duty w.e.f. 09-07-2021 and duly submitted my leave application for the extended period of absence from duty and also submitted my joining report on the same day.

HUMBLER PRAYER

In view of the aforesaid circumstances it is, therefore, humbly prayed that since my above period of absence from duty was not willful but solely due to my compelling and unavoidable domestic circumstances, I may kindly be granted leave of the kind due and admissible to me under the rules for the period w.e.f. 14-05-2018 to 08-07-2021 (1152 days) which shall be highly appreciated. It is also, therefore, further humbly prayed that the above-mentioned article of charge framed against me may kindly be dropped for which I shall remain highly indebted to you and the Institute.

It is further humbly submitted that ever since I joined the Institute as Nursing Officer in 2009, I have been serving the Institute sincerely, honestly with complete devotion to my duties and responsibilities without any complaint whatsoever regarding my work and conduct and pledge to continue the same in future as well.

It is also further humbly prayed that I may kindly be granted an early opportunity of a personal hearing in this regard which shall be highly appreciated.

Thanking you in anticipation,

Yours faithfully,

  
( Sanjay Saini )

Nursing Officer

Main Hospital, AIIMS, New Delhi.





-N/33-

Shri Sanjay Saini, Nursing Officer has been charge sheeted vide memo No.17-24/2009-Estt.(H) on 26.05.2022 (F/A) under Rule 14 of the CCS (CCA) Rules 1965 with the following article of charge :-

#### ARTICLE OF CHARGE

That the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorisedly absent from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No.17-24/2009-Estt.(H) dated 11.06.2018 & 02.06.2020.

By his act of unauthorized absence, Shri Sanjay Saini, Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3 (1) (ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1964 as applicable to the employees of the Institute.

#### IMPUTATION OF ARTICLE OF CHARGE

It had been reported by Assistant Nursing Superintendent on 18.05.2018 that Shri Sanjay Saini, Nursing Officer, was absent from duty without prior permission or sanction of leave by the competent authority since 14.05.2018. As per report, Shri Sanjay Saini, Nursing Officer had applied for five days earned leave w.e.f. 09.05.2018 to 13.05.2018 and he was due to resume his duty on 14.05.2018. After receipt of absentee report, memorandum dated 11.06.2018 was issued to him in which he was directed to join his duty with immediate effect alongwith direction to the Accounts Section that his salary may not be released till further orders. Subsequently, an office memorandum dated 02.06.2020 was issued to him with the direction to join his duty with immediate effect without any delay. After issuing several directions/reminders, he reported back to duty on 09.07.2021 which was forwarded by Controlling Officer with the remarks "He was absent from duty on 14.05.2018. He resumed duty from today dated 09.07.2021. He will attached Memo No. F. 17-24/2009-Estt.(H)". Thus he has failed to comply with the abovesaid orders and continued to remain absent from his duty unauthorizedly and is thus responsible for disruption in the smooth functioning of the Hospital.

All the correspondence were sent on his available address in the service book, but Shri Sanjay Saini, Nursing Officer failed to comply with the orders of this office and continued to be absent from his duty unauthorizedly from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021.

Shri Sanjay Saini, Nursing Officer by his above stated conduct, has failed to maintain devotion to duty and is not amenable to discipline and has thereby contravened Rule 3 (1) (ii), (iii) & (xviii) of the C.C.S. (Conduct) Rules, 1964.

Shri Sanjay Saini, Nursing Officer, Main Hospital was asked to submit his written statement of defence on charge sheet issued to him within 10 days, the reply was received from him on 07.06.2022 (F/B) which was considered by competent authority the same was not satisfactory and Shri Rajender Singh, Administrative Officer, Recruitment Cell, AIIMS was appointed as an Inquiry Officer (F/C) and Shri Mahender P.I. Singh, Assistant Administrative Officer, Department of Pathology, (Now R.P. Centre), AIIMS was appointed as Presenting Officer (F/D) by Disciplinary Authority vide order No.F. 17-24/2009-Estt.(H) w.e.f. 25.06.2022 to inquire into the charges levelled/framed against the charged official Shri Sanjay Saini, Nursing Officer, Main Hospital.

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The Inquiry Report after conducting the inquiry has been received from Shri Rajender Singh, Administrative Officer, Recruitment Cell, AIIMS and Inquiry Officer in the Disciplinary case of Shri Sanjay Saini, Nursing Officer, Main Hospital, AIIMS on 23.03.2023. (F/E)

#### DETAILS OF INQUIRY PROCEEDINGS

The *Preliminary Hearing* of the case vide Notice No.F-1/2022/SS/Inquiry(Ret) dated 04.08.2022 (Annexure-I) was issued to the Charged Official (C.O.) and Presenting Officer (P.O.) for intimating the date, time and venue of Preliminary Hearing fixed for 12.08.2022 at 11:00 A.M. to inquire into the charges levelled against the C.O. vide charge sheet memorandum No.F.17-24/2009-Estt.(H) dated 26.05.2022 issued under Rule 14 of CCS (CCA) Rules 1965. The C.O. was informed vide notice that in case he fails to attend the said Hearing on 12.08.2022, the inquiry proceedings will be taken ex-parte. Copy of the same notice was sent to the C.O. through speed post on all his addresses (temporary and permanent) available in records. However, notice sent at address mentioned as F-195, 2nd Floor, Lado Sarai, New Delhi-110030 returned (Annexure-II).

The Preliminary Hearing began on 12.08.2022 at 11:00 A.M. The (C.O.) informed that he will take the services of defence assistant and submit the details of his Defence Assistant in the next hearing. Accordingly, next date of hearing was scheduled to be held on 06.09.2022 at 11:00 A.M. (Annexure-III).

Next Regular Hearing began on 06.09.2022 at 11:00 A.M. (Annexure-IV). I.O. given the opportunity to C.O. that latest by 26.09.2022 he should submit a list of additional documents he wishes to be inspect and also if there is any defence witness, give full particulars of him and his relevance to the case. In the hearing, Prosecution Witness (PW-1) Mrs. Meena Kumari, Ex. Nursing Superintendent, Main Hosp, AIIMS, New Delhi and (PW-2), Mrs. Teresa Bara, Deputy Nursing Superintendent, Main Hosp., AIIMS, New Delhi were summoned for their deposition in the case. (Annexure-V). The C.O. vide his letter dated 07.06.2022 partially denied the charges leveled against him that he was absent during that period but his period of absence was not willful & unauthorized (Annexure-VI). C.O. also vide his letter dated 06.09.2022 nominated his defence assistant Mr. H. E. Arora, Retd. Senior Admn. Officer, AIIMS, New Delhi. (Annexure-VII). Next date of the hearing was scheduled to be held on 29.10.2022 at 10:00 A.M.

Next Hearing was held on 29.09.2022 at 10:00 A.M in the office of Administrative Officer, Recruitment Cell (Annexure-VIII). C.O. vide his letter dated 26.09.2022 asked the I.O. for giving 10 more days for submission of additional defense documents to be submitted and defence witnesses to be produced before I.O., which the I.O. allowed. (Annexure-IX)

On Examination-in-chief by Presenting Officer the PW-1 expressed that chargesheet is genuine and also expressed that no written communication was made by C.O. during the period 14.05.2018 to 08.07.2021 (1152 days). However, PW-1 has no general complaint against C.O. On Cross-examination by the Defence Assistant of Charged Official, PW-1 reported that C.O. was not direct under her supervision and she doesn't remember whom he was reporting then. PW-1 doesn't remember who deal with the leave applications, also there was no communication from both sides. (Annexure-X).

On Examination-in-chief by Presenting Officer, the PW-2 expressed the genuineness of the chargesheet, and also expressed that no written communication was made by C.O. during the period 14.05.2018 to 08.07.2021 (1152 days). However, PW-2 has no general complaint against C.O. On Cross-examination by the Defence Assistant of Charged Official, the PW-2 reported that C.O. was not direct under her supervision and she doesn't remember whom he was reporting then. PW-2 doesn't remember who was dealing with the leave applications; also there was no communication from both sides. (Annexure-XI).

Proceedings adjourned with the direction for next date of hearing scheduled to be held 19.10.2022 at 10:00 A.M

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सर्वेभ्यो भूतबलम्  
 ॐ श्रीगणेशाय नमः  
 A.I.I.M.S.

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Next Regular Hearing was held scheduled to be fixed on 19.10.2022 at 10:00 A.M. (PW-3) Mrs. Rajni Bajaj, Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi was summoned before I.O. for her deposition in the case. (Annexure-XII). (PW-4) Sh. Ramesh Chander, Dealing Assistant, Establishment Section (Hospital), AIIMS, New Delhi was also summoned before I.O. for his deposition in the case (Annexure-XIII). Summon notice sent to (PW3) was returned from Chief Nursing Officer saying that Mrs. Rajni Bajaj has retired in the month of April 2021. However, her mobile no. was provided. (Annexure-XIV).

Regular Hearing began on 19.10.2022 at 10:00 AM (Annexure-XV). On Examination-in-Chief by Presenting Officer of Sh. Ramesh Chander, Dealing Assistant, Establishment Section (Hospital), AIIMS, New Delhi - Prosecution Witness 4 (PW-4) told that he was dealing the personal file of Sh. Sanjay Saini, Nursing Officer. PW-4 also received the absent report of Sh. Sanjay Saini, Nursing Officer. PW-4 also confirmed that two memoranda were issued to Sh. Sanjay Saini, Nursing Officer dated 11.06.2018 and 02.06.2020 to join back the duty immediately. Then PW-4 was cross-examined by the Defence Assistant of Charged Official and PW4 told that 5 days (09.05.2018 to 13.05.2018) EL was granted to Sh. Sanjay Saini due to some family emergency. PW-4 also told that as far as extension of leave is concerned phone call was received from Sh. Sanjay Saini to Mrs. Rajni Bajaj, Asstt. Nursing Superintendent, Main Hospital for One week and which was not recommended. Further, PW-4 told no show cause notice was served, but two Memoranda were issued to him and there was no response from the Charge Official to the same. (Annexure-XVI).

C.O. submitted additional defence documents for perusal of I.O. Some photocopies of treatment of his mother and his wife were submitted (Annexure-XVII). No defence witness came to attend the hearing to substantiate the additional defence documents. In the hearing Prosecution Witness (PW-3) Mrs. Rajni Bajaj, then Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi did not appear before the Inquiry Officer.

Final date of hearing was scheduled to be held on 28.11.2022 at 10:00 AM (Annexure VIII). A summon notice dated 18.11.2022 was sent to PW-3 to her new address Mrs. Rajni Bajaj, then Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi-(PW3) to attend the hearing. (Annexure-XIX). She expressed her unwillingness (telephonically) to attend the hearing due to some prior commitments. P.O. wants to give one more chance to examine PW-3. (Annexure-XX).

Final date of hearing was rescheduled to be held on 16.12.2022 at 10:00 AM (Annexure-XXI). and Mrs. Rajni Bajaj, then Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi-(PW3) was summoned again to attend the hearing with Summon notice dated: 09.12.2022 sent to her new address. (Annexure-XXII).

Final hearing was could not be held on 16.12.2022 due to administrative reasons and was, therefore, rescheduled to be held on 23.01.2023 at 10:30 A.M. (Annexure-XXIII). Summon notice was again sent to Mrs. Rajni Bajaj, Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi-(PW3) for her deposition in the case to be taken on 23.01.2023 at 10:30 AM. (Annexure-XXIV).

Final Hearing of the case began on 23.01.2023 at 10:30 and concluded after the verbal and documentary evidence taken from PW-3 (Annexure-XXV).

Deposition of PW-3 was taken before I.O. and PW-3 expressed the genuineness of the chargesheet. Sh. Sanjay Saini verbally communicated on telephone to PW-3 for his absence during the period 14.05.2018 to 08.07.2021 (1152 days). PW-3 also expressed that she has no general complaint from her side. On cross-examination by defense assistant of C.O., PW-3 confirmed the EL for the period 09-05-2018 to 13-05-2018(5 Days) was recommended by her initially applied for by Shri Sanjay Saini. After expiry of E.L. C.O. did not report on duty instead informed PW-3 on phone but PW-3 asked him to give written application, C.O. did not submitted written application. C.O. did not join till PW-3's retirement. PW-3 also stated that C.O. did not apply for extension in written so, she did not recommended his leave for the period. (Annexure-XXVI).

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#### WRITTEN BRIEF BY PRESENTING OFFICER

P.O. submitted his written brief vide No.Inq5/MPS/2022(PO) dated 07.02.2023, all the listed documents were adduced before the Inquiry Official during the course for Inquiry. Four Prosecution Witnesses were produced before the I.O. On the basis of oral & written statement of the Prosecution Witnesses and Cross-examined by defence assistant, the charges framed against

Mr. Sanjay Saini, Nursing Officer, Main Hosp, AIIMS, New Delhi that he absented himself unauthorisedly from his duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without approval/permission of the Competent Authority is **STAND PROVED**. (Annexure-XXVII).

#### REPRESENTATION OF SH. SANJAY SAINI, CHARGED OFFICIAL

C.O. submitted his representation to I.O. against the written brief submitted by P.O. dated 27.02.2023, which is baseless and frivolous. The inquiry was conducted in a free & fair manner. Based on documentary evidence and deposition of all the PW's & even the deposition of all the retired PW's were taken. It is pertinent to mention here that Hospital services come under essential services, and absention for 1152 days without permission from Competent Authorities leads to gross misconduct. If C.O. or his family members need any treatment, AIIMS, New Delhi is the best Hospital and can give best treatment to these diseases/ailments. Absention for such a long time without proper permission clearly shows that C.O. left the Institution with the intention not to join back. (Annexure-XXVIII).

#### FINDINGS & DECISION OF THE INQUIRY OFFICER

On the basis of findings/observations during the course of inquiry, depositions of Prosecution Witnesses and relying upon the documents including the written brief submitted by the PO, I have reached to the conclusion that the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorisedly absent from duty for 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No. F.17-24/2009-Estt.(H) dated 11.06.2018 & 02.06.2020. By his act of unauthorized absence, Shri Sanjay Saini, Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3 (1) (ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1964 as applicable to the employees of the Institute.

Accordingly, the charges leveled vide Memorandum No.F.17-24/2009-Estt.(H) dated 26.05.2022, against Sh. Sanjay Saini, Nursing Officer, Main Hosp., AIIMS, New Delhi under Rules 14 of CCS (CCA) Rules, 1965 stands **PROVED** on the basis of inquiry conducted against the C.O. Thus, the inquiry proceedings now completed accordingly.

Rule 15 (2) of CCS (CCA) Rules 1965 states as under:-

"The Disciplinary Authority shall forward or cause to be forwarded a copy of the report of the inquiry, if any, held by the Disciplinary Authority or where the Disciplinary Authority is not the Inquiring Authority, a copy of the report of the Inquiring Authority together with its own tentative reasons for disagreement, if any, with the findings of Inquiring Authority on any article of charge to the Government servant who shall be required to submit, if he so desires, his written representation or submission to the Disciplinary Authority within 15 (fifteen) days, irrespective of whether the report is favourable or not to the Government Servant"

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अभोगांआंरं  
A.I.I.M.S.

N/37-

Contd...from pre-page:-

In view of on pre-page, it is submitted as under:-

1) The Director (AIIMS) and Disciplinary Authority may kindly peruse the Inquiry Report for its acceptance.

2) If the Inquiry report is accepted by the Director (AIIMS) and Disciplinary Authority, we may forward a copy of Inquiry Report to Shri Sanjay Saini, Nursing Officer, Main Hospital with the direction that he may make any representation or submission in writing to The Director and Disciplinary Authority within 15 days of receipt of the Memorandum if he wishes to do so.

1) & 2) above are submitted for consideration and approval please.

-31/2776  
3357

Sanjay 24/4/23  
A.D.(H) 26/4/23  
A.D.(H) 26/4/23

क कार्यालय, अ.भा.अ.स.  
प्राप्त किया  
01 MAY 2023  
RECEIVED  
DR OFFICE, A.I.I.M.S.

F/I (H) 26/04/2023  
M.S.(H) 26/4

C.A.O.  
27/4/2023

28 APR 2023  
RECEIVED  
DR OFFICE, A.I.I.M.S.

Add: D.A. (Admin) 28/4

Director  
25/4/2023

C.A.O.  
25/4/2023

A.D.(H) 04/05/2023  
Ms. Kavita, AAO  
Ms. Sanjay 04/05/23  
6/5/23



140

Annexure-1

Confidential/  
By hand



ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI - 110029

No.1/Inquiry/2021/Rct.

March, 23<sup>th</sup> 2022

To,

The Director,  
AIIMS, Ansari Nagar,  
New Delhi-110029.

**Subject: Inquiry Report in the matter of charges framed against Shri Sanjay Saini, Nursing Officer, AIIMS, New Delhi under Rule 14 of the CCS (CCA) Rules, 1965.**

Sir,


I am to refer to Order No.F.17-24/2009-Estt.(H) dated 25/06/2022, whereby the undersigned has been appointed as Inquiry Authority to inquire into the charges framed against Shri Sanjay Saini, Nursing Officer, AIIMS, New Delhi.

I have conducted the inquiry against Shri Sanjay Saini, Nursing Officer in accordance with the procedures prescribed for Inquiry proceedings in CCS (CCA) Rules, 1965. An Inquiry report dated 23<sup>rd</sup> March, 2023 along with Annexures mentioned therein (in original) is enclosed herewith for further necessary action.

Please acknowledge receipt.

Yours faithfully,

Encl. As above.

  
23/3/2023  
(Rajender Singh)  
Inquiry Officer &  
Administrative Officer  
Recruitment Cell  
AIIMS, New Delhi.

राजेन्द्र सिंह/RAJENDER SINGH  
प्रशासनिक अधिकारी/Administrative Officer  
भर्ती प्रकोष्ठ/Recruitment Cell  
अ. प्र. आ. सं., अंसारी नगर, नई दिल्ली-20  
A.I.I.M.S., Ansari Nagar, New Delhi-20

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Pear  
24/2/2023

27/3/2023  
27/3/23  
Mr. Sanjay  
27/3/23



ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
Ansari Nagar, New Delhi-110029  
(Recruitment Cell)

No. F-1/Inquiry/2021/Rct.

Dated: 23.03.2023

INQUIRY REPORT

Subject: Departmental inquiry into the charges framed against Sh. Sanjay Saini, Nursing Officer, AIIMS, New Delhi.

INTRODUCTION

The undersigned has been appointed as Inquiry Officer (I.O.) vide Order No.F.17-24/2019-Estt.(H) dated 25.06.2022 issued by Chief Administrative Officer for & on behalf of Disciplinary Authority & Director, AIIMS, New Delhi to inquire into the charges levelled against Sh. Sanjay Saini, Nursing Officer, AIIMS, New Delhi under Rules 14 of CCS (CCA) Rules, 1965. Charge Sheet Memorandum No.F.17-24/2019-Estt.(H) dated 26.05.2022 was issued to the Charged Official (C.O.). Sh. Mahender Pal Singh, Assistant Administrative Officer, General Section (now R.P. Centre) , AIIMS, New Delhi has been appointed as Presenting Officer (PO) in this case by the Chief Admin. Officer for & on behalf of Director & Disciplinary Authority.

ARTICLE OF CHARGE

That the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorisedly absent from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No. F.17-24/2019-Estt.(H) dated 11.06.2018 & 02.06.2020.

By his act of unauthorized absence , Shri Sanjay Saini , Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini , Nursing Officer has contravened Rule 3 ( 1 ) ( ii ) , ( iii ) & ( xviii ) of the CCS ( Conduct ) Rules , 1964 as applicable to the employees of the Institute.

IMPUTATION OF ARTICLE OF CHARGE

It had been reported by Assistant Nursing Superintendent on 18.05.2018 that Shri Sanjay Saini, Nursing Officer, was absent from duty without prior permission or sanction of leave by the competent authority since 14.05.2018. As per report, Shri Sanjay Saini, Nursing Officer had applied for five days earned leave w.e.f. 09.05.2018 to 13.05.2018 and he was due to resume his duty on 14.05.2018. After receipt of absentee report, memorandum dated 11.06.2018 was issued to him in which he was directed to join his duty with immediate effect alongwith direction to the Accounts Section that his salary may not be released till further orders. Subsequently, an office memorandum dated 02.06.2020 was issued to him with the direction to



join his duty with immediate effect without any delay. After issuing several directions/reminders, he reported back to duty on 09.07.2021 which was forwarded by Controlling Officer with the remarks "He was absent from duty on 14.05.2018. He resumed duty from today dated 09.07.2021. He will attached Memo No. F. 17-24/2009-Estt(H)". Thus he has failed to comply with the abovesaid orders and continued to remain absent from his duty unauthorizedly and is thus responsible for disruption in the smooth functioning of the Hospital.

All the correspondence were sent on his available address in the service book, but Shri Sanjay Saini, Nursing Officer failed to comply with the orders of this office and continued to be absent from his duty unauthorizedly from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021

Shri Sanjay Saini, Nursing Officer by his above stated conduct, has failed to maintain devotion to duty and is not amenable to discipline and has thereby contravened Rule 3 (1) (ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1964.

#### DETAILS OF INQUIRY PROCEEDINGS

The *Preliminary Hearing* of the case vide Notice No.F-1/2022/SS/Inquiry(Rct) dated 04.08.2022 (**Annexure-I**) was issued to the Charged Official (C.O.) and Presenting Officer (P.O.) for intimating the date, time and venue of Preliminary Hearing fixed for 12.08.2022 at 11:00 A.M. to inquire into the charges levelled against the C.O. vide charge sheet memorandum No.F.17-24/2009-Estt.(H) dated 26.05.2022 issued under Rule 14 of CCS (CCA) Rules 1965. The C.O. was informed vide notice that in case he fails to attend the said Hearing on 12.08.2022, the inquiry proceedings will be taken ex-parte. Copy of the same notice was sent to the C.O. through speed post on all his addresses (temporary and permanent) available in records. However, notice sent at address mentioned as F-195, 2<sup>nd</sup> Floor, Lado Sarai, New Delhi-110030 returned (**Annexure-II**).

The *Preliminary Hearing* began on 12.08.2022 at 11:00 A.M. The (C.O.) informed that he will take the services of defence assistant and submit the details of his Defence Assistant in the next hearing. Accordingly, next date of hearing was scheduled to be held on 06.09.2022 at 11:00 A.M. (**Annexure-III**).

Next Regular Hearing began on 06.09.2022 at 11:00 A.M. (**Annexure-IV**). I.O. given the opportunity to C.O. that latest by 26.09.2022 he should submit a list of additional documents he wishes to be inspect and also if there is any defence witness, give full particulars of him and his relevance to the case. In the hearing, Prosecution Witness (PW-1) Mrs. Meena Kumari, Ex. Nursing Superintendent, Main Hosp, AIIMS, New Delhi and (PW-2), Mrs. Teresa Bara, Deputy Nursing Superintendent, Main Hosp., AIIMS, New Delhi were summoned for their deposition in the case. (**Annexure-V**). The C.O. vide his letter dated 07.06.2022 partially denied the charges levelled against him that he was absent during that period but his period of absence was not willful & unauthorized (**Annexure-VI**). C.O. also vide his letter dated 06.09.2022 nominated his defence assistant Mr. H. L. Arora, Retd. Senior Admn. Officer, AIIMS, New Delhi. (**Annexure-VII**). Next date of the hearing was scheduled to be held on 29.10.2022 at 10:00 A.M.



Next *Hearing* was held on 29.09.2022 at 10:00 A.M in the office of Administrative Officer, Recruitment Cell (**Annexure-VIII**). C.O. vide his letter dated 26.09.2022 asked the I.O. for giving 10 more days for submission of additional defense documents to be submitted and defence witnesses to be produced before I.O., which the I.O. allowed. (**Annexure-IX**)

On Examination-in-chief by Presenting Officer the PW-1 expressed that chargesheet is genuine and also expressed that no written communication was made by C.O. during the period 14.05.2018 to 08.07.2021 (1152 days). However, PW-1 has no general complaint against C.O. On Cross-examination by the Defence Assistant of Charged Official, PW-1 reported that C.O. was not direct under her supervision and she doesn't remember whom he was reporting then. PW-1 doesn't remember who deal with the leave applications, also there was no communication from both sides. (**Annexure-X**).

On Examination-in-chief by Presenting Officer, the PW-2 expressed the genuineness of the chargesheet, and also expressed that no written communication was made by C.O. during the period 14.05.2018 to 08.07.2021 (1152 days). However, PW-2 has no general complaint against C.O. On Cross-examination by the Defence Assistant of Charged Official, the PW-2 reported that C.O. was not direct under her supervision and she doesn't remember whom he was reporting then. PW-2 doesn't remember who was dealing with the leave applications; also there was no communication from both sides. (**Annexure-XI**).

Proceedings adjourned with the direction for next date of hearing scheduled to be held 19.10.2022 at 10:00 A.M

Next *Regular Hearing* was held scheduled to be fixed on 19.10.2022 at 10:00 A.M. (PW-3) Mrs. Rajni Bajaj, Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi was summoned before I.O. for her deposition in the case. (**Annexure-XII**). (PW-4) Sh. Ramesh Chander, Dealing Assistant, Establishment Section (Hospital), AIIMS, New Delhi was also summoned before I.O. for his deposition in the case (**Annexure-XIII**). Summon notice sent to (PW3) was returned from Chief Nursing Officer saying that Mrs. Rajni Bajaj has retired in the month of April 2021. However, her mobile no. was provided. (**Annexure-XIV**).

Regular Hearing began on 19.10.2022 at 10:00 AM (**Annexure-XV**). On Examination-in-Chief by Presenting Officer of Sh. Ramesh Chander, Dealing Assistant, Establishment Section (Hospital), AIIMS, New Delhi - Prosecution Witness 4 (PW-4) told that he was dealing the personal file of Sh. Sanjay Saini, Nursing Officer. PW-4 also received the absent report of Sh. Sanjay Saini, Nursing Officer. PW-4 also confirmed that two memoranda were issued to Sh. Sanjay Saini, Nursing Officer dated 11.06.2018 and 02.06.2020 to join back the duty immediately. Then PW-4 was cross-examined by the Defence Assistant of Charged Official and PW4 told that 5 days (09.05.2018 to 13.05.2018) EL was granted to Sh. Sanjay Saini due to some family emergency. PW-4 also told that as far as extension of leave is concerned phone call was received from Sh. Sanjay Saini to Mrs. Rajni Bajaj, Asstt. Nursing



Superintendent, Main Hospital for One week and which was not recommended. Further, PW-4 told no show cause notice was served, but two Memoranda were issued to him and there was no response from the Charge Official to the same. (Annexure-XVI).

C.O. submitted additional defence documents for perusal of I.O. Some photocopies of treatment of his mother and his wife were submitted (Annexure-XVII). No defence witness came to attend the hearing to substantiate the additional defence documents. In the hearing Prosecution Witness (PW-3) Mrs. Rajni Bajaj, then Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi did not appear before the Inquiry Officer.

Final date of hearing was scheduled to be held on 28.11.2022 at 10:00 AM (AnnexureVIII). A summon notice dated 18.11.2022 was sent to PW-3 to her new address Mrs. Rajni Bajaj, then Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi-(PW3) to attend the hearing. (Annexure-XIX). She expressed her unwillingness (telephonically) to attend the hearing due to some prior commitments. P.O. wants to give one more chance to examine PW-3. (Annexure-XX).

Final date of hearing was rescheduled to be held on 16.12.2022 at 10:00 AM (Annexure-XXI). and Mrs. Rajni Bajaj, then Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi-(PW3) was summoned again to attend the hearing with Summon notice dated: 09.12.2022 sent to her new address. (Annexure-XXII).

Final hearing was could not be held on 16.12.2022 due to administrative reasons and was, therefore, rescheduled to be held on 23.01.2023 at 10:30 A.M. (Annexure-XXIII). Summon notice was again sent to Mrs. Rajni Bajaj, Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi-(PW3) for her deposition in the case to be taken on 23.01.2023 at 10:30 AM. (Annexure-XXIV).

Final Hearing of the case began on 23.01.2023 at 10:30 and concluded after the verbal and documentary evidence taken from PW-3 (Annexure-XXV).

Deposition of PW-3 was taken before I.O. and PW-3 expressed the genuineness of the chargesheet. Sh. Sanjay Saini verbally communicated on telephone to PW-3 for his absence during the period 14.05.2018 to 08.07.2021 (1152 days). PW-3 also expressed that she has no general complaint from her side. On cross-examination by defense assistant of C.O., PW-3 confirmed the EL for the period 09-05-2018 to 13-05-2018(5 Days) was recommended by her initially applied for by Shri Sanjay Saini. After expiry of E.L. C.O. did not report on duty instead informed PW-3 on phone but PW-3 asked him to give written application, C.O. did not submitted written application. C.O. did not join till PW-3's retirement. PW-3 also stated that C.O. did not apply for extension in written so, she did not recommended his leave for the period. (Annexure-XXVI).

#### WRITTEN BRIEF BY PRESENTING OFFICER

P.O. submitted his written brief vide No.Inq5/MPS/2022(PO) dated 07.02.2023, all the listed documents were adduced before the Inquiry Official during the course for Inquiry. Four Prosecution Witnesses were produced before the I.O. On the basis of oral & written statement of the Prosecution Witnesses and Cross-examined by defence assistant, the charges framed against



Mr. Sanjay Saini, Nursing Officer, Main Hosp, AIIMS, New Delhi that he absented himself unauthorisedly from his duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without approval/permission of the Competent Authority is **STAND PROVED**. (Annexure-XXVII).

**REPRESENTATION OF SH. SANJAY SAINI, CHARGED OFFICIAL**

C.O. submitted his representation to I.O. against the written brief submitted by P.O. dated 27.02.2023, which is baseless and frivolous. The inquiry was conducted in a free & fair manner. Based on documentary evidence and deposition of all the PW's & even the deposition of all the retired PW's were taken. It is pertinent to mention here that Hospital services come under essential services, and absenting for 1152 days without permission from Competent Authorities leads to gross misconduct. If C.O. or his family members need any treatment, AIIMS, New Delhi is the best Hospital and can give best treatment to these diseases/ailments. Absenting for such a long time without proper permission clearly shows that C.O. left the Institution with the intention not to join back. (Annexure-XXVIII).


**FINDINGS & DECISION OF THE INQUIRY OFFICER**

On the basis of findings/observations during the course of inquiry, depositions of Prosecution Witnesses and relying upon the documents including the written brief submitted by the PO, I have reached to the conclusion that the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorisedly absent from duty for 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No. F.17-24/2009-Estt(H) dated 11.06.2018 & 02.06.2020. By his act of unauthorized absence, Shri Sanjay Saini, Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3 (1) (ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1964 as applicable to the employees of the Institute.

Accordingly, the charges leveled vide Memorandum No.F.17-24/2009-Estt.(H) dated 26.05.2022, against Sh. Sanjay Saini, Nursing Officer, Main Hosp., AIIMS, New Delhi under Rules 14 of CCS (CCA) Rules, 1965 stands **PROVED** on the basis of inquiry conducted against the C.O. Thus, the inquiry proceedings now completed accordingly.

Encls: As above

New Delhi,  
Dated: 23.03.2022

  
23/3/2025  
[Rajender Singh]

Inquiry Officer & Administrative Officer

राजेन्द्र सिंह/RAJENDER SINGH  
प्रशासनिक अधिकारी/Administrative Officer  
भर्ती प्रकोष्ठ/Recruitment Cell  
अ. भा. आ. सं., अंसारी नगर, नई दिल्ली-२६  
A.I.I.M.S., Ansari Nagar, New Delhi-29

भारतीय आयुर्विज्ञान संस्थान / ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
अंसारी नगर, नई दिल्ली-29/ ANSARI NAGAR, NEW DELHI-29  
स्थापना अनुभाग (अस्पताल) / ESTABLISHMENT SECTION (HOSPITAL)

सं.मि. 17-24/2009- स्था.अनु.(अ)

दिनांक/Dated:-

10 MAY 2023

जापन/MEMORANDUM

**विषय:-** सीसीएस (सीसीए) नियम 1965 के नियम 14 के तहत श्री संजय सैनी, परिचर्या अधिकारी के खिलाफ विभागीय जांच।

**Subject:-** Departmental inquiry against Shri Sanjay Saini, Nursing Officer under Rule 14 of the CCS (CCA) Rule 1965.

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सीसीएस (सीसीए) नियमावली, 1965 के नियम 15(2) के अनुसार उपर्युक्त विषय पर जांच अधिकारी से प्राप्त जांच रिपोर्ट की एक प्रति श्री संजय सैनी, परिचर्या अधिकारी को अद्योषित की जाती है। साथ ही आरोपित अधिकारी को यह निर्देश दिया जाता है कि वे इस जापन की प्राप्ति के 15 दिनों के भीतर अपना अभ्यावेदन या पक्ष यदि कोई है तो लिखित रूप में अनुशासनिक प्राधिकारी को प्रस्तुत करें।

A Copy of the Inquiry Report received from the Inquiry Officer on the above mentioned subject is forwarded to Shri Sanjay Saini, Nursing Officer as per Rule 15(2) of CCS (CCA) Rules, 1965 with a direction to the Charged Official to submit representation or submission if any in writing to the Disciplinary Authority within 15 days of the receipt of this memorandum, if he wishes to do so.

अनुलग्नक: यथोपरि।

Encl: As above

*जोगिन्द्र*

(जोगिन्द्र कुमार/ JOGINDER KUMAR)

प्रशासनिक अधिकारी (अ) / ADMINISTRATIVE OFFICER (H)

श्री संजय सैनी, परिचर्या अधिकारी Shri Sanjay Saini, Nursing Officer	श्री संजय सैनी, परिचर्या अधिकारी Shri Sanjay Saini, Nursing Officer F-195, 2 <sup>nd</sup> Floor, Lado Sarai New Delhi-110030	श्री संजय सैनी, परिचर्या अधिकारी Shri Sanjay Saini, Nursing Officer Saini Bhavan, Near Old Police Station, Malama Doongar, Sawai Madhopur, Rajasthan-322028
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Through:- Chief Nursing Officer (H)

*5/23*



Annexure - N

147

Dated:- 16-05-2023

To,

The Director

& Disciplinary Authority

A.I.I.M.S.

New Delhi.110029

24

अ.भा.अ.स. अस्पताल

A.I.I.M.S. Hospital

विकास अधीक्षक कार्यालय

Medical Superintendent Officer

असली नं. 1843

फ़ाइल नं.

दिनांक

Date

Through Proper Channel

Subject:- Departmental Inquiry against Shri Sanjay Saini, Nursing Officer under Rule 14 of the CCS (CCA) Rules, 1965 – Submission of representation

Ref:- 1) Memo. No. F.17-24/2009-Estt.(H) dated 10<sup>th</sup> May, 2023 (Flag 'A')

2) My Written Statement of defence dated 27-02-2023

(Flag 'B') submitted to the Inquiry Officer after completion of the Inquiry proceedings.

Respected Sir,

In response to Memorandum under reference (Flag A) forwarding a copy of the inquiry report dated 23<sup>rd</sup> March, 2023, I submit my representation against the same as under for your kind and sympathetic consideration for grant of justice to me as I am innocent for which I shall remain highly indebted to your goodself and this premier Institute for the same.

Representation against the inquiry report concluding with the Article of Charge as proved.

- 1) In this regard I enclose herewith a copy of my written statement of defence dated 27-02-2023 (Flag 'B') which is self explanatory for your kind perusal and sympathetic consideration.
- 2) I had applied for grant of Earned Leave for a period of 5 days w.e.f. 09-05-2018 to 13-05-2018 which was duly granted to me, to go to my home town in Rajasthan.
- 3) That due to my continuing unfavourable domestic circumstances on account of sickness of my mother and my wife, I duly informed my immediate superior officer requesting that I shall submit my leave

Contd.....P/2.

application as soon as I am able to join duty. I have duly submitted all medical sickness record of my mother and my wife to the Ld Inquiry Officer during the course of inquiry proceedings.

- 4) That I joined my duty w.e.f. 09-07-2021 and also submitted my leave application for the extended period of my leave w.e.f. 14-05-2018 to 08-07-2021. I have been regularly and punctually attending my duties w.e.f. 09-07-2021 onwards till date and pledge to continue to do sin future as well.
- 5) At the end of the inquiry proceedings, I was not granted any opportunity of my personal hearing by the inquiry officer in spite of my repeated pleadings for the same.

It is, therefore, most humbly prayed that my statement of defence dated 27-02-2023 (Flag 'B') may also kindly be sympathetically considered as my representation against the inquiry report (Flag 'A') for grant of justice to me as I am innocent by fully absolving me of the Article of Charge.

Thanking you in anticipation,

Yours faithfully,

( SANJAY SAINI )

Nursing Officer

Main Hospital, AIIMS, New Delhi-29

Encls: As above.

Noted  
Chhaya  
25/5/23  
Ans  
mcb SB

Blakumar  
DNS (Mch. Block)

25/05/23

A. Q. (H)

Handwritten signature  
NS  
25/5/23

Handwritten signature  
27/5/23  
MS-Kavita, AAD  
Mr. Sanjay / Mrs. Sonali

(R)  
27/5/23



भारतीय आयुर्विज्ञान संस्थान / ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
अंसारी नगर, नई दिल्ली-29/ ANSARI NAGAR, NEW DELHI-29  
स्थापना अनुभाग (अस्पताल) / ESTABLISHMENT SECTION (HOSPITAL)

सं.मि. 17-24/2009- स्था.अनु.(अ)

दिनांक/Dated:-

10 MAY 2023

जापन/MEMORANDUM

**विषय:-** सीसीएस (सीसीए) नियम 1965 के नियम 14 के तहत श्री संजय सैनी, परिचर्या अधिकारी के खिलाफ विभागीय जांच।

**Subject:-** Departmental inquiry against Shri Sanjay Saini, Nursing Officer under Rule 14 of the CCS (CCA) Rule 1965.

.....

सीसीएस (सीसीए) नियमावली, 1965 के नियम 15(2) के अनुसार उपर्युक्त विषय पर जांच अधिकारी से प्राप्त जांच रिपोर्ट की एक प्रति श्री संजय सैनी, परिचर्या अधिकारी को अग्रेषित की जाती है। साथ ही आरोपित अधिकारी को यह निर्देश दिया जाता है कि वे इस जापन की प्राप्ति के 15 दिनों के भीतर अपना अभ्यावेदन या पक्ष यदि कोई है तो लिखित रूप में अनुशासनिक प्राधिकारी को प्रस्तुत करें।

A Copy of the Inquiry Report received from the Inquiry Officer on the above mentioned subject is forwarded to Shri Sanjay Saini, Nursing Officer as per Rule 15(2) of CCS (CCA) Rules, 1965 with a direction to the Charged Official to submit representation or submission if any in writing to the Disciplinary Authority within 15 days of the receipt of this memorandum, if he wishes to do so.

अनुलग्नक: यथोपरि।

Encl: As above

*जोगिन्द्र*

(जोगिन्द्र कुमार/ JOGINDER KUMAR)

प्रशासनिक अधिकारी (अ) / ADMINISTRATIVE OFFICER (H)

श्री संजय सैनी, परिचर्या अधिकारी Shri Sanjay Saini, Nursing Officer Through:- Chief Nursing Officer (H) 5/5/23	श्री संजय सैनी, परिचर्या अधिकारी Shri Sanjay Saini, Nursing Officer F-195, 2 <sup>nd</sup> Floor, Lado Sarai New Delhi-110030	श्री संजय सैनी, परिचर्या अधिकारी Shri Sanjay Saini, Nursing Officer Saini Bhavan, Near Old Police Station, Malama Doongar, Sawai Madhopur, Rajasthan-322028
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ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI - 110029

Confidential/  
By hand

No.1/Inquiry/2021/Rct.

March, 23<sup>rd</sup> 2022

To,

The Director,  
AIIMS, Ansari Nagar,  
New Delhi-110029.

**Subject: Inquiry Report in the matter of charges framed against Shri Sanjay Saini, Nursing Officer, AIIMS, New Delhi under Rule 14 of the CCS (CCA) Rules, 1965.**

Sir,


I am to refer to Order No.F.17-24/2009-Estt.(H) dated 25/06/2022, whereby the undersigned has been appointed as Inquiry Authority to inquire into the charges framed against Shri Sanjay Saini, Nursing Officer, AIIMS, New Delhi.

I have conducted the inquiry against Shri Sanjay Saini, Nursing Officer in accordance with the procedures prescribed for Inquiry proceedings in CCS (CCA) Rules, 1965. An Inquiry report dated 23<sup>rd</sup> March, 2023 along with Annexures mentioned therein (in original) is enclosed herewith for further necessary action.

Please acknowledge receipt.

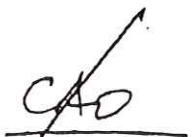
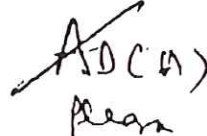
Encl. As above.

Yours faithfully,

  
23/3/2023

**(Rajender Singh)**  
**Inquiry Officer &**  
**Administrative Officer**  
**Recruitment Cell**  
**AIIMS, New Delhi.**

राजेंद्र सिंह/RAJENDER SINGH  
आयुक्त अधिकारी/Administrative Officer  
एन सी आर सेल/Recruitment Cell  
ए. ए. ए. सी., अंसारी नगर, नई दिल्ली-29  
A.I.M.S., Ansari Nagar, New Delhi-29

  
  
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ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
Ansari Nagar, New Delhi-110029  
(Recruitment Cell)

No. F-1/Inquiry/2021/Rct.

Dated: 23.03.2023

INQUIRY REPORT

Subject: Departmental inquiry into the charges framed against Sh. Sanjay Saini, Nursing Officer, AIIMS, New Delhi.

INTRODUCTION

The undersigned has been appointed as Inquiry Officer (I.O.) vide Order No.F.17-24/2019-Estt.(H) dated 25.06.2022 issued by Chief Administrative Officer for & on behalf of Disciplinary Authority & Director, AIIMS, New Delhi to inquire into the charges levelled against Sh. Sanjay Saini, Nursing Officer, AIIMS, New Delhi under Rules 14 of CCS (CCA) Rules, 1965. Charge Sheet Memorandum No.F.17-24/2019-Estt.(H) dated 26.05.2022 was issued to the Charged Official (C.O.). Sh. Mahender Pal Singh, Assistant Administrative Officer, General Section (now R.P. Centre) , AIIMS, New Delhi has been appointed as Presenting Officer (PO) in this case by the Chief Admin. Officer for & on behalf of Director & Disciplinary Authority.

ARTICLE OF CHARGE

That the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorisedly absent from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No. F.17-24/2019-Estt.(H) dated 11.06.2018 & 02.06.2020.

By his act of unauthorized absence , Shri Sanjay Saini , Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini , Nursing Officer has contravened Rule 3 ( 1 ) ( ii ) , ( iii ) & ( xviii ) of the CCS ( Conduct ) Rules , 1964 as applicable to the employees of the Institute.

IMPUTATION OF ARTICLE OF CHARGE

It had been reported by Assistant Nursing Superintendent on 18.05.2018 that Shri Sanjay Saini, Nursing Officer, was absent from duty without prior permission or sanction of leave by the competent authority since 14.05.2018. As per report, Shri Sanjay Saini, Nursing Officer had applied for five days earned leave w.e.f. 09.05.2018 to 13.05.2018 and he was due to resume his duty on 14.05.2018. After receipt of absentee report, memorandum dated 11.06.2018 was issued to him in which he was directed to join his duty with immediate effect alongwith direction to the Accounts Section that his salary may not be released till further orders. Subsequently, an office memorandum dated 02.06.2020 was issued to him with the direction to



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join his duty with immediate effect without any delay. After issuing several directions/reminders, he reported back to duty on 09.07.2021 which was forwarded by Controlling Officer with the remarks "He was absent from duty on 14.05.2018. He resumed duty from today dated 09.07.2021. He will attached Memo No. F. 17-24/2009-Estt(11)". Thus he has failed to comply with the abovesaid orders and continued to remain absent from his duty unauthorizedly and is thus responsible for disruption in the smooth functioning of the Hospital.

All the correspondence were sent on his available address in the service book, but Shri Sanjay Saini, Nursing Officer failed to comply with the orders of this office and continued to be absent from his duty unauthorizedly from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021

Shri Sanjay Saini, Nursing Officer by his above stated conduct, has failed to maintain devotion to duty and is not amenable to discipline and has thereby contravened Rule 3 (1) (ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1964.

#### DETAILS OF INQUIRY PROCEEDINGS

The *Preliminary Hearing* of the case vide Notice No.F-1/2022/SS/Inquiry(Rct) dated 04.08.2022 (**Annexure-I**) was issued to the Charged Official (C.O.) and Presenting Officer (P.O.) for intimating the date, time and venue of Preliminary Hearing fixed for 12.08.2022 at 11:00 A.M. to inquire into the charges levelled against the C.O. vide charge sheet memorandum No.F.17-24/2009-Estt.(H) dated 26.05.2022 issued under Rule 14 of CCS (CCA) Rules 1965. The C.O. was informed vide notice that in case he fails to attend the said Hearing on 12.08.2022, the inquiry proceedings will be taken ex-parte. Copy of the same notice was sent to the C.O. through speed post on all his addresses (temporary and permanent) available in records. However, notice sent at address mentioned as F-195, 2<sup>nd</sup> Floor, Lado Sarai, New Delhi-110030 returned (**Annexure-II**).

The *Preliminary Hearing* began on 12.08.2022 at 11:00 A.M. The (C.O.) informed that he will take the services of defence assistant and submit the details of his Defence Assistant in the next hearing. Accordingly, next date of hearing was scheduled to be held on 06.09.2022 at 11:00 A.M. (**Annexure-III**).

Next Regular Hearing began on 06.09.2022 at 11:00 A.M. (**Annexure-IV**). I.O. given the opportunity to C.O. that latest by 26.09.2022 he should submit a list of additional documents he wishes to be inspect and also if there is any defence witness, give full particulars of him and his relevance to the case. In the hearing, Prosecution Witness (PW-1) Mrs. Meena Kumari, Ex. Nursing Superintendent, Main Hosp, AIIMS, New Delhi and (PW-2), Mrs. Teresa Bara, Deputy Nursing Superintendent, Main Hosp., AIIMS, New Delhi were summoned for their deposition in the case. (**Annexure-V**). The C.O. vide his letter dated 07.06.2022 partially denied the charges levelled against him that he was absent during that period but his period of absence was not willful & unauthorized (**Annexure-VI**). C.O. also vide his letter dated 06.09.2022 nominated his defence assistant Mr. H. L. Arora, Retd. Senior Admn. Officer, AIIMS, New Delhi. (**Annexure-VII**). Next date of the hearing was scheduled to be held on 29.10.2022 at 10:00 A.M.



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Next *Hearing* was held on 29.09.2022 at 10:00 A.M in the office of Administrative Officer, Recruitment Cell (Annexure-VIII). C.O. vide his letter dated 26.09.2022 asked the I.O. for giving 10 more days for submission of additional defense documents to be submitted and defence witnesses to be produced before I.O., which the I.O. allowed. (Annexure-IX)

On Examination-in-chief by Presenting Officer the PW-1 expressed that chargesheet is genuine and also expressed that no written communication was made by C.O. during the period 14.05.2018 to 08.07.2021 (1152 days). However, PW-1 has no general complaint against C.O. On Cross-examination by the Defence Assistant of Charged Official, PW-1 reported that C.O. was not direct under her supervision and she doesn't remember whom he was reporting then. PW-1 doesn't remember who deal with the leave applications, also there was no communication from both sides. (Annexure-X).

On Examination-in-chief by Presenting Officer, the PW-2 expressed the genuineness of the chargesheet, and also expressed that no written communication was made by C.O. during the period 14.05.2018 to 08.07.2021 (1152 days). However, PW-2 has no general complaint against C.O. On Cross-examination by the Defence Assistant of Charged Official, the PW-2 reported that C.O. was not direct under her supervision and she doesn't remember whom he was reporting then. PW-2 doesn't remember who was dealing with the leave applications; also there was no communication from both sides. (Annexure-XI).

Proceedings adjourned with the direction for next date of hearing scheduled to be held 19.10.2022 at 10:00 A.M

Next *Regular Hearing* was held scheduled to be fixed on 19.10.2022 at 10:00 A.M. (PW-3) Mrs. Rajni Bajaj, Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi was summoned before I.O. for her deposition in the case. (Annexure-XII). (PW-4) Sh. Ramesh Chander, Dealing Assistant, Establishment Section (Hospital), AIIMS, New Delhi was also summoned before I.O. for his deposition in the case (Annexure-XIII). Summon notice sent to (PW3) was returned from Chief Nursing Officer saying that Mrs. Rajni Bajaj has retired in the month of April 2021. However, her mobile no. was provided. (Annexure-XIV).

Regular Hearing began on 19.10.2022 at 10:00 AM (Annexure-XV). On Examination-in-Chief by Presenting Officer of Sh. Ramesh Chander, Dealing Assistant, Establishment Section (Hospital), AIIMS, New Delhi - Prosecution Witness 4 (PW-4) told that he was dealing the personal file of Sh. Sanjay Saini, Nursing Officer. PW-4 also received the absent report of Sh. Sanjay Saini, Nursing Officer. PW-4 also confirmed that two memoranda were issued to Sh. Sanjay Saini, Nursing Officer dated 11.06.2018 and 02.06.2020 to join back the duty immediately. Then PW-4 was cross-examined by the Defence Assistant of Charged Official and PW4 told that 5 days (09.05.2018 to 13.05.2018) EL was granted to Sh. Sanjay Saini due to some family emergency. PW-4 also told that as far as extension of leave is concerned phone call was received from Sh. Sanjay Saini to Mrs. Rajni Bajaj, Asstt. Nursing



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Superintendent, Main Hospital' for One week and which was not recommended. Further, PW-4 told no show cause notice was served, but two Memoranda were issued to him and there was no response from the Charge Official to the same. (Annexure-XVI).

C.O. submitted additional defence documents for perusal of I.O. Some photocopies of treatment of his mother and his wife were submitted (Annexure-XVII). No defence witness came to attend the hearing to substantiate the additional defence documents. In the hearing Prosecution Witness (PW-3) Mrs. Rajni Bajaj, then Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi did not appear before the Inquiry Officer.

Final date of hearing was scheduled to be held on 28.11.2022 at 10:00 AM (Annexure VIII). A summon notice dated 18.11.2022 was sent to PW-3 to her new address Mrs. Rajni Bajaj, then Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi-(PW3) to attend the hearing. (Annexure-XIX). She expressed her unwillingness (telephonically) to attend the hearing due to some prior commitments. P.O. wants to give one more chance to examine PW-3. (Annexure-XX).

Final date of hearing was rescheduled to be held on 16.12.2022 at 10:00 AM (Annexure-XXI). and Mrs. Rajni Bajaj, then Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi-(PW3) was summoned again to attend the hearing with Summon notice dated: 09.12.2022 sent to her new address. (Annexure-XXII).

Final hearing was could not be held on 16.12.2022 due to administrative reasons and was, therefore, rescheduled to be held on 23.01.2023 at 10:30 A.M. (Annexure-XXIII). Summon notice was again sent to Mrs. Rajni Bajaj, Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi-(PW3) for her deposition in the case to be taken on 23.01.2023 at 10:30 AM. (Annexure-XXIV).

Final Hearing of the case began on 23.01.2023 at 10:30 and concluded after the verbal and documentary evidence taken from PW-3 (Annexure-XXV).

Deposition of PW-3 was taken before I.O. and PW-3 expressed the genuineness of the chargesheet. Sh. Sanjay Saini verbally communicated on telephone to PW-3 for his absence during the period 14.05.2018 to 08.07.2021 (1152 days). PW-3 also expressed that she has no general complaint from her side. On cross-examination by defense assistant of C.O., PW-3 confirmed the EL for the period 09-05-2018 to 13-05-2018(5 Days) was recommended by her initially applied for by Shri Sanjay Saini. After expiry of E.L. C.O. did not report on duty instead informed PW-3 on phone but PW-3 asked him to give written application, C.O. did not submitted written application. C.O. did not join till PW-3's retirement. PW-3 also stated that C.O. did not apply for extension in written so, she did not recommended his leave for the period. (Annexure-XXVI).

### WRITTEN BRIEF BY PRESENTING OFFICER

P.O. submitted his written brief vide No.Inq5/MPS/2022(PO) dated 07.02.2023, all the listed documents were adduced before the Inquiry Official during the course for Inquiry. Four Prosecution Witnesses were produced before the I.O. On the basis of oral & written statement of the Prosecution Witnesses and Cross-examined by defence assistant, the charges framed against



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Mr. Sanjay Saini, Nursing Officer, Main Hosp. AIIMS, New Delhi that he absented himself unauthorisedly from his duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without approval/permission of the Competent Authority is **STAND PROVED**. (Annexure-XXVII).

### REPRESENTATION OF SH. SANJAY SAINI, CHARGED OFFICIAL

C.O. submitted his representation to I.O. against the written brief submitted by P.O. dated 27.02.2023, which is baseless and frivolous. The inquiry was conducted in a free & fair manner. Based on documentary evidence and deposition of all the PW's & even the deposition of all the retired PW's were taken. It is pertinent to mention here that Hospital services come under essential services, and absenting for 1152 days without permission from Competent Authorities leads to gross misconduct. If C.O. or his family members need any treatment, AIIMS, New Delhi is the best Hospital and can give best treatment to these diseases/ailments. Absenting for such a long time without proper permission clearly shows that C.O. left the Institution with the intention not to join back. (Annexure-XXVIII).

### FINDINGS & DECISION OF THE INQUIRY OFFICER

On the basis of findings/observations during the course of inquiry, depositions of Prosecution Witnesses and relying upon the documents including the written brief submitted by the PO, I have reached to the conclusion that the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorisedly absent from duty for 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No. F.17-24/2009-Estt(H) dated 11.06.2018 & 02.06.2020. By his act of unauthorized absence, Snri Sanjay Saini, Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3 (1) (ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1964 as applicable to the employees of the Institute.

Accordingly, the charges leveled vide Memorandum No.F.17-24/2009-Estt.(H) dated 26.05.2022, against Sh. Sanjay Saini, Nursing Officer, Main Hosp., AIIMS, New Delhi under Rules 14 of CCS (CCA) Rules, 1965 stands **PROVED** on the basis of inquiry conducted against the C.O. Thus, the inquiry proceedings now completed accordingly.

Encls: As above

  
23/3/2025  
[Rajender Singh]

Inquiry Officer & Administrative Officer

New Delhi,  
Dated: 23.03.2022

राजेन्द्र सिंह/RAJENDER SINGH  
प्रशासनिक अधिकारी/Administrative Officer  
पर्सनल प्रकोष्ठ/Recruitment Cell  
ए. ए. ए. सी., अंसरी नगर, नई दिल्ली-11  
A.I.M.S., Ansari Nagar, New Delhi-39



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To,

Dated:- 27-02-2023.

Shri Rajender Singh,  
Administrative Officer (Rectt. Cell)  
& Inquiry Officer,  
All India Institute of Medical Sciences,  
Ansari Nagar  
New Delhi'110029.

Subject:- Departmental Inquiry into the charges framed against Sh.  
Sanjay Saini, Nursing Officer, Main Hospital, AIIMS, New Delhi  
Submission of Written Defence Brief on conclusion of the  
Inquiry proceedings and upon receipt of a copy of Written  
Brief dated 07-02-2023 from Shri Mahender Pal Singh,  
Presenting Officer, AIIMS, New Delhi-110029.

Ref:- Memorandum No. F.17-24/2009-Estt:(H) dated 26<sup>th</sup> May,  
2022.

Sir,

On conclusion of the inquiry proceedings and upon receipt of a copy of  
Written Brief dated 07-02-2023 recently from Shri Mahender Pal Singh,  
Presenting Officer, AIIMS, New Delhi-110029, I submit my Written Defence  
Brief as follows for your kind consideration for grant of justice to me as I am  
innocent.

ARTICLE OF CHARGE

That the said Shri Sanjay Saini while working as Nursing Officer in this Institute  
remained willfully and unauthorisedly absent from duty for 1152 days w.e.f.  
14-05-2028 to 08-07-2021 without prior permission or sanction of leave by the

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competent authority. He has failed to respond to recall notices issued to him vide Memorandum No. 17-24/2009-Estt.(H) dated 11/06/2018 & 02.06.2020.

By his act of unauthorized absence, Shri Sanjay Saini, Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in a manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3 (1) (ii), (iii) & xviii of the CCS (Conduct) Rules, 1964 as applicable to the employees of the Institute.

Dates of hearings:

Preliminary Hearing:

12-08-2022

Discussion regarding documentation and witnesses was held.

Regular Hearings:

06-09-2022

Nomination of Defence Assistant and general discussion on further proceedings.

29-09-2022

PW-I : Mrs Meena Kumari attended the inquiry proceedings.

PW-1:- Mrs Teresa Bara attended the inquiry proceedings.

Both were examined and cross-examined by the P.O. and C.O. respectively

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19-10-2022

PW-IV Shri Ramesh Chander, Dealing Assistant attended the inquiry who was examined and cross-examined by the P.O. and C.O. respectively. Mrs Rajni Bajaj, Asstt. Nursing Supdt. (PW-3), however, could not attend the inquiry.

Shri Sanjay Saini, C.O. submitted to the Inquiry Officer copies of all the documents regarding treatment of his wife and mother during the course of his absence from duty in question in his defence to be taken on record. However, the same was not recorded in the Daily Order Sheet of the I.O.

28-11-2022

Mrs Rajni Bajaj, PW-III for whom the date was fixed, however, could not attend the inquiry again.

23-01-2023

Mrs Rajni Bajaj, PW-III attended the inquiry and was examined and cross-examined by the P.O. and C.O. respectively.

As examination/cross-examination of all prosecution ended, Shri Sanjay Saini, C.O. requested the Inquiry Officer to kindly fix a date for general examination of C.O. by the I.O. as per rules to give C.O. an opportunity of defence to which the I.O. very kindly agreed. However, the same was neither recorded in the daily order sheet nor fixed any date for the same, thus denying the C.O. an opportunity of defence.

Conclusion:- From statements and all the above prosecution witnesses it will kindly be revealed that nothing has been proved against the Charged Officer.

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Statement of Defence against the Article of Charge:-

- 1) That I had applied for and was granted Earned Leave for a period of 5 days w.e.f. 09-05-2018 to 13-05-2018.
- 2) That as due to my continuing unavoidable domestic circumstances I was not able to join duty after 13.05.2018, I had duly informed and requested my superior officer for extension of my leave for which I would submit my leave application on my joining duty. Accordingly I continued my leave further from 14.05.2018 to 08-07-2021 and joined my duty w.e.f. 09-07-2021 and have been attending my duties continuously since then. The primary reason for this leave was psychosocial because parents are old and remain sick most of the time and I am the only son to care for them over that I felt immense psychosocial pressure from my family and others as we were undergoing unexplained infertility treatment during the last five years for which we were still taking the treatment, these both things were causing so much disturbance which was further aggravated by the lock down due to covid-19. During this period I tried many times to come back and join duty but things were very bad after much counseling and family understanding I finally convinced my parents and wife to join back my institution on 9<sup>th</sup> July, 2021. Additionally, during my above leave period my parents also had some age related ailments and, therefore, had to look after their proper treatment also. I have already submitted treatment papers of my mother and my wife.
- 3) That somehow I did not receive memos No. F.17-24/2009-Estt.(H) dated 11.06.2018 and 02-06-2020 stated to have been issued to me.

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4) I joined my duty w.e.f. 09-07-2021 and duly submitted my leave application for the extended period of my absence from duty and also submitted my joining report on the same day. I have been attending my duties regularly and sincerely since then till date.

CONCLUSION

From all the above documentary and oral evidences it will thus be kindly observed the Article of Charge framed against me stands NOT PROVED.

HUMBLE PRAYER

In view of above it is, therefore, humbly prayed that justice may kindly be granted to me by fully absolving me from the charge leveled against me as I am innocent for which shall be highly appreciated.

Thanking you in anticipation,

Yours faithfully,

  
(SANJAY SAINI)

Nursing Officer, Main Hospital,  
A.I.I.M.S., New Delhi-110029.

( Charged Officer )

Reference notes on pre-pages.

2. I have perused the file relating to departmental proceedings initiated under Rule 14 of CCS (CCA) Rules, 1965 against Shri Sanjay Saini, Nursing Officer, AIIMS on 26.05.2022 for remaining willfully and unauthorisedly absent from duty for 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by competent authority. He failed to respond to recall notices issued to him vide memo dated 11.06.2018 and 02.06.2020.

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3. Shri Rajender Singh, Administrative Officer, AIIMS was appointed as Inquiry Officer to inquire into this case. Inquiry Officer submitted his findings vide report dated 23.03.2023 and concluded that the charge leveled against CO as "Proved". It is also observed that opportunities were provided to the CO during the inquiry proceedings, in the interest of natural justice. The Inquiry report was shared with the Charged officer for his representation, if any, on 10.05.2023. The Charged Officer represented vide letter dated 27.05.2023 inter-alia that he remained absent due to unfavourable domestic circumstances on account of sickness of his mother and wife and that he is regularly attending his duties w.e.f. 09.07.2021 onwards and pledge to continue to do so in future as well. The case has now been submitted to me in the capacity of President, AIIMS, for a decision on the penalty to be imposed on the CO.

4. After going through the records, and facts and circumstances of the case, I observe that charged officer has been unauthorisedly absent from duty for a very long period of 1152 days, thus exhibiting extremely callous attitude in discharging his duties and has shown laxity and disobedience. AIIMS is not only a teaching institute but a very big hospital and provide medical facility to more than 15000 patients on daily basis. Such an attitude of officers/staff definitely affect the patient care and the patient services of the Institute has suffered a lot. To prevent such an misconduct imbibed by other officers, and to send a right message to the Institute towards patient services by the employees of the Institute, I consider that the ends of justice would be met in this case, if the penalty of dismissal from service which shall ordinarily be a disqualification for future employment under the Government" is imposed on the said Shri Sanjay Saini, Nursing Officer, AIIMS. The case stands disposed of accordingly.

Ms. Kapila, AAs  
Mr. Rajan  
16/8/23

16/8/23

16/8

Director, AIIMS, New Delhi  
11/8/23

cpo

(Dr. Mansukh Mandaviya)  
Minister of Health & Family Welfare and  
President, AIIMS, New Delhi

10/8/2023

11/8/2023



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Anneure - P

EO. 1188332 CN.

## ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29

Dated :- 23.05.2023

No.17-24/2009-Estt.(H)

ORDER

WHEREAS Mr. Sanjay Saini, Nursing Officer, Main Hospital, was charge sheeted vide memorandum No. F. 17-24/2009-Estt. (H) dated 26.05.2022 under Rule 14 of the CCS (CCA) Rules 1965 with the following Article of Charge:-

ARTICLE OF CHARGE

*"That the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorisedly absent from duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No.17-24/2009-Estt.(H) dated 11.06.2018 & 02.06.2020.*

*By his act of unauthorized absence, Shri Sanjay Saini, Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3 (1) (ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1965 as applicable to the employees of the Institute."*

AND WHEREAS chargesheet was served to Mr. Sanjay Saini, Nursing Officer vide Memorandum No. F. 17-24/2009-Estt. (H) dated 26.05.2022 with the direction to submit a written statement of defence in writing to the Disciplinary Authority. The Statement of defense dated 07.06.2022 was duly considered and a regular inquiry was ordered by the Disciplinary Authority wherein Shri Rajender Singh, Administrative Officer, Recruitment Cell was appointed as the Inquiry Officer vide order No. 17-24/2009-Estt.(H) dated 25.06.2022 to inquire into the charge framed against him.

AND WHEREAS the Inquiry Officer after holding the inquiry submitted the report therein the charges framed against Mr. Sanjay Saini, Nursing Officer were found to be proved.

AND WHEREAS a copy of the inquiry report was forwarded to Mr. Sanjay Saini, Nursing Officer on 10.05.2023 with a direction that he may make representation or submission on the report of the Inquiry Officer in writing to the Disciplinary Authority. In his representation dated 16.05.2023 / 24.05.2023, Mr. Sanjay Saini, Nursing Officer inter-alia submitted that he remained absent from duty due to unfavorable domestic circumstances on account of sickness of his mother and wife and that he is regularly attending his duties w.e.f. 09.07.2021 onwards and pledge to continue to do so in future as well.

AND WHEREAS after having gone through the report of the Inquiry Officer, considering the evidence on record and the facts and circumstances of the case, the President (AIIMS) and Disciplinary Authority for good and sufficient reasons has come to the conclusion that imposition of penalty of 'Dismissal from service which shall ordinarily be a disqualification for future employment under the Government' on Mr. Sanjay Saini, Nursing Officer would meet the ends of justice.



Contd. 2/-

NOW THEREFORE in exercise of powers vested with the Disciplinary Authority under Rule 15 of the CCS (CCA) Rules 1965 read with regulation 33(2) of the AIIMS Regulations 2019, the penalty of "Dismissal from service which shall ordinarily be a disqualification for future employment under the Government" is hereby imposed on Mr. Sanjay Saini, Nursing Officer, Main Hospital with immediate effect.

A copy of this order may be added to the Confidential Rolls of Mr. Sanjay Saini, Nursing Officer, Main Hospital.

For & on behalf of the  
President, AIIMS – Disciplinary Authority

*Prof. M. Srinivas* 25/8/2023

(PROF. M. SRINIVAS)  
Director, [AIIMS]

1. Mr. Sanjay Saini,  
Nursing Officer  
Through:-Chief  
Nursing Officer
2. Shri Sanjay Saini, Nursing  
Officer, Saini Bhavan, Near  
Old Police Station,  
Malarna Doongar, Sawai  
Madhopur,  
Rajasthan-322028
3. Shri Sanjay Saini, Nursing Officer,  
F-195, 2<sup>nd</sup> Floor, Lado Sarai  
New Delhi-110030

Copy to :-

1. The Accounts Section II & III (N23045).
2. The N.P.S Section.
3. The Store Officer (D.O).
4. The Chief Nursing Officer (H).
5. The Officer Incharge, EHS. (R-32068)
6. The Estate Section.
7. The Dy. Chief Security Officer.
8. The AIIMS. Co-operative Thrift & Credit Society Ltd.
9. The Computer Facility, AIIMS
10. The B.B.Dixit Library, AIIMS
11. The ACR Cell (for ACR dossier of P/Concerned).
12. The Vigilance Cell, AIIMS.
13. The Legal Cell, AIIMS.
14. The Recruitment Cell (D.O.B- 06.04.1983/D.O.J- 12.03.2009).
15. The personal file of the person concerned.

It is requested that a "No Demand Certificate" may be issued in his favour at an early date.



Annexure-Q

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ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI-110029  
(LEGAL CELL)

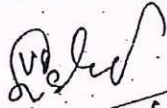
F.No.41-18/2015/Legal cell

Dated: 06.06.2023

MEMORANDUM

Sub: W.P(C) No. 6525/2017 in the matter of AIIMS Vs S.P. Vashisht - reg.

The undersigned is directed to refer to the subject cited above and to forward herewith a copy of order judgment dated 25.05.2023 in the matter of AIIMS Vs S.P. Vashisht for processing the Disciplinary case further as directed by Hon'ble High Court of Delhi.

  
06.6.23  
(Vasu Dev)

Asstt. Administrative Officer

Encl: As above

To,

A.O, Vigilance Cell, AIIMS, New Delhi

Ser  
7/6/23

Sh. Harish

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#

IN THE HIGH COURT OF DELHI AT NEW DELHI  
*Judgment reserved on: 18.04.2023*  
*Judgment delivered on: 25.05.2023*

+ W.P.(C) 6525/2017

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

..... Petitioner

Through: Mr. Atul Kumar, Ms., Sweety Singh  
and Mr. Rahul Pandey, Advocates.

versus

S.P. VASHISHT

..... Respondent

Through: Mr. Shanker Raju, Mr. Nilansh Gaur,  
Ms, Anubha Bhardwaj and Mr. Rajesh  
Sachdeva, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE V. KAMESWAR RAO**

**HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA**

**J U D G M E N T**

**ANOOP KUMAR MENDIRATTA, J.**

1. The challenge in this writ petition is to an order dated February 03, 2016 passed by the Central Administrative Tribunal (hereinafter referred to as the 'Tribunal') whereby the charge-sheet issued by the petitioner against the respondent herein has been held to be *void ab initio* along with action taken by the petitioner against the respondent on the charge-sheet, including the inquiry report as well as the punishment order dated July 18, 2013 imposing the penalty of compulsory retirement. However, the petitioner has been given liberty to initiate fresh disciplinary inquiry against the respondent by following the procedure under CCS (CCA) Rules, 1965 and in terms of law laid down by the Hon'ble Supreme Court in *Union of India v. B.V. Gopinath*, (2014) 1 SCC 351.



2. (i) In brief, as per the case of the petitioner, Shri S.P. Vashisht (respondent) was appointed to the post of Hawaldar in All India Institute of Medical Sciences (AIIMS) on September 27, 1983 and subsequently promoted to the post of Sanitary Officer. On the basis of a surprise check by the Central Bureau of Investigation (CBI), ACB, New Delhi at the main hospital store and C.N. Centre stores of AIIMS, an FIR was registered on March 03, 1999 under Sections 120-B/420 IPC and Section 13 (2) read with Section 13 (1)(d) of the Prevention of Corruption Act, 1988, for causing undue pecuniary advantage to one Mr. Rajeev Rastogi of M/s Rajeev Enterprises, by ignoring AIIMS rate contract with its approved suppliers. Allegations also pertained to supply of surgical items by firms not having license from the Drugs Controller, NTC, Delhi and supply of various sub-standard items in the Hospital. DIG, CBI, ACB also forwarded a copy of the report of S.P. CBI, ACB recommending for major penalty proceedings against the erring officials of AIIMS on September 05, 2001.

(ii) On October 17, 2001, a proposal for consideration of request of CBI, ACB, New Delhi for (a) grant of sanction for prosecution, (b) initiation of regular disciplinary proceedings for major penalty and (c) follow up action/suspension subsequent to decision on (a) & (b) above, was placed before the Governing Body of AIIMS, which authorised the President, AIIMS to constitute a Committee to look into the matter and submit its recommendations to the Governing Body.

(iii) A two member Committee was accordingly constituted and recommendations of Committee were submitted to the President AIIMS for consideration. The report of the committee was further placed before the

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Governing body in its meeting held on April 03, 2002 which recommended that in absence of material substance pertaining to any *malafide* intention on the part of Dr. D.K. Sharma, the case be referred back to CBI for reconsideration and for dropping of his name for prosecution. The Governing Body did not discuss the case in respect of remaining officials. The observations of Governing Body were communicated to CBI and also referred to CVC.

(iv) On January 08, 2003, DIG, CBI requested for prosecution sanction in respect of remaining nine officials except Dr. D.K. Sharma. It was thereafter informed by CBI that since three officials, namely Shri C.S. Rawat, Shri Jagdish Raj and Shri Ramphat had retired in the meanwhile, the prosecution sanction was required for six officials.

(v) Bereft of other unnecessary details, on April 25, 2005, Director (CHS), Ministry of Health and Family Welfare conveyed prosecution sanction accorded by the President in respect of S.S. Rawat, Store Keeper. Further, in respect of Group 'C' Officers, Director AIIMS was requested to take necessary action. Director (CHS), Ministry of Health and Family Welfare also conveyed that the case of Group 'A' Officers be placed before the Governing Body, which is the Disciplinary Authority for major penalty in respect of Group 'A' officers. Accordingly, the proposal in respect of Group 'C' officials namely Attar Singh, UDC, M.L. Sharma, UDC and M.L. Arya, Store Keeper was considered by Director and Disciplinary Authority, AIIMS and accorded sanction in respect of said officials.

(vi) The request of CBI, ACB for grant of sanction for prosecution in



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respect of R.L. Prasad, Stores Officer and S.S. Bhadoria, Assistant Stores Officer was placed before the Governing Body in the meeting held on July 05, 2005 which decided to grant the prosecution sanction. It was also decided therein that departmental inquiry be initiated against some other officers including respondent S.P. Vashisht, Sanitary Inspector.

(vii) The Central Vigilance Commission vide Office Memorandum dated December 29, 2005 gave advice for initiating departmental proceedings against the concerned officials. Accordingly, on November 14, 2008 after receipt of relevant documents from CBI, the charge-sheet was issued to the respondent.

(viii) It is further the case of the petitioner that Shri S.P. Vashisht (respondent) was holding a Group 'B' Post and Director, AIIMS is one of the Disciplinary Authority in his case. Taking into consideration Rule 13 of CCS (CCA) Rules, the charge-sheet was issued with the approval of Director, AIIMS and after completing all the procedures, the matter was placed before the President, AIIMS for final decision. Further, after considering all the relevant facts/circumstances and complying with the procedural requirements including second stage advice of CVC, the President, AIIMS decided to impose the penalty of compulsory retirement.

(ix) The appeal filed by the respondent was thereafter placed before the Governing Body since as per Schedule 2 of the AIIMS Regulations, 1999, the Governing Body is the Appellate Authority for consideration. However, the same was not considered by the Governing Body as respondent had already approached the Tribunal by filing of OA. It has also been pointed

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out that respondent was due to retire from the services of the Institute on June 30, 2014 and the penalty was imposed on July 18, 2013. The same had no impact on the pension benefits since the respondent had been granted 100% pension.

3. Aggrieved against the penalty imposed vide order dated July 18, 2013, the respondent preferred O.A. No.174/2014 before the Tribunal for quashing of the impugned penalty order dated 18.07.2013 (Annex. A/1) along with charge sheet dated 14.11.2008 (Annex. A/2), Inquiry Officer report dated 20.06.2011 (Annex. A/5) and whole inquiry proceedings and for directing the respondents to reinstate the applicant in service from the date of compulsory retirement with all consequential benefits including the arrears of back period pay and allowances with interest.

4. Considering the fact that the charge-sheet had been issued by the Director, AIIMS under his own signatures and did not reflect the approval of the President, AIIMS and relying upon the law laid down by the Hon'ble Supreme Court in *B.V. Gopinath (supra)*, the Tribunal held that the charge-sheet is *ab initio void* along with further action taken by the petitioner based upon the charge-sheet, including Inquiry Officer's Report as well as the impugned punishment order passed by the petitioner. The reasons recorded by the Tribunal in paras 4 to 9 of order dated March 03, 2016 may be reproduced for reference:-

*"4. The learned counsel for the applicant submitted, inter alia, that the President, AIIMS, who is also Union Minister for Health and Family Welfare, is the DA of the applicant, as is clearly evident from Annexure A-1 impugned order; whereas the Annexure A-2 charge-sheet has been issued by the Director, AIIMS. He further submitted that the Hon'ble Apex Court has laid down law in the case of Union of India v. B.V.*



*Gopinath*, [(2014) 1 SCC 351], holding that the charge-sheet should have approval of the DA, if it is not done, then the charge-sheet as well as the disciplinary proceedings and any consequential action taken thereafter would be void ab initio. The learned counsel emphatically argued that in the instant case the charge-sheet does not have the approval of the competent authority, i.e., the President, AIIMS; it has been issued by Director, AIIMS.

5. Without going into various other aspects of the case argued by the learned counsel of the parties orally as well as in the pleadings, we would first like to go into the issue whether the law laid down by the by the Hon'ble Apex Court in the case of *B.V. Gopinath (supra)* has, in fact, been followed or not.

6. A plain reading of the impugned order makes it clear that the President, AIIMS is the DA for the applicant. In this connection we would like to reproduce the relevant extract from the impugned order and the same reads as under:

"NOW THEREFORE, after careful consideration of article of charge, findings of the Inquiry Officer, representation of Shri S.P. Vashisht, Sanitation Officer and all other relevant material/facts and circumstances of the case, the President, AIIMS being Disciplinary Authority in exercise of the powers conferred by Rule 15 of the CCS (CCA) Rules, 1965 read with regulation 33 (2) of the AIIMS regulations (as amended), 1999, now for good and sufficient reasons has decided to impose the penalty of "Compulsory Retirement" on Shri S.P. Vashisht, Sanitation Officer. Accordingly, the penalty of "Compulsory Retirement" is hereby imposed on Shri S.P. Vashisht, Sanitation Officer with immediate effect."

7. We also notice that Annexure A-2 charge-sheet has been issued by the Director, AIIMS under his own signature. The charge-sheet nowhere states that it has the approval of the President, AIIMS, who is the DA.

8. In view of the above position, without looking into other aspects of this case, we are of the view that the law laid down by the Hon'ble Apex Court in the case of *B.V. Gopinath (supra)* has not been followed by the respondents. On this ground itself the charge-sheet becomes ab initio void and so also all further action taken by the respondents based on the chargesheet, including the Inquiry Officer's report as well as the impugned Annexure A-1 punishment order passed by respondent No.2. Under these circumstances, we set aside the Annexure A-1 impugned order as well as Annexure A-2 charge-sheet. The respondents are at liberty to initiate fresh disciplinary inquiry against the applicant by following the procedure laid down in the CCS, (CCA) Rules, 1965, and in terms of the law laid down by the Hon'ble Supreme Court in the case of *B.V. Gopinath (supra)*.

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9. *With the above direction, the OA is disposed of.*"

5. Learned counsel for the petitioner submits that under AIIMS Act, 1956 along with Regulations and Rules framed thereunder, the Director, AIIMS is competent to issue the charge-sheet against the respondent. Relying upon Rule 13 (2) of CCS (CCA) Rules, 1965, it is submitted that the Director, AIIMS being the Disciplinary Authority and competent to impose any of the penalties specified in clauses (i) to (iv) of Rule 11 of CCS (CCA) Rules could institute the disciplinary proceedings against any of the Government servant for imposition of any of the penalties specified under Rule (v) to (ix), notwithstanding that such Disciplinary Authority is not competent under the said Rule to impose any of the latter penalties. The articles of charge are further stated to have been partly proved as per inquiry report dated June 20, 2011, on the basis of which the President, AIIMS being the Disciplinary Authority in exercise of powers conferred under Rule 15 of CCS (CCA) Rules, 1965 imposed the penalty of compulsory retirement of the respondent. It is urged that the impugned order passed by the learned Tribunal is contrary to law since the charge-sheet cannot be quashed unless prejudice is shown to be caused to the delinquent officer and as the charge-sheet had been issued by the Director, AIIMS, who was competent to institute the departmental proceedings. It is further contended that institution of disciplinary proceedings can be by an Officer subordinate to the Appointing Authority but the only requirement is that the dismissal/removal shall not be by an authority subordinate to the Appointing Authority. It is urged that the drawing up of the charge memo commences when the approval is sought for initiation of disciplinary proceedings and the actual



drawing up of the charge-memo is incidental to the approval to initiate disciplinary proceedings and is a ministerial act.

6. On the other hand, learned counsel for the respondent submits that the President, AIIMS who is also the Union Minister of Ministry of Health and Family Welfare is the Disciplinary Authority to impose major penalty proceedings whereas the charge-sheet had been issued by the Director, AIIMS. It is argued that the charge-sheet does not have the approval of the competent authority i.e. President, AIIMS and in view of law laid down in the case of *B.V. Gopinath (supra)*, if the charge-sheet does not have the approval of DA (Disciplinary Authority) competent to impose the major penalty, the charge-sheet as well as the disciplinary proceedings and any consequent action taken thereafter is *void ab initio*.

It is further urged that even assuming but not admitting that the Director, AIIMS was authorized to institute the proceedings, he could not have approved the charge-sheet as required under Rule 14 (2) & (3) of CCS (CCA) Rules. Reliance upon Section 13 (2) by the learned counsel for the petitioner is strongly disputed and it is contended that institution of disciplinary proceedings by the Director did not dispense with the requirement of placing the file before the President, who happens to be the Disciplinary Authority in respect of the penalties proposed under clauses (v) to (ix) of Rule 14 of the CCS (CCA) Conduct Rules. Reliance is further placed upon the judgment passed in *B.V. Gopinath (supra)* and *Sunny Abraham vs. Union of India and Another, 2021 SCC OnLine SC 1284*.

7. We have given considered thought to the contentions raised.

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At the outset, the Appointing Authority, the Disciplinary Authority, the penalties that may be imposed and the Appellate Authority for various posts in the Institute, prescribed in Schedule II, as per Regulation 33 of All India Institute of Medical Sciences Regulations framed in exercise of the powers conferred under Sub-section (1) of Section 29 of All India Institute of Medical Sciences Act 1956, the CCS (CCA) Rules, as modified from time to time may be noticed:-

## SCHEDULE II

(See regulation 33)

The Appointing, Disciplinary and Appellate Authority for the various posts in the Institute

Sl. No.	Description of Posts	Appointing Authority	Authority competent to impose penalty or penalties which it may impose with reference to Rule-11 of the Central Civil Services (Classification Control and Appeal) Rules, 1965		Appellate Authority
			Disciplinary Authority	Penalties under Rule-11 of the Central Civil Services (Classification Control and Appeal) Rules, 1965	
1	2	3	4	5	6
1	Group 'A' Posts (i) Director	Institute subject to Rule-7 of the All India Institute of Medical Sciences Rules	Institute	All, subject to condition that penalties (v) to (ix) shall not be imposed without the prior approval of the Central Government	
	(ii) Other Posts	--	--	--	--
2	Group 'B' Posts	President	(c) President (d) Director	(c) All Penalties (d) Penalties (i) to (iv)	(b) Governing Body (c) President



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3	Group 'C' Posts	--	--	--	--
4	Group 'D' Posts	--	--	--	--

- (i) Authorisation of the Director, All India Institute of Medical Sciences to issue the Charge-sheet and statement of allegation, penalties and suspension orders after obtaining the approval of the Governing Body, the President, All India Institute of Medical Sciences, as the case may be. The notice, the charge-sheet and statement of allegations shall be signed by the Director for and on behalf of the Governing Body or the President, as the case may be, and the documents shall also expressly state this fact. Phrases like "By order of the Governing Body" or "the President" or the "approval by the Governing Body" or the "President" can be used on such documents.
- (ii) Since the Governing Body meeting are fixed at intervals, the Chairman of the Governing Body is authorised to initiate disciplinary proceedings against employees of Group A and faculty members and the final decision on penalty shall be taken in the Governing Body meeting.

8. A perusal of Schedule II of the Regulations referred to above, indicates that Appointing Authority for the Group 'B' posts with reference to the respondent, is the 'President' of the Institute. Further, Director is the Disciplinary Authority for the purpose of imposing penalties under clauses (i) to (iv) of Rule 11 of the CCS (CCA) Rules, while for all other penalties, the President is the prescribed Disciplinary Authority. Accordingly, the corresponding Appellate Authority in respect of the penalties specified under clauses (i) to (iv) of Rule 11 is the President and for all other penalties, the Appellate Authority is the Governing Body of the Institute.

It is also pertinent to note that in the note beneath Schedule II, the Chairman of the Governing Body has been authorised to initiate departmental proceedings against the employees of Group 'A' and faculty members and the final decision of penalty shall be taken in the Governing Body meeting. However, no such authorisation to initiate departmental proceedings has been specified in favour of any particular officer in respect of Group 'B' posts and, as such, the resort is sought only under Rule 13(2) of the CCS (CCA) Rules by the petitioner in support of its contentions.

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9. As per the case of the respondent, the charge-sheet for major penalty proceedings was issued by the Director, AIIMS though the competent Disciplinary Authority as per Schedule II for imposing the penalty in respect of clauses (v) to (ix) of Rule 11 of CCS (CCA) Rules is the President of the Institute. It is pressed that the charge-sheet was not issued after approval of the competent Disciplinary Authority i.e. President of the Institute in terms of Rule 14(3) of CCS (CCA) Rules and, as such, the same is in violation of mandate of law laid down in *B.V. Gopinath (supra)*, even assuming that there was approval for grant of sanction for prosecution and initiating regular departmental proceedings for major penalty in terms of the minutes of 135<sup>th</sup> meeting of the Governing Body held on 05.07.2005.

10. In order to appreciate the contentions raised on behalf of the counsels, it may be noticed that Rule 14 of the CCS (CCA) Rules, 1965 provides for holding a departmental inquiry as per the provisions of Article 311(2) of the Constitution of India. Further, it contemplates approval of Disciplinary Authority for initiation of disciplinary proceedings and drawing up of charges of misconduct before a punishment may be imposed on the public servant if the charges are proved on inquiry.

11. The approval to initiate the departmental proceedings and the subsequent approval of the charge memorandum in terms of Rule 14(3) of CCS (CCA) Rules are two distinct stages which need to be approved by the Disciplinary Authority. The rationale for obtaining such approval in terms of Rule 14(2) & (3) of CCS (CCA) Rules is that the Disciplinary Authority may apply its mind to determine whether the inquiry is to be 'initiated' and if the proposed charges are made out or the proceedings may necessitate



issuance of a lesser charge.

It has been settled in *B.V. Gopinath (supra)* that initial and general approval granted for 'initiation' of disciplinary proceedings cannot be construed as an approval to the issuance of charge memo/charge-sheet by the Disciplinary Authority under Rule 14(3) of CCS (CCA) Rules. Accordingly, the charge memorandum without the approval of the Disciplinary Authority (i.e. the Hon'ble Finance Minister in the said case) was held to be *non-est* in a concluded proceeding though the initial and general approval was obtained for 'initiation' of disciplinary proceedings. The observations in para 41, 43, 44 & 45 may be beneficially reproduced:-

*"41. Disciplinary proceedings against the respondent herein were initiated in terms of Rule 14 of the aforesaid Rules. Rule 14(3) clearly lays down that where it is proposed to hold an inquiry against a government servant under Rule 14 or Rule 15, the Disciplinary Authority shall draw up or cause to be drawn up the charge-sheet. Rule 14(4) again mandates that the Disciplinary Authority shall deliver or cause to be delivered to the government servant, a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and the supporting documents including a list of witnesses by which each article of charge is proposed to be proved. We are unable to interpret this provision as suggested by the Additional Solicitor General, that once the Disciplinary Authority approves the initiation of the disciplinary proceedings, the charge-sheet can be drawn up by an authority other than the Disciplinary Authority. This would destroy the underlying protection guaranteed under Article 311(1) of the Constitution of India. Such procedure would also do violence to the protective provisions contained under Article 311(2) which ensures that no public servant is dismissed, removed or suspended without following a fair procedure in which he/she has been given a reasonable opportunity to meet the allegations contained in the charge-sheet. Such a charge-sheet can only be issued upon approval by the appointing authority i.e. Finance Minister.*

42. xx

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43. Clause (8) of the circular makes it abundantly clear that it relates to approval for issuing charge memo/sanction of prosecution. A plain

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reading of the aforesaid clause shows that it relates to a decision to be taken by the Disciplinary Authority as to whether the departmental proceedings are to be initiated or prosecution is to be sanctioned or both are to commence simultaneously. The competent authority for approval of the charge memo is clearly the Finance Minister. There is no second authority specified in the order. We do not agree with Ms Indra Jaising, learned Additional Solicitor General that the use of the words "approval of" is not an expression distinct from "approval for" initiating major penalty proceedings.

44. Under Clause (9), the department firstly puts up the file before the Finance Minister seeking "approval for issuing charge memo/sanction of prosecution". The department is seeking an order as to whether the officer is to be proceeded against departmentally or criminal proceedings are to be initiated or both proceedings are to be commenced simultaneously. When the decision is taken by the Finance Minister that the departmental proceedings are to be held (initiation), only then the question of approval of charge memo arises. The department would thereafter complete the necessary formalities and then place the file before the Finance Minister, for "approval of" charge memo. This provision is in harmony with the mandate contained under Articles 311(1) and (2) that no civil servant shall be dismissed or removed by an authority subordinate to that by which he was appointed. The second limb of the same direction is that punishment on a public servant of dismissal, removal or reduction in rank can only be imposed when the charges have been proved against him in a departmental enquiry held in accordance with the rules of natural justice.

45. Rule 14 of the CCS (CCA) Rules provides for holding a departmental enquiry in accordance with the provisions contained in Article 311(2) of the Constitution of India. Clause (8) also makes it clear that when the Finance Minister is approached for approval of charge memo, approval for taking ancillary action such as appointing an inquiry officer/presiding officer should also be taken. Clause (9) in fact reinforces the provisions in Clause (8) to the effect that it is the Finance Minister, who is required to approve the charge memo. Clause (9) relates to a stage after the issuance of charge-sheet and when the charge-sheeted officer has submitted the statement of defence. It provides that in case the charge-sheeted officer simply denies the charges, CVO will appoint an inquiry officer/presiding officer. In case of denial accompanied by representation, the Chairman is to consider the written statement of defence. In case the Chairman comes to a tentative conclusion that written statement of defence has pointed out certain issues which may require modification/amendment of charges then the file has to be put up to the Finance Minister. So the intention is clearly



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*manifest that all decisions with regard to the approval of charge memo, dropping of the charge memo, modification/amendment of charges have to be taken by the Finance Minister."*

12. It has further been held in *Sunny Abraham v. Union of India*, 2021 SCC OnLine SC 1284 that the fact that 'initiation' of proceedings received approval of the Disciplinary Authority could not lighten the obligation on the part of the employer in complying with the requirement of Rule 14(3) of CCS (CCA) Rules, 1965, since Rule 14(2) & (3) contemplate independent approval of the Disciplinary Authority at both stages, for 'initiation' of inquiry and also for 'drawing up' or 'cause to be drawn up' the charge memorandum. In the event, the requirement of Rule 14(2) is complied with, not having the approval at the time of issue of charge memorandum under Rule 14(3) would still render the charge memorandum fundamentally defective, not capable of being validated retrospectively. The observations in para 13 and 14 may be aptly quoted:-

*"13. The next question we shall address is as to whether there would be any difference in the position of law in this case vis-à-vis the case of B.V. Gopinath (supra). In the latter authority, the charge memorandum without approval of the Disciplinary Authority was held to be non est in a concluded proceeding. The High Court has referred to the variants of the expression non est used in two legal phrases in the judgment under appeal. In the context of our jurisprudence, the term non est conveys the meaning of something treated to be not in existence because of some legal lacuna in the process of creation of the subject-instrument. It goes beyond a remediable irregularity. That is how the Coordinate Bench has construed the impact of not having approval of the Disciplinary Authority in issuing the charge memorandum. In the event a legal instrument is deemed to be not in existence, because of certain fundamental defect in its issuance, subsequent approval cannot revive its existence and ratify acts done in pursuance of such instrument, treating the same to be valid. The fact that initiation of proceeding received approval of the Disciplinary Authority could not lighten the obligation on the part of the employer (in this case the Union of India) in*

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complying with the requirement of sub-clause (3) of Rule 14 of CCS (CCA), 1965. We have quoted the two relevant sub-clauses earlier in this judgment. Sub-clauses (2) and (3) of Rule 14 contemplates independent approval of the Disciplinary Authority at both stages - for initiation of enquiry and also for drawing up or to cause to be drawn up the charge memorandum. In the event the requirement of sub-clause (2) is complied with, not having the approval at the time of issue of charge memorandum under sub-clause (3) would render the charge memorandum fundamentally defective, not capable of being validated retrospectively. What is non-existent in the eye of the law cannot be revived retrospectively. Life cannot be breathed into the stillborn charge memorandum. In our opinion, the approval for initiating disciplinary proceeding and approval to a charge memorandum are two divisible acts, each one requiring independent application of mind on the part of the Disciplinary Authority. If there is any default in the process of application of mind independently at the time of issue of charge memorandum by the Disciplinary Authority, the same would not get cured by the fact that such approval was there at the initial stage. This was the argument on behalf of the authorities in the case of B.V. Gopinath (supra), as would be evident from paragraph 8 of the report which we reproduce below:-

"8. Ms. Jaising has elaborately explained the entire procedure that is followed in each and every case before the matter is put up before the Finance Minister for seeking approval for initiation of the disciplinary proceedings. According to the learned Additional Solicitor General, the procedure followed ensures that entire material is placed before the Finance Minister before a decision is taken to initiate the departmental proceedings. She submits that approval for initiation of the departmental proceedings would also amount to approval of the charge memo. According to the learned Additional Solicitor General, CAT as well as the High Court had committed a grave error in quashing the departmental proceedings against the respondents, as the procedure for taking approval of the disciplinary authority to initiate penalty proceeding is comprehensive and involved decision making at every level of the hierarchy."

14. But this argument was repelled by the Coordinate Bench, as would be evident from the opinion of the Bench reflected in paragraphs 49 & 50 of the report, which reads:-

"49. We are unable to accept the submission of the learned Additional Solicitor General. Initially, when the file comes to the Finance Minister, it is only to take a decision in principle as to



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*whether departmental proceedings ought to be initiated against the officer. Clause (11) deals with reference to CVC for second stage advice. In case of proposal for major penalties, the decision is to be taken by the Finance Minister. Similarly, under Clause (12) reconsideration of CVC's second stage advice is to be taken by the Finance Minister. All further proceedings including approval for referring the case to DoP&T, issuance of show-cause notice in case of disagreement with the enquiry officer's report; tentative decision after CVC's second stage advice on imposition of penalty; final decision of penalty and revision/review/memorial have to be taken by the Finance Minister.*

*50. In our opinion, the Central Administrative Tribunal as well as the High Court has correctly interpreted the provisions of Office Order No. 205 of 2005. Factually also, a perusal of the record would show that the file was put up to the Finance Minister by the Director General of Income Tax (Vigilance) seeking the approval of the Finance Minister for sanctioning prosecution against one officer and for initiation of major penalty proceeding under Rules 3(1)(a) and 3(1)(c) of the Central Civil Services (Conduct) Rules against the officers mentioned in the note which included the respondent herein. Ultimately, it appears that the charge memo was not put up for approval by the Finance Minister. Therefore, it would not be possible to accept the submission of Ms. Indira Jaising that the approval granted by the Finance Minister for initiation of departmental proceedings would also amount to approval of the charge memo."*

13. Further, the observations in para 17, 18 & 19 following the *ratio decendi* of *B.V. Gopinath (supra)* in Civil Appeal No.8427-8428 of 2018 [State of Tamil Nadu Rep. By Secretary to Govt. (Home) vs. Promod Kumar IPS & Another] are also pertinent to be noticed:-

*"17. It is clear that the approval of the disciplinary authority was taken for initiation of the disciplinary proceedings. It is also clear from the affidavit that no approval was sought from the disciplinary authority at the time when the charge memo was issued to the delinquent officer. The submission made on behalf of the Appellant is that approval of the disciplinary authority for initiation of disciplinary proceedings was sufficient and there was no need for another approval for issuance of charge memo. The basis for such submission is that initiation of disciplinary proceedings and issuance of charge memo are at the same*



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stage. We are unable to agree with the submission in view of the judgment of this Court in *B.V. Gopinath (supra)*. In that case the charge memo issued to Mr. Gopinath under Rule 14(3) of the Central Civil Service (Classification, Control and Appeal) Rules, 1965 was quashed by the Central Administrative Tribunal on the ground that the Finance Minister did not approve it. The judgment of the Tribunal was affirmed by the High Court. The Union of India, the Appellant therein submitted before this Court that the approval for initiation of the departmental proceedings includes the approval of the charge memo. Such submission was not accepted by this Court on an interpretation of Rule 14(3) which provides that the disciplinary authority shall "draw up or cause to be drawn up" the charge memo. It was held that if any authority other than the disciplinary authority is permitted to draw the charge memo, the same would result in destroying the underlying protection guaranteed under Article 311 (2) of the Constitution of India.

18. Rule 8 (4) of the All India Service (Discipline and Appeal) Rules, 1969 also mandates that the disciplinary authority shall "draw up or cause to be drawn up" the charge memo. We see no reason to take a view different from the one taken by this Court in *B.V. Gopinath (supra)*. We also see no substance in the submission made by the Senior Counsel for the State that the said judgment needs reconsideration. Assuming that Mr. Giri is right in his submission that the initiation of disciplinary proceedings and issuance of charge memo are at the same stage, the mandatory requirement of Rule 8 which provides for the charge memo to be drawn by the disciplinary authority cannot be ignored. We reject the submission, on behalf of the Appellant that Gopinath's case can be distinguished on facts. We are not in agreement with the contention of the Appellant that the business rules and standing orders of the State of Tamil Nadu are quite different from the office orders and circulars issued by Union of India which formed the basis of the judgment in Gopinath's case. A close reading of the said judgment would disclose that reliance on the office note was only in addition to the interpretation of the Rule.

19. It is also settled law that if the rule requires something to be done in a particular manner it should be done either in the same manner or not at all- *Taylor v. Taylor (1875) 1 Ch.D. 426, 431*. In view of the mandatory requirement of Rule 8 (4) and the charge memo being drawn up or cause to be drawn up by the disciplinary authority is not complied with, we are of the considered opinion that there is no reason to interfere with the judgment of the High Court on this issue. The only addition we would like to make is to give liberty to the disciplinary authority to issue a charge memo afresh after taking approval from the disciplinary authority."



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14. As such, it is well settled that the approval for initiation of departmental proceedings does not include the approval of charge memo in specific. In the present case, the petitioners have only relied upon the minutes of the Governing Body held on July 05, 2005 to contend that the departmental inquiry proceedings were initiated against the respondent and other officers after approval by the Governing Body. No documents have been placed on record to reflect in case the approval of the Disciplinary Authority competent to impose the penalties specified in clauses (v) to (ix) of Rule 11 of CCS (CCA) Rules i.e. President, AIIMS, was obtained for approval of charge memo.

15. The contention raised on behalf of the petitioner is that since Shri S.P Vashisht was holding a Group B post, the Director AIIMS being one of the Disciplinary Authorities to impose penalty in respect of clauses (i) to (iv) of Rule 11 of CCS (CCA) Rules could 'institute' the disciplinary proceedings in view of Rule 13(2) of CCS (CCA) Rules, and as such the approval of the 'President' who is Competent Authority to impose the penalty under clauses (v) to (ix) of Rule 11 was not required for approval of charge memo. The initiation of departmental proceedings for major penalty is stated to have been authorised by the Governing Body in its meeting held on July 05, 2005 and the Report of the Inquiry Officer is stated to have been finally placed for consideration of the President, AIIMS who is the Disciplinary Authority, in respect of penalties which may be imposed under clauses (v) to (ix) of Rule 11 of CCS (CCA) Rules. The matter is also stated to have been duly referred to CVC for second stage advice.

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16. In order to appreciate the contentions raised by learned counsel for the petitioner, it may be appropriate to refer to Rule 13 of the CCS (CCA) Rules, which provides as under:-

*"Rule 13 - Authority to institute proceedings*

*(1) The President or any other authority empowered by him by general or special order may :*

*(a) institute disciplinary proceedings against any Government servant;*

*(b) direct a Disciplinary Authority to institute disciplinary proceedings against any Government servant on whom that Disciplinary Authority is competent to impose under these rules any of the penalties specified in Rule 11.*

*(2) A Disciplinary Authority competent under these rules to impose any of the penalties specified in Clauses (i) to (iv) of Rule 11 may institute disciplinary proceedings against any Government servant for the imposition of any of the penalties specified in Clauses (v) to (ix) of Rule 11 notwithstanding that such Disciplinary Authority is not competent under these rules to impose any of the latter penalties."*

17. A bare perusal of Rule 13(2) of CCS (CCA) Rules reflects that the Disciplinary Authority not competent under these Rules to impose any of the latter penalties under clauses (v) to (ix) of Rule 11 may also 'institute' disciplinary proceedings against any Government servant.

18. However, the question for consideration is, whether the "Director, AIIMS" was required to place the file before the President, AIIMS who is the competent authority for imposing the penalty under clauses (v) to (ix) of Rule 11 of CCS (CCA) Rules for approval, for purpose of drawing up or cause to be drawn the substance of imputation of misconduct or misbehavior into definite and distinct articles of charge under Rule 14(3) of CCS (CCA)



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Rules. Consequently, if the inquiry proceeding is *non-est* if the charge-sheet was not placed for approval of the President, AIIMS who is the Competent Disciplinary Authority to impose the penalties under clauses (v) to (ix) of Rule 11 of the CCS (CCA) Rules, as expounded in *Union of India v. B.V. Gopinath (supra)*.

19. Undisputedly, the proceedings held against a public servant under the CCS (CCA) Rules to determine whether the delinquent official is guilty of the charges, is in nature of 'quasi judicial' proceedings. An important exercise of power for 'initiation' of proceedings as well as issuance of 'charge memo' under Rule 14(2) & (3) of CCS (CCA) Rules, cannot be deemed to be delegated by virtue of provisions of Rule 13(2) of CCS (CCA) Rules and the same merely permits the 'institution' of the disciplinary proceedings against a government servant to impose penalties specified in clauses (i) to (iv) of Rule 11 of CCS (CCA) Rules.

We are of the considered view that if any authority other than the Disciplinary Authority competent to impose the penalty permissible under the Rules is permitted to draw the charge memo, the same would destroy the underlined protection guaranteed under Article 311(2) of the Constitution unless specifically permitted under the Rules framed in this regard. Further, in the light of the proposition of law settled in *B.V. Gopinath (supra)* as well as *Sunny Abraham (supra)*, though under Rule 13(2) of the CCS (CCA) Rules, a Disciplinary Authority competent under the said Rules to impose the penalties specified in clauses (i) to (iv) of Rule 11 may 'institute' the disciplinary proceedings against the government servant for imposition of any of the penalties specified in

clauses (v) to (ix) of Rule 11, notwithstanding that such Disciplinary Authority is not competent under the CCS (CCA) Rules to impose any of the latter penalties but the same does not lighten the obligation to seek the approval of the 'Disciplinary Authority competent to impose the penalty under the Rules' for approval of charge memo. By virtue of Rule 13(2) of CCS (CCA) Rules, the Director, AIIMS being authorized to 'institute' the proceedings could have only 'drawn up' the distinct Articles of Charge which could be only finalized after approval by the Disciplinary Authority competent to impose the penalty i.e. President, AIIMS. In the aforesaid context, it may also be appropriate to refer to observations in para 51 & 52 of *B.V. Gopinath (supra)*:-

*"51. Ms Indira Jaising also submitted that the purpose behind Article 311, Rule 14 and also the Office Order of 2005 is to ensure that only an authority that is not subordinate to the appointing authority takes disciplinary action and that rules of natural justice are complied with. According to the learned Additional Solicitor General, the respondent is not claiming that the rules of natural justice have been violated as the charge memo was not approved by the disciplinary authority. Therefore, according to the Additional Solicitor General, CAT as well as the High Court erred in quashing the charge-sheet as no prejudice has been caused to the respondent.*

*52. In our opinion, the submission of the learned Additional Solicitor General is not factually correct. The primary submission of the respondent was that the charge-sheet not having been issued by the disciplinary authority is without authority of law and, therefore, non est in the eye of the law. This plea of the respondent has been accepted by CAT as also by the High Court. The action has been taken against the respondent in Rule 14(3) of the CCS (CCA) Rules which enjoins the disciplinary authority to draw up or cause to be drawn up the substance of imputation of misconduct or misbehaviour into definite and distinct articles of charges. The term "cause to be drawn up" does not mean that the definite and distinct articles of charges once drawn up do not have to be approved by the disciplinary authority. The term "cause to be drawn up" merely refers to a delegation by the disciplinary authority to a subordinate authority to perform the task of drawing up substance*



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*of proposed "definite and distinct articles of charge-sheet". These proposed articles of charge would only be finalised upon approval by the disciplinary authority. Undoubtedly, this Court in P.V. Srinivasa Sastry v. CAG [(1993) 1 SCC 419 : 1993 SCC (L&S) 206 : (1993) 23 ATC 645] has held that Article 311(1) does not say that even the departmental proceeding must be initiated only by the appointing authority. However, at the same time it is pointed out that: (SCC p. 422, para 4)*

*"4. ... However, it is open to the Union of India or a State Government to make any rule prescribing that even the proceeding against any delinquent officer shall be initiated by an officer not subordinate to the appointing authority."*

*It is further held that: (SCC p. 422, para 4)*

*"4. ... Any such rule shall not be inconsistent with Article 311 of the Constitution because it will amount to providing an additional safeguard or protection to the holders of a civil post."*

In the light of settled position of law, in the instant case, in the absence of the approval of charge memo by the competent Disciplinary Authority i.e. the President, AIIMS, who is empowered to impose the penalties under clauses (v) to (ix) of Rule 11 of CCS (CCA) Rules, the very foundation of issuing the charge-sheet becomes fundamentally defective and is not capable of being validated by merely placing the file before the Disciplinary Authority (i.e. the President, AIIMS) at the final stage. As the initial action itself is not in accordance with law, the subsequent inquiry proceedings and the decision taken thereupon would fall to the ground.

20. For the foregoing reasons, we agree with the findings of the Tribunal. However, we modify the operational part of the order whereby the liberty has been granted to initiate fresh disciplinary inquiry against the respondent by following the procedure laid down in CCS (CCA) Rules, 1965 and in terms of the law laid down by the Hon'ble Supreme Court in case of *B.V.*

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*Gopinath (supra)* by directing for initiating the proceedings not beyond a period of three months from today and, thereafter, the proceedings shall take its own course, as per law.

Petition is accordingly disposed of. No order as to costs. Pending applications, if any, also stand disposed of.

(ANOOP KUMAR MENDIRATTA)  
JUDGE

(V. KAMESWAR RAO)  
JUDGE

MAY 25, 2023/A/sd



Order dated 09.10.2023 in the case of AIIMS Vs. SP Vashisht [SLP (C) D. No. 38084 of 2023]

1 message


Atul Kumar <officeofatulkumar@gmail.com>  
To: legal cell <legalcell@aiims.edu>

Tue, Nov 14, 2023 at 12:55 PM

Sir,

As per discussion, PFA order dated 09.10.2023 in the abovementioned case

Regards,  
Office of Mr. Atul Kumar  
Advocate-On-Record  
Supreme Court of India  
[AVS Associates,  
Advocates & Consultants]  
LB-03, Gauri Sadan, 5-Hailey Road  
Connaught Place, New Delhi-110001  
M: 91-9818385222, 9871857168, 0-011-41504344"

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S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) DIARY NO(S). 38084/2023

(Arising out of impugned final judgment and order dated 25-05-2023 in WP(C) No. 6525/2017 passed by the High Court Of Delhi At New Delhi)

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

PETITIONER(S)

VERSUS

S.P. VASHISHT

RESPONDENT(S)

( IA No.202264/2023-CONDONATION OF DELAY IN FILING and IA No.202266/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Date : 09-10-2023 This petition was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE HIMA KOHLI  
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s)

Mr. Atul Kumar, AOR  
Ms. Sweety Singh, Adv.  
Ms. Archana Kumari, Adv.  
Mr. Rahul Pandey, Adv.

For Respondent(s)

UPON hearing the counsel, the Court made the following  
O R D E R

1. Application seeking exemption from filing certified copy of the impugned judgment is allowed.
2. Delay condoned.
3. Issue notice.
4. Till further orders, operation of the impugned judgment shall remain stayed.

Signature Not Verified  
Digitally signed by  
POOJA SHARMA  
Date: 2023.10.09  
17:57:01 IST  
Reason:

(POOJA SHARMA)  
COURT MASTER (SH)

(NAND KISHOR)  
COURT MASTER (NSH)



190

1232332

Annexure - S

To

The Governing Body (AIIMS)  
Appellate Authority  
All India Institute of Medical Science,  
Ansarī Nagar, New Delhi.

Through

The Director,  
AIIMS, New Delhi.



Subject: Appeal against the penalty order dated 28.08.2023 passed by the Director, AIIMS, New Delhi on behalf of President, AIIMS, by which applicant has been dismissed from his service.

Respected Sir,

1. That the applicant was initially appointed to the post of Nursing Officer, in AIIMS on 12.03.2009 and since then the applicant served the department to the entire satisfaction of his seniors till the date of passing the impugned order.
2. That in the year 2018, while working as Nursing Officer the applicant taken 5 days earned leave (Station leave) w.e.f. 9.5.2018 to 13.5.2018, which were duly sanctioned to go to native town in Rajasthan in respect of sickness of mother and wife of the applicant. It is submitted that due to sickness of the mother and wife of the applicant he was unable to join his duties after 5 days and informed /requested the competent authority i.e. immediate superior officer for extension of the leave in respect of sickness of his mother and wife. It is submitted that the applicant informed the concerned authority time to time and lastly joined his duty on 09.07.2021. It is submitted that the applicant submitted his leave application for extending period w.e.f. 14.05.2018 to 08.07.2021 and continuously working till passing the impugned penalty order.
3. That the Director AIIMS vide memorandum dated 26.05.2022 issued a major penalty charge sheet under Rule-14 of the CCS (CCA) Rules, alleging the following charges alleged against the applicant;

“Article of Charge:

That the said Shri Sanjay Saini while working as Nursing Officer in this Institute remained willfully and unauthorizedly absent from

AD(A) Manoj  
AT, please

duty 1152 days w.e.f. 14.05.2018 to 08.07.2021 without prior permission or sanction of leave by the competent authority. He has failed to respond to recall notices issued to him vide memorandum No.17-24/2009-Estt.(H) dated 11.06.2018 & 02.06.2020.

By this act of unauthorized absence, Shri Sanjay Saini, Nursing Officer has shown disobedience and has failed to maintain devotion to duty and is not amenable to discipline and has acted in manner which is unbecoming of an Institute employee and accordingly Shri Sanjay Saini, Nursing Officer has contravened Rule 3(1)(ii), (iii) & (xviii) of the CCS (Conduct) Rules, 1965 as applicable to the employees of the Institute."

4. That it is relevant to mention here that the applicant is a Group 'B' employee and therefore, the disciplinary authority of the applicant is President, AIIMS, but the above noted Charge sheet was issued by the Director, AIIMS who is not the competent authority for issuing charge sheet under rule 14 of the CCS(CCA) Rules, 1965 which is clear from the final penalty order which has been issued by the President AIIMS. It is relevant to mention here that the impugned charge sheet was not even approved by the President AIIMS who was the competent authority and therefore, the entire disciplinary proceedings should liable to be set aside on this sole ground as held by the Hon'ble Delhi High Court recently in the case of AIIMS Vs. S.P. Vashisht in W.P.(C) No.6525/2017 decided on 25.05.2023 and the relevant part of the judgment is reproduced here as under;

"24. In the light of settled position of law, in the instant case, in the absence of the approval of charge memo by the competent Disciplinary Authority i.e. the President, AIIMS, who is empowered to impose the penalties under clauses (v) to (ix) of Rule 11 of CCS (CCA) Rules, the very foundation of issuing the charge-sheet becomes fundamentally defective and is not capable of being validated by merely placing the file before the Disciplinary Authority (i.e. the President, AIIMS) at the final stage. As the initial action itself is not in accordance with law, the subsequent inquiry proceedings and the decision taken thereupon would fall to the ground.



25. For the foregoing reasons, we agree with the findings of the Tribunal. However, we modify the operational part of the order whereby the liberty has been granted to initiate fresh disciplinary inquiry against the respondent by following the procedure laid down in CCS (CCA) Rules, 1965 and in terms of the law laid down by the Hon'ble Supreme Court in case of B.V. Gopinath (supra) by directing for initiating the proceedings not beyond a period of three months from today and, thereafter, the proceedings shall take its own course, as per law."

5. That the applicant submitted his reply to the charge memorandum vide representation dated 07.06.2022. It is submitted that while explaining the alleged charges the applicant also requested to grant personal hearing before taking any further action as per para 2 of the memorandum dated 26.05.2022.
6. That the Director AIIMS without granting any personal hearing to the applicant as per the memorandum dated 26.05.2022 and as per the request of the applicant, appointed an Inquiry officer as well as the Presenting officer to conduct regular inquiry against the applicant, which is not only illegal and in violation of rules but also against the principle of natural justice.
7. That the Inquiry officer conducted the inquiry in his own manner without following the rules and procedure and without applying the principle of natural justice. It is submitted that last prosecution witness was appeared in the inquiry on 23.1.2023 and after examination of the same, on the same day, the Inquiry officer closed the enquiry, without conducting any General Examination of the applicant under rule 14(18) of the CCS(CCA)Rules and without given any opportunity to the applicant to produce his defence witnesses or to submit his defence statement, which is clear from the daily order sheet dt.23.1.2023, (Copy enclosed for ready reference) and therefore, entire proceedings is vitiated on this sole ground.
8. That the applicant submitted his defence brief and the Inquiry officer without considering the same and even considering the medical

documents produced by the applicant, pre-minded submitted his report and proved the charges against the applicant. It is submitted that it is clear from the IO report, specially comments of the IO on the defence brief of the applicant, that IO was biased and acted like prosecutor nor as a judge and therefore, the entire IO report which is perverse is not sustainable in the eyes of law.

9. That the Inquiry officer gone beyond the charges and given his findings that 'Shri Sanjay Saini, Nursing Officer has shown disobedience.....' It is submitted that there is no charge of disobedience in the charge sheet and therefore, the findings of the IO are beyond the charges and therefore, the same is not sustainable in the eyes of law.
10. That it is submitted that the copy of IO report was supplied to the applicant vide Memorandum dt. 10.5.2023 and against the IO report, the applicant submitted his detailed representation vide dated 16.5.2023.
11. That the Director, AIIMS without application of mind, pre-minded decided to impose the penalty on the applicant and passed the impugned order and only take approval of the President, AIIMS on file, whereas, in fact competent disciplinary authority has not applied his mind and has not gone through the complete file.
12. That the applicant was not willfully absent, but was absent for the reasons which were beyond his control and it is well settled principle of law laid down by the Hon'ble Tribunal that absent on ground of sickness is not a misconduct in the case of Nathu Ram Versus Union of India & Others reported in 1989 (1) ATJ 630.
13. That it is well settled principle of law laid down by the Hon'ble Tribunal in the case of Mr. A. Parasado Ram Versus Union of India reported in 1994 (2) ATJ 434 held that mere absence from duty, cannot be treated as a misconduct so as to attract, disciplinary proceedings. It is well settled principle of law "mere absence is no misconduct, only a willful one is misconduct" as held in the case of Mohd. Aslam Versus state, reported in



2005(3) AI SLJ 186(HC) and therefore, the impugned penalty order is liable to be quashed on this sole ground.

14. That the inquiry officer submitted his report which is also in violation of Rule 14 of the CCS(CCA) Rules, 1965. It is submitted that in the above stated rule it is clearly mentioned that after conclusion of the inquiry a report shall be prepared as per the prescribed method/procedure but the inquiry officer failed to prepared a report as per the rules.
- 15 That the Hon'ble Supreme court while deciding the Railway matter under Railway servants(D&A) Rules, 1968 in the case of Mathura Prasad Vs Union of India & Ors, AIR 2007 SC 381 held as under:

"18. When an employee, by reason of an alleged act of misconduct, is sought to be deprived of his livelihood, the procedures laid down under sub rules are required to be strictly followed. It is now well settled that a judicial review would lie even if there is an error of law apparent on the face of the record. If statutory authority uses its power in a manner not provided for in the statute or passes an order without applicable of mind, judicial review would be maintainable. Even an error of fact for sufficient reasons may attract the principles of judicial review."

And in present case there is total violation of rules and violation of principles of natural justice.

16. That the punishment awarded to the applicant is disproportionate to the gravity of charges, which are based on absent on sickness of mother and wife and absent was not willful.
17. That it is clear from the disciplinary authority order that same is a non-speaking, unreasoned and pre-minded orders only to punish the applicant and therefore, the same is liable to be quashed. It is submitted that the disciplinary authority without gone through the medical documents submitted by the applicant, passed a non-speaking and unreasoned order and imposed the stiff penalty of dismissal from service.
18. In the case of Ranjith Thakur vs Union Of India And Ors on 15 October, 1987 at Paras 9 & 10, the Hon'ble Supreme Court observed as under:-

"9, Re: contention (d): Judicial review generally speaking, is not directed against a decision, but is directed against the "decision making process". The question of the choice and quantum of punishment is within the jurisdiction and discretion of the Court-Martial. But the sentence has to suit the offence and the offender. It should not be A vindictive or unduly harsh. It should not be so disproportionate to the offence as to shock the conscience and amount in itself to conclusive evidence of bias. The doctrine of proportionality, as part of the concept of judicial review, would ensure that even on an aspect which is, otherwise, within the exclusive province of the Court-Martial, if the decision of the Court even as to sentence is an outrageous defiance of B logic, then the sentence would not be immune from correction. Irrationality and perversity are recognised grounds of judicial review. In Council of Civil Service Unions v. Minister for the Civil Service, [1984] 3 Weekly Law Reports 1174 (HL) Lord Diplock said: "Judicial Review has I think developed to a stage today when without reiterating any analysis of the steps by which the development has come about, one can conveniently classify under three heads the grounds upon which administrative action is subject to control by judicial review. The first ground I would call 'illegality', the second 'irrationality' and the third 'procedural impropriety'. That is not to say that further development on a case by case basis may not in course of time add further grounds. I have in mind particularly the possible adoption in the future of the principle of 'proportionality' which is recognised in the administrative law of several of our fellow members of the European Economic Community. In Bhagat Ram v. State of Himachal Pradesh, A.L.R. 1983 SC 454 this Court held: "It is equally true that the penalty imposed must be commensurate with the gravity of the misconduct and that any penalty disproportionate to the gravity of the misconduct would be violative of Article 14 of the Constitution. 7 Item No. 28 O.A. No. 120/2017 M.A. No. 1366/2022 The point to note, and emphasis is that all powers have legal limits. In the present case the punishment is so strikingly disproportionate as to call for and justify interference. It cannot be



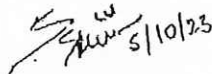
allowed to remain uncorrected in judicial review. 10. In the result, for the foregoing reasons, the appeal is allowed, the order of the High Court set aside, the writ petition preferred in the High Court allowed and the impugned proceedings of the Summary Court-Martial dated March 30, 1985, and the consequent order and sentence are quashed. The appellant is entitled to and shall be reinstated with all monetary and service benefits. There will, however, be no order as to costs."

It is, therefore, respectfully prayed that the competent authority may graciously be pleased to pass an order of quashing/set-aside the impugned penalty order dated 28.08.2023 and passed and order of reinstatement of the applicant in service with all consequential benefits. It is also prayed that the applicant may be granted personal hearing before taking any final decision on the appeal of the applicant.

Thanking you,

Yours faithfully,

DATE :05.10.2023

 5/10/23

SANJAY SAINI

NURSING OFFICE

North Block, New Delhi  
Dated February 18, 2015

### OFFICE MEMORANDUM

Subject: Importance of following the due process in disciplinary proceedings -  
regarding

This Department has been emphasising the necessity of conforming with the procedures prescribed in the Central Civil Services (Classification, Control & Appeal) Rules, 1965 [CCS(CCA) Rules, 1965] while dealing with the disciplinary proceedings conducted in Ministries/ Departments. Many a times the Hon'ble Administrative Tribunals and Courts have held the proceedings non-est for non-conformity of the procedure, without even going into the merits of the case. This issue was highlighted recently in the judgement of the Hon'ble Supreme Court in the B. V. Gopinath case in SLP No. 6348/2011.

2. Procedural lapses have also been noticed in a few cases referred to this Department for advice. Two areas where procedural lapses are frequently noticed are: (i) not following the procedure prescribed in Rule 14(18) of CCS (CCA) Rules, 1965 while conducting the disciplinary inquiry; and (ii) not following the procedures laid down in Rule 9 of CCS(Pension) Rules, 1972 in the case of proceedings against retired Government servants.

3. Rule 14(18) of CCS (CCA) Rules, 1965, provides that, "the inquiring authority may, after the Government servant closes his case, and shall, if the Government servant has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the Government servant to explain any circumstances appearing in the evidence against him." This is a formal action required to be taken by the inquiry officer before closing the inquiry. It has been seen that many a times this is not formally recorded and the inquiry gets vitiated. It is imperative that the inquiry is conducted strictly in accordance with the procedures prescribed.

4. Attention is also invited to Rule 9 of the Central Civil Services (Pension) Rules, 1972, while lays down that the departmental proceedings, if instituted while the Government servant was in service, whether before his/her retirement or during his re-employment, shall, after his/her final retirement, be deemed to be proceedings under the rule and shall be continued and concluded by the authority which commenced them, in the same manner as if the Government servant had continued in service. This rule also stipulates that where the departmental proceeding is instituted by an authority subordinate to the President, that authority shall submit a report recording its findings to the President.

*J. Man*

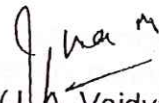


O.M. No. 11012/3/2015-Estt.A-III dated 18.02.2015

---2---

5. All Ministries / Departments are requested to please bring to the attention of all concerned the necessity of conforming to the procedures prescribed for conducting departmental proceedings.

6. In this regard, attention is also invited to the ISTM publication 'Handbook for Inquiry Officers & Disciplinary Authorities, 2013', which can be used as a reference guide in such matters. The Handbook may be accessed under 'Publications/Reports' on this Department's website: <http://persnin.nic.in/DOPT.asp>.

  
(J. A. Vaidyanathan)  
Director (E)  
Telefax : 23093179

To

The Secretaries of all Ministries / Departments  
(as per standard list)

Copy to:-

1. Comptroller & Auditor General of India, New Delhi
2. Union Public Service Commission, New Delhi
3. Central Vigilance Commission, New Delhi
4. CVOs of all Ministries/ Departments
5. Central Bureau of Investigation, New Delhi.
6. All Union Territory Administrations.
7. Lok Sabha / Rajya Sabha Secretariat.
8. All attached and subordinate Offices of Ministry of Personnel, PG & Pensions.
9. All Offices and Sections of the Ministry of Personnel. Public Grievances & Pensions
- ✓ 10. NIC, Department of Personnel & Training, North Block, New Delhi with the request to upload the above O.M. at the website under OMs & Orders → Establishment → CCS(CCA) Rules
11. Hindi Section for translation in Hindi

79.	Power to sanction advances of pay on the eve of important festivals.  Under the Treasury Rules	Full powers				
80.	Power to authorise a departure from the provisions of the Rules 109 (1) relating to custody of Institute money.	Full power				

**SCHEDULE II**

(See regulation 33)

**The Appointing, Disciplinary and Appellate Authority for the various posts in the Institute**

Sl. No.	Description of Posts	Appointing Authority	Authority competent to impose penalty or penalties which it may impose with reference to Rule - 11 of the Central Civil Services (Classification Control and Appeal) Rules, 1965		Appellate Authority
			Disciplinary Authority	Penalties under Rule- 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965.	
1	2	3	4	5	6
1	Group 'A' Posts (i) Director	Institute subject to Rule - 7 of the All India Institute of Medical Sciences Rules.	Institute	All, subject to condition that penalties (v) to (ix) shall not be imposed without the prior approval of the Central Government	
	(ii) Other Posts	Governing Body	(a) Governing Body (b) President	(a) All Penalties (b) Penalties (i) to (iv)	(a) Institute Governing Body
2	Group 'B' posts	President	(c) President (d) Director	(c) All Penalties (d) Penalties (i) to (iv)	(b) Governing Body (c) President
3	Group 'C' posts	Director	(a) Director	(a) All penalties	(a) President
4	Group 'D' posts	Director	(a) Director (b) Deputy Director (Administration) in the case of Institute employees other than those provided in (c) and (d) below (c) Medical Superintendent in the case of All India Institute of Medical	(a) All Penalties (b) Penalties (i) to (iv)  (c) Penalties (i) to (iv)  (d) Penalties (i) to (iv)	(a) President (b) Director  (c) Director  (d) Director



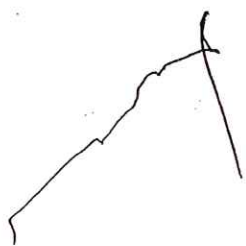
			Sciences Hospital employees. (d) Chief Organiser, Dr. Rajendra Prasad Centre for Ophthalmic Sciences and Chiefs of other Centres as and when established by the Institute in the case of the employees working in the Centres concerned.		
--	--	--	---	--	--

- (i) Authorisation of the Director, All India Institute of Medical Sciences to issue the Charge-sheet and statement of allegation, penalties and suspension orders after obtaining the approval of the Governing Body, the President, All India Institute of Medical Sciences, as the case may be. The notice, the charge-sheet and statement of allegations shall be signed by the Director for and on behalf of the Governing Body or the President, as the case may be, and the documents shall also expressly state this fact. Phrases like "By order of the Governing Body" or "the President" or the "approval by the Governing Body" or the "President" can be used on such documents.
- (ii) Since the Governing Body meeting are fixed at intervals, the Chairman of the Governing Body is authorised to initiate disciplinary proceedings against employees of Group A and faculty members and the final decision on penalty shall be taken in the Governing Body meeting.

By the Authority of the Institute

RANDEEP GULERIA, Director

[ADVT.-III/4/Exty./248/19]



**CONFIDENTIAL**

**OFFICE OF INQUIRY AUTHORITY  
ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
Ansari Nagar, New Delhi-110029  
(Recruitment Cell)**

No. F-1/2022/ SS/ Inquiry (Ret)

Dated: 23.01.2023

**DAILY ORDER SHEET FOR HEARING**

**Subject: Departmental inquiry into the charges framed against Sh. Sanjay Saini, Nursing Officer AIIMS, New Delhi. (Proceeding on 23.01.2023 at 10:30 AM)**

The Final Hearing held on 23.01.2023 at 10:30 AM as per schedule in the Office of Inquiry Officer & Administrative Officer, Recruitment Cell, 1<sup>st</sup> Floor, Administrative Block, AIIMS, New Delhi.

Following were present/absent:-

- |  |           |
|--|-----------|
| 1. Sh. Mahender Pal Singh, Presenting Officer (P.O.)   | - Present |
| 2. Sh. Sanjay Saini, Charged Official (C.O.) along with his defence assistance Mr. H.L. Arora                    | - Present |
| 3. Mrs. Rajni Bajaj, Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi, Prosecution Witness 3(PW-3) | - Present |

The deposition of Mrs. Rajni Bajaj, Asstt. Nursing Superintendent, Main Hospital, AIIMS, New Delhi, Prosecution Witness 3(PW-3) and cross-examination by defence assistance of Charged Official (CO) were recorded by the P.O. before the Inquiry Officer (copy enclosed).

With above observations, the Inquiry proceedings are closed with direction to the Presenting Officer to prepare his written brief in the capacity of P.O. in the ongoing Inquiry and submit the same to the undersigned within 15 days from the date of issue of this Daily Order Sheet. P.O. is also advised to furnish a copy of his written brief to the Charged Official, advising him to submit his representation, if any directly to the Inquiry Officer within 10 days from its receipt, failing which it will be presumed that he has nothing to say in



his support and accordingly Inquiry Report will be prepared and the same will be submitted to the Disciplinary Authority for further necessary action.

Cont..2/-

-2-

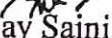
With above observations, the proceedings of Inquiry are closed.

  
23/1/2022  
(Rajender Singh)

Inquiry Officer & Admin. Officer

  
23/01/23

Sh. Mahender Pal Singh,  
Asst. Admin. Officer, Dr. R. P.  
Centre & Presenting Officer

  
Sh. Sanjay Saini,  
Nursing Officer, Main Hosp.  
AIIMS, New Delhi

**Distribution:**

1. Sh. Sanjay Saini, Nursing Officer , Main Hosp. (Through: Chief Nursing Officer (H))
2. Sh. Sanjay Saini, Nursing Officer, Saini Bhavan, Near Old Police Station, Malarna Doongar, Sawai Madhopur, Rajasthan-322028.

received in person.  
Saini/23.1.23

**Copy to:**

Sh. Mahender Pal Singh,  
Asst. Admin. Officer & Presenting Officer, Dr. R. P. Centre, AIIMS

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ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)  
Ansari Nagar, New Delhi

No. F: 17-24/2009 Estt (H)

Date: 17 JUN 2018

MEMORANDUMSubject: - Absence from Duty - Mr. Sanjay Saini, Nursing Officer

\*\*\*\*\*

It has been reported by the Assistant Nursing Superintendent, AB2 Ward & ICU that Mr. Sanjay Saini, Nursing Officer was proceed on 5 days Earned Leave w.e.f. 09.05.18 to 13.05.18 which was duly sanctioned by the controlling authority. He was due to resume his duty on 14.05.18 after expiry of aforesaid leave, but did not reported for duty nor sent any intimation/ leave application till date for his unauthorized willful absence from duty and continue to be absent from duty till date without prior permission/ sanctioned of leave to him by the competent authority.

Mr. Sanjay Saini, Nursing Officer is therefore, directed to rejoin his duty immediately and submit his explanation for willful absence failing which action as deemed fit as per rules shall be initiated against him.

*Shew*  
(G.R. PILLAI)

ADMINISTRATIVE OFFICER (H)

1. Mr. Sanjay Saini, Nursing Officer (AB2 Ward & ICU)  
F-195, Second Floor  
Lado Sarai, New Delhi-110030
2. Mr. Sanjay Saini,  
Saini Bhavan, near old Police Station  
Malarna Doongar, Sawai,  
Madhopur, Rajasthan-322028

## Copy To:-

- 1 The Accounts Section II & III. (His Salary may not be released till further orders. Salary Code-N23045)
- 2 The Chief Nursing Officer.



Annexure - 7

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Final Notice

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)  
Ansari Nagar, New Delhi

No. F: 17-24/2009 Estt (H)

Date: 02 JUN 2020

MEMORANDUM

Subject: - Absence from Duty - Mr. Sanjay Saini, Nursing Officer

\*\*\*\*\*

Mr. Sanjay Saini, Nursing Officer informed that he is away from duty since 14.05.18 without any formal approval of the Competent Authority. He was directed to report for duty vide this office memorandum of even number dated 11.06.18. He neither reported for duty nor made any communication in response to the aforesaid office memorandum. He is thus, responsible for gross violation of the service rules.

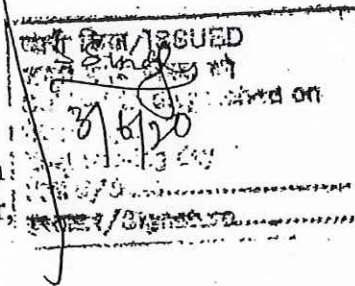
Mr. Sanjay Saini, Nursing Officer is therefore, directed to report for his duty immediately failing which disciplinary action as deemed fit under the C.C.S. (C.C.A.) Rules, 1965 will be taken against him on amount of his unauthorized/willful absence from duty.

  
(G.R. PILLAI)

ADMINISTRATIVE OFFICER (H)

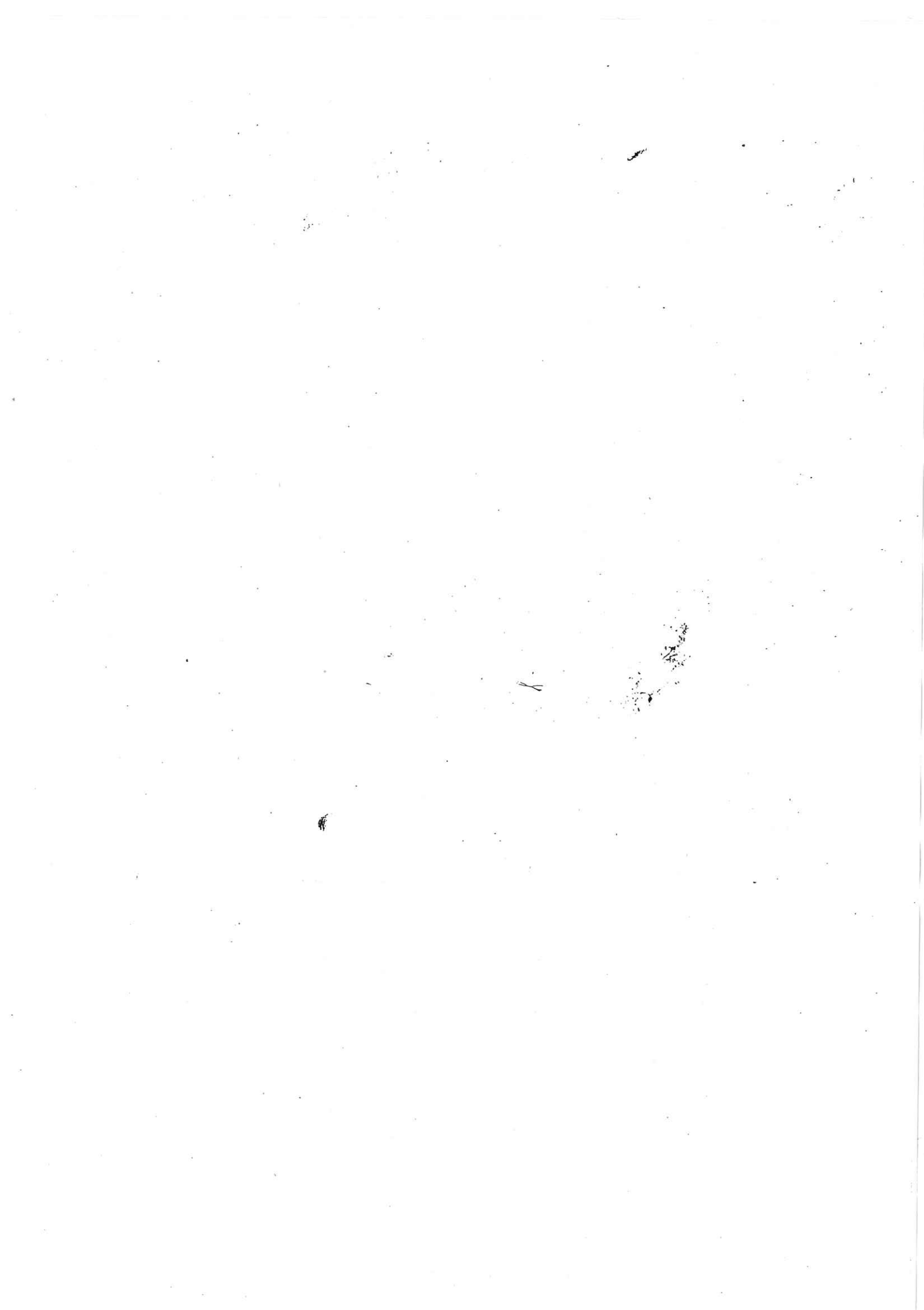
1. Mr. Sanjay Saini, Nursing Officer  
F-195, Second Floor, Lado Sarai  
New Delhi- 110030

2. Mr. Sanjay Saini, Nursing Officer,  
Saini Bhavan, near old police station  
Malarna Doongar, Sawai, Madhopur,  
Rajasthan- 322028



Copy To:-

1. The Accounts Section II & III. (His Salary from 14.05.18 onwards may not be released till further orders. (Salary Code-N23045)
2. The Chief Nursing Officer.





**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/14**

**To consider the proposal for ex-post facto ratification of voluntary retirement granted to Mrs. Selinamma Varghese, Assistant Nursing Superintendent (Group "A" Staff) from the service of this Institute w.e.f. 05.01.2024 (A/N).**





NOTE FOR THE GOVERNING BODY

Item No GB / 162-14

**TO CONSIDER THE PROPOSAL FOR EX-POST-FACTO RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO MRS. SELINAMMA VARGHESE, ASSISTANT NURSING SUPERINTENDENT (GROUP "A" STAFF) FROM THE SERVICE OF THIS INSTITUTE W.E.F. 05.01.2024 (A/N).**

**1. INTRODUCTION**

1.1 Mrs. Selinamma Varghese, Assistant Nursing Superintendent vide her letter dated 06.10.2023 had requested for voluntary retirement from the service of the Institute w.e.f. 05.01.2024 (A/N) on personal reasons (Annexure-I).

1.2 Mrs. Selinamma Varghese had joined the Institute on 01.10.1991 (Ad-hoc basis) & on 13.05.1993 (Regular basis) and she was due to superannuate on 31.05.2027. She had completed more than 30 years of qualifying service and was fulfilling the requisite condition for voluntary retirement. There was no vigilance/disciplinary case pending/contemplated against her.

**2. ADMINISTRATIVE COMMENTS**

2.1 In the above context, the following is submitted:-

(i) The Rule 43 of CCS (Pension) Rules, 2021 stipulates that a Government Servant after completing 20 years of qualifying service can seek voluntary retirement from the service by giving notice of not less than 3 months in writing to the appointing authority. The appointing authority may consider request for the curtailment of the period of notice of 3 months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condition that the Government servant shall not apply for commutation of pension of a part of his pension before the expiry of the period of notice of 3 months.

(ii) As per Item No. 1(ii) of the Schedule II under AIIMS Regulations, 2019 (as amended), the Appointing Authority of Group A posts at AIIMS, New Delhi is Governing Body, therefore, in her case Governing Body is the competent authority to permit the voluntary retirement from the service of the Institute.

Cont.2/.

(iii) Regulation 30 (4) of AIIMS Regulation, 2019 provides as under :

*“Any employee of the Institute may, by giving notice of not less than three months in writing to the appointing authority, retire from the service after he has attained the age of fifty years, if he is in Group A or Group B service or post and had entered the service of the Institute before attaining the age of thirty-five years and in all other cases after he has attained the age of fifty-five years.”*

(iv) The AIIMS Regulations, 2019 (as amended) have no provisions for VRS. However, the Regulation No. 35 of the AIIMS Regulations, 2019 (as amended) provides as under:-

*“In respect of matters not provided for in these regulations, the rules as applicable to the Central Government servants regarding the general condition of service, pay, allowances including travelling and daily allowances, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the Central Government from time to time shall apply to the employees of the Institute.”*

Hence, in this case provisions of Rule 43 of CCS (Pension) Rules, 2021 were applicable. Since Mrs. Selinamma Varghese had completed more than 30 years of service at the Institute, she fulfilled the requisite requirement of this Rule.

In light of the position explained above, the Hon'ble HFM had accorded approval for voluntary retirement of Mrs. Selinamma Varghese w.e.f. 05.01.2024 (AN) in his capacity as Chairman, Governing Body, AIIMS, New Delhi with directions to put this up to Governing Body for ratification (Annexure-II).

### 3. APPROVAL SOUGHT

In view of the above, the approval accorded by Hon'ble President, AIIMS in capacity as Chairman of the Governing Body, AIIMS, New Delhi for grant of voluntary retirement of Mrs. Selinamma Varghese w.e.f. 05.01.2024 (AN) is submitted before the Governing Body for consideration & ratification.



e-office - 1226801/23

207

Annexure-I

10535

D.O.B - 30. 05. 1967

D.O.J - 01.10.1991

Biometric Card No.- 1953

To,  
The medical Superintendent  
Main Hospital  
All India Institute of Medical Science  
Ansari Nagar  
New Delhi - 110029

अ.भा.अ.स. भस्मताल  
A.I.I.M.S. Hospital  
चिकित्सा अधीक्षक कार्यालय  
Medical Superintendent's Office  
अ.भा.अ.स. नं. 5390  
[ अ.भा.अ.स. नं. 5390  
दिनांक 01.10.23  
Date.....

Subject - Seeking voluntary retirement from service with three (3) months notice.

Through proper channel

Respected Sir,

I, Mrs. Selinamma Varghese, joined this institution on 01-10-1991 as Sister grade II on Adhoc basis, and was regularised on 13- 05- 1993. Now I work as an ANS in Surgical Block - SOPD. I would like to take a voluntary retirement from my service in order to look after my ailing mother - in - law. She is 78 years old and is dependent on me.

I hereby request you to kindly consider this as a notice of three months with effect from 6th October, 2023, and relieve me from all duties and responsibilities. My last working day will be on 03-01-2024.

I feel proud and grateful for being an employee of this prestigious institution.

Thanking you  
Yours faithfully,

Selinamma Varghese

SELINAMMA VARGHESE  
ANS  
SB. SOPD.

Renu  
06/10/23 ANS

New Delhi  
06.10.2023

Renu  
NS  
6/10/23

~~10535~~  
D.N.S.  
6.10.23

No. F.09-571/1991-Estt.(H)

Dated:

## कार्यालय आदेश/OFFICE ORDER

30 DEC 2023

**विषय:** श्रीमती सेलिनम्मा वर्गिस, सहायक परिचर्या अधीक्षक को संस्थान की सेवाओं से स्वैच्छिक सेवानिवृत्ति का अनुदान।  
**Subject:** Grant of Voluntary Retirement from the service of the Institute - Mrs. Selinamma Varghese, Assistant Nursing Superintendent.

\*\*\*\*\*

श्रीमती सेलिनम्मा वर्गिस, सहायक परिचर्या अधीक्षक को उनके उपरोक्त विषय पर दिनांक 06.10.2023 के आवेदन के संदर्भ में सूचित किया जाता है कि सक्षम अधिकारी ने उन्हें सहर्ष 03 महीने की नोटिस अवधि पूर्ण होने के पश्चात् यानी, दिनांक 05.01.2024 (आपराहन) से संस्थान की सेवाओं से स्वैच्छित सेवानिवृत्ति की अनुमति प्रदान की है। तदनुसार, उन्हें, उनके कर्तव्यों से मुक्त कर दिया जायेगा और उनका नाम इस प्रतिष्ठान के रोल से दिनांक 05.01.2024 से काट दिया जायेगा।

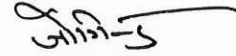
With reference to her application dated 06.10.2023 on the subject cited above, Mrs. Selinamma Varghese, Assistant Nursing Superintendent is informed that the competent authority has been pleased to allow her to seek Voluntary Retirement from the service of the Institute w.e.f. 05.01.2024 (A.N.) i.e. the date of completion of 03 months of notice period. Accordingly, she will be relieved of her duties and her name shall stand struck off from the roll of this establishment w.e.f. 05.01.2024 (A.N.).

सभी संबंधित विभागों और अनुभागों से अनुरोध है कि वे आवश्यक नो डिमांड प्रमाण-पत्र समय पर जारी करें ताकि समय के भीतर उनके सेवानिवृत्ति लाभों का निपटान किया जा सके।

All the concerned Departments & Sections are requested to issue the required No Demand Certificate well in time so as to settle her retirement benefits within the time.

उन्हें सलाह दी जाती है कि वह आई-कार्ड, ई.एच.एस. कार्ड एवं बुक और उन्हें जारी की गई अन्य आधिकारिक चीजें, यदि कोई हों, संबंधित अनुभागों/विभागों में जमा कर दें और उनसे नो डिमांड सर्टीफिकेट प्राप्त कर लें।

She is advised to deposit the Identity Card, EHS Card & Books, and other official thing issued to her, if any, to the concerned sections/departments and gets a no demand certificate from them.



(जोगिन्द्र कुमार/JOGINDER KUMAR)

प्रशासनिक अधिकारी (अस्प.)/ADMINISTRATIVE OFFICER (H)

श्रीमती सेलिनम्मा वर्गिस / Mrs. Selinamma Varghese,  
सहायक परिचर्या अधीक्षक/Assistant Nursing Superintendent  
Surgical Block- SOPD  
Through- The Chief Nursing Officer

Along with 02 sets of pension papers. It is also requested to kindly ensure that his/her details such as Name/ D.o.B. / Father's Name/ Spouse's Name etc. are spelt correctly in Aadhar Card, PAN Card, Bank Account etc., and are same as service record, for smooth disbursement of pensionary benefits.

Copy to:-

1. मुख्य परिचर्या अधिकारी/The Chief Nursing Officer
2. लेखा अनुभाग - II एवं III/Accounts Section II & III (043179)
3. भण्डार अनुभाग (नि.का.)/The Stores Section (DO)
4. प्रभारी अधिकारी कर्मचारी स्वास्थ्य योजना  
The Officer In charge E.H.S. (R-14216)
5. सम्पदा अनुभाग/ Estate Section
6. The AIIMS Co-operative Thrift & Credit Society Ltd.
7. बी.बी. दीक्षित पुस्तकालय /B. B. Dikshit Library
8. कंप्यूटर सुविधा/The Computer Facility
9. लेखा अधिकारी रेंट सेल/The Accounts Officer Rent Cell
10. मुख्य सुरक्षा अधिकारी /The Chief Security Officer
11. सामान्य भविष्य निधि अनुभाग  
The G.P.F.Section (G.P.F. No.G -7424)
12. पेंशन प्रकोष्ठ /The Pension Cell.
13. प्रशासनिक अधिकारी (भर्ती)/The Admn. Officer (Recruitment:- DOB:30-05-1967)
14. वार्षिक गोपनीय रिपोर्ट प्रकोष्ठ/The A.C.R. Cell

A no demand Certificate may be issued in his / her favour at an early date but not later than 15 days from the date of retirement. In case, no demand certificate is not received from the concerned sections/departments within the stipulated time, it will be presumed that there is nothing outstanding against him / her, and a final no demand certificate will be issued in his / her favour.

सूचनार्थ/For information



-S6/N-

209

File No. F.No.9-571/91-Estt.(H.) (Computer No. 3239523)

Note # 1

**ESTABLISHMENT SECTION (HOSPITAL)**

**Subject:-** Note for the approval of Voluntary Retirement from service of the Institute in r/o Mrs. Selinamma Varghese, Assistant Nursing Superintendent. (Page 1)

Mrs. Selinamma Varghese, Assistant Nursing Superintendent vide her application dated 06.10.2023 addressed to the Medical Superintendent has informed that she wishes to take Voluntary Retirement from the service of the Institute as she wants to look after her 78 year old, dependent ailing mother-in-law. She has requested to consider this as a notice for three months w.e.f. 06.10.2023 to 05.01.2024 which is forwarded by the Nursing Superintendent.

2. In accordance with the Regulation 30 (4) of AIIMS Regulations 2019, any Institute employee may, by giving notice of not less than three months in writing to the appointing authority, retire from service after he/she has attained the age of fifty years, if he is in Group A or Group B service post and had entered the service of the Institute before attaining the age of thirty five years and in all other cases after he has attained the age of fifty-five years. (Page 6)

3. The details of Mrs. Selinamma Varghese, Assistant Nursing Superintendent are as under:-

1)	Date of Birth	-	30.05.1967
2)	Date of Joining as Staff Nurse (re-designated as Nursing Officer)	-	01.10.1991 (Ad-hoc) 13.05.1993 (Regular)
3)	Date of promotion as Sister Grade-I (Sr. Nursing Officer)	-	15.07.1998
4)	Date of Promotion as Asstt. Nursing Suptdt.	-	25.11.2022
4)	Qualifying Service till 06.10.2023	-	32 years,00 months,05 Days

Accordingly, the following is submitted:-

- Mrs. Selinamma Varghese, Assistant Nursing Superintendent is a Group 'A' employee.
- The age of Mrs. Selinamma Varghese at the time of joining

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on regular basis was 24 years i.e. below 35 years and her present age is 56 years & 05 months i.e. more than 50 years. As such, she fulfills the conditions to seek voluntary retirement as provided in Regulation 30 (4) of AIIMS Regulations, 2019.

- Vigilance/Legal clearance has been received and no case from vigilance angle/disciplinary proceedings are pending/contemplated against her. (Page 2,3)
- She has not executed any bond to serve the Institute on account of being deputed for specialized training/fellowship for studies.

4. In accordance with the Schedule-I - 19 of AIIMS Regulations 2019, the President is the appointing authority for Ad-hoc/Temporary Group A posts. Further, the Governing Body of AIIMS is the appointing authority for Permanent / Regular Group A posts. (Page 5)

5. In view of above, it is proposed that the request of Mrs. Selinamma Varghese, Assistant Nursing Superintendent for seeking **Voluntary retirement w.e.f. 05.01.2024 (AN) may be accepted.**

6. The matter is accordingly submitted to the President, AIIMS being the Chairman of the Governing Body of AIIMS, New Delhi for kind consideration and approval please.

08/11/2023 04:35 PM

KAMAL KISHORE SHARMA  
SENIOR ADMINISTRATIVE ASSISTANT

**Note # 2**

Mrs. Selinamma Varghese, ANS has given notice of three months on 06.10.2023 to take voluntary retirement from service w.e.f. 05.01.2024 (AN).

She is a Group A employee.

She fulfills the eligibility condition for seeking voluntary retirement as prescribed in Regulation 30(4) of AIIMS Regulations, 2019.

No disciplinary /vigilance case is pending against her.

Further, as per AIIMS Regulations, 2019, the Governing Body is the appointing authority for Group A posts.

In view of above, the proposal for acceptance of Voluntary Retirement of Mrs. Selinamma Varghese, ANS w.e.f. 05.01.2024 (AN) is submitted to the President, AIIMS being the Chairman of the Governing Body.



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File No. F.No.9-571/91-Estt.(H.) (Computer No. 3239523)

Also, the said approval will be placed before the Governing Body for ratification.

Submitted for kind consideration and approval of the President, AIIMS please.

09/11/2023 03:39 PM

KAVITA  
ASSISTANT ADMINISTRATIVE OFFICER

Note # 3

09/11/2023 03:41 PM

JOGINDER KUMAR  
ADMINISTRATIVE OFFICER

Note # 4

17/11/2023 10:56 AM

JITENDER SODHI  
ASSOCIATE PROFESSOR

Note # 5

19/11/2023 10:59 AM

SANJEEV LALWANI  
MEDICAL SUPRINTENDENT

Note # 6

20/11/2023 10:58 AM

JOGINDER KUMAR  
ADMINISTRATIVE OFFICER

Note # 7

20/11/2023 11:18 AM

DEO NATH SAH  
CHIEF ADMINISTRATIVE OFFICER

Note # 8

21/11/2023 06:49 PM

MANISHA SAXENA  
DEPUTY DIRECTOR ADMIN

Note # 9

22/11/2023 03:38 PM

DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR

Note # 10

क

23/11/2023 10:07 PM

SRINIVAS.M  
DIRECTOR

Note # 11

May pl. be submitted for kind consideration and approval of the President, AIIMS please as proposed in Note#2.

24/11/2023 01:44 PM

DEO NATH SAH  
CHIEF ADMINISTRATIVE OFFICER

Note # 12

Submitted for kind consideration and approval of the Honourable President, AIIMS New Delhi, please.

27/11/2023 11:45 AM

SRINIVAS.M  
DIRECTOR

Note # 13

FTS 8251833 - Personal File of Mrs. Selinamma Varghese A.N.S.pdf

04/12/2023 12:33 PM

MANSUKH MANDAVIYA  
HFM, MOHFW

Note # 14

27/12/2023 02:19 PM

DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR

Note # 15



- 60/N -

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File No. F.No.9-571/91-Estt.(H.) (Computer No. 8251833)

21/11/2023 06:49 PM

MANISHA SAXENA  
DEPUTY DIRECTOR ADMIN, AIIMS

Note # 9

22/11/2023 03:38 PM

DIRECTOR AIIMS SRINIVAS.M  
DIRECTOR, AIIMS

Note # 10

हा

23/11/2023 10:07 PM

SRINIVAS.M  
DIRECTOR, AIIMS

Note # 11

May pl. be submitted for kind consideration and approval of the President, AIIMS please as proposed in Note#2.

24/11/2023 01:44 PM


DEO NATH SAH  
CHIEF ADMINISTRATIVE OFFICER, AIIMS

Note # 12

Submitted for kind consideration and approval of the Honourable President, AIIMS New Delhi, please.

27/11/2023 11:45 AM

SRINIVAS.M  
DIRECTOR, AIIMS

(HFM) 

-64/N-

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File No. F.No.9-571/91-Estt.(H.) (Computer No. 3239523)

27/12/2023 07:34 PM

KARAN SINGH  
ADDITIONAL DIRECTOR ADMIN

Note # 16

28/12/2023 07:12 PM

DEO NATH SAH  
CHIEF ADMINISTRATIVE OFFICER

*done*  
*29/12/23*  
*no renewal*

Ref. from S6 to GP :-

As approved by the Competent Authority, a fair memorandum is placed below for sign. please.

Recd  
29/12/23

A.A.O.(H)

(K)  
29/12/23

*[Signature]*  
30/12/23  
A.D. (H)



**NOTE FOR THE GOVERNING BODY**

**ITEM NO. GB-162/15**

**To consider the recommendations of Hon'ble National Commission for Scheduled Castes dated 05.11.2019 and 06.05.2022 in respect of Ms. Sushil, Senior Nursing Officer.**





ESTABLISHMENT SECTION (HOSPITAL)

No.F-17-88/2000-Estt.(H.)

NOTE FOR THE GOVERNING BODYItem No GB / 162-15

TO CONSIDER THE RECOMMENDATIONS OF HON'BLE NATIONAL COMMISSION FOR SCHEDULED CASTES DATED 05.11.2019 AND 06.05.2022 IN RESPECT OF MS. SUSHIL, SENIOR NURSING OFFICER.

1. INTRODUCTION

1. Initially, Ms. Sushil, Senior Nursing Officer was chargesheeted under Rule 14 of the CCS (CCA) Rule 1965 vide order no. F. 17-88/2000-Estt.(H.) dated 29.06.2006 for the unauthorised absence from duty for 929 days w.e.f. 01.10.2004 to 17.04.2007 and after the due procedure the penalty of "reduction to a lower stage in the time scale of pay for a period of one year, without cumulative effect" imposed on her vide order no.F. 17-88/2000-Estt.(H.) dated 06.05.2010. Again on the second occasion, Ms. Sushil, S.N.O. was charge sheeted under Rule 14 of CCS (CCA) Rules, 1965 vide memorandum no.F. 17-88/2000-Estt.(H.) dated 15.09.2011 for unauthorised absence from duty for 489 days w.e.f. 02.04.2010 to 03.08.2011 and penalty of "Salary is reduced to four times lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" imposed on her vide order no.F. 17-88/2000-Estt.(H.) dated 04.01.2014.

1.1 Ms. Sushil, Senior Nursing Officer had submitted a representation against the above orders of the Institute to the Hon'ble National Commission for scheduled castes on 23.07.2019 against the discrimination in service matter and the same was received through Hon'ble Commission vide letter dated 16.08.2019. The reply of the same was sent to the Commission vide letter dated 05.09.2019. (Annexure-I & II).

1.2 Subsequently, the following representations/rejoinders were also been received from Hon'ble Commission and the same were disposed off from time to time as under:-

Cont.2/-

Sr.No	Date of receipt	Date of disposal	Remarks
1.	11.10.2019 (Annexure-III)	30.10.2019 (Annexure-IV)	-----
2.	15.10.2019 (Annexure-V)	05.11.2019 (Annexure-VI)	Hearing held on 05.11.2019 and attended by the Medical Superintendent, A.O.(H.) and C.N.O.
3.	06.01.2020 & 27.01.2020 (Annexure-VII)	15.02.2020 (Annexure-VIII)	-----
4.	24.06.2020 (Annexure-IX)	16.10.2020 (Annexure-X)	-----
5.	15.10.2020 (Annexure-XI)	26.10.2020 (Annexure-XII)	-----
6.	07.01.2021 (Annexure-XIII)	23.02.2021 (Annexure-XIV)	-----
7.	15.06.2021 (Annexure-XV)	15.07.2021 (Annexure-XVI)	-----
8.	06.04.2022 (Annexure-XVII)	30.04.2022 (Annexure-XVIII)	Hearing held on 06.05.2022 and attended by the Medical Superintendent, Liason Officer and S.A.A.
9.	24.08.2023 (Annexure-XIX)	06.02.2024 (Annexure-XX)	-----

1.3 The Hon'ble National Commission for scheduled castes had given the following recommendations in her case as under:-

**Recommendation dated 05.11.2019:**

"The leave period of the petitioner may be regularized. Her case be treated at par with General Category Candidate's case. The period of absence from duty may be adjusted against the leave available to the account of petitioner or by E.O.L. by the Competent Authority as is done in the case of a General Category Candidate. After regularising the leave period etc. the review DPC be conducted and the petitioner may be promoted from due date with all benefits and treated at par with her junior General Category Candidate."(Annexure-XXI)

**Recommendation dated 06.05.2022:**

"The Commission observed that the concerned authority didn't comply with earlier recommendations. The Commission recommends the concerned authority to review the petitioner case on sympathetic grounds and with a lenient view and resolve the dispute amicably as per rules." (Annexure-XXII)



2. ADMINISTRATIVE COMMENTS

2.1 In the above context, the following is submitted:-

(i) The service details of Ms. Sushil, Senior Nursing Officer are as under:-

1.	Name	-	Ms. Sushil
2.	Designation	-	Senior Nursing Officer
3.	Group	-	'B'
4.	D.O.B.	-	15.07.1974
5.	Date of Joining as Staff Nurse in Level-7 (re-designated as Nursing Officer)	-	30.11.2000
6.	1 <sup>st</sup> Financial Upgradation under MACP scheme in Level-08	-	06.05.2011
7.	Date of promotion as Sister Grade-I in Level-08 (Sr. Nursing Officer)	-	05.11.2019
8.	2 <sup>nd</sup> Financial Upgradation under MACP scheme in Level-09	-	06.05.2021
9.	Date of Retirement	-	31.07.2034

(ii) The brief details of the case of Ms. Sushil, Senior Nursing Officer is as under:-

<u>Chargesheet-I</u>	
Ms. Sushil, S.N.O, was charge sheeted under Rule 14 of the CCS (CCA) Rule 1965 vide order no. F. 17-88/2000-Estt.(H.) dated 29.06.2006. (Annexure-XXIII)	
<b>Article of charge</b>	Willful and unauthorized absence from duties for 929 days w.e.f. 01.10.2004 to 17.04.2007.
<b>Brief of Inquiry Report (Annexure-XXIV)</b>	"After careful consideration of the evidence on record and argument submitted by both the side IO finds that the argument submitted by Id. P.O. is more probable that that of the CSE. CSE being member of the EHS is contributing towards the scheme and in return is entitled to have treatment in AIIMS without making any further payment. In other words, she is entitled to have free treatment after contributing towards the EHS Scheme. She was absent for about two and a half years from 30.09.2004 to 16.04.2007. Treatment from private doctor for about a month or two can be accepted. But if somebody is unable to attend the office for more than a year it does not appear to be reasonable to prolong the treatment with ordinary private MBBS doctor after paying his fees instead of taking free treatment from AIIMS. The argument of the CSE that she preferred treatment near to her house because she was unable to come to AIIMS hospital because it is very far from her residence does not hold ground as her residence is in Delhi only from where she attends her duty daily. In case of acute problem she could have hired any ambulance which would have transported her to AIIMS without any problem. Being Nurse in AIIMS she must be aware of all these procedures and facilities and would have managed to come better than any normal person. As discussed above Ld. P.O. has been able to prove the charge by citing documentary and oral evidence and CSE could not disprove the same. Therefore, charge is considered proved as mentioned in the charge sheet."

<b>Penalty-I</b> (Annexure-XXV)	The Disciplinary Authority imposed the penalty of <b>reduction to a lower stage in the time scale of pay for a period of one year, without cumulative effect</b> on Ms. Sushil, S.N.O. vide order no.F. 17-88/2000-Estt.(H.) dated <b>06.05.2010</b> under Rule 15 of the C.C.S. (C.C.A.) Rules, 1965 read with regulation 33 (2) of the AIIMS Regulations 1999 (as amended from time to time)
<b>Regularization of period of absence</b> (Annexure-XXVI)	The period of her absence for 929 days w.e.f. 01.10.2004 to 17.04.2007 was <b>previously decided as dies-non</b> and thereafter on the recommendations of the <b>Hon'ble SC/ST Commission</b> dated 05.11.2019 & 06.05.2022 the above period of 929 days has <b>retrospectively been commuted as E.O.L. (without MC)</b> instead of Dies-non.
<b>Appeal</b>	No appeal was received by Ms. Sushil, S.N.O. against the above penalty order dated 06.05.2010.

#### Chargesheet-II

Ms. Sushil, S.N.O. was again charge sheeted under Rule 14 of CCS (CCA) Rules, 1965 vide memorandum no.F. 17-88/2000-Estt.(H.) dated 15.09.2011. (Annexure-XXVII)

<b>Article of Charge</b>	Willful and <b>unauthorized absence</b> from duties for <b>489 days w.e.f. 02.04.2010 to 03.08.2011.</b>
<b>Brief of Inquiry Report</b> (Annexure-XXVIII)	"The charged official has remained absent w.e.f. 01.06.2010 without prior sanction of the competent authority, as the earlier applications were duly recommended by the controlling authority/officer incharge vide endorsement on the said applications, and hence that con not construed to be absence without prior intimation/sanction. The CO has contended that due to illness of her parents, she remained on leave till they fully recovered, and in support of her contention she also submitted medical records of her parents (Ex. D.1 to D. 11). However, it is seen that in the applications for EL, she has mentioned the reasons as work at home/domestic work. Had this been the case, she could have appropriately mentioned the reason as illness of parents. Further, when the memorandum 29.11.2010, advising her to join duty immediately was issued, she was expected to report for duty and explained the reasons for not joining her duty (due to illness of her parents), but she has failed to do so. As such, the CO has remained on unauthorized absence from 01.06.2010 (as against 02.04.2010 mentioned in the article of charge) till she joined her duty on 04.08.2011. The contention of the Co is untenable, unconvincing and seems to be an afterthought, and hence unacceptable. The article of charge, is therefore, held as ' <b>Proved</b> ' against the CO."



<b>Penalty-II (Annexure-XXIX)</b>	The Disciplinary Authority imposed the major penalty of "Salary is reduced to four times lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" on Ms. Sushil, S.N.O. vide order no.F. 17-88/2000-Estt.(H.) dated 04.01.2014 under Rule 15 of the C.C.S. (C.C.A.) Rules, 1965 read with regulation 33 (2) of the AIIMS Regulations 1999 (as amended from time to time)
<b>Regularization period of absence</b>	of The period of her absence for 489 days w.e.f. 02.04.2010 to 03.08.2011 was decided as leave of kind due by the Competent Authority. (Annexure-XXX)
<b>Appeal</b>	An appeal dated 31.01.2014 was also received from Ms. Sushil against the said penalty order of dated 04.01.2014 which was considered by the Governing Body of the Institute in its meeting held on 24.01.2019 and <u>the same was rejected by the G.B.</u> (Annexure-XXXI)
<b>She has not challenged the decision of G.B. before the Court of Law.</b>	

2.2 Further, it is submitted that the General Category candidate mentioned by Hon'ble NCSC in minutes dated 05.11.2019 is Ms. Biji Biju, S.N.O.

2.3 The detailed comparative statements of Ms. Sushil vis-a-vis Ms. Biji Biju are as under:-

<b>Initial leave application</b>	Initially Ms. Sushil had applied for 18 days Earned Leave w.e.f. 13.09.2004 to 30.09.2004.	Ms. Biji Biju had proceeded on 20 days Earned Leave w.e.f. 10.08.2007 to 29.08.2007 to visit her Home Town Kerala.
<b>Extension</b>	She did not resume her duty on 01.10.2004 nor sent any leave application.	She applied for extension of leave from 30.08.2007 to 25.02.2008 in various spells. She had also submitted Medical Certificate in support of her illness from Medical College Health Unit, Ambalappuzha, Alleppey, Kerala.
<b>Call for duty memorandums and / or Show Cause Notice</b>	She was advised to report for duty vide memorandum dated 11.03.05 & 06.05.05, but she did not report for duty nor submitted any reply/intimation.  A 'Show Cause Notice' was also issued to her on 13.10.05, but no reply was received from her.	She was advised to report for duty vide memo dated 29.11.2007 and 07.02.08. She was also advised to show herself at AIIMS as she is EHS beneficiary.

Absentee period	929 days w.e.f. 01.10.2004 to 17.04.2007. Joined back her duties on 18.04.2007.	180 days w.e.f. 10.08.2007 to 25.12.2008. Joined back her duties on 26.12.2008.
Article of Charge	Willful and <b>unauthorized absence</b> from duties for 929 days w.e.f. 01.10.2004 to 17.04.2007 without prior permission or sanction of leave by the competent authority.	Willful, and <b>unauthorized absence</b> from duties w.e.f. 30.08.2007 without prior permission or sanction of leave by the competent authority.
Findings of Inquiry report	After conducting the inquiry proceedings, the Inquiry Officer found that Ms. Sushil has shown her inability to visit AIIMS Hospital because it is very far from her residence does not hold ground as her residence in Delhi only from where she attends her duty daily. In case of acute problem she could have hired any ambulance which would have transported her to AIIMS without any problem. Being Nurse in AIIMS she must be aware of all these procedures and facilities and would have managed to come better than any normal person. Her charge was " <b>considered proved</b> ".	After conducting the inquiry proceedings, the Inquiry Officer found that though Ms. Biji Biju had submitted leave applications alongwith Medical Certificates from time to time, she has failed to comply with the orders to report to AIIMS Hospital. Her past records submitted by her also indicate her status of sickness. Her charge was " <b>Partially proved</b> ".
Decision of Disciplinary Authority	Imposed the penalty under Rule 15 of the CCS (CCA) Rules, 1965 read with regulation 33 (2) of the AIIMS Regulations 1999 (as amended from time to time).	Exonerated her from the charges framed against her vide Order dated 29.07.2009.
Penalty details	Penalty of " <b>reduction to a lower stage in the time scale of pay for a period of one year, without cumulative effect</b> " imposed on Ms. Sushil, Senior Nursing Officer vide order no. 06.05.2010.	-----



Analysis of both cases (Difference)	In the case of Ms. Sushil, she has taken leave without any information/application/sanction and as per inquiry report her charges were also "considered proved".	In the case of Ms. Biji Biju, she had submitted leave applications alongwith Medical Certificates from time to time, she has failed to comply with the orders to report to AIIMS Hospital. Her past records submitted by her also indicate her status of sickness and also the charges against her was "Partially proved".
Treatment of period of absence	Previously decided as dies-non and thereafter on the recommendations of the Hon'ble SC/ST Commission dated 05.11.2019 & 06.05.2022 the above period of 929 days has retrospectively been converted as E.O.L. (without MC) instead of Dies-non.	The period of her absence was regularized as leave of the kind due to her.

- Even before conclusion of first disciplinary case, she again proceeded on Earned Leave for a period of 15 days w.e.f. 18.03.2010 to 01.04.2010. Thereafter, she sent 03 applications for extension of leave from 02.04.2010 to 25.06.2010, however, she again absented herself from duty w.e.f. 26.06.2010.
- She was advised to report for duty vide memo dated 29.11.2010, 21.01.2011, 30.04.2011 and 30.06.2011, but she failed to comply with the orders of the authority nor any communication was received from her.
- She joined back her duties on 04.08.2011 i.e. after a period of 01 year 05 months approx. citing reason as illness of her parents.
- She was again charge sheeted under Rule 14 of CCS (CCA) Rules, 1965 vide memo dated 15.09.2011
- An inquiry was conducted. It was found that she has mentioned the reason of leave as work at home/domestic work and not the illness of her parents and thereafter remained absent without information. Hence charge against her was proved.
- Accordingly, a penalty of reduction to four times lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years was imposed on her vide Order dated 04.0.2014.

An appeal dated 31.01.2014 was also received from Ms. Sushil against the said penalty order which was considered by the Governing Body of the Institute, however, the same was rejected by GB in its meeting held on 24.01.2019 which was duly communicated to her vide memo dated 23.03.2019.

2.4 The following actions have been taken on the Recommendations of Hon'ble NCSC dated 05.11.19 & 06.05.22:-

(i) The Recommendations of Hon'ble NCSC dated 05.11.2019 and 06.05.2022 were considered by the Authority and period of her absence from 01.10.2004 to 04.10.2007 was retrospectively converted to EOL instead of dies-non.

(ii) As per penalty order dated 04.01.2014, penalty was imposed for 4 years and it was also a bar to the promotion. Hon'ble Commission has directed to conduct review of DPC and promote her at par with General category candidate.

(iii) The brief of information of promotion of Ms. Sushil and Ms. Biji Biju are as under:-

Sr. No.	Information	Ms. Sushil	Ms. Biji Biju
1.	D.O.J. as N.O.	30.11.2000	18.12.2004
2.	Mode of promotion to the post of Senior Nursing Officer.	100% by promotion, Nursing Officer with 5 years of regular service.	100% by promotion, Nursing Officer with 5 years of regular service.
3.	Date of eligibility for promotion to the post of Senior Nursing Officer.	30.11.2005	18.12.2009
4.	Date of each DPC in which their individual candidature were considered by the DPC	Eight (08) DPCs for promotion to the post of Senior Nursing Officer were conducted on 28.06.2006, 28.03.2007, 13.05.2010, 07.11.2014, 15.12.2014, 20.07.2015, 01.08.2016 & 15.10.2019. The candidature of Ms. Sushil was also considered.	One (1) DPC for promotion to the post of Senior Nursing Officer was conducted on 20.07.2015. The candidature of Ms. Biji Biju was also considered.
5.	Recommendation of the DPC in their cases on each occasion.	Three (03) DPCs for promotion to the post of Senior Nursing Officer were conducted on 28.06.2006, 28.03.2007, 13.05.2010, the candidature of Ms. Sushil was also considered. However, she was found UNFIT for promotion to the post of Nursing Officer as she was not fulfilling the requisite Bench Mark 'GOOD' of her ACRs as per mentioned in Minutes. (Annexure-XXXII).	DPC for promotion to the post of SNO was held in 20.07.2015 in which the candidature of Ms. Biji Biju was also considered and she was recommended for promotion to the post of SNO (Annexure-XXXIII).



		<p>And also Four (4) DPCs for promotion to the post of SNO were conducted on 07.11.2014, 15.12.2014, 20.07.2015, 01.08.2016 the candidature of Ms. Sushil was also considered. However, DPC did not recommended her for promotion to the post of SNO as a penalty of salary reduction to four time lower stage in the time scale for a period of 4 years which shall ordinarily be a bar to the promotion has been imposed as per mentioned in Minutes. (Annexure-XXXIII)</p> <p>Further, the next DPC for promotion to the post of SNO was held in 15.10.2019 in which the candidature of Ms. Sushil was considered and she was recommended for promotion to the post of SNO. (Annexure-XXXIV)</p>	
6.	Date of Promotion	05.11.2019	19.08.2015

2.5 Final findings in the case of Ms. Sushil, S.N.O. is as under:-

	Ms. Sushil	Ms. Biji Biju	Remarks
D.O.J. as N.O:	30.11.2000	18.12.2004 (Regular)	-----
1 <sup>st</sup> Financial upgradation in Level-08	<u>Due date-</u> 30.11.2010  <u>Granted on</u> 06.05.2011 *	18.12.2014	*1 <sup>st</sup> financial upgradation under MACP scheme of Ms. Sushil was deferred from 30.11.2010 to 06.05.2011 due to impact of 1 <sup>st</sup> Penalty whose currency was for a period of 01 year w.e.f. 06.05.2010 to 05.05.2011.

Cont.10/-

Promotion to the post of Senior Nursing Officer in Level-8	05.11.2019*	19.08.2015	* Ms. Sushil, has been promoted to the post of S.N.O. on 05.11.2019 as the 2 <sup>nd</sup> Penalty of "Salary is reduced to four times lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" was imposed on her. Whereas Ms. Biji Biju has been promoted in normal course.
2 <sup>nd</sup> Financial upgradation in Level-09	06.05.2021 *	-----	*Ms. Sushil, has been granted 2 <sup>nd</sup> financial upgradation under MACP scheme on 06.05.2021 i.e. completion of 10 year continuous service from the date of last financial upgradation.

2.5 It is clearly established that the 1<sup>st</sup> Penalty imposed on Ms. Sushil had no bearing on her promotion where her case has been compared by the Hon'ble Commission with the General Category candidate i.e. Ms. Biji Biju.

2.6 The 2<sup>nd</sup> penalty imposed on her on 04.01.2014 for period of 04 years which was due to her unauthorized absence on a 2<sup>nd</sup> occasion for a period from 02.04.2010 to 03.08.2011 has impacted her promotion.

2.7 Therefore, the competent authority has decided to place the said matter of Ms. Sushil, S.N.O. to treat her at par with General Category candidate and to expunge her penalty as recommended by Hon'ble NCSC in its recommendations dated 05.11.2019 & 06.05.2022 for consideration and decision of the Governing Body of AIIMS.



APPROVAL SOUGHT:-

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In view of above, recommendations of Hon'ble NCSC on 05.11.2019 and 06.05.2022 in the case of Ms. Sushil, Senior Nursing Officer to treat at her at par with General Category candidate by setting aside the penalty is submitted for consideration and decision of the Governing Body please.

Annexure - I



226

By Speed Post

Toll Free No. 1800 11 8888  
Phone No. 011-24606820  
Fax No. 011-24624731  
Web Site: www.ncsc.nic.in

गणमान्य अणुनायक/अ.भा.आ.सं.  
GENERAL SECTION/A.I.I.M.S.  
एफ.टी.एस.सं./F.T.S. No. 3264  
दिनांक/DATED: 28/8/19

Government of India  
National Commission for Scheduled Castes  
(A Constitutional body set up under Article 338 of the Constitution of India)

File No. S-44/Health-18/2019/SSW-II

5th Floor, Lok Nayak Bhawan  
Khan Market, New Delhi-110003  
Dated : 16/08/2019

To,  
The Director  
All India Institute of Medical Sciences  
29, Ansari Nagar New Delhi  
Delhi 110029

3264  
28/8/19

Sub : Repr. received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

Sir/Madam,

Whereas a complaint/information has been received by the National Commission for Scheduled Castes from Ms. SUSHIL dated 23/07/2019, as enclosed and the Commission has decided to investigate/inquire into the matter in pursuance of the powers conferred upon it under Article 338 of the Constitution of India.

You are hereby requested to submit the facts and information on the action taken on the allegations/matters to the undersigned within 15 days of receipt of this notice either by post or in person or by any other means of communication.

Please take notice that in case the Commission does not receive reply from you within the stipulated time, the Commission may exercise the powers of Civil Courts conferred on it under Article 338 of the Constitution of India and issue summons for your appearance in person or by a representative before the Commission.  
Encls: As above.

Yours faithfully

(D.K. Gupta)  
Section Officer-SSW II

23.8.2019

Copy To :  
Ms. Sushil  
R/o- 2-C, DDA Flats  
Mansarova Park, Shahdara  
Delhi-110 032

MS  
Urgent  
28/8/19  
Mr. Ravinder

An appropriate detailed reply be sent

60  
27/8



227

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To;

The Chairman, NCSC,  
Lok Nayak Bhawan,  
5<sup>th</sup> Floor, B- Wing, Khan Market  
Lodhi Road, Delhi-110003

Dated: 23rd July, 2019

SSW II

By hand  
24/7/2019

**Subject: Representation against discrimination in service matter & to provide justice to the petitioner.**

2/0/1/1/1/1

Respected sir,

*Main report  
on AIIMS,  
New Delhi.  
A/G-7-6-19*

This is for your kind perusal that I Ms. Sushil, Nursing Officer have been working in AIIMS Hospital since 2000 and discharging my duties sincerely from the date of joining, honestly and diligently. I had been given adverse remarks intentionally in my ACRs in year 2003-2004. Sir, I belongs to Scheduled Castes community on account of this some of my senior officers/colleagues never want see my bright career in future service. I was always humiliated from their bias behaviour by my senior officers in minor issues. Their negative attitude towards me from my seniors, it was caused mentally and physically harassment to me. It was compelled me to not to attend office during 2004 to 2007.

Govt. of India  
Member Office (SV)  
Diary No. 487-19  
Date: 28/8/19

In this regard, I have submitted a medical certificate to the administration in this support. Instead of co-operating to the petitioner to come out of this pathetic condition, AIIMS Administration has imposed minor penalty. As I faced this harsh situation, but I did not lose heart and I was continue discharging my duties sincerely. But my senior officers continued harassed me by passing my community remarks/comments. I could not put up with their rude behavior for long and I had broken down mentally and physically. I proceeded on leave and submitted applications often for extension of my leave subsequently. But my senior viz. Ms. ANS AnsammaNeelkhand did not extend my leave in conditions and sent a report of my being absent from duty un-authorized to the officer concerned.

*(SSW II)*

*08/8/19*

I again join my duty with my brave heart and returned to my duty in 2011. Again, I was issued a charge-sheet imposing a major penalty and fixing of my pay 4(four) stage down. I was not granted my nine(9) increments for the years 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016 & 2017 and also not considered me for promotion. This caused me a huge monetary lose. I submitted a medical certificate of my aged parents in support and requested to convert my period of absence into extraordinary leave. But they did not accede to my request. Sir, the harassment is continued upon me. Whereas, I was mentally disturb during that period. In this regard, I made a complaint again my senior officer viz. Ms. ANS AnsammaNeelkhand to the Director, AIIMS but nothing came out.

*S (SSW)*

*5/8/19*

*29*

2902  
13/8/19  
Min for Scheduled Castes



In view of this indifferent and biased attitude of AIIMS Administration, I made a complaint against her to the National Commission of Scheduled Caste. The Commission had taken a serious view on my complaint and called a meeting on 10.02.2014 regarding harassment of me on an anonymous complaint by a patient. Due to my continuous harassment, I was gone under depression whereas the patient informed that she has not complaint against me. I also requested that my 35 days leave taken for treatment of depression may be considered and credited in my leave account. The Commission found that the petitioner (Ms. Sushil) has been harassed unnecessarily on a minor issue and advised to AIIMS's Administration to settle the matter by considering her leave and closing the matter. Action taken report in the matter may be submitted to the Commission within 15 days. In spite of Commission's directions to credit 35 days of my medical leave to my leave account, they did not credit the same so far. I was made repeated written requests in this regard. I was also submitted an appeal in 2014 for withdrawing my major penalties imposed on me. My appeal was decided in March, 2019 i.e. too late and not provided me a copy of minutes despite my repeated requests. In addition to this, they did not give my correct leave memorandum to me for the last 4 to 5 years sought by me time and again.

3. On the basis of appreciation letter issued to me for my good work and behavior, I submitted a representation dated 31<sup>st</sup> January 2014 requesting for set aside my major penalty, but no response has been received from the concerned Establishment Section till date. I have written several letters to them but all went in vain. Keeping in view of my good work and conduct, some of my senior officers have also requested to AIIMS's Administration for quashing my major penalty. But, on 25<sup>th</sup> March, 2019, I have received a letter that my appeal has been rejected by the Governing Body.

4. Whereas other employee/my colleague of AIIMS Institution were gone absent without permission and sanction of leaves by the competent authority. She has been exonerated from all charges and her period of absence has also been converted into extraordinary leave for (424 days). Her period of absence (from 30.08.2007 to 25.12.2008) was not mentioned in her orders. Her charge-sheet was withdrawn. The action of AIIMS's administration was unfair and bias.

5. In view of the position explained above, it is stated that on the one hand the AIIMS's Administration exonerating an employee from the charges of un-authorized absence and converting her unauthorized period of absence into extraordinary leave and withdrawing her charge-sheet and her order was passed by medical Superintendent. On the other hand I being a Scheduled Caste employee am being harassed for last 19 years by passing on community remarks, imposing minor and major penalties was passed by the Director. In any case, my matter also became passed from the Medical Superintendent, and then I could submit my appeal to the Director, wherein, my matter needs not to submit to the Governing Body. Accordingly, my matter could be short out at AIIMS Administration. In fact that my period of absence has not been converted into extraordinary leave on account of the petitioner is belonging the SC Candidate.



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However, it is noticed that her absent period has been converted into extraordinary leave. There is fact that it is totally discrimination and harassment upon a Scheduled Caste employee at AIIMS.

6. It is my humble request to exonerate me from all the charges and withdrawing both (minor & major) penalties imposed on me and convert my all period of absence since 2000 into extraordinary leave and kindly provide me natural justice.

Thanking you,

*Copies attached.*

Yours faithfully

*Sushil*

(SUSHIL)

Nursing Officer

AIIMS, New Delhi

*Address - Mr SUSHIL*

*2-C. D.DA Flat*

*Manbore Park*

*Shadkara, Delhi*

*- 110032*

*India.*

*Phone No - 9582297228*

*- 9971874481*

20

230

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

No.F.17-88/2000-Estt.(H)

Ansari Nagar, New Delhi-29.

Dated: 05 SEP 2019

To,

Sh. D.K. Gupta  
Section Officer-SSW II  
National Commission for Scheduled Castes,  
5<sup>th</sup> Floor, Lok Nayak Bhawan,  
Khan Market  
New Delhi - 110003

*[Handwritten signature]*  
*[Stamp]*

Subject: Repr. Received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi  
regarding Service Harassment

\*\*\*\*\*

Sir,

With reference to your letter No.S-44/Health-18/2019/SSW-II dated 16.08.2019 on the subject cited above, please find enclosed herewith a facts of the case for your kind consideration and requested that the matter may be closed accordingly.

Thanking you,

Yours faithfully,

Encl: as above

*[Handwritten signature]*  
( DR. D.K. SHARMA )  
MEDICAL SUPERINTENDENT

*[Handwritten signature]*



## BRIEF OF THE CASE IN THE MATTER OF MISS. SUSHIL, NURSING OFFICER

"Ms. Sushil, is working as Sister Grade-II (redesignated as Nursing Officer) since 30.11.2000 was proceeded on 18 days earned leave w.e.f.13.09.2004 to 30.09.2004. She was due to resume her duty on 01.10.2004 after expiry of afore said leave. But she did not resume her duty nor sent any leave application for her unauthorized willful absence from duty. Absentee report was received from the Chief Nursing Officer on dated 03.11.2004 (Annexure-1). She was directed to report for duty immediately and also intimated that failing which action as deemed fit under the CCS(CCA) rules, 1965 will be taken against her on account of her unauthorized willful absence from duty vide this office memorandum No.F.17-88/2000-Estt.(H) dated 11.03.2005 (Annexure-2) and subsequently reminders were also issued for the same on 06.05.2005 and 13.10.2005 (Annexure-3&4). She neither reported for duty nor responded any of the communications and Ms. Sushil, Sister Grade-II (re-designated as Nursing Officer) was charge sheeted under the Rule 14 of the C.C.S.(C.C.A.) Rules, 1965 on account of her unauthorized willful absence from duty vide this office memorandum dated 29.06.2006. (Annexure-5). She has joined her duty on 18.04.2007.

Inquiry was conducted and after completion of the enquiry, the Inquiring Authority submitted the report wherein the article of charge held as "Proved."

After considering the Inquiry Report, the President & Disciplinary Authority has imposed the penalty of reduction to a lower stage in the time scale of pay for a period one year, without cumulative effect imposed on Ms. Sushil, Sister Grade-II (now re-designated as Nursing Officer) vide this office order No.F.17-88/2000-Estt.(H) dated 06.05.2010 (Annexure-6). Further the period of her unauthorized willful absence from duty w.e.f.01.10.2004 to 17.04.2007 has been treated as dies non vide office memo. No.F.17-88/2000-Estt.(H) dated 31.12.2010 (Annexure-7).

She was again proceeded on 15 days earned leave w.e.f.18.03.2010 to 01.04.2010. She was due to resume her duty on 02.04.2010 after expiry of afore said leave, but she did not resume her duty and requested for extension of earned leave again and again upto 25.06.2010. Extension of earned leave beyond 01.06.2010 was not recommended by the Controlling authority. She was directed to report for duty immediately and also intimated that failing which action as deemed fit under the CCS(CCA) rules, 1965 will be taken against her on account of her unauthorized willful absence from duty vide this office memorandum No.F.17-88/2000-Estt.(H) dated 29.11.2010, 21.01.2011, 30.04.2011 and 30.06.2011 (Annexure-8, 9, 10 & 11). She remained absent from duty w.e.f.01.06.2010 to 03.08.2011. She has joined her duty on 04.08.2011. The official was failed to comply with the orders of the office and thus the disciplinary proceedings was initiated. In the meantime she joined her duty on 04.08.2011..

Ms. Sushil, Sister Grade-II (re-designated as Nursing Officer) was charge sheeted under the Rule 14 of the C.C.S.(C.C.A.) Rules, 1965 on account of her unauthorized willful absence from duty vide this office memorandum dated 15.09.2011 (Annexure-12). Inquiry was conducted and after completion of the enquiry, the Inquiring Authority submitted the report wherein the article of charge held as "Proved."

After considering the Inquiry report, the President & Disciplinary Authority has imposed the penalty i.e. "Salary is reduced to four time lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" Ms. Sushil, Sister Grade-II (now re-designated as Nursing Officer) vide this office order No.F.17-88/2000-Estt.(H) dated 04.01.2014 (Annexure-13).



Ms. Sushil, Sister Grade-II(re-designated as Nursing Officer) submitted mercy appeal U/s Rule 23(iv) of CCS(CCA) Rules, 1965 for setting aside the impugned order dated 4<sup>th</sup> January, 2014 passed by the Disciplinary Authority.

Her appeal was accordingly put up before the President, AIIMS on 07.01.2015. The President, AIIMS has directed to put up the case in Governing Body. In accordance with the schedule II of the AIIMS Regulations, 1999 (as amended), the Governing Body is the Appellate Authority to consider the appeal of Group "B" Officers. Accordingly an agenda item was placed before the Governing Body in its 152<sup>nd</sup> meeting held on 13.04.2015. However the agenda item was not discussed. Her appeal was discussed in the Governing Body in its 157<sup>th</sup> meeting held on 06.03.2019. The Governing Body after considering the same, rejected the appeal and same was conveyed to her vide Office memo. dated 25.03.2019.(Annexure -14).

As regards to her allegation regarding conversion of 35 days of her absence w.e.f.03.04.2013 to 07.05.2013, it is submitted that on her petition, the Hon'ble National Commission for Scheduled Castes vide order no. 3-29/HFW-14/SSW-II dated 10.02.2014 advised that the matter may be settled and her leave may be considered on duty. Copy of the minutes order dated 10.02.2014 is enclosed for ready reference(Annexure-15). Accordingly the matter regarding the absentee period of 35 days 3.4.2013 to 07.05.2013 has been considered by the Competent Authority of the Institute and decided to treat the said period as Commuted Leave keeping in view that Ms. Sushil herself had applied for medical leave. A copy of her leave application is enclosed as Annexure-16). Accordingly, she was communicated vide Office memo. No.F.17-88/2000-Estt.(H) dated 12.04.2014(Annexure-17).

A compliance report was also sent to the Hon.ble National Commission for Scheduled Castes vide letter No.3-2/2013 Grief./SCST/Estt.I. (Annexure-18). She again represented to the Director vide her letter dated 06.08.2018(Annexure-19) which was also considered and replied vide O.M N. F.17-88/2000-Estt.(H) dated 29.08.2018.(Annexure-20)

In regard to statement made by the complainent that her increments from the year 2009 to 2017 have not been granted, it is submitted that all her increment have been granted to her. However, as the penalty of reduction to lower stages was imposed on her twice i.e one in the year, 2010 and second in the year, 2014 her pay was reduced and they have been restored on completion of the penalty period. No injustice was made against Ms. Sushil.





Government of India  
National Commission for Scheduled Castes  
(A Constitutional body set up under Article 338 of the Constitution of India)  
F.No. S-44/Health-18/2019/SSW-II Floor Vth, Loknayak Bhawan,  
Khan Market,  
New Delhi-110003  
Dated: 11.10.2019

To

The Director  
All India Institute of Medical Sciences  
29, Ansari Nagar New Delhi  
Delhi-110029

GENERAL SECTION/ALL.I.M.S.  
GENERAL SECTION/ALL.I.M.S.  
फ.टी.स. नं./F.T.S. No. 616/181  
दिनांक/DATED... 16/10/19...

Sub: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

Sir,

I am directed to refer to your office letter No. F-17-88/2000-Estt.(H) dated 05.09.2019 on the subject mentioned above and to enclose a copy of the rejoinder dated 03.10.2019 submitted by the petitioner.

It is, therefore, requested that parawise comments/facts on the points raised in the rejoinder may please be furnished to this Commission within 15 days positively for placing the same before the Commission.

Yours faithfully,

(D K Gupta)  
Section Officer

Copy to: -

Ms. Sushil  
R/o-2C, DDA Flats  
Mansarova Park, Shahdara  
Delhi-110032

ESIL  
HOSP  
Del  
16-10-19

Mr. Ashu. / Ms. Deepika.  
17/10/19

To,

Shri D.K. Gupta,  
Section Officer,  
National Commission for Scheduled Castes,  
LokNayakBhawan, Vth Floor,  
Khan Market,  
New Delhi-110 003.

03/10/2019

284

B/H

3/10/19

(62) SSW-II

APR 39

FC/10444  
3/10/19

**Subject:-** Harassment and discrimination in service matter of a Scheduled Caste employee by the AIIMS - reg.

Sir,

Please refer to your letter No.S-44/Health-18-2019/SSW-II dated 09.09.2019 on the above cited subject & reply forwarding therewith from the Medical Superintendent, AIIMS against my representation dated 23<sup>rd</sup> July, 2019.

2. The AIIMS in its reply has only mentioned about the penalties imposed upon me. They did not explain anything about my harassment and discrimination to me. Sir, I would like to bring to your kind notice that in March, 2013, the AIIMS' Administration leveled some false/baseless allegations upon me. As a result of this, I was gone stressed, whereas, Doctor was advised to me to preceded of 35 days medical leave.

Wherein, I was filed a complaint in this regard with the National Commission for Scheduled Caste in May, 2013 as well as a representation to AIIMS Administration with requesting to convert my medical leave as on duty on account of stressed was made by the AIIMS, Administration. The applicant was not falls in sick; it was created by some Senior Officer.

However, the AIIMS Administration was passed an order imposing a penalty vide Memo dated on 4<sup>th</sup> January, 2014. A meeting in this connection was also held in the National Commission for Scheduled Caste directing the Administrative Authority of AIIMS to treat my 35 days leave as duty. But they did not comply with the directions of the Commission. In this regard, I was submitted several times representation to the AIIMS Administration with requesting to quash the penalties imposed upon me and provide a copy of the Minutes of G.B. But, the AIIMS Administration did not bother about it.

3. In this contest, it is brought to the kind notice that some other employee belongs to an unreserved category, who was un-authorized absent without prior permission of the competent authority, her similar case has been exonerated from all charges by the AIIMS and the charge-sheet filed against her was also withdrawn & her period of absence was converted into extraordinary leaves (424 days) due to is not belongings to SC/ST.



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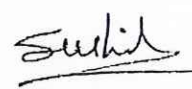
4. Sir, I being a Scheduled Caste employee has been imposed penalties twice and the same were not withdrawn despite my repeated humble requests. My 35 days of leave was also not treated as duty despite directions of the National Commission for Scheduled Caste at least the AIIMS Administrative did not issued to me correct leave Memo since 2013. It seems that this is totally discrimination and injustice to me being a reserved category employee.

5. Sir, I would like to mention here that Shri Babu Lal, President, AIIMS SC/ST Employees Welfare Association (Regd.) has written a letter dated 16.09.2017 to the National Commission of SC/ST, Lok Nayak Bhawan, New Delhi about the AIIMS SC/ST Employees discrimination.

6. Sir, it is my humbly request to the Hon'ble Commission to kindly look into the matter and give the suggestion to the AIIMS Administration and ask them to withdraw penalties imposed upon me as the AIIMS Administration has consider similar case of employee of Nursing Cadre. Accordingly, my 35 days of leave as duty and converting my unauthorized period of absence into extraordinary leave from 2000 to till date as well as issued me correct leave Memo showing details of leave on credit & provide me natural justice as per the SC/ST Atrocity Act.

Thanking you,

Yours faithfully,



(Sushil)  
Nursing Officer, AIIMS  
R/o 2-C, DDA Flats, Mansarova Park,  
Shahdara, Delhi-110032

संकेतित पोस्ट  
SPEED POST

236  
BY SPECIAL MESSENGER

(69)

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29

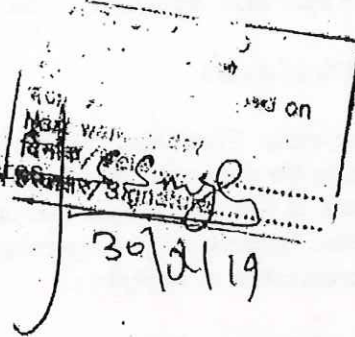
No.F.17-88/2000-Estt.(H.)

Dated the:

30 OCT 2019

To,

Sh. D.K. Gupta  
Section Officer-SSW II,  
National Commission for Scheduled Castes,  
5th Floor, Lok Nayak Bhawan,  
Khan Market,  
New Delhi - 110003



Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

\*\*\*\*\*

Sir,

With reference to your letter No. F.S-44/Health-18/2019/SSW-II dated 11.10.2019 on the subject cited above, please find enclosed herewith a parwise comments of the case for your kind consideration and requested that matter may be closed accordingly.

Thanking you,

Yours faithfully,

Encl: as above

(DR. D.K. SHARMA)  
MEDICAL SUPERINTENDENT  
Reds



## PARAWISE COMMENTS IN THE CASE OF MISS. SUSHIL, NURSING OFFICER

With reference to letter No.F.S-44/Health-18/2019/SSW-II dated 11.10.2019 on the subject cited above para-wise reply to rejoinder submitted by Ms. Sushil Nursing Officer is as under:-

1. It is matter of record.
2. An anonymous Complaint was received against Ms. Sushil, Nursing Officer that she is not performing her duty well, as well as creating an unprofessional environment for the employees of D-1 Ward. It was also alleged that one patient had undergone depression due to the attitude of Ms. Sushil. Subsequently, a representation was received from Ms. Sushil regarding harassment and discrimination at workplace.

As per directions of the competent authority, a preliminary inquiry was conducted by Dr. Mahesh R., Asstt. Professor, Department of Hospital Administration. As no substantial evidence was provided by Ms. Sushil against Ms. Anamma Neelakantan the then Deputy Nursing Supdt. of D1 Ward and there was no previous complaint of any such discriminatory behavior, the complaint against D.N.S by Ms. Sushil was found to be baseless. Copy of the report is enclosed at Annexure-1.)

Ms. Sushil was also counseled by Dr. A.C. Ammini, the then Professor and Head of Department of Endocrinology & Metabolism. On the report submitted by Dr. A.C. Ammini, the Competent Authority had directed the Medical Superintendent and Dr. Sunil Chumber, Professor of Surgery to settle the issue. A meeting was conducted on dated 30.05.2013 in the M.S. Office. Ms. Sushil was heard at length regarding her alleged grievance and workplace difficulties.(Annexure-2)

It was decided that the anonymous complaint targeted at maligning her and enquiry conducted earlier regarding the complaint may be treated as void and the un-substantiated anonymous complaint may be filed as such.

Ms. Sushil was fully satisfied with overall solution regarding redressal of her grievance about her further posting and duties as desired by her.

It was decided that CNO will be asked to post her in D-1 Ward for the one month i.e. w.e.f.1.06.2013 to 30.06.2013 and during this period she should do not be given any evening and night duty. From 01.07.2013 she may be posted in the Main O.T. where she will be doing regular duties as applicable to all other Sister Grade-II posted in the Main O.T. Accordingly, she was posted in D-1 Ward.

The Committee further felt that Ms. Sushil, Sister Grade-II(re-designated as Nursing Officer) raised the issue of converting her leave period of 35 days as on duty since she had to take these leaves because of stress owing to enquiry and alleged harassment about the anonymous complaint. She was advised to write a request to Director AIIMS alongwith a copy of prescription/advice by the treating doctor in this regard for sympathetic consideration.(Annexure-3) The same was conveyed to the Hon'ble Commission vide this office letter dated 08.06.2013(Annexure-4).

Contd....2...

Her appeal was put up before the President, AIIMS on 07.01.2015. The President, AIIMS has directed to put up the case in Governing Body. In accordance with the schedule II of the AIIMS Regulations, 1999 (as amended), the Governing Body is the Appellate Authority to consider the appeal of Group "B" Officers. Accordingly an agenda item was placed before the Governing Body in its 152<sup>nd</sup> meeting held on 13.04.2015. However the agenda item was not discussed. Her appeal was discussed in the Governing Body in its 157<sup>th</sup> meeting held on 06.03.2019. The Governing Body after considering the same, rejected the appeal and same was conveyed to her vide Office memo. dated 25.03.2019.(Annexure -5).

3. The name of the concerned employee has not been provided by Ms. Sushil, Nursing Officer.Hence, no comments can be provided in this matter.
4. In regard to penalties imposed on her, the relevant details have already been provided to the Hon'ble Commission vide this office's letter of even number dated 08.09.2019.(Annexure-6).

As regards to her allegation regarding conversion of 35 days of her absence w.e.f.03.04.2013 to 07.05.2013, it is submitted that on her petition, the Hon'ble National Commission for Scheduled Castes vide order no. 3-29/HFW-14/SSW-II dated 10.02.2014 advised that the matter may be settled and her leave may be considered on duty. Copy of the minutes order dated 10.02.2014 is enclosed for ready reference(Annexure-7). Accordingly the matter regarding the absentee period of 35 days 3.4.2013 to 07.05.2013 has been considered by the Competent Authority of the Institute and decided to treat the said period as Commuted Leave keeping in view that Ms. Sushil herself had applied for medical leave. A copy of her leave application is enclosed as ( Annexure-8). Accordingly, she was communicated vide Office memo. No.F.17-88/2000-Estt.(H) dated 12.04.2014 (Annexure-9).

5. The letter under reference has not been received in the Establishment Section Hospital. Hence, no comments can be provided in the matter.
6. This for the consideration of the Hon'ble Commission.



Annexure of 83  
By Speed Post  
Hearing Notice

GENERAL SECTION  
F.T.S. No. 67271  
DATED: 19/10/19  
22/10/19  
23/10/19



Government of India  
National Commission for Scheduled Castes

No. S-44/Health-18/2019/SSW-II

Floor Vth, Loknaya Bhawan,  
Khan Market,  
New Delhi-110003  
Dated:-15.10.2019

To

The Director  
All India Institute of Medical Science  
Ansari Nagar  
New Delhi

प्राप्त किया/RECEIVED  
उप निदेशक (प्रशा.) कक्ष, अ.म.अ.स.,  
Dy. Director, A.I.I.M.S.  
21 OCT 2019  
22 OCT 2019  
RECEIVED

Sub: - Rep. received from Ms. Sushil, Nursing Officer, AIMS, New Delhi regarding service harassment.

Sir,

I am directed to refer to the subject mentioned above and to say that Dr. (Ms.) Swaraj Vidwan, Hon'ble Member of this Commission has fixed a hearing in this case with you in person on 05.11.2019 at 2.30 P.M. in her chamber at 5th Floor, Lok Nayak Bhawan, New Delhi.

Accordingly, you are requested to make it convenient to appear in person in the hearing before the Hon'ble Member as per schedule mentioned above at the Headquarters of National Commission for Scheduled Castes at New Delhi alongwith an upto date action taken report and all relevant documents including the relevant files, case diaries etc. to facilitate the hearing. The petitioner may also be asked to be present in the Commission on the day of hearing.

Yours faithfully,

16/10/19  
(C.S. Verma)  
Director  
Ph. No. 011-24624185

Copy for information to the petitioner to attend the hearing in the Commission on 05.11.2019 at 2.30 P.M.:-

Ms. Sushil,  
R/o 2-C, DDA Flats,  
Mansarova Park,  
Shahdara, Delhi-110032

Ad. (H): PI draft reply  
x put up on file at the  
earliest

SN4  
23/10/19  
22/10/19  
CAD

DDA

Urgent. put up.  
29/10/19  
Mr. Ravinder

240

85

Annexure - VI

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES**

Ansari Nagar, New Delhi-29

Dated the 5<sup>th</sup> Nov., 2019

No.F.17-88/2000-Estt.(H.)

To,

Sh. C.S. Verma  
Director,  
National Commission for Scheduled Castes,  
5<sup>th</sup> Floor, Lok Nayak Bhawan,  
Khan Market,  
New Delhi - 110003.

Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

\*\*\*\*\*

Sir,

With reference to your letter No. F.S-44/Health-18/2019/SSW-II dated 15.10.2019 on the subject cited above and to inform you that Dr. D.K. Sharina, Medical Superintendent is hereby deputed to attend the hearing before Dr. (Mrs.) Swaraj Vidwan, Hon'ble Member of NCSC scheduled to be held on 05.11.2019 at 2.30 PM.

Yours faithfully,



(DR. RANDEEP GULERIA)

DIRECTOR

निदेशक/Director  
अखिल भारतीय आयुर्विज्ञान संस्थान  
All India Institute of Medical Sciences  
अंसारी नगर, नई दिल्ली-29  
Ansari Nagar, New Delhi-29  
दूरभाष/Ph. +91-11-26588000, 26594800



Annexure-VIIA  
80

241

RECEIVED  
13 JAN 2020

By Speed Post

GENERAL SECTION/आ.स.स.  
सं.स.स.स.स./P.T.S. No. 645464  
दिनांक/DATED... 9/1/2020



Government of India

National Commission for Scheduled Castes

No. S-44/Health-18/2018/SSW-II

Floor Vth, Loknayak Bhawan,  
Khan Market,  
New Delhi-110003  
Dated:-06.01.2020

11 JAN 2020  
RECEIVED  
DIRECTOR OFFICE, P.T.S.

To

The Director  
All India Institute of Medical Science  
Ansari Nagar  
New Delhi

Sub: - Rep. received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding harassment.

Sir,

I am directed to refer to the subject mentioned above and to enclose a copy of the proceedings of the discussion held on 05.11.2019 in the chamber of Dr. (Ms.) Swara Vidwan, Hon'ble Member, National Commission for SCs for taking necessary action at your end.

It is, therefore, requested that the action taken report on the recommendations may be furnished to the Commission within 15 days for placing the same before the Hon'ble Member.

Yours faithfully,

(D.K. Gupta)  
Section Officer

Encl: As above

Copy for Information to: -

Ms. Sushil,  
R/o 2-C, DDA Flats  
Mansarova Park, Shahdara  
Delhi-110032

Put up on file urgent  
15/1/20

Put up pt  
13/1/2020  
CAO

ADDA  
copy to MS (H)  
12/1/20

DIR  
2-1-2020

14/1/20

National Commission for Scheduled Castes

File No. S-44/Health-18/2018/SSW-II

Minutes of the meeting held on November 5, 2019.

The followings were present:

- |                          |  |
|--------------------------|--|
| 1. Dr. D.K. Sharma       | Medical Superintendent, AIIMS, NEW Delhi |
| 2. Sh. G.R. Pillai       | Admn. Officer, AIIMS, New Delhi          |
| 3. Ms. Kamlesh Chandella | CNO, AIIMS, New Delhi                    |
| 4. Ms. Sushil            | Nursing Officer, AIIMS, New Delhi        |

The case was taken up. The Director, AIIMS was not present. The case was discussed in detail. The petitioner apprised the Commission that she has been discriminated and harassed by the AIIMS Authorities. Her ACRs were spoiled. She has not been given any promotion even after 19 years of service. No MACP is given till date. The petitioner was on leave for long time and in between she was not able to attend the office due to illness of her old parents and herself. She submitted request letters for regularization of her period of absence from duties. The Department has not considered her request whereas, in similar case of Ms. Biji Biju (Senior Nursing Officer) the Department has not given any penalty and her period of absenteeism from duty was regularised. Ms. Biji Biju (Senior Nursing Officer) joined in December, 2004 and she was promoted as Senior Nursing Officer in May, 2015. The General Category candidate was not given any penalty but the petitioner was given penalty and not promoted from due date. The petitioner joined her services in AIIMS in November, 2000 and she has been superseded by her juniors General Category Candidates.

The petitioner repeatedly requested the AIIMS Authority for providing Appropriate Leave Memorandum including 35 days from 2013 till date. Her E.L. and Medical Leave may be adjusted against the period of absence from duty during the period October, 2004 to April, 2007. The Extra-Ordinary Leave may be adjusted from June, 2010 to August, 2011.

The Medical Superintendent, AIIMS informed the Commission that the petitioner was unauthorised absent therefore, the penalty was given to her. She could not be promoted due to the penalty.

The Commission observed that the Department has given penalty to the petitioner whereas the another General Category Candidate (Ms. Biji Biju) was not given any penalty although she was also unauthorised absent from the duties. The AIIMS Administration cannot use two yard sticks in similar cases. The General Category Candidate was provided promotion whereas the petitioner has not been given promotion from the due date. The petitioner received many appreciation letters from many faculties but even then she was given penalty and superseded by her junior General Category Candidate. There appears to be discrimination and harassment of the petitioner as she belongs to SC Category.

In view of the facts of the case the Commission recommends that the leave period of the petitioner may be regularised. Her case be treated at par with General Category Candidate's case. The period of absence from duty may be adjusted against the leave available to the account of petitioner or by E.O.L. by the Competent Authority as is done in the case of a General Category Candidate. After regularising the leave period etc. the review DPC be conducted and the petitioner may be promoted from due date with all benefits and treated at par with her junior General Category Candidate.

The ATR be submitted within 15 days.

*m/a* 1-1-2020  
Dr. (Ms.) Swaraj Vidwan  
Member, NCSC



38

243

By Speed Post



Government of India  
National Commission for Scheduled Castes

No. S-44/Health-18/2018/SSW-II

Floor Vth, Loknayak Bhawan,  
Khan Market,  
New Delhi-110003  
Dated:-06.01.2020

To

The Director  
All India Institute of Medical Science  
Ansari Nagar  
New Delhi

Sub: - Rep. received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding harassment.

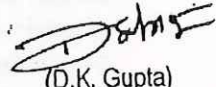
Sir,

I am directed to refer to the subject mentioned above and to enclose a copy of the proceedings of the discussion held on 05.11.2019 in the chamber of Dr. (Ms.) Swaraj Vidwan, Hon'ble Member, National Commission for SCs for taking necessary action at your end.

It is, therefore, requested that the action taken report on the recommendations may be furnished to the Commission within 15 days for placing the same before the Hon'ble Member.

Encl: As above

Yours faithfully,

  
(D.K. Gupta)  
Section Officer

Copy for information to: -

Ms. Sushil,  
R/o 2-C, DDA Flats  
Mansarova Park, Shahdara  
Delhi-110032

BSI M/PH  
D/S  
4/1/2020

National Commission for Scheduled Castes

File No. S-44/Health-18/2018/SSW-II

Minutes of the meeting held on November 5, 2019.

The followings were present:

- |                          |  |
|--------------------------|--|
| 1. Dr. D.K. Sharma       | Medical Superintendent, AIIMS, NEW Delhi |
| 2. Sh. G.R. Pillai       | Admn. Officer, AIIMS, New Delhi          |
| 3. Ms. Kamlesh Chandelia | CNO, AIIMS, New Delhi                    |
| 4. Ms. Sushil            | Nursing Officer, AIIMS, New Delhi        |

The case was taken up. The Director, AIIMS was not present. The case was discussed in detail. The petitioner apprised the Commission that she has been discriminated and harassed by the AIIMS Authorities. Her ACRs were spoiled. She has not been given any promotion even after 19 years of service. No MACP is given till date. The petitioner was on leave for long time and in between she was not able to attend the office due to illness of her old parents and herself. She submitted request letters for regularization of her period of absence from duties. The Department has not considered her request whereas, in similar case of Ms. Biji Biju (Senior Nursing Officer) the Department has not given any penalty and her period of absenteeism from duty was regularised. Ms. Biji Biju (Senior Nursing Officer) joined in December, 2004 and she was promoted as Senior Nursing Officer in May, 2015. The General Category candidate was not given any penalty but the petitioner was given penalty and not promoted from due date. The petitioner joined her services in AIIMS in November, 2000 and she has been superseded by her juniors General Category Candidates.

The petitioner repeatedly requested the AIIMS Authority for providing Appropriate Leave Memorandum including 35 days from 2013 till date. Her E.L and Medical Leave may be adjusted against the period of absence from duty during the period October, 2004 to April, 2007. The Extra-Ordinary Leave may be adjusted from June, 2010 to August, 2011.

The Medical Superintendent, AIIMS informed the Commission that the petitioner was unauthorised absent therefore, the penalty was given to her. She could not be promoted due to the penalty.

The Commission observed that the Department has given penalty to the petitioner whereas the another General Category Candidate (Ms. Biji Biju) was not given any penalty although she was also unauthorised absent from the duties. The AIIMS Administration cannot use two yard sticks in similar cases. The General Category Candidate was provided promotion whereas the petitioner has not been given promotion from the due date. The petitioner received many appreciation letters from many faculties but even then she was given penalty and superseded by her Junior General Category Candidate. There appears to be discrimination and harassment of the petitioner as she belongs to SC Category.

In view of the facts of the case the Commission recommends that the leave period of the petitioner may be regularised. Her case be treated at par with General Category Candidate's case. The period of absence from duty may be adjusted against the leave available to the account of petitioner or by E.O.L. by the Competent Authority as is done in the case of a General Category Candidate. After regularising the leave period etc. the review DPC be conducted and the petitioner may be promoted from due date with all benefits and treated at par with her junior General Category Candidate.

The ATR be submitted within 15 days.

  
1-1-2020  
Dr. (Ms.) Swaraj Vidwan  
Member, NCSC



245

By Speed Post

Annexure VII b

प्राप्त किया/RECEIVED  
 सचिव निदेशक (प्रशा.) कार्यालय, अ.भा.आ.प.  
 (P. Director) I.I.M.S.

04 FEB 2020



Government of India  
 National Commission for Scheduled Castes

No. S-44/Health-18/2019/SSW-II

Floor VIth, Loknaya Bhawan,  
 Khan Market,  
 New Delhi-110003

प्राप्त किया  
 652795  
 31 JAN 2020  
 03/02/2020  
 RECEIVED  
 04/02/2020  
 DIRECTOR OFFICE

Dated: 27.01.2020

To

Dr. Randeep Guleria  
 Director  
 All India Institute of Medical Science  
 Ansari Nagar, New Delhi

AIIMS Project  
 586  
 14/20

Sub: - Rep. received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding service harassment.

Sir,

I am directed to refer to this Commission's letter of even number dated 06.01.2020 (copy enclosed) on the subject mentioned above and to say that the requisite report in this case is still awaited from your end till date.

It is, therefore, requested to expedite the matter and send the action taken report of this case to the Commission within 15 days from the date of receipt of this letter for placing the same for the appraisal of the Commission.

Yours faithfully,

*(Signature)*  
 (D.K. Gupta)  
 Section Officer

Encl: As above

Copy for information to: -

Ms. Sushil,  
 R/o 2-C, DDA Flats,  
 Mansarova Park,  
 Shahdara, Delhi-110032

*DDA*

*4/2/2020*

*(Signature)*  
*14/2020*

*Urgent. Time bound*

*5/4/2020 - PTC (RL)*

*AO (M) : May do needful*

*16/2/20*

*Mr. Ransinder*

*copy to: Sr Ao (RE) for information only*

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29

No.F.17-88/2000-Estt.(H.)

Dated the:

15 FEB 2020

To,

Sh. D.K. Gupta  
Section Officer-SSW II,  
National Commission for Scheduled Castes,  
5<sup>th</sup> Floor, Lok Nayak Bhawan,  
Khan Market,  
New Delhi - 110003

Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

\*\*\*\*\*

Sir,

With reference to your letter No. F.S-44/Health-18/2019/SSW-II dated 06.01.2020 on the subject cited above, forwarding the minutes of the meeting held on November 5, 2019, please find enclosed herewith a parawise comments of the case for your kind consideration and requested that matter may be closed accordingly.

Thanking you,

Yours faithfully,

Encl: as above.

(DR. D.K. SHARMA)  
MEDICAL SUPERINTENDENT

Redy

ISSUED

27/02/2020

17-2-2020

NATIONAL COMMISSION FOR SC  
RECEIVED  
GOVT. OF INDIA, NEW DELHI



THE COMPARATIVE DETAILS OF MS. SUSHIL, NURSING OFFICER AND MS. BIJI BIJU, SENIOR NURSING OFFICER IS AS UNDER:

	Ms. Sushil	Ms. Biji Biju
<b>Date of Joining</b>	30.11.2000	13.06.1996(Adhoc) 18.12.2004(Regular)
<b>Date of Promotion</b>	05.11.2019	19.08.2015
<b>Details of Absentee</b>	<p>She proceeded on 18 days earned leave w.e.f.13.09.2004 to 30.09.2004. She was due to resume her duty on 01.10.2004 after expiry of afore said leave. But she did not resume her duty nor sent any leave application for her unauthorized willful absence from duty w.e.f.01.10.2004 to 17.04.2007.</p> <p>ii) She was again proceeded on 15 days earned leave w.e.f.18.03.2010 to 01.04.2010. She was due to resume her duty on 02.04.2010 after expiry of aforesaid leave, but she did not resume her duty and requested for extension of earned again and again upto 25.06.2010. Extension of earned beyond 01.06.2010 was not recommended by the Controlling authority. She remain again absent from duty w.e.f. 01.06.2010 to 03.08.2011</p>	<p>She proceeded on 20 days earned w.e.f.10.8.2007 to 29.08.2007 to visit her home town. She was due to resume her duty on 30.08.2007 after expiry of the aforesaid leave. But she did not resume her duty and requested for extension of medical leave again and again upto 25.02.2008 as she was suffering with Hepatitis. She has submit a medical certificate from the treating doctor in support of her informed leave.</p>
<b>Action Taken</b>	<p>She was directed to report for duty vide this office memo. of even number dated 11.3.2005, 06.5.2005 and 13.10.2005 failing which action as deemed fit under the CCS(CCA) rules, 1965 should be taken against her on account of her unauthorized wilfull absence from duty. She neither reported for duty nor responded any of the communications and Ms. Sushil, Nursing Officer was charge sheeted under the Rule 14 of the CCS(CCA) Rules, 1965 on account of her unauthorized willful absence from duty w.e.f. 1.10.2004 vide office memo. dated 29.06.2006. She joined her duty on 18.04.2007 after remaining un-authorized absence w.e.f.1.10.2004 to 17.04.2007.</p>	<p>She was directed vide this office memo. dated 29.11.2007 and dated 07.02.2008 to report for duty immediately and also to explain as to why action as deemed fit under the CCS (CCA) Rules, 1965 should be taken against her on account of her unauthorized willful absence from duty. But she failed to resume her duty and requested for extension of medial leave again and again. Ms. Biji Biju, Nursing Officer failed to comply with the orders of the office and thus disciplinary proceedings was initiated. She was charge sheeted under the Rule 14 of the CCS (CCA) Rules, 1965 on account of her unauthorized willful absence from duty w.e.f. 30.08.2007 vide</p>



	<p>ii) She was directed to report for duty immediately failing which action as deemed fit under the CCS(CCA) rules, 1965 shall be taken against her on account of her unauthorized willful absence from duty vide Office memorandum No.F.17-88/2000-Estt.(H) dated 29.11.2010, 21.01.2011, 30.4.2011 and 30.06.2011. She remain absent from duty w.e.f.01.06.2010 to 03.08.2011. The official failed to comply with the orders of the office and thus the disciplinary proceedings was initiated. In the meantime, she joined her duty on 04.08.2011. She was charge sheeted under the Rule 14 of the CCS(CCA) Rules, 1965 on account of her unauthorized willful absence from duty second time vide office memorandum dated 15.09.2011.</p>	<p>office memo. dated 01.09.2008. She has joined her duty on 26.12.2008.</p>
<p><b>Report of Inquiry</b></p>	<p>Inquiry was conducted in respect of charge sheet No.(1) and after completion of the enquiry, the Inquiring Authority submitted the report wherein the article of charge held as "Proved".</p> <p>ii) Inquiry was conducted in respect of charge sheet No.(2) and after completion of the enquiry, the Inquiring Authority submitted the report wherein the article of charge held as "Proved".</p>	<p>Inquiry was conducted and after completion of the enquiry, the Inquiring Authority submitted the report wherein the article of charge held as "Partially proved".</p>
<p><b>Penalty Imposed</b></p>	<p>After considering the Inquiry Report, the Disciplinary Authority imposed the penalty of reduction to a lower stage in the time scale of pay for a period one year, without cumulative effect imposed on Ms. Sushil, Sister Grade-II(re-designated as Nursing Officer vide this office order No. F.17-88/2000-Estt.(H) dated 06.05.2010. Further the period of her unauthorized willful absence from duty w.e.f.01.10.2004 to 17.04.2007 has been treated as dies non.</p> <p>ii) After considering the Inquiry Report, the Disciplinary Authority has imposed the penalty i.e. "Salary is reduced to four time</p>	<p>After going through the report of the Inquiry Officer and considering the evidene on record and the facts and circumstances of the case, the Disciplinary Authority for good and sufficient reasons has come to the conclusion that Mrs. Biji Biju, Sister Grade-II(now re-designated as Nursing Officer) may be exonerated from the charges framed against her and ordered that she may be granted leave of the kind due vide office memo No.F.22-58/96-Estt.(H) dated 29.07.2009. Accordingly, she was granted leave of kind dues w.e.f. 30.8.2007 to 25.12.2008 vide</p>



	<p>lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" Ms. Sushil, Sister Grade-II (now re-designated as Nursing Officer) vide this office order No.F.17-88/2000-Estt.(H) dated 04.01.2014. Her period of unauthorized absence from duty w.e.f.01.06.2010 to 3.8.2011 has not regularized. If approved, her period of absence from duty w.e.f.01.06.2010 to 03.08.2011 may be treated as dies non.</p>	office memo. dated 16.10.2009.
<b>Details of Appeal</b>	<p>Ms. Sushil, Sister Grade-II(re-designated as Nursing Officer submitted mercy appeal U/s Rule 23(iv) of CCS(CCA) Rules, 1965 for setting aside the impugned order dated 4<sup>th</sup> January, 2014 passed by the Disciplinary Authority.</p> <p>Her appeal was accordingly put up before the Union Health &amp; family Welfare Minister in his capacity as President, AIIMS on 07.01.2015. The President, AIIMS has directed to put up the case in Governing Body. In accordance with schedule II of the AIIMS regulations, 199 (as amended), the Governing Body is the Appellate Authority to consider the appeal of Group "B" Officers. Accordingly a agenda item was placed before the Governing Body in its 152<sup>nd</sup> meeting held on 13.04.2015. However the agenda item was not discussed. Her appeal was discussed in the Governing Body in its 157<sup>th</sup> meeting held on 06.03.2019. The Governing Body after considering the same, rejected the appeal.</p>	No appeal was made
<b>Regarding grant of leave of 35 days</b>	<p>As regards to her allegation regarding conversion of 35 days of her absence w.e.f.03.04.2013 to 07.05.2013, it is submitted that on her petition, the Hon'ble National Commission for</p>	

	<p>Scheduled Castes vide order no. 3-29/HFW-14/SSW-II dated 10.02.2014 advised that the matter may be settled and her leave may be considered on duty. Accordingly the matter regarding the absentee period of 35 days 3.4.2013. to 07.05.2013 has been considered by the Competent Authority of the Institute and decided to treat the said period as Commuted Leave keeping in view that Ms. Sushil herself had applied for medical leave with medical &amp; fitness certificates.</p>	
--	--	--

As regard to the treating of the period of absence from duty of Ms. Sushil at par with another Nursing Officer purportedly belonging to general category, Mrs. Biji Biju, it is informed that her case has been duly examined in detail. She had submitted her application for extension of leave from time to time. She had also submitted medical certificates in support of her illness, whereas Ms. Sushil remained absent from duty unauthorizedly without any valid reasons and the communications sent to her by the Administration were not responded. Further, period of unauthorized absence from duty in respect of Ms. Sushil was in two different spells i.e. from 01.10.2004 to 17.04.2007 and 01.06.2010 to 03.08.2011. On both occasions after conducting disciplinary enquiry, her charges were "Proved" by the Inquiry Officer. While the absence of Ms. Biji Biju from 30.08.2007 to 25.12.2008, charges framed against her was only "Partially Proved" by the Inquiry Officer. Therefore it is apparent that the case of unauthorized absence of Ms. Sushil is different from that of Ms. Biji Biju and the two are not really comparable.

It is also informed that Ms. Sushil, Nursing Officer has already been promoted to the post of Senior Nursing Officer w.e.f.05.11.2019. Hence, it is evident that no injustice has done against her.



124

NCSC REFERENCE

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSAI NAGAR, NEW DELHI  
(SC/ST/OBC/Women Cell)

Dated: 23.09.2020

No.F.3-6/2018/Greiv./SCST/Estt.I

OFFICE MEMORANDUM

Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding service harassment.

\*\*\*\*\*

Please find enclosed herewith the letter bearing F.No.S-44/Health-18/2019/SSW-II dated 24.06.2020 of Sh. B. S. Saha, Under Secretary to GOI, National Commission for Scheduled Castes wherein he has given the reference of the letter F.No.17-88/2000-Estt.(H) dated 15.02.2020 and therewith a copy of the rejoinder dated 17.03.2020 submitted by petitioner (Ms. Sushil, Nursing Officer) on the above cited subject is hereby forwarded for your necessary action.

Further, it is requested to furnish the comments in the matter as per rejoinder dated 17.03.2020 of the petitioner, so that a reply may be sent to the NCSC. A copy of the reply already furnished to the NCSC vide letter dated 15.02.2020 may also be provided to the undersigned for records.

Encl: As above.

*Anita Tete*  
23/9/2020

(ANITA TETE)  
ADMINISTRATIVE OFFICER

To:

Sh. G. R. Pillai,  
Administrative Officer,  
Establishment Section (Hospital)

*Put up urgently*

*show*  
24/9/20

*AD*

*MS. K...*  
put-up am

*Mr. Ravinder*  
Rast

25/9/20

252

155



Government of India  
National Commission for Scheduled Castes

(A Constitutional body set up under Article 338 of the Constitution of India)

F.No. S-44/Health-1872019/SBWA/1  
Dy. Director (Admn.) Office, A.I.I.M.S.

Floor Vth, Loknayak Bhawan,  
Khan Market,  
New Delhi-110003  
Dated: 22.06.2020

RECEIVED  
04 JUL 2020

RECEIVED  
09 JUL 2020  
DIRECTOR OFFICE, A.I.I.M.S.

GENERAL SECTION A.I.I.M.S.  
F.T.S. No. 679735  
दिनांक/DATED 27.7.2020

To ✓  
The Director  
All India Institute of Medical Sciences  
29, Ansari Nagar New Delhi  
Delhi-110029

Sub: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

Sir,

I am directed to refer to your letter F-17-88/2000-Estt.(H) dated 15.02.2020 on the subject mentioned above and to enclosed a copy of the rejoinder dated 17.03.2020 submitted by petitioner, for seeking your comments.

Yours faithfully,

*[Handwritten signature]*

*[Handwritten signature]*  
(B. Saha)

Under Secretary to the Govt. of India

Copy to: -

Ms. Sushil  
R/o-2C, DDA Flats  
Mansarovar Park, Shahdara  
Delhi-110032

*[Handwritten initials]*

*[Handwritten initials]*

*[Handwritten initials]*

*[Handwritten notes and signatures]*  
Pooja Sushil  
6/7/2020

*[Handwritten signature]*  
AD (SCT)



253

150

By hand  
17/3/2020

SSW-II

17/03/2020

Shri D.K. Gupta,  
Section Officer,  
National Commission for Scheduled Castes,  
LokNayakBhawan, Vth Floor,  
Khan Market,  
New Delhi-110 003.

FC/3484  
17/3/2020

Subject:- Harassment and discrimination in service matter of a Scheduled Caste employee by the AIIMS Administration- reg.

Sir,

Please refer to your letter No.S-44/Health-18-2019/SSW-II dated 17.02.2020 forwarding therewith the reply from Medical Superintendent, AIIMS to my earlier representation on the above mentioned subject. I would like to state here that the Medical Superintendent, AIIMS in his reply(comparative details) dated 14.02.2020 has suppressed some facts in respect of me. The factual position of my case is as under:-

Ms. Sushil (Scheduled Castes)	Ms. BijiBiju(Unreserved)
Joined on 30.11.2000	Joined on 13.06.1996(ad-hoc) 18.12.2004(Regular)
Promoted on 05.11.2019	Promoted on 19.08.2015
i) I proceeded on 18 days earned leave w.e.f. 13.09.2004 to 30.09.2004 and was due to resume duty on 01.10.2004 on expiry of the said leave. But I could not resume duty on due date because I was severely suffering from illness. On recovering from illness, I resumed duty on 18.04.2007 and <b>submitted my medical certificate to the effect to the AIIMS Authority for which they has not been mentioned in their reply.</b> Inspite of regularizing the my above period of absence by the leave/EOL with medical certificate credited at my leave account, <b>they imposed a penalty of reduction to a lower stage in the time scale and without cumulative effect on me under Rules 11 of CCS(CCA) Rules, 1965 vide AIIMS's Order No. F.17-88/2000-Estt(H) dated 6<sup>th</sup> May, 2010".</b> My period of absence w.e.f. 01.10.2004 to 17.04.2007 was also treated as "dies non" which affected my further promotion/MACP.	As state the AIIMS' Authority in case of Ms. BijiBiju, she proceeded on 20 days earned leave w.e.f. 10.08.2007 to 29.08.2007 to visit her home town. She was due to resume her duty on 30.08.2007 after expiry of the aforesaid leave. <u>But she did not resume her duty and requested for extension of medical leave again and again upto 25.02.2008 as she was suffering with Hepatitis. She has submit a medical certificate from the treating doctor in support of her informed leave on joining duty on 26.12.2008.</u>
ii) I was again proceeded on 15 days Earned Leave w.e.f. 18.03.2010 to 01.04.2010 and could not resume duty on expiry of the said leave because of me and my parents were	For the above unauthorized absence w.e.f. 30.08.2007 to 25.12.2008 and not complying with AIIMS's O.M. dated 29.11.2007 & dated 07.02.2008, <b>she was charge-sheeted under Rule 14 of the CCS(CCA) Rules, 1965. An inquiry was</b>



suffering from severe illness, In this connection, I informed to AIIMS Authority from time to time and requested for extension of my leave. On my joining duty on 02.04.2010, on recovery from critical illness, I submitted a medical certificate to them with the request to regularized my above period of absence by granting leave/EOL with medical certificate credited in my leave account. But they did not listen to me and an another penalty of "reduction to a lower stage in the time-scale of pay for specific period, with further directions as to whether or not the Government servant will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have effect of postponing the future increments of his pay" was imposed on me. My period of absence w.e.f. 01.06.2010 to 03.08.2011 was also treated as "dies non". This action of AIIMS' Authority has affected my service career badly and I could not get promotion/MACP inspite of rendering 19 years of service.

iii) I suffered a lot mentally and physically and underwent financial loss due to above penalties. On account of this disturbance/harassment and on the advice of Psychiatrist, I could not attend office for 35 days (from 03.04.2013 to 07.05.2013). The Medical Superintendent, AIIMS also looked it's a harassment to me. The National Commission for SC/ST has also taken it's a harassment to me by the AIIMS Authority and directed them to treat these 35 days period as duty. But they did not comply with the directions of the National Commission of SC/ST and granted me medical leave by deducted from my leave account. In spite of my repeated requests, they did not provide me my correct leave memo sought from 2013 to till date which included the period of above 35 days and my leave account details. I am totally harassed mentally and physically by the AIIMS' Administration.

conducted against her and on completion of the enquiry, the Inquiring Authority submitted report wherein the article of charge held as "Partially Proved". But, she was exonerated from all charges framed against her and her period of absence w.e.f. 30.08.2007 to 25.12.2008 was regularized by granting leave 424 days credit at her account/EOL.



:3:

2. Respected Sir, in view of the position explained above, my case is similar to the above case Ms. BijuBiji who was charge-sheeted for authorized absence from duty and the Inquiry Authority proved charges against her. But, she was not only exonerated from all the charges but also regularized her unauthorized period of absence because she belongs to unreserved category. Sir, I belongs a Scheduled Castes category, who should be considered for relaxation/concession as extended to a Scheduled Castes candidate on every stages as per the Govt. rules i.e. relaxation in standard of selections, age etc, was charge-sheeted and imposed penalties twice and my increments of 9 years from 2009 to 2017 were also not released. These penalties not only affected my service career badly but also given me acute pain mentally and physically. Sir, I request you again to take up my above case with the AIIMS Authorities and call upon them to revise my above both penalties and regularize my period of absence by granting leave/EOL with medical certificate credit at my leave account and consider me for promotions as could have been considered but for imposing penalties on me and providing me my leave account details from 2013 till date and ensure justice to me, a Scheduled Caste candidate.

Thanking you,

Yours faithfully,

Sushil

(Sushil)

Senior Nursing Officer, AIIMS  
R/o 2-C, DDA Flats, Mansarovar Park,  
Shahdara, Delhi-110032

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Annexure - X  
Annexure 10  
BY SPECIAL MESSENGER

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)

163

No.F.17-88/2000-Estt.(H)

Ansari Nagar, New Delhi-29  
Dated the: 16 OCT 2020

To,

Shri B. Saha,  
Under Secretary to the Govt. of India,  
National Commission for Scheduled Castes,  
Floor Vth, Loknayak Bhawan,  
Khan Market,  
New Delhi-110003.



16/10/2020

Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

\*\*\*\*\*

Sir,

With reference to your letter F.No.S-44/Health-18/2019/SSW-II dated 24.06.2020 forwarding the copy of rejoinder dated 17.03.2020 of Ms. Sushil, Senior Nursing Officer at this Institute and in continuation of this office's letter of even number dated 15.02.2020 on the subject cited above, please find enclosed the factual position of the disciplinary actions taken against Ms. Sushil and Ms. Biji Biju, both Senior Nursing Officers at this Institute for your kind consideration.

It may be seen that there is considerable difference in both the cases. Ms. Biji Biju was taking treatment from a Government Hospital in her Home Town and sent communications in this regard from time to time, whereas no information was received from Ms. Sushil on both occasions of her unauthorised absence and she did not comply with the directions of the authority.

In regard to delay in promotion/MACP, it is informed that the same is due to the penalties imposed on her for violation of conduct rules by her.

As per rules, there is no provision to alter the kind of leave due and applied for by a Government servant and to convert/commute the period of such absence as On Duty. As she has herself applied for Commuted Leave for the period of 35 days w.e.f. 03.04.2013 to 07.05.2013 with supportive documents viz. Medical and Fitness Certificate as required under rules, the same was granted to her in accordance with provisions of CCS (Leave) Rules.

It is also requested that the matter may be closed accordingly.

Thanking you,

Yours faithfully,

Encl. As stated above

(DR. D. K. SHARMA)  
MEDICAL SUPERINTENDENT  
16/10/2020

Copy to: The Administrative Officer  
SC/ST/OBC/Women Cell

IA/10/2020

with reference to O.M. No.F.3-6/2018/Greiv./SCST/Estt.1  
dated 23.09.2020



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COMPARATIVE DETAILS AND FACTUAL POSITION OF DISCIPLINARY CASES AGAINST MS. SUSHI, SENIOR NURSING OFFICER AND MS. BIJI BIJU, SENIOR NURSING OFFICER

MS. SUSHIL, SENIOR NURSING OFFICER	MS. BIJI BIJU, SENIOR NURSING OFFICER
<p>Her date of joining as Sister Grade-II (now Nursing Officer) is 30.11.2000 and she has been promoted as Senior Nursing Officer w.e.f. 05.11.2019.</p>	<p>She had joined on ad-hoc basis on 13.06.1996 and on 18.12.2004 on regular basis as Sister Grade-II. She has been promoted as Sr. Nursing Officer on 19.08.2015.</p>
<ul style="list-style-type: none"> <li>• Ms. Sushil had applied for 18 days Earned Leave w.e.f. 13.09.2004 to 30.09.2004</li> <li>• She remained absent from duty w.e.f. 01.10.2004 to 17.04.2007</li> <li>• She was advised to report for duty vide memorandum dated 11.03.05 &amp; 06.05.05, but she did not report for duty nor submitted any reply/intimation.</li> <li>• A Show Cause Notice was also issued to her on 13.10.05, but no reply was received from her.</li> <li>• A charge sheet under Rule 14 of CCS (CCA) Rules, 1965 was issued to her on 29.06.2006, but no reply was received from her.</li> <li>• She joined back on 16.04.2007 stating that she could not attend duty due to her family disturbance and her illness. She has also submitted an undertaking to be sincere and more punctual on her duty in future.</li> <li>• In regard to Medical Certificates submitted by her, she has submitted 06 medical certificates for the period from 15.09.2004 to 09.10.2006 issued from a Private Nursing Home and a Fitness Certificate from 10.10.2006. The stamp of the doctor does not bear the Registration No. of the concerned doctor with DMC/MCI.</li> <li>• In regard to Medical Certificates of her father Mr. Vijay Singh, it is submitted that she has submitted 03 documents.             <ol style="list-style-type: none"> <li>1) Prescription from Dr. Ravi Gogia, M.D. Medicine (Ay.) dated 04.08.2006 whose clinic is in Palam Colony.</li> <li>2) Casualty Card of Aruna Asaf Ali Govt. Hospital dated 11.10.2006 with History of Fall on 11.10.2006.</li> <li>3) Prescription from Dr. Shrikant Kaushik, Kaushik Ortho Maternity Hospital dated 13.04.2007 which is situated at Janakpuri, New Delhi.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>➤ Ms. Biji Biju had proceeded on 20 days Earned Leave w.e.f. 10.08.2007 to 29.08.2007 to visit her Home Town Kerala.</li> <li>➤ She applied for extension of leave from 30.08.2007 to 25.02.2008 in various spells. She had also submitted Medical Certificate in support of her illness from Medical College Health Unit, Ambalappuzha, Alleppey, Kerala.</li> <li>➤ She was advised to report for duty vide memo dated 29.11.2007 and 07.02.08. She was also advised to show herself at AIIMS as she is EHS beneficiary.</li> <li>➤ A charge sheet was also issued to her under Rule 14 of CCS (CCA) Rules, 1965 vide memo dated 01.09.2008.</li> <li>➤ She joined back her duty on 26.12.2008.</li> <li>➤ An inquiry was conducted and it was found that though she had submitted leave applications alongwith Medical Certificates from time to time, she has failed to comply with the orders to report to AIIMS Hospital. Her past records submitted by her also indicate her status of sickness. Her charge was partially proved.</li> <li>➤ After going through the report of enquiry, the disciplinary authority exonerated her from the charges framed against her vide Order dated 29.07.2009 and the period of her absence was regularized as leave of the kind due to her.</li> </ul>

MS. SUSHIL, SENIOR NURSING OFFICER	MS. BIJI BIJU, SENIOR NURSING OFFICER
<p>In her submission dated 04.03.2010 against the Inquiry Report, she has shown her inability to visit AIIMS Hospital due to long distance and thus she was compelled to approach the nearby doctor/Hospital. However, the prescriptions submitted by her does not substantiate her claim as she is residing at Shahdara, whereas treatment papers are from Palam Colony/Janakpuri which is approx. 32-34 kms away from her residence.</p> <ul style="list-style-type: none"> <li>• All these documents submitted by her were taken into consideration by the Inquiry Officer as per Inquiry Report dated 21.01.2010 and her charge was proved.</li> <li>• The disciplinary authority has accordingly imposed the penalty of reduction to a lower stage in the time scale of pay for a period of one year, without cumulative effect on her vide Order dated 06.05.2010. Her period of absence from 01.10.2004 to 17.04.2007 was treated as dies-non vide memo dated 31.12.2010.</li> <li>• Even before conclusion of first disciplinary case, she again proceeded on Earned Leave for a period of 15 days w.e.f. 18.03.2010 to 01.04.2010. Thereafter, she sent 03 applications for extension of leave from 02.04.2010 to 25.06.2010, however, she again absented herself from duty w.e.f. 26.06.2010.</li> <li>• She was advised to report for duty vide memo dated 29.11.2010, 21.01.2011, 30.04.2011 and 30.06.2011, but she failed to comply with the orders of the authority nor any communication was received from her.</li> <li>• She joined back her duties on 04.08.2011 i.e. after a period of 01 year 05 months approx. citing reason as illness of her parents.</li> <li>• She was again charge sheeted under Rule 14 of CCS (CCA) Rules, 1965 vide memo dated 15.09.2011</li> <li>• An inquiry was conducted. It was found that she has mentioned the reason of leave as work at home/domestic work and not the illness of her parents and thereafter remained absent without information. Hence charge against her was proved.</li> <li>• Accordingly, a penalty of reduction to four times lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years was imposed on her vide Order dated 04.0.2014.</li> <li>• An appeal dated 31.01.2014 was also received from Ms. Sushil against the said penalty order which was considered by the Governing Body of the Institute; however, the same was rejected by GB in its meeting held on 24.01.2019 which was duly communicated to her vide memo dated 23.03.2019.</li> </ul>	



MS. SUSHIL, SENIOR NURSING OFFICER	MS. BIJI BIJU, SENIOR NURSING OFFICER
<ul style="list-style-type: none"><li>• In regard to 35 days leave w.e.f. 03.04.2013 to 07.05.2013, it is submitted that Ms. Sushil had applied for grant of Medical Leave for the said period on the basis of Medical and Fitness Certificate as under<ol style="list-style-type: none"><li>1) 2 days from Deptt. of Emergency for Ac. Anxiety Disorder</li><li>2) 3 days from Deptt. of Psychiatry for F 43.2</li><li>3) 3 days from EHS for AGE</li><li>4) 2 days from EHS for AGE</li><li>5) 5 days from Deptt. of Psychiatry for F 43.2</li><li>6) 2 days from EHS for AGE</li><li>7) 18 days from Deptt. of Psychiatry for F 43.2.</li></ol></li></ul> <p>She has herself applied for grant of Medical Leave and an application dated 03.05.13 through post was also received from her.</p> <p>Thereafter, she made a petition before the Hon'ble Commission to treat her period of absence as on duty. On the directions of Hon'ble Commission dated 10.02.2014, the matter was again considered by the competent authority of the Institute and decided to treat the said period as Commuted Leave keeping in view the fact that she had herself applied for Medical Leave with Medical &amp; Fitness Certificate.</p> <p>Recently, a representation dated 30.09.2020 in this regard has again been received from her, which is being dealt separately.</p>	

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200

अ.मा.अ.स. अस्पताल

A.I.I.M.S. Hospital

फिजिशियन

Medical Superintendent Officer

21/10/20



सत्यमेव जयते

Government of India

National Commission for Scheduled Castes

(A Constitutional body set up under Article 338 of the Constitution of India)

5th Floor, Lok Nayak Bhawan  
Khan Market, New Delhi-110003

Dated: 15/10/2020

By Speed Post

Toll Free No. 1800 11 8888

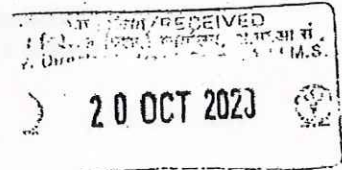
Phone No. 011-24606820

Fax No. 011-24624731

Web Site: www.ncsc.nic.in

GENERAL SECTION/A.I.I.M.S.  
दिनांक/DATED... 19/10/2020  
20/10/20

File No. S-44/Health-18/2019/SSW-II



To,

✓ The Director  
All India Institute of Medical Sciences  
29, Ansari Nagar New Delhi  
Delhi 110029

Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

Sir/Madam,

I am directed to refer to this Commission's letter of even No. dated 24.06.2020 on the subject mentioned above and to say that the Commission has not received any communication in the matter from your office till date. Please find enclosed herewith a copy of another representation dated 12.10.2020 submitted by the petitioner for submitted of report.

It is, therefore, requested that parawise comments/facts on the points raised in the representation may please be furnished to this Commission within 15 days positively for placing the same before the Commission.

Encls: As above.

Yours faithfully

*Jasvir Singh*

(Jasvir Singh)

Section Officer-SSW I

Copy To:

Ms. Sushil  
R/o- 2-C, DDA Flats,  
Mansarovar Park, Shahdara,  
Delhi-110 032

We need to send a fresh reply to the fresh representation.

21/10

MS  
21/10

*MS*

*MS*  
20/10

Urgent

21/10/20

MS. Kavita



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B/H  
14/10/2020

To,

Shri B. Saha,  
Under Secretary to the Govt. of India,  
National Commission for Scheduled Castes,  
Lok Nayak Bhawan, Vth Floor,  
Khan Market,  
New Delhi-110 003.

Date, 12/10/2020

FC/9906  
14/10/2020

Subject: - Harassment and discrimination in service matter of a Scheduled Caste employee by the AIIMS Administration- reg.

Hon'ble Sir,

Please refer to your letter No.S-44/Health-18-2019/SSW-II dated 22/24.06.2020 seeking comments from the Director, AIIMS, New Delhi on the subject mentioned above.

2. Sir, I have submitted a representation dated 17.03.2020 to the National Commission and the same has been forwarded to the AIIMS Authority with direction/request to treating her penalty case similar to the case of Ms. Biji Biju, and revising her both penalties, regularizing her period of absence by granting leave/Earned leave, Half pay leave (Medical Leave) and EOL credit at her leave account.

But, I am facing the same discrimination due to the AIIMS Administration did not provided to me any type of corrective measure for the same.

In view of above, it is once again requested to you to kindly look into the issue in corrective measures and directed to the AIIMS, Authority to provide me correct leave account details from 2013 to till date. Ms. Biji Biju, an Unreserved Candidate, was charge-sheeted for unauthorized absence from duty and the Inquiry Authority partially proved charges against her. In spite of this, she was not only exonerated from all charges but also regularized her unauthorized period of absence and consider her (45days Earned leaves), (33days half pay leaves) and (424 days extraordinary leaves).

3. Sir, I belongs a Scheduled Castes category, who should be considered for relaxation/concession as extended to a Scheduled Castes candidate on every stages as per the Govt. rules i.e. relaxation in standard of selections, age etc. But I was charge-sheeted and imposed penalties twice and financial benefit of my 9 years increments cut from 2009 to 2017 also not given promotion at due time because of penalties. These penalties had not only affected my service career badly as well as given me acute mental and physical pain.

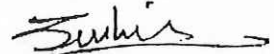
4. Sir, I would like to inform you that no action has been taken on my representation by the Administrative Authority of AIIMS till date in spite of your instructions issued vide letter dated 22/24.06.2020 and did not implement the Minutes of the meeting held in 5 November 2019. It is my humble request again to the National Commission for Scheduled Castes, New Delhi to instruct to take up my above case and directed to expedite the matter and implement the Minutes of the Meeting and to ensure provide natural justice to the petitioner.

In the light of above it is my humble request that kindly provide me the natural justice by implementing the order given by National Commission S C. on 01/01/2020.

I shall be highly appreciated for the same.

Thanking you,

Yours faithfully,

  
(Sushil)

Senior Nursing Officer, AIIMS  
R/o 2-C, DDA Flats, Mansarovar Park,  
Shahdara, Delhi-110032



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विशेष वरत-वाहक द्वारा  
BY SPECIAL MESSENGER

Annexure - XII  
Annexure - 12  
BY SPECIAL MESSENGER

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)

No.F.17-88/2000-Estt.(H)

Ansari Nagar, New Delhi-29  
Dated the: 26 OCT 2020

To,

Shri Jasvir Singh,  
Section Officer-SSW I,  
National Commission for Scheduled Castes,  
5<sup>th</sup> Floor, Lok Nayak Bhawan,  
Khan Market,  
New Delhi-110003.



Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

\*\*\*\*\*

Sir,

I am directed to refer to your letter dated 15.10.2020 on the subject cited above and to inform you that the requisite comments/facts on the points raised by Ms. Sushil, Senior Nursing Officer in her representation as well as rejoinder dated 17.03.2020 have already been provided to the Hon'ble Commission vide this Institute's letter of even number dated 15.02.2020 and 16.10.2020 (copies enclosed).

In regard to her request for providing correct leave details 2013 to till date, it is informed that her request is under examination and updation of leave record is underway. The required details will be provided to her in due course of time under intimation to the Hon'ble Commission.

It is once again requested that the matter may be closed accordingly.

Thanking you,

Yours faithfully,

Encl. As stated above

Copy to: The Administrative Officer  
SC/ST/OBC/Women Cell

*S*  
26/10/2020

*Shew*  
(G. R. PILLAI)  
ADMINISTRATIVE OFFICER (H)  
o/c (R)  
26/10/2020



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By SPECIAL MESSAGE

(B)

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

No.F.17-88/2000-Estt.(H.)

Ansari Nagar, New Delhi-29

Dated the:

11 5 FEB 2020

To,

Sh. D.K. Gupta  
Section Officer-SSW II,  
National Commission for Scheduled Castes,  
5<sup>th</sup> Floor, Lok Nayak Bhawan,  
Khan Market,  
New Delhi - 110003

Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New  
Delhi regarding Service Harassment.

\*\*\*\*\*

Sir,

With reference to your letter No. F.S-44/Health-18/2019/SSW-II dated 06.01.2020 on the  
subject cited above, forwarding the minutes of the meeting held on November 5, 2019, please find  
enclosed herewith a parawise comments of the case for your kind consideration and requested that  
matter may be closed accordingly.

Thanking you,

Yours faithfully,

Encl: as above

(DR. D.K. SHARMA)

MEDICAL SUPERINTENDENT

Redy





THE COMPARATIVE DETAILS OF MS. SUSHIL, NURSING OFFICER AND MS. BIJI BIJU, SENIOR NURSING OFFICER IS AS UNDER:

	Ms. Sushil	Ms. Biji Biju
Date of Joining	30.11.2000	13.06.1996(Adhoc) 18.12.2004(Regular)
Date of Promotion	05.11.2019	19.08.2015
Details of Absentee	<p>She proceeded on 18 days earned leave w.e.f.13.09.2004 to 30.09.2004. She was due to resume her duty on 01.10.2004 after expiry of afore said leave. But she did not resume her duty nor sent any leave application for her unauthorized willful absence from duty w.e.f.01.10.2004 to 17.04.2007.</p> <p>ii) She was again proceeded on 15 days earned leave w.e.f.18.03.2010 to 01.04.2010. She was due to resume her duty on 02.04.2010 after expiry of aforesaid leave, but she did not resume her duty and requested for extension of earned again and again upto 25.06.2010. Extension of earned beyond 01.06.2010 was not recommended by the Controlling authority. She remain again absent from duty w.e.f. 01.06.2010 to 03.08.2011</p>	<p>She proceeded on 20 days earned w.e.f.10.8.2007 to 29.08.2007 to visit her home town. She was due to resume her duty on 30.08.2007 after expiry of the aforesaid leave. But she did not resume her duty and requested for extension of medical leave again and again upto 25.02.2008 as she was suffering with Hepatitis. She has submit a medical certificate from the treating doctor in support of her informed leave.</p>
Action Taken	<p>She was directed to report for duty vide this office memo. of even number dated 11.3.2005, 06.5.2005 and 13.10.2005 failing which action as deemed fit under the CCS(CCA) rules, 1965 should be taken against her on account of her unauthorized wilfull absence from duty. She neither reported for duty nor responded any of the communications and Ms. Sushil, Nursing Officer was charge sheeted under the Rule 14 of the CCS(CCA) Rules, 1965 on account of her unauthorized willful absence from duty w.e.f. 1.10.2004 vide office memo. dated 29.06.2006. She joined her duty on 18.04.2007 after remaining un-authorized absence w.e.f.1.10.2004 to 17.04.2007.</p>	<p>She was directed vide this office memo. dated 29.11.2007 and dated 07.02.2008 to report for duty immediately and also to explain as to why action as deemed fit under the CCS (CCA) Rules, 1965 should be taken against her on account of her unauthorized willful absence from duty. But she failed to resume her duty and requested for extension of medial leave again and again. Ms. Biji Biju, Nursing Officer failed to comply with the orders of the office and thus disciplinary proceedings was initiated. She was charge sheeted under the Rule 14 of the CCS (CCA) Rules, 1965 on account of her unauthorized willful absence from duty w.e.f. 30.08.2007 vide</p>

	<p>ii) She was directed to report for duty immediately failing which action as deemed fit under the CCS(CCA) rules, 1965 shall be taken against her on account of her unauthorized willful absence from duty vide Office memorandum No.F.17-88/2000-Estt.(H) dated 29.11.2010, 21.01.2011, 30.4.2011 and 30.06.2011. She remain absent from duty w.e.f.01.06.2010 to 03.08.2011. The official failed to comply with the orders of the office and thus the disciplinary proceedings was initiated. In the meantime, she joined her duty on 04.08.2011. She was charge sheeted under the Rule 14 of the CCS(CCA) Rules, 1965 on account of her unauthorized willful absence from duty second time vide office memorandum dated 15.09.2011.</p>	<p>office memo. dated 01.09.2008. She has joined her duty on 26.12.2008.</p>
Report of Inquiry	<p>Inquiry was conducted in respect of charge sheet No.(1) and after completion of the enquiry, the Inquiring Authority submitted the report wherein the article of charge held as "Proved".</p> <p>ii) Inquiry was conducted in respect of charge sheet No.(2) and after completion of the enquiry, the Inquiring Authority submitted the report wherein the article of charge held as "Proved".</p>	<p>Inquiry was conducted and after completion of the enquiry, the Inquiring Authority submitted the report wherein the article of charge held as "Partially proved".</p>
Penalty Imposed	<p>After considering the Inquiry Report, the Disciplinary Authority imposed the penalty of reduction to a lower stage in the time scale of pay for a period one year, without cumulative effect imposed on Ms. Sushil, Sister Grade-II(re-designated as Nursing Officer vide this office order No. F.17-88/2000-Estt.(H) dated 06.05.2010. Further the period of her unauthorized willful absence from duty w.e.f.01.10.2004 to 17.04.2007 has been treated as dies non.</p> <p>ii) After considering the Inquiry Report, the Disciplinary Authority has imposed the penalty i.e. "Salary is reduced to four time</p>	<p>After going through the report of the Inquiry Officer and considering the evidene on record and the facts and circumstances of the case, the Disciplinary Authority for good and sufficient reasons has come to the conclusion that Mrs. Biji Biju, Sister Grade-II(now re-designated as Nursing Officer) may be exonerated from the charges framed against her and ordered that she may be granted leave of the kind due vide office memo No.F.22-58/96-Estt.(H) dated 29.07.2009. Accordingly, she was granted leave of kind dues w.e.f. 30.8.2007 to 25.12.2008 vide</p>



	<p>lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" Ms. Sushil, Sister Grade-II (now re-designated as Nursing Officer) vide this office order No.F.17-88/2000-Estt.(H) dated 04.01.2014. Her period of unauthorized absence from duty w.e.f.01.06.2010 to 3.8.2011 has not regularized. If approved, her period of absence from duty w.e.f.01.06.2010 to 03.08.2011 may be treated as dies non.</p>	office memo. dated 16.10.2009.
Details of Appeal	<p>Ms. Sushil, Sister Grade-II (re-designated as Nursing Officer) submitted mercy appeal U/s Rule 23(iv) of CCS(CCA) Rules, 1965 for setting aside the impugned order dated 4<sup>th</sup> January, 2014 passed by the Disciplinary Authority.</p> <p>Her appeal was accordingly put up before the Union Health &amp; family Welfare Minister in his capacity as President, AIIMS on 07.01.2015. The President, AIIMS has directed to put up the case in Governing Body. In accordance with schedule II of the AIIMS regulations, 199 (as amended), the Governing Body is the Appellate Authority to consider the appeal of Group "B" Officers. Accordingly a agenda item was placed before the Governing Body in its 152<sup>nd</sup> meeting held on 13.04.2015. However the agenda item was not discussed. Her appeal was discussed in the Governing Body in its 157<sup>th</sup> meeting held on 06.03.2019. The Governing Body after considering the same, rejected the appeal.</p>	No appeal was made
Regarding grant of leave of 35 days	As regards to her allegation regarding conversion of 35 days of her absence w.e.f.03.04.2013 to 07.05.2013, it is submitted that on her petition, the Hon'ble National Commission for	

	<p>Scheduled Castes vide order no. 3-29/HFW-14/SSW-II dated 10.02.2014 advised that the matter may be settled and her leave may be considered on duty. Accordingly the matter regarding the absentee period of 35 days 3.4.2013. to 07.05.2013 has been considered by the Competent Authority of the Institute and decided to treat the said period as Commuted Leave keeping in view that Ms. Sushil herself had applied for medical leave with medical &amp; fitness certificates.</p>	
--	--	--

As regard to the treating of the period of absence from duty of Ms. Sushil at par with another Nursing Officer purportedly belonging to general category, Mrs. Biji Biju, it is informed that her case has been duly examined in detail. She had submitted her application for extension of leave from time to time. She had also submitted medical certificates in support of her illness, whereas Ms. Sushil remained absent from duty unauthorizedly without any valid reasons and the communications sent to her by the Administration were not responded. Further, period of unauthorized absence from duty in respect of Ms. Sushil was in two different spells i.e. from 01.10.2004 to 17.04.2007 and 01.06.2010 to 03.08.2011. On both occasions after conducting disciplinary enquiry, her charges were "Proved" by the Inquiry Officer. While the absence of Ms. Biji Biju from 30.08.2007 to 25.12.2008, charges framed against her was only "Partially Proved" by the Inquiry Officer. Therefore it is apparent that the case of unauthorized absence of Ms. Sushil is different from that of Ms. Biji Biju and the two are not really comparable.

It is also informed that Ms. Sushil, Nursing Officer has already been promoted to the post of Senior Nursing Officer w.e.f.05.11.2019. Hence, it is evident that no injustice has done against her.



आर.बी.एस. अस्पताल

A.I.I.M.S. Hospital

चिकित्सा अधीक्षक कार्यालय

Medical Superintendent Office

आर.बी.एस. अस्पताल

Entry No. 582

तिथि 11/2/2021

Date.....

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ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI  
(SC/ST/OBC/Women Cell)

Annexure - XIII

(172)

Annexure-13

No.F.3-6/2018/Grievance./SCST/Estt.I

Dated: 10.02.2021

OFFICE MEMORANDUM

Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

\*\*\*\*\*

Please find enclosed herewith a letter bearing F.No.S-44/Health-18-2019/SSW-II dated 07.01.2021 of Sh. D. K. Gupta, Section Officer, National Commission for Scheduled Castes in reference to the letter bearing F.No.17-88/2000-Estt.(H) dated 26.10.2020 and a copy of representation dated 24.12.2020 submitted by petitioner (Ms. Sushil, Nursing Officer) on the above cited subject is hereby forwarded with the request to furnish the comments in the matter, so that a reply may be furnished to the NCSC. If reply has already been sent, a copy of the same may be provided to this office.

Encl: As above.

(ANITA TETE)  
ADMINISTRATIVE OFFICER

To:

Sh. G. R. Pillai,  
Sr. Administrative Officer,  
Establishment Section (Hospital)

Put up the file with  
details urgently.

Shew  
11/2/21

ATO/Ms. Kaur

Sup  
11.2.2021

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RECEIVED  
20 JAN 2021



Government of India  
National Commission for Scheduled Castes  
(A Constitutional body set up under Article 338 of the Constitution of India)

File No. S-44/Health-18-2019/SSW-II

Floor Vth, Loknayak Bhawan,  
Khan Market,  
New Delhi-110003  
Dated:-07.01.2021

GENERAL SECTION A.I.I.M.S.  
F.T.S. No. 724/48  
19/1/21

20 JAN 2021

To: The Director  
All India Institute of Medical Science,  
29, Ansari Nagar,  
New Delhi-110029

20/1/2021  
20/1/21

Sub: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.  
Sir/Madam, 110032

I am directed to refer to your letter No. F.17-88/2000-Estt.(H) dated 26.10.2020 on the subject mentioned above and to enclosed a copy of the another representation dated 24.12.2020 submitted by petitioner, for seeking your comments.

It is, therefore, requested that parawise comments/facts on the points raised in the rejoinder may please be furnished to this Commission within 10 days positively for placing the same before the Commission.

Encl: As above

Yours faithfully,  
  
(D.K. Gupta)  
Section Officer

Copy to:-  
Ms. Sushil  
R/o- 2-C, DDA Flats  
Mansarovar Park, Shahdara  
Delhi-110032

RECEIVED  
SC/ST Cell (DO)  
22 JAN 2021  
Dairy No. 26  
E-Office No.

DDA  
  
20/1/21  
20/1

20/1/21  
HO (SCT)

D/P  
  
20/1/2021



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24/12/20 174

D K GUPTA  
SECTION OFFICER  
National Commission for Scheduled Castes,  
LokNayakBhawan, Vth Floor,  
Khan Market,  
New Delhi-110 003.

B/H  
24/12/2020

SUM / HFL-18/2019 ✓

FC/16423  
24/12/2020

Subject:- Harassment and discrimination in service matter of a Scheduled Caste employee by the AIIMS Administration by not implementing of the minutes of the meeting held on 5<sup>th</sup> November, 2019 in the office of National Commission for Scheduled Castes, LokNayakBhawan, New Delhi reg.

Respected Sir,

I beg to state that I, Sushil belongs to Scheduled Caste Category, is working as Sr. Nursing Officer in AIIMS, Delhi since 30.11.2000 and undergoing harassment /discrimination by AIIMS Administrative Authority, Delhi by the reasons as under:-

SW-II

Ms. Sushil, Sr. Nursing Officer, AIIMS, a belongs to Scheduled Caste	Ms. BijiBiju, Sr. Nursing Officer, AIIMS belong to General Category
<p>(i) On the basis of the report of the Inquiry Officer in which charges were proved against me, I was imposed the penalty, for being unauthorized absent from duty from 01.10.2004 to 17.04.2007, of reduction to a lower stage in the time scale of pay for a period of one year, without commutative effect vide order dated 06.05.2010. My period absence from 01.10.2004 to 17.04.2007 was treated as dies non vide Memo dated 31.12.2010.</p> <p>(ii) On the basis of the report of the Inquiry Officer in which charges were proved against me for being unauthorized absent from duty from 26.06.2010 to 03/08/2011. I was again imposed the penalty of reduction to four times lower stage in time scale for period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and <b>I will not earn the annual increment during these (eight years)</b></p>	<p>In this regard, the petitioner's pray is there that the matter of Ms. Biji Biju, Sr. Nursing Officer Inquiry has been conducted through of Disciplinary Proceeding and charge framed upon the Charge Official has been partially proved by the Inquiry Officer against her for being unauthorized absent from duty with effect from 30.08.2007 to 25.12.2008 and Ms. BijiBiju, Sr. Nursing Officer, AIIMS, was exonerated from all the charges in a similar case by the AIIMS Administrative Authority and her period of unauthorized absent were regularized by granted 45 days Earned Leave, 33 days Half Pay Leave and 424 days Extra Ordinary Leave. On account of exoneration in the above case, she got promotion and other service benefits, and has become senior to me even joining the Govt. service 4 years later me.</p>



Dr. D.K. Sharma  
Shri G.R. Pillai  
Ms. Kamlesh Chandel  
Ms. Sushil

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21-

Cont'd...

::2::

2. As the position explained above, It has become clear that I, Sushil being a SC Candidate, is being harassed/discriminated by the AIIMS Administrative Authority as a General Category Candidate is exonerated/cleared from all charges in a similar case whereas a Scheduled Caste candidate has been imposed penalties two times for same charges. Whereas as per Govt. instructions, a reserved category candidate/employee should be considered in a sympathetic manner.

3. Sir, In view of the above harassment/discrimination to me by the AIIMS Administrative Authority, the National Commission for Schedule Castes, LokNayak Bhawan, New Delhi, had held a meeting with AIIMS's Officers on 05.11.2019 as under:-

1. Dr. D.K. Sharma - Medical Superintendent, AIIMS, New Delhi
2. Shri G.R. Pillai - Admn. Officer, AIIMS, New Delhi
3. Ms. Kamlesh Chandel - CNO, AIIMS, New Delhi
4. Ms. Sushil - Nursing Officer, AIIMS, New Delhi

In the above meeting, my case was discussed in details. In the meeting the National Commission for SC, observed that the Department, AIIMS, has given penalty to me whereas the General Category candidate (Ms. BijiBiju) was not given any penalty although she was also unauthorized absent from the duties. The AIIMS Administrative cannot use two yard sticks in similar cases. The General candidate was provided promotion whereas I (Ms. Sushil) has not been given promotion from the due date. As I have received many appreciation letters from many faculties but even then I was given penalty and superseded by my junior General Category candidate (Ms. BijiBiju). This is totally a discrimination and harassment with me as I belong to Scheduled Caste Category (Copy of minutes of National Commission for SC enclosed).

In view of the facts of the case, the National Commission for SC in the minutes dated 5<sup>th</sup> November, 2019, had directed to the Administrative Authority of AIIMS that my case be treated as par with General Category candidate's case (Ms. BijiBiju). The period absence from duty may be adjusted against the leave available to my account or by E.O.L. by the Competent Authority as is done in the case of a General Category candidate. After regularizing the leave period etc. the review DPC be conducted and I (Ms Sushil) may be promoted from due date with all benefits and treated at par with my junior General Category candidate (Ms. BijiBiju).

The National Commission for SC had also directed to the Administrative Authority of AIIMS that action taken report in the above case/matter be submitted within 15 days.

Cont'd...3/-



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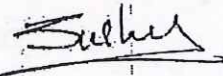
3:

AIIMS Administrative Authority has partially implemented the order of NCSC, which is not beneficial to the petitioner, on account not removing the Penalty imposed to the petitioner, which is effecting my due promotion (copy is attached). My Junior Ms. Biji Biju did not get any penalty, she is 4 years Junior then I and she got 4 years promotion early then me that mean she is eight years senior then me, this is in justification and harassment.

4. Respected Sir, one year period has expired since the above directions given to AIIMS Administrative Authority by the National Commission of SC, LokNayakBhawan, New Delhi and in spite of my repeated requests, no proper action has been taken by the AIIMS Administrative Authority so far. I request to the National Commission for SC, to call again a meeting of officers of AIIMS Administrative Authority and direct them to implement the minutes of the meeting held in the Office of the National Commission for SC, Lok Nayak Bhawan, New Delhi, on 5<sup>th</sup> November, 2019 in the above case as soon as possible and ensure justice to me.

Thanking you,

Yours faithfully,



Dated:

(Sushil)

Senior Nursing Officer, AIIMS  
R/o 2-C, DDA Flats, Mansarovar Park,  
Shahdara, Delhi-110032

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(177)

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)  
ANSARI NAGAR, NEW DELHI-110029

No.F.17-88/2000-Estt.(H)

Dated the:

MEMORANDUM

17 NOV 2000

Subject: Regularization of period of absence - Ms. Sushil, Senior Nursing Officer at this Institute.

\*\*\*\*\*

In continuation of Order of even number dated 04.01.2014 vide which the penalty of "reduction to four times lower stage in the time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" was imposed on Ms. Sushil, Senior Nursing Officer (then Sister Gd-II now re-designated as Nursing Officer), the period of her absence/unauthorized absence w.e.f. 01.02.2010 to 03.08.2011 is regularized as under:-

S.No.	Nature of Leave	No. of days	Period of leave
1.	Earned Leave	66 days	01.02.2010 to 07.04.2010
2.	Half Pay Leave	54 days	08.04.2010 to 31.05.2010
3.	Extraordinary Leave	429 days	01.06.2010 to 03.08.2011

This issues with the approval of the competent authority.

*Shree*  
[G. R. PILLAI]  
ADMINISTRATIVE OFFICER

✓ Ms. Sushil (N07040)  
Senior Nursing Officer, Main OT,  
Through: The Chief Nursing Officer

Copy to:

1. *18/11/00*  
The Chief Nursing Officer  
2. The Accounts Section-II & III

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Annexure-XIV

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BY SPECIAL MESSENGER

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)

Annexure-X

No.F.17-88/2000-Estt.(H)

Ansari Nagar, New Delhi-29  
Dated the:

23 FEB 2021

To,

Shri D. K. Gupta,  
Section Officer-SSW-II,  
National Commission for Scheduled Castes,  
5<sup>th</sup> Floor, Lok Nayak Bhawan,  
Khan Market,  
New Delhi-110003.

Recd.  
23/02/2021

Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding Service Harassment.

\*\*\*\*\*

Sir,

I am directed to refer to your letter dated 07.01.2021 on the subject cited above and to inform you that the requisite comments/facts on the points raised by Ms. Sushil, Senior Nursing Officer in her representation as well as rejoinder dated 17.03.2020 have already been provided to the Hon'ble Commission vide this Institute's letters of even number dated 15.02.2020 and 16.10.2020.

Further, the updated leave record of Ms. Sushil, Senior Nursing Officer since her joining to till date, has also been provided to her vide memorandum dated 19.12.2020 (copy enclosed).

Ms. Sushil in her representation dated 24.12.2020 has not raised any new issue to be considered. As such, there are no further comments to be offered by this Institute in the matter.

It is once again requested that the matter may be closed accordingly.

Thanking you,

Yours faithfully,

Encl. As stated above

(DR. D. K. SHARMA)  
MEDICAL SUPERINTENDENT  
D/C (R) 20/2/21

Copy to: The Administrative Officer  
SC/ST/OBC/Women Cell

- with reference to OM No.F.3-6/2018/Grieve/SCST/Estt.I  
dated 10.02.2021

23/02/2021

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI-110029  
ESTABLISHMENT SECTION (HOSPITAL)

No.F.17-88/2000-Estt.(H)

Dated: 19 DEC 2020

MEMORANDUM

Subject: Request for Correction in Leave account.

\*\*\*\*\*

With reference to her application dated 30.09.2020 on the subject cited above, Ms. Sushil, Senior Nursing Officer is informed that her request for correction in leave account as well as other leave variations in her leave account, has been considered and her entire leave account for the period since her joining i.e. 30.11.2000 to till date has been carefully examined.

Many discrepancies/shortcomings were seen in the leave account and now her leave account i.e. Earned Leave Account and Half Pay Leave Account have been reconstructed in terms of the instructions contained in CCS (Leave) Rules, 1972 (attached at Annexure-I & II).

It is also informed that while constructing her leave account, it was found that on following 03 occasions, there was not enough Half Pay Leave in her leave account whereas she has been granted Commuted Leave for the said period. Accordingly, the leave applied/granted to Ms. Sushil has been revised as leave of the kind due for the period as under:-

S.No.	Leave granted earlier	Revised Leave granted
1.	1) Commuted Leave for 18 days w.e.f. 03.10.2003 to 20.10.2003 2) Earned Leave for 20 days w.e.f. 21.10.2003 to 09.11.2003	1) Commuted Leave for 15 days w.e.f. 03.10.2003 to 17.10.2003 2) Earned Leave for 23 days w.e.f. 18.10.2003 to 09.11.2003
2.	Commuted Leave for 35 days w.e.f. 03.04.2013 to 07.05.2013	1) Commuted Leave for 33 days w.e.f. 03.04.2013 to 05.05.2013 2) Earned Leave for 02 days w.e.f. 06.05.2013 to 07.05.2013
3.	Commuted Leave for 05 days w.e.f. 14.09.2016 to 18.09.2016	1) Commuted Leave for 03 days w.e.f. 14.09.2016 to 16.09.2016 2) Earned Leave for 02 days w.e.f. 17.09.2016 to 18.09.2016

In regard to her contention of conversion of 35 days leave w.e.f. 03.04.2013 to 07.05.2013, it is informed that Ms. Sushil vide her application dated 08.05.2013 had applied for grant of Medical Leave for 35 days w.e.f. 03.04.2013 to 07.05.2013 alongwith Medical Certificates of various spells from the following Departments of AIIMS:-

Period of Leave	No. of Days	Name of Department	Suffering from
03.04.13 to 04.04.13	02	Deptt. of Emergency	Ac. Anxiety Disorder
05.04.13 to 07.04.13	03	Deptt. of Psychiatry	F 43.2
08.04.13 to 10.04.13	03	EHS	AGE
11.04.13 to 12.04.13	02	EHS	AGE
13.04.13 to 17.04.13	05	Deptt. of Psychiatry	F 43.2
18.04.13 to 19.04.13	02	EHS	AGE
20.04.13 to 07.05.13	18	Deptt. of Psychiatry	F 43.2

Contd..2..



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## EARNED LEAVE ACCOUNT OF MS. SUSHIL, SENIOR NURSING OFFICER

184

	Particulars of service in the calendar year		Completed months of service in the calendar half year	E.L. credited at the beginning of half year	No. of Days of EOL availed of during the previous calendar year	E.L. to be deducted (1/10 <sup>th</sup> of the period in Col.5)	Total E.L. at credit in days (4+11-6)	Leave taken			Balance of E.L. on return from leave
	From	To						From	To	No. of days	
	1	2	3	4	5	6	7	8	9	10	11
1	30.11.00	31.12.00	1m	02	--	--	02	--	--	--	02
2	01.01.01	30.06.01	6m	15	--	--	15+2=17	09.01.01	10.01.01	02	15
								03.02.01	04.02.01	02	13
3	01.07.01	31.12.01	6m	15	--	--	15+13=28	01.08.01	10.08.01	10	18
4	01.01.02	30.06.02	6m	15	--	--	15+18=33	29.03.02	31.03.02	03	30
								02.04.02	03.04.02	02	28
								24.06.02	25.06.02	02	26
5	01.07.02	31.12.02	6m	15	--	--	15+26=41	17.07.02	21.07.02	05	36
								11.11.02	17.11.02	07	29
								09.12.02	10.12.02	02	27
6	01.01.03	30.06.03	6m	15	--	--	15+27=42	10.01.03	02.02.03	24	18
								26.06.03	30.06.03	05	13
7	01.07.03	31.12.03	6m	15	--	--	15+13=28	01.07.03	04.07.03	04	24
								18.10.03	09.11.03	23	01
8	01.01.04	30.06.04	6m	15	--	--	15+01=16	04.06.04	11.06.04	08	08
9	01.07.04	31.12.04	6m	15	--	--	15+08=23	Period of absence from 01.10.2004 to 17.04.2007 has been treated as dies-non vide Order dated 31.12.2010			
10	01.01.05	30.06.05	6m	15	92	09	15+23-9=29	--	--	--	--
11	01.07.05	31.12.05	6m	15	181	15	15+29-15=29	--	--	--	--
12	01.01.06	30.06.06	6m	15	184	15	15+29-15=29	--	--	--	--
13	01.07.06	31.12.06	6m	15	181	15	15+29-15=29	--	--	--	--
14	01.01.07	30.06.07	6m	15	184	15	15+29-15=29	02.07.07	07.07.07	06	27
15	01.07.07	31.12.07	6m	15	107	11	15+29-11=33	16.02.08	19.02.08	04	38
16	01.01.08	30.06.08	6m	15	--	--	15+27=42	26.08.08	05.09.08	11	42
17	01.07.08	31.12.08	6m	15	--	--	15+38=53	01.12.08	10.12.08	10	32
								29.12.08	30.12.08	02	30
18	01.01.09	30.06.09	6m	15	--	--	15+30=45	12.01.09	16.01.09	05	40
19	01.07.09	31.12.09	6m	15	--	--	15+40=55	07.12.09	10.12.09	04	51
20	01.01.10	30.06.10	6m	15	--	--	15+51=66	01.02.10	07.04.10	66	Nil
								Period of absence from 01.6.2010 to 03.08.2011 has been treated as Extraordinary Leave			
21	01.07.10	31.12.10	6m	15	30	03	15-3=12	--	--	--	12
22	01.01.11	30.06.11	6m	15	184	15	15+12-15=12	--	--	--	12
23	01.07.11	31.12.11	6m	15	181	15	15+12-15=12	--	--	--	12
24	01.01.12	30.06.12	6m	15	34	03	15+12-3=24	03.01.12	07.01.12	05	19
								08.02.12	12.02.12	05	14
								31.05.12	01.06.12	02	12
25	01.07.12	31.12.12	6m	15	--	--	15+12=27	15.11.12	16.11.12	02	25
								29.12.12	-	01	24
26	01.01.13	30.06.13	6m	15	--	--	15+24=39	31.01.13	02.02.13	03	36
								23.01.13	24.01.13	02	34
								06.05.13	07.05.13	02	32
27	01.07.13	31.12.13	6m	15	--	--	15+32=47	01.07.13	07.07.13	07	40
								19.10.13	20.10.13	02	38
28	01.01.14	30.06.14	6m	15	--	--	15+38=53	31.12.13	01.01.14	02	51
								18.02.14	22.02.14	05	46
								27.04.14	28.04.14	02	44
								03.05.14	07.05.14	05	39
29	01.07.14	31.12.14	6m	15	--	--	15+39=54	19.08.14	20.08.14	02	52
								15.10.14	-	01	51
								30.10.14	-	01	50
								12.11.14	-	01	49
								11.12.14	-	01	48
								17.12.14	-	01	47

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## EARNED LEAVE ACCOUNT OF MS. SUSHIL, SENIOR NURSING OFFICER

185

	Particulars of service in the calendar year		Completed months of service in the calendar half year	E.L. credited at the beginning of half year	No. of Days of EOL availed of during the previous calendar year	E.L. to be deducted (1/10 <sup>th</sup> of the period in Col.5)	Total E.L. at credit in days (4+11-6)	Leave taken			Balance of E.L. on return from leave
	From	To						From	To	No. of days	
	1	2	3	4	5	6	7	8	9	10	11
30	01.01.15	30.06.15	6m	15	--	--	15+47=62	06.02.15	07.02.15	02	60
								18.03.15	21.03.15	04	56
								25.03.15	27.03.15	03	53
								01.06.15	-	01	52
31	01.07.15	31.12.15	6m	15	--	--	15+52=67	07.08.15	08.08.15	02	65
								09.09.15	-	01	64
								18.09.15	-	01	63
								09.10.15	11.10.15	03	60
								14.10.15	21.10.15	08	52
								28.10.15	-	01	51
								20.11.15	24.11.15	05	46
								16.12.15	-	01	45
								29.12.15	31.12.15	03	42
32	01.01.16	30.06.16	6m	15	--	--	15+42=57	01.03.16	05.03.16	05	52
								10.04.16	14.04.16	05	47
33	01.07.16	31.12.16	6m	15	--	--	15+47=62	28.07.16	-	01	61
								04.08.16	05.08.16	02	59
								17.09.16	18.09.16	02	57
								31.10.16	02.11.16	03	54
								16.12.16	18.12.16	03	51
34	01.01.17	30.06.17	6m	15	--	--	15+51=66	06.03.17	07.03.17	02	64
								27.04.17	28.04.17	02	62
35	01.07.17	31.12.17	6m	15	--	--	15+62=77	04.08.17	05.08.17	02	75
								23.08.17	-	01	74
								16.10.17	-	01	73
								20.10.17	21.10.17	02	71
								07.11.17	-	01	70
								22.11.17	23.11.17	02	68
								14.12.17	19.12.17	06	62
36	01.01.18	30.06.18	6m	15	--	--	15+62=77	09.01.18	10.01.18	02	75
								12.02.18	14.02.18	03	72
								06.05.18	08.05.18	03	69
37	01.07.18	31.12.18	6m	15	--	--	15+69=84	30.08.18	05.09.18	07	77
								08.11.18	--	01	76
38	01.01.19	30.06.19	6m	15	--	--	15+76=91	14.02.19	15.02.19	02	89
								18.02.19	20.02.19	03	86
39	01.07.19	31.12.19	6m	15	--	--	15+86=101	01.08.19	02.08.19	02	99
								27.10.19	28.10.19	02	97
								12.12.19	13.12.19	02	95
40	01.01.20	30.06.20	6m	15	--	--	15+95=110	--	--	--	110
41	01.07.20	31.12.20	6m	15	--	--	15+110=125	--	--	--	125

\*\*\*\*\*



HALF PAY LEAVE ACCOUNT OF MS. SUSHIL, SENIOR NURSING OFFICER

LENGTH OF SERVICE			CREDIT OF LEAVE				LEAVE TAKEN							Balance on return from leave	
From	To	No. of years	Leave earned	No. of days treated as illness during the previous half year	H.P.L. to be deducted (1/18 <sup>th</sup> of the period)	Leave at credit	Against the earning on half pay			Commuted leave on M.C. on full pay			Commuted Leave converted into half pay leave (Index of Col. 12)		Total half pay leave taken
1	2	3	4			5	6	7	8	9	10	11		12	
30.11.00	31.12.00	1m	01	-	-	01	-	-	-	-	-	-	-	-	01
01.01.01	30.06.01	6m	10	-	-	10+1=11	-	-	-	04.01.01	08.01.01	05	10	10	01
01.07.01	31.12.01	6m	10	-	-	10+1=11	-	-	-	-	-	-	-	-	11
01.01.02	30.06.02	6m	10	-	-	10+1=21	-	-	-	19.03.02	28.03.02	10	20	20	01
01.07.02	31.12.02	6m	10	-	-	10+01=11	-	-	-	-	-	-	-	-	11
01.01.03	30.06.03	6m	10	-	-	10+1=21	-	-	-	-	-	-	-	-	21
01.07.03	31.12.03	6m	10	-	-	10+1=31 Instead of 36	-	-	-	03.10.03	17.10.03	15	30	30	01
01.01.04	30.06.04	6m	10	-	-	10+1=11	-	-	-	-	-	-	-	-	11
01.07.04	31.12.04	6m	10	-	-	10+1=21	Period of absence from 01.10.2004 to 17.04.2007 has been treated as illness vide Order dated 31.12.2010							21	
01.01.05	30.06.05	6m	10	92	5	10+21-5=26	-	-	-	-	-	-	-	-	26
01.07.05	31.12.05	6m	10	181	10	10+26-10=26	-	-	-	-	-	-	-	-	26
01.01.06	30.06.06	6m	10	184	10	10+26-10=26	-	-	-	-	-	-	-	-	26
01.07.06	31.12.06	6m	10	181	10	10+26-10=26	-	-	-	-	-	-	-	-	26
01.01.07	30.06.07	6m	10	184	10	10+26-10=26	-	-	-	-	-	-	-	-	26
01.07.07	31.12.07	6m	10	107	06	10+26-6=30	-	-	-	30.09.07	01.10.07	02	04	04	26
01.01.08	30.06.08	6m	10	-	-	10+26=36	-	-	-	-	-	-	-	-	36
01.07.08	31.12.08	6m	10	-	-	10+36=46	-	-	-	-	-	-	-	-	46
01.01.09	30.06.09	6m	10	-	-	10+46=56	-	-	-	-	-	-	-	-	56
01.07.09	31.12.09	6m	10	-	-	10+56=66	-	-	-	13.07.09	15.07.09	03	06	06	60
										22.10.09	26.10.09	05	10	10	50
01.01.10	30.06.10	6m	10	-	-	10+50=60	08.04.10	31.05.10	54	-	-	-	-	-	06
01.07.10	31.12.10	6m	10	-	-	10+6=16	-	-	-	-	-	-	-	-	16
01.01.11	30.06.11	6m	10	-	-	10+16=26	-	-	-	-	-	-	-	-	26
01.07.11	31.12.11	6m	10	-	-	10+26=36	-	-	-	-	-	-	-	-	36
01.01.12	30.06.12	6m	10	-	-	10+36=46	-	-	-	-	-	-	-	-	46
01.07.12	31.12.12	6m	10	-	-	10+46=56	-	-	-	-	-	-	-	-	56
01.01.13	30.06.13	6m	10	-	-	10+56=66	-	-	-	03.04.13	05.05.13	33	66	66	Nil
01.07.13	31.12.13	6m	10	-	-	10	-	-	-	-	-	-	-	-	10
01.01.14	30.06.14	6m	10	-	-	10+10=20	-	-	-	-	-	-	-	-	20
01.07.14	31.12.14	6m	10	-	-	10+20=30	-	-	-	29.09.14	30.09.14	02	04	04	26
										18.11.14	19.11.14	02	04	04	22
										21.11.14	22.11.14	02	04	04	18
										23.01.15	27.01.15	05	10	10	18
01.01.15	30.06.15	6m	10	-	-	10+18=28	-	-	-	28.04.15	29.04.15	02	04	04	14
										11.05.15	14.05.15	04	08	08	06
										23.07.15	24.07.15	02	04	04	12
01.07.15	31.12.15	6m	10	-	-	10+6=16	-	-	-	23.02.16	23.02.16	02	04	04	18
01.01.16	30.06.16	6m	10	-	-	10+12=22	-	-	-	06.08.16	11.08.16	06	12	12	06
01.07.16	31.12.16	6m	10	-	-	10	-	-	-	14.09.16	16.09.16	03	06	06	Nil
01.01.17	30.06.17	6m	10	-	-	10	-	-	-	-	-	-	-	-	10
01.07.17	31.12.17	6m	10	-	-	10+10=20	-	-	-	-	-	-	-	-	20
01.01.18	30.06.18	6m	10	-	-	10+20=30	-	-	-	-	-	-	-	-	30
01.07.18	31.12.18	6m	10	-	-	10+30=40	-	-	-	28.11.18	29.11.18	02	04	04	36
01.01.19	30.06.19	6m	10	-	-	10+36=46	-	-	-	-	-	-	-	-	46
01.07.19	31.12.19	6m	10	-	-	10+46=56	-	-	-	26.07.19	28.07.19	03	06	06	50
01.01.20	30.06.20	6m	10	-	-	10+50=60	-	-	-	17.02.20	18.02.20	02	04	04	56
01.07.20	31.12.20	6m	10	-	-	10+56=66	-	-	-	-	-	-	-	-	66

\*\*\*\*\*

280

Annexure - XV

By Speed Post

प्राप्त किया / RECEIVED  
उप निदेशक (प्रशा.) कार्यालय अ. आ. आ. सं.  
Cy. Director (Adm.) Office, A.I.I.M.S.  
23 JUN 2021



Annexure-15

199

Government of India

National Commission for Scheduled Castes

(A constitutional body set up under Article 338 of the constitution of India)

File No. S-44/Health-18/2019/SSW-II

Floor Vth, Loknayak Bhawan,  
Khan Market,  
New Delhi-110003  
Dated:-15.06.2021

To

Dr. Randeep Guleria  
Director  
All India Institute of Medical Science  
Ansari Nagar, New Delhi

754629  
22 JUN 2021  
23/06/2021  
DIRECTOR OFFICE

Sub: - Rep. received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding harassment and discrimination in services.

Sir,

Please refer to your office letter No. F.17-88/2000-Estt.(H) dated 23.02.2021 on the subject mentioned above and to say that another representation dated 15.06.2021 has been received from the petitioner. The same is enclosed herewith.

You are requested to send a consolidated reply/action taken report on the points raised in the representation to this Commission within 15 days positively.

Encl: As above

As per Narendra  
RECRUITMENT CELL/HR  
DATE 18/25/6/2021  
A.I.I.M.S., New Delhi-28  
अ. आ. आ. सं., नई दिल्ली-28

Yours faithfully,  
*Jasvir Singh*  
(Jasvir Singh)  
Section Officer

Copy for information to:-

Ms. Sushil;  
R/o 2-C, DDA Flats,  
Mansarova Park,  
Shahdara, Delhi-110032

PDA

C/O

*[Signature]*  
23/6

*[Signature]*  
24/6/21

The care is pertains Hospital (main)  
hence the letter is original may be  
referred to AO (Hospital) for  
necessary action.

22/6/21

AO (Hosp) 29/7/2021

Miss Kanita

sn: AO (Recd)  
Copy to Sr. AO (sc/st/obc/women cell)



S-44/Health-18/2019/SSW-11 <sup>281</sup>

Date: 15.06.2021

To,

Shri D.K.Gupta  
Section officer-SSW-11,  
National Commission for Scheduled Castes,  
LokNayak Bhawan, Vth Floor,  
Khan Market,  
New Delhi-110 003.

SSW-II  
FC-7830  
15-6-2021

Subject:- Harassment and discrimination in service matter of a Scheduled Caste employee by the AIIMS Administration by not implementing of the minutes of the meeting held on 5<sup>th</sup> November, 2019 in the office of National Commission for Scheduled Castes, LokNayak Bhawan, New Delhi- reg.

Respected Sir,

I beg to state that I, Sushil belongs to Scheduled Caste Category, is working as Sr. Nursing Officer in AIIMS, Delhi since 30.11.2000 and undergoing harassment /discrimination by AIIMS Administrative Authority, Delhi by the reasons as under:-

Ms. Sushil, Sr. Nursing Officer, AIIMS, a belongs to Scheduled Caste .	Ms. Biji Biju, Sr. Nursing Officer, AIIMS belong to General Category
<p>(i) On the basis of the report of the Inquiry Officer in which charges were proved against me, I was imposed the penalty, for being unauthorised absent from duty from 01.10.2004 to 17.04.2007, of reduction to a lower stage in the time scale of pay for a period of one year, without commutative effect vide order dated 06.05.2010. My period absence from 01.10.2004 to 17.04.2007 was treated as dies non vide Memo dated 31.12.2010.</p> <p>(ii) On the basis of the report of the Inquiry Officer in which charges were proved against me for being unauthorised absent from duty from 26.06.2010, I was again imposed the penalty of reduction to four times lower stage in time scale for period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and I will not earn the annual increment during these four years.</p>	<p>On the basis of the report of the Inquiry Officer in which charges were partially proved against her for being unauthorised absent from duty from 30.08.2007 to 25.12.2008, Ms. Biji Biju, Sr. Nursing Officer, AIIMS, was exonerated from all the charges in a similar case by the AIIMS Administrative Authority and her period of unauthorised absent were regularized by granted 45 days Earned Leave, 33 days Half Pay Leave and 424 days Extra Ordinary Leave. On account of exoneration in the above case, she got promotion and other service benefits, and has become senior to me even joining the Govt. service 4 years later me.</p>



2. As the position explained above, It has become clear that I, Sushil being a SC Candidate, is being harassed/discriminated by the AIIMS Administrative Authority as a General Category Candidate is exonerated/cleared from all charges in a similar case whereas a Scheduled Caste candidate has been imposed penalties two times for same charges. Whereas as per Govt. instructions, a reserved category candidate/employee should be considered in a sympathetic manner.

3. Sir, In view of the above harassment/discrimination to me by the AIIMS Administrative Authority, the National Commission for Schedule Castes, LokNayak Bhawan, New Delhi, had held a meeting with AIIMS's Officers on 05.11.2019 as under:-

- |                         |   |  |
|-------------------------|---|--|
| 1. Dr. D.K. Sharma      | - | Medical Superintendent, AIIMS, New Delhi |
| 2. Shri G.R. Pillai     | - | Admn. Officer, AIIMS, New Delhi          |
| 3. Ms. KamleshChandelia | - | CNO, AIIMS, New Delhi                    |
| 4. Ms. Sushil           | - | Nursing Officer, AIIMS, New Delhi        |

In the above meeting, my case was discussed in details: In the meeting the National Commission for SC, observed that the Department, AIIMS, has given penalty to me whereas the another General Category candidate (Ms. Biji Biju) was not given any penalty although she was also unauthorized absent from the duties. The AIIMS Administrative can not use two yard sticks in similar cases. The General candidate was provided promotion whereas I (Ms. Sushil) has not been given promotion from the due date. As I have received many appreciation letters from many faculties but even then I was given penalty and superseded by my junior General Category candidate (Ms. Biji Biju). This is totally a discrimination and harassment with me as I belong to Scheduled Caste Category (Copy of minutes of National Commission for SC enclosed).

In view of the facts of the case, the National Commission for SC in the minutes dated 5<sup>th</sup> November, 2019, had directed to the Administrative Authority of AIIMS that my case be treated at par with General Category candidate's case (Ms. Biji Biju). The period absence from duty may be adjusted against the leave available to my account or by E.O.L. by the Competent Authority as is done in the case of a General Category candidate. After regularizing the leave period etc. the review DPC be conducted and I (Ms Sushil) may be promoted from due date with all benefits and treated at par with her junior General Category candidate (Ms Biji Biju).

AIIMS Administrative Authority has partially implemented the order of NCSC, which is not beneficial to the petitioner; on account not removing the penalty imposed to the petitioner, which is effecting my due promotion (copy is attached). My Junior Ms. Biji Biju did not get any penalty, she is 4 years Junior then I and she got 4 years promotion early then me that means she is eight years senior then me, this is in justification and harassment.

The National Commission for SC had also directed to the Administrative Authority of AIIMS that action taken report in the above case/matter be submitted within 15 days.



::3::

4. Respected Sir, one year period has expired since the above directions given to AIIMS Administrative Authority by the National Commission of SC, LokNayak Bhawan, New Delhi and inspite of my repeated requests, no action has been taken by the AIIMS Administrative Authority so far. I request to the National Commission for SC, to call again a meeting of officers of AIIMS Administrative Authority and direct them to implement the minutes of the meeting held in the Office of the National Commission for SC, LokNayak Bhawan, New Delhi, on 5<sup>th</sup> November, 2019 in the above case as soon as possible and ensure justice to me.

Thanking you,

(Already representation submitted on 26/4/21  
copy attached)

Yours faithfully,

Sushil

(Sushil)

Nursing Officer, AIIMS  
R/o 2-C, DDA Flats, Mansarova Park,  
Shahdara, Delhi-110032

Singhskipra2003@yahoo.co.in

384  
SPEED POST

Annexure - XVI  
Annexure - 16  
194  
BY SPECIAL MESSENGER

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)

No.F.17-88/2000-Estt.(H)

Ansari Nagar, New Delhi-29  
Dated the:

15 JUL 2021

To,

Shri Jasvir Singh,  
Section Officer-SSW-II,  
National Commission for Scheduled Castes,  
5<sup>th</sup> Floor, Lok Nayak Bhawan,  
Khan Market,  
New Delhi-110003.

**Subject: Representation received from Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding harassment and discrimination in services.**

\*\*\*\*\*

Sir,

I am directed to refer to your letter dated 15.06.2021 on the subject cited above and to inform you that the requisite comments/facts on the points raised by Ms. Sushil, Senior Nursing Officer in her representation as well as rejoinder dated 17.03.2020 have already been provided to the Hon'ble Commission vide this Institute's letters of even number dated 15.02.2020 and 16.10.2020.

It was also informed vide letter dated 23.02.2021 that Ms. Sushil in her representation dated 24.12.2020 has not raised any new issue to be considered. As such, there are no further comments to be offered by this Institute in the matter.

Now, Ms. Sushil in her representation dated 15.06.2021 has reiterated her previous representation dated 24.12.2020 and there is no new grievance. Hence, there are no further comments/action to be taken by the Institute in the matter.

It is once again requested that the matter may be closed accordingly.

Thanking you,

Yours faithfully,

60  
15/7  
(DR. D. K. SHARMA)  
MEDICAL SUPERINTENDENT  
o/c (R) 15/7/21

Copy to: The Administrative Officer  
SC/ST/OBC/Women Cell

- with reference to OM No.F.3-6/2018/Grieve./SCST/Estt.I  
dated 05.07.2021

15/7/2021



285 Annexure - 17

Hearing Notice  
By Speed Post/Email  
Toll Free No. 1800 11 08888  
Phone No. 011-24606845  
Fax No. 011-24624731  
Email: kishan.chand68@nic.in

802  
GENERAL SECRETARY  
8/4/22  
दिनांक/DATED: 8/4/22



Government of India  
National Commission for Scheduled Castes  
A constitutional body set up under Article 338 of the constitution of India

File No. S-44/Health-18/2019/SSW-II

5<sup>th</sup> Floor, Loknayak Bhawan,  
Khan Market, New Delhi-110003

निदेशक कार्यालय, अ.भा.अ.स.  
प्राप्त किया  
08 APR 2022  
DIRECTOR OFFICE, AIIMS

06.04.2022  
RECEIVED  
उप निदेशक (प्रशा.) कार्यालय, अ.भा.अ.स.  
Dy. Director (Admn.) Office, A.I.I.M.S.  
09 APR 2022

1308  
18/4/22  
A.I.M.S. Hospital  
दिनांक/DATED: 18/4/22

The Director  
All India Institute of Medical Sciences  
Ansari Nagar, New Delhi  
Email: director@aiims.ac.in & director.aiims@gmail.com

Sub: - Representation of Ms. Sushil, Senior Nursing Officer, Main O.T., AIIMS, New Delhi regarding harassment and discrimination in services.

Please refer to the subject mentioned above. Hon'ble Vice-Chairman of this Commission has fixed a hearing in this case with you in person on 06.05.2022 at 11:00 A.M. in his chamber at 5<sup>th</sup> Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. Accordingly, you are requested to make it convenient to appear in person in the hearing before the Hon'ble Vice-Chairman as per schedule mentioned above in the Headquarters of National Commission for Scheduled Castes at New Delhi alongwith an upto date action taken report and all relevant documents including the relevant files, case diaries etc. to facilitate the hearing. The petitioner may also be asked to be present in the Commission on the day of hearing. Liaison Officer for SC/ST of the Ministry/Department/Institute shall also remain present in the hearing.

Yours faithfully,  
*(Signature)*  
(Kishan Chand)  
Under Secretary to the Govt. of India

- Copy to:-  
1. Ms. Sushil, R/o 2-C, DDA Flats, Mansarova Park, Shahdara, Delhi-110032  
2. PS/PA to Hon'ble Vice-Chairman, NCSC, New Delhi.

*(Signature)*  
12/4/2022

*(Signature)*  
4

*(Signature)*

*(Signature)*

*(Signature)*

*(Signature)*  
13/4/22

2/4 Ms. Ralcha / Mr. Tom  
*(Signature)*  
13/4/2022

Ref from pre-page 1.

Personal File of Ms. Sushil, Sr. Nursing Officer is not delt by Establishment Section (DO). Same may be forward to Establishment Section (H) for further necessary action.

~~San~~  
18/4/22

~~AAO~~

Vras  
18/4/22

The Asstt. Admin. Officer  
Establishment Section (H)

AAO  
18/4/22

AAMS

Mr. Rohan

v/a



ANNEXURE - XVIII

Annexure - 18

287

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI  
(SC/ST/OBC/Women Cell)

No.F.3-6/2018/Grieve./SCST/Estt.I

Dated: 30.04.2022

To,

Sh. Kishan Chand,  
Under Secretary  
National Commission for Scheduled Castes  
5<sup>th</sup> Floor, Lok Nayak Bhawan,  
Khan Market, New Delhi-110003

Subject: Representation of M. Sushil, Sr. Nursing Officer regarding harassment and discrimination  
in services at AIIMS, New Delhi.

\*\*\*\*\*

Sir,

I am directed to refer your letter bearing File No.5-44/Health-18/2019/SSW-II dated 06.04.2022 on the above cited subject and to say that the Director, AIIMS will be out of station for a meeting organised by the Ministry of Health & Family Welfare under the Chairmanship of Hon'ble Minister of Health & Family Welfare. Therefore, Dr. D. K. Sharma, Medical Superintendent, Dr. Rajpal, Professor of Ophthalmic Sciences & Liaison Officer for SC/ST and Sh. B. S. Gill, Sr. Administrative Officer (Recruitment Cell) have been authorized by the Director, AIIMS to attend the hearing on 06.05.2022 at 11:00 AM before the Hon'ble Commission along with all relevant records.

Yours faithfully,

(ANITA TETE)

Sr. ADMINISTRATIVE OFFICER

Copy to:

1.	Dr. D. K. Sharma, Medical Superintendent, AIIMS, New Delhi	With a copy of the meeting Notice received from NCSC.
2.	Dr. Rajpal, Prof. of Ophthalmic Sciences & Liaison Officer for SC/ST, AIIMS, New Delhi	
3.	Sh. B. S. Gill, Sr. Administrative Officer (Recruitment Cell), AIIMS, New Delhi	
4.	PPS to Director/ PS to DD(A), AIIMS, New Delhi	For information

288

Director AIMS, New Delhi <director@aims.edu>

E.O → 843602

07/04/2022

08/4/22



Hearing Notice for 06-05-2022 in the matter of representation of Ms. Sushil, Senior Nursing Officer, Main O.T., AIMS, New Delhi regarding harassment and discrimination in services.

Wed, Apr 6, 2022 at 3:29 PM

1 message  
KARAM BIR <karambir.83@govcontractor.in>  
To: director <director@aims.ac.in>, director aims <director.aims@gmail.com>  
Cc: Arun Halder <arun.halder@ncsc.gov.in>, Kishan Chand <kishan.chand68@nic.in>, Dilip Kumar Gupta <dilip.gupta@gov.in>, neeraj nagar16 <neeraj.nagar16@gmail.com>, satveertanwar <satveertanwar@gmail.com>

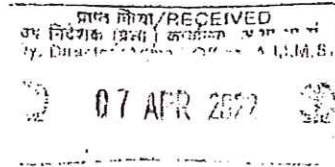
Sir/Madam

Please find attachment on the subject mentioned above.

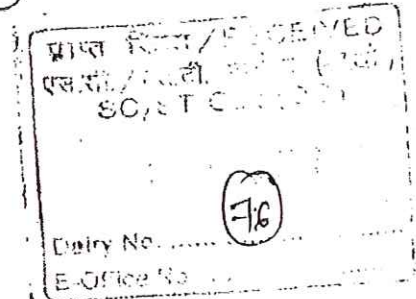
Regards

National Commission for Scheduled Castes  
5th Floor, Lok Nayak Bhawan, Khan Market  
New Delhi-110003

Ms. Sushil\_0001.pdf  
256K



*Handwritten signature: Dilip Kumar Gupta*



*Handwritten initials: CS*

*Handwritten initials: DDA*

*Handwritten signature and date: 2/4*

*Handwritten text: D/P 12/4/2022*



289

**Hearing Notice**  
**By Speed Post/Email**  
Toll Free No. 1800 11 08888  
Phone No. 011-24606845  
Fax No. 011-24624731  
Email: kishan.chand68@nic.in



Government of India  
National Commission for Scheduled Castes  
(A constitutional body set up under Article 338 of the constitution of India)  
\*\*\*\*\*

File No. -S-44/Health-18/2019/SSW-II

5<sup>th</sup> Floor, Loknayak Bhawan,  
Khan Market, New Delhi-110003  
Dated:-06.04.2022

To

The Director  
All India Institute of Medical Science  
Ansari Nagar, New Delhi  
Email: director@aiims.ac.in & director.aiims@gmail.com

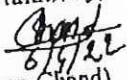
Sub: - Representation of Ms. Sushil, Senior Nursing Officer, Main O.T., AIIMS, New Delhi  
regarding harassment and discrimination in services.

Sir.

Please refer to the subject mentioned above. Hon'ble Vice-Chairman of this Commission has fixed a hearing in this case with you in person on 06.05.2022 at 11:00 A.M. in his chamber at 5<sup>th</sup> Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. Accordingly, you are requested to make it convenient to appear in person in the hearing before the Hon'ble Vice-Chairman as per schedule mentioned above in the Headquarters of National Commission for Scheduled Castes at New Delhi alongwith an upto date action taken report and all relevant documents including the relevant files, case diaries etc. to facilitate the hearing. The petitioner may also be asked to be present in the Commission on the day of hearing. Liaison Officer for SC/ST of the Ministry/Department/Institute shall also remain present in the hearing.

Yours faithfully,

  
07/5/22  
(Kishan Chand)

Under Secretary to the Govt. of India

Copy to:-

1. Ms. Sushil, R/o 2-C, DDA Flats, Mansarova Park, Shahdara, Delhi-110032
2. PS/PA to Hon'ble Vice-Chairman, NCSC, New Delhi.

अ. मा. अ. स. अस्पताल

A.I.I.M.S. Hospital

चिकित्सा अधीन कार्यालय

Medical Superintendent Officer

संकेत नं. 3567

कार्य नं. 5/10/23

दिनांक 5/10/23

Date

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI  
(SC/ST/OBC/Women Cell)

NCSC Reference

Dated: 03.10.2023

No.F.3-6/2018/Grievance./SCST/Estt.I

OFFICE MEMORANDUM

Subject: Representation received from Ms. Sushil, Sr. Nursing Officer for harassment and discrimination in services at AIIMS, New Delhi -reg.

\*\*\*\*\*

Please refer to this office memorandum of even number dated 02.06.2022 and reminder dated 14.07.2022 on the above cited. The requisite information provided by the concerned authorities is required to be examined in terms of the remarks of the then DDA on 28.06.2022.

Meanwhile, one more letter bearing File No.5-44/Health-18/2019/SSW-II[59950] dated 24.08.2023 received from Sh. Agam Kumar, Section Officer to National Commission for Scheduled Castes is also enclosed herewith.

Therefore, it is requested that kindly look into the matter and updated action taken status may kindly be provided to undersigned within 15 days positively, so that a consolidated reply/ ATR may be furnished to the NCSC.

Encl: As above,

(SAROJ LAL)  
ADMINISTRATIVE OFFICER

To:

S.N.	Distribution	Details of the reply already provided
1.	Sh. Vishwesh Chaturvedi, Administrative Officer, Recruitment Cell	Letter bearing No.F.5-2/2009-Estt.I(RCT)PF-II dated 10.08.2022.
2.	Sh. Joginder, Administrative Officer, Estt. Section (Main Hospital)	Memorandums bearing No.17-88/200-Estt.(H) dated 22.08.2022, 07.07.2022 & 16.02.2023.

5/10/23  
MS. Kalyan, AAO  
Ms. Kamal  
6/10/23



291 E.O-1198260

By Speed Post/Email

Annexure-19 (323)



Government of India  
National Commission for Scheduled Castes  
(A constitutional body set up under Article 338 of the constitution of India)

File No. S-44/Health-18/2019/SSW-II [59950]

Floor Vth, Loknayak Bhawan,  
Khan Market, New Delhi-110003  
Dated: 24.08.2023

To

The Director  
All India Institute of Medical Science  
Ansari Nagar, New Delhi  
Email ID - [director@aiims.ac.in](mailto:director@aiims.ac.in) & [director.aiims@gmail.com](mailto:director.aiims@gmail.com)

Sub: - Rep. received of Ms. Sushil, Nursing Officer, Main O.T., AIIMS, New Delhi regarding harassment and discrimination in services.

Sir,

Please refer to this Commission's letter of even number dated 20.05.2022 and reminder dated 20.01.2023 on the subject mentioned above. The requisite report in this case is still awaited from your end till date.

In the meanwhile, one more representation dated 03.08.2023 has been received from the petitioner. The same is enclosed herewith.

You are requested to send a consolidated reply/action taken report on the points raised in the representation to this Commission within 15 days positively.  
Encl: As above

Yours faithfully,

SC/ST/OBC/Women Cell, NEW DELHI  
E-Office No. Dakg No. 140  
Date: 09/09/2023

(Agam Kumar)  
Section Officer

Copy for information to:-

Ms. Sushil,  
R/o 2-C, DDA Flats,  
Mansarova Park, Shahdara,  
Delhi-110032

(J/P)

09/09/2023  
AO (SC/ST/OBC/Women Cell)

292

512256 / 2023 / delhi

524

To,

Date 3/08/23

The Chairman,  
National Commission for Schedule Castes  
5<sup>th</sup> Floor, Lok Nayak Bhawan,  
Khan Market  
New Delhi-110003

Ssw-11  
B/H  
03/81

Sub: Request for update New Address (File No. S-44/Health-18/2019/SSW-11)

Respected Sir,

I would like to inform you that kindly update my new address, address given blow.

I am still waiting from AIIMS administration, New Delhi for my order passed by the National Commission for Scheduled Caste (Copy enclosed).

Thanking you,

Request for Update New Mail Address

Flat number 1359,

Studio Apartment, Janta Flat,

Sector 16-B, Dwarka Delhi, 110078.

Ssushilssingh2023@gmail.com

Your faithfully,



SUSHIL

Senior Nursing Officer  
AIIMS Hospital,  
Delhi, 110029.



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AIIMS SC/ST EMPLOYEES WELFARE ASSOCIATION

Regd. No.S-30409/96  
Dr. Bhim Rao Ambedkar Library- AIIMS  
New Delhi, Phone: 011-2659-1131  
Email: aiimsscstassociation@gmail.com



P-1149 284/23/RFC. 12/21



President  
Mr. Vijay Kumar  
9968522604

Vice-President  
Imnainia  
Sangeeta R Kamble

General Secretary  
Roshan Lal Meena  
9414858114

Joint Secretary  
Dr. Sumanlata  
Lokesh Kumar

Treasurer  
Arvind Kumar

Executive Members

Mr. Kaushal Bharti  
Mr. Santosh Kumar

Mr. Sanjay Kumar  
Ms. Alka Singh

Mr. Rakesh  
Mr. Amit Kumar  
Jahot

Mr. Dinesh Kumar  
Mr. Raj Kumar

Mr. Keshav Kumar  
Ms.

Imnelhoi Vaiphel  
Mr. ML Meena

Mr. Rarnhet Meena  
Mr. Amrit Lal

Mr. Suresh Chand  
dgujar

Date: 12/17/23

TO,  
The Director,  
AIIMS Hospital,  
New Delhi, 110029

SUB: Request for Implement the order passed by the National Commission for Schedule Caste. ( File No. S-44/Health-18/2019/SSW-11).

Respected Sir,

We would like to request you that kindly implement the order passed by the National Commission for Ms Sushil (senior Nursing Officer) dated on 5/11/2019 and 6/05/2022. We request you please exonerated Ms Sushil charge sheet and her case should be treated at par general category candidate, Ms Biji Biju is junior then Ms Sushil, and Ms Biji Biju got early promotion then her. Ms Biji Biju got first promotion after 10 years and where Ms Sushil got first promotion after 18 years. Kindly consider Ms Sushil extraordinary leave with medical certificates instead of without medical certificates.

We already discussed with you and submitted the application (enclosed) on 11/10/22, 25/01/2023 and 02/03/2023. Sir, you always assured us that you will implement the order passed by the National Commission. We already submitted the application to Liaison Officer and Liaison Officer also discussed with you and he said that Hon'ble Director assured that he will implement the National Commission order, for justification and without discrimination. Ms Sushil is facing harassments form long time.

So please do the justification without discrimination, exonerated Ms Sushil charge sheet like general category candidates, who is junior then her but she got early promotion. Review the DPC and give to Ms Sushil promotion from due date as order passed by the National Commission for fair justification.

Thanking you,

- 1. D.D.A
- 2. Liaison officer
- 3. Chief Administrative officer

12/17/23  
ROSHAN LAL MEENA  
GENERAL SECRETARY  
SC/ST ASSOCIATION  
(Regd. 30409/96)  
AIIMS, NEW DELHI-110029

P.T.O.

Handwritten notes and signatures at the bottom left.



सत्यमेव जयते

GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR SCHEDULED CASTES  
(A Constitutional body set up under Article 338 of the Constitution of India)

File No. SA/Health-18/2019/SSW-II

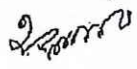
Petitioner: Ms. Sushil

Authority: Dr D.K. Sharma, Medical Superintendent, AIIMS New Delhi  
Dr. Rajpal, Liaison Officer, AIIMS New Delhi  
Mr. Narendra, Sr. Admin Asst, AIIMS New Delhi

Subject: Representation of Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding harassment and discrimination in services.

Minutes of Hearing

1. The matter was listed for hearing on 06.05.22 at 11 A.M. before the Vice-Chairman, National Commission for Scheduled Castes (NCSC) in his chamber at 5<sup>th</sup> Floor, Lok Nayak Bhawan, Khan Market, New Delhi. The Petitioner informed that she was working AIIMS Hospital, New Delhi as Nursing Officer since 2000. During her service she had been given adverse remarks intentionally in her ACRs in year 2003-2004. Thereafter she proceeded on leave and submitted application regarding the same however her senior Ms. ANS Ansamma Neelkhand did not extend her leave in conditions and sent a report of her being absent from duty un-authorized to the officer concerned.
2. Subsequently she was issued charge-sheet imposing a major penalty and fixing of her pay 4(four) stage down. She was not granted her nine (9) increments for the years 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016 & 2014 and also not considered her for promotion.
3. In the previous hearing it was recommended that the leave period of the Petitioner may be regularized. Her case is treated at par with General Category Candidate's case. The period of absence from duty may be adjusted against the leave available to the account of

  
ARUN HALDER  
Vice-Chairman  
National Commission for Scheduled Castes  
Govt. of India  
New Delhi



petitioner or by P.O.L. by the Competent Authority as is done in the case of a General Category Candidate. After regularizing the leave period etc. the review DPC is conducted and the petitioner may be promoted from due date with all benefits and treated at par with other General Category Candidate. Minute of the same was sent to the AIIMS authority for submission of action taken report.

4. After hearing both the parties, the Commission observed that the concerned authority didn't comply with earlier recommendations. The Commission recommends the concerned authority to review the petitioner case on sympathal grounds and with lenient view and resolve the dispute amicably as per rules.
5. Action Taken Report (ATR) to be submitted to the Commission within 30 days from the date of hearing.

2/7/22  
7.05.22  
(Arun Halder)  
Vice-Chairman, NCSC

ARUN HALDER  
Vice-Chairman  
National Commission for Scheduled Castes  
Govt. of India  
New Delhi

ए.एस.ए.स. अस्पताल  
A.S.A.S. Hospital  
विश्वेश्वर अस्पताल कार्यालय  
Administrative Officer  
फाइल नं. 5598  
दिनांक 28/12/23  
Date

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI  
(SC/ST/OBC/Women Cell)

Reminder-I  
NCSC Reference

P-13/11/25  
26/12/2023

Dated: 26.12.2023

No.F.3-6/2018/Grleve./SCST/Estt.I

OFFICE MEMORANDUM

**Subject:** Representation received from Ms. Sushil, Sr. Nursing Officer for harassment and discrimination in services at AIIMS, New Delhi -reg.

\*\*\*\*\*

The undersigned is directed to refer to this office memorandum of even number dated 02.06.2022, 14.07.2022 & 03.10.2023 on the above cited and to intimate that the action taken status is still awaited at your part.

It is therefore requested that kindly look into the matter and provide the action taken status/ report to the undersigned, so that the same could be furnish the NCSC as well as to the petitioner. If already replied, a copy of the same may also be provided to this office for records.

(SAROJ LAL)  
ADMINISTRATIVE OFFICER

To:

1. Sh. Vishwesh Chaturvedi,  
Administrative Officer, Recruitment Cell
2. ✓ Sh. Joginder,  
Administrative Officer, Estt. Section (Hospital)

Copy meant for information to:

Dy. Secretary please.

done  
28/12/23



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अखिलभारतीय आयुर्विज्ञानसंस्थान  
ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
स्थापनाअनुभाग (अस्पताल)  
ESTABLISHMENT SECTION (HOSPITAL)  
अन्सारीनगर, नईदिल्ली  
ANSARI NAGAR, NEW DELHI - 110029

संचिकासंख्या-17-88/2000 स्थां (अस्प)

दिनांक

08 JAN 2024

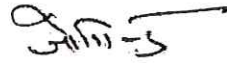
ज्ञापन  
MEMORANDUM

**Subject:** - Representation of Ms. Sushil, Sr. Nursing Officer for harassment and discrimination in service at AIIMS, New Delhi - regarding action taken report in reference to the NCSC hearing held on 06.05.2022.

\*\*\*\*\*

With reference to O.M. No. F.3-6/2018/Grieve./SCST/Estt.I dated 26.12.2023 on the subject cited above, the Administrative Officer, SC/ST/OBC/Women Cell is informed that the representation of Ms. Sushil, Sr. Nursing Officer on subject captioned above was put up for consideration of the Competent Authority and it has been directed to place the above said matter before the Governing Body for its consideration and decision.

Therefore, the representation of Ms. Sushil, Sr. Nursing Officer will be placed before the Governing Body in its next meeting as and when the same is held, for its consideration and decision and outcome of the same shall be forwarded.



(जोगिन्दर कुमार/JOGINDER KUMAR)

प्रशासनिक अधिकारी (अ)/ADMINISTRATIVE OFFICER (H)

The Administrative Officer, SC/ST/OBC/Women Cell

  
01/12/24

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Annexure-XX

P-1357927

Annexure-20

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI  
(SC/ST/OBC/Women Cell)

No.F.3-6/2018/Griev./SCST/Estt.I

श्री. ए. ए. ए. ए. ए.

Dated: 06.02.2024

To,

A.I.M.S. Hospital

Director, New Delhi

Member, Grievance Cell

No. 661

City No.

Date 8/2/24

Date

Sh. Agam Khan,  
Section Officer,  
National Commission for Scheduled Castes,  
5<sup>th</sup> Floor, Loknaya Bhawan,  
Khan Market, New Delhi-110003

Subject: Reply on the representation of Ms. Sushil, Sr. Nursing Officer for harassment and discrimination in services at AIIMS, New Delhi -reg.

\*\*\*\*\*

Sir,

I'm directed to refer to your letter bearing No.F.5-44/Health-18/2019/SSW-II(59950) dated 24.08.2023 on the above cited subject and to convey that the issue of reviewing DPCs to consider the candidature of Ms. Sushil pertain to Recruitment Cell of this institute and the two (02) DPCs for promotion to the post of Senior Nursing Officer were conducted on 20.07.2015 & 01.08.2016. The candidature of Ms. Sushil was also considered however the same was not recommended in view of the penalty imposed on her vide order dated 04.01.2014 with a specific bar on consideration for promotion.

The petitioner (Ms. Sushil, Senior Nursing Officer) was under major penalty vide order dated 04.01.2014 with the imposition of "reduction in salary to four times in lower stage in time scale for a period of four years which shall ordinarily be a bar to the promotion during such period, but not after the said period". Ms. Sushil has also exhausted the channel of appeal against the penalty order dated 04.01.2014 as the same was regretted by Governing Body. Thus the penalty order dated 04.01.2024 still stands good as confirmed by the Estt. Section (Hospital).

As such any of these DPCs cannot be reviewed since there is no ground for conducting review DPC which were conducted on 20.07.2015 & 01.08.2016 in view of the fact that the penalty order dated 01.01.2014 against Ms. Sushil still stands good as the same has not been withdrawn. Thus these two DPCs cannot be reviewed.



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Furthermore, the next DPC for promotion to the post of Senior Nursing Officer was held in 15.10.2019 in which the candidature of Ms. Sushil was considered and she was recommended for promotion to the post of Senior Nursing Officer.

Thus, keeping in view of the penalty imposed on Ms. Sushil, there is no ground for review of DPC held on 20.07.2015 and 01.08.2016 to consider Ms. Sushil, as per the rules and guidelines on the matter.

However, the representation of Ms. Sushil, Senior Nursing Officer has been considered by the Competent Authority and it has been directed to place her case before the Governing Body in its next meeting as when the same is held, for its consideration and decision and outcome of the same shall be intimated accordingly.

This issues with the approval of the Director, AIIMS, New Delhi.

Yours faithfully,

(SAROJ LAL)

ADMINISTRATIVE OFFICER

Copy meant for information to:

1. Administrative Officer (Recruitment Cell),  
AIIMS, New Delhi
- ✓ 2. Administrative Officer, Estt. Section (Main Hospital),  
AIIMS, New Delhi
3. Ms. Sushil,  
Senior Nursing Officer (Surgical Block),  
Th: Chief Nursing Officer  
AIIMS, New Delhi

08/02/24  
MS. Kishor, AAO  
Ms. Kamal  
8/2/24

National Commission for Scheduled Castes

File No. S-44/Health-18/2018/SSW-II

Minutes of the meeting held on November 5, 2019.

The followings were present:

- |                          |  |
|--------------------------|--|
| 1. Dr. D.K. Sharma       | Medical Superintendent, AIIMS, NEW Delhi |
| 2. Sh. G.R. Pillai       | Admn. Officer, AIIMS, New Delhi          |
| 3. Ms. Kamlesh Chandella | CNO, AIIMS, New Delhi                    |
| 4. Ms. Sushil            | Nursing Officer, AIIMS, New Delhi        |

The case was taken up. The Director, AIIMS was not present. The case was discussed in detail. Petitioner apprised the Commission that she has been discriminated and harassed by the AIIMS Authority. Her AGRs were spoiled. She has not been given any promotion even after 19 years of service. No MACP is given till date. The petitioner was on leave for long time and in between she was not able to attend the office due to illness of her old parents and herself. She submitted request letters for regularization of her period of absence from duties. The Department has not considered her request whereas, in similar case of Ms. Biji Biju (Senior Nursing Officer) the Department has not given any penalty and her period of absenteeism from duty regularised. Ms. Biji Biju (Senior Nursing Officer) joined in December, 2004 and she was promoted as Senior Nursing Officer in May, 2015. The General Category candidate was not given any penalty but the petitioner was given penalty and not promoted from due date. The petitioner joined her services in AIIMS in November 2000 and she has been superseded by her juniors General Category Candidates.

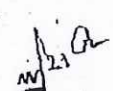
The petitioner repeatedly requested the AIIMS Authority for providing appropriate leave Memorandum including 35 days from 2013 till date. Her E.L. and Medical Leave may be adjusted against period of absence from duty during the period October, 2004 to April, 2007. The Extra-Ordinary Leave may be adjusted from June, 2010 to August, 2011.

The Medical Superintendent, AIIMS informed the Commission that the petitioner was unauthorised absent therefore, the penalty was given to her. She could not be promoted due to the penalty.

The Commission observed that the Department has given penalty to the petitioner whereas to another General Category Candidate (Ms. Biji Biju) was not given any penalty although she was an unauthorised absent from the duties. The AIIMS Administration cannot use two yard sticks in similar cases. The General Category Candidate was provided promotion whereas the petitioner has not been given promotion from the due date. The petitioner received many appreciation letters from many faculties but even then she was given penalty and superseded by her junior General Category Candidate. There appears to be discrimination and harassment of the petitioner as she belongs to SC Category.

In view of the facts of the case the Commission recommends that the leave period of the petitioner may be regularised. Her case be treated at par with General Category Candidate's case. The period of absence from duty may be adjusted against the leave available to the account of petitioner or by E.O.L. by the Competent Authority as is done in the case of a General Category Candidate. After regularising the leave period etc. the review DPC be conducted and the petitioner may be promoted from due date with all benefits and treated at par with her junior General Category Candidate.

The ATR be submitted within 15 days.

  
Dr. (Ms.) Swara Vidw.  
Member, NC





सत्यमेव जयते

GOVERNMENT OF INDIA  
 NATIONAL COMMISSION FOR SCHEDULED CASTES  
 (A Constitutional body set up under Article 338 of the Constitution of India)

File No. S-14/Health-18/2019/SSW-II

Petitioner: Ms. Sushil

Authority: Dr D.K. Sharma, Medical Superintendent, AIIMS New Delhi  
 Dr. Rajpal, Liaison Officer, AIIMS New Delhi  
 Mr. Narendra, Sr. Admin Asst, AIIMS New Delhi

Subject: Representation of Ms. Sushil, Nursing Officer, AIIMS, New Delhi regarding harassment and discrimination in services.

Minutes of Hearing

1. The matter was listed for hearing on 06.05.22 at 11 A.M. before the Vice-Chairman, National Commission for Scheduled Castes (NCSC) in his chamber at 5<sup>th</sup> Floor, Lok Nayak Bhawan, Khan Market, New Delhi. The Petitioner informed that she was working AIIMS Hospital, New Delhi as Nursing Officer since 2000. During her service she had been given adverse remarks intentionally in her ACRs in year 2003-2004. Thereafter she proceeded on leave and submitted application regarding the same however her senior Ms. ANS Ansamma Neelkhand did not extend her leave in conditions and sent a report of her being absent from duty un-authorized to the officer concerned.
2. Subsequently she was issued charge-sheet imposing a major penalty and fixing of her pay 4(four) stage down. She was not granted her nine (9) increments for the years 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016 & 2014 and also not considered her for promotion.
3. In the previous hearing it was recommended that the leave period of the Petitioner may be regularized. Her case is treated at par with General Category Candidate's case. The period of absence from duty may be adjusted against the leave available to the account of

*Arjun Halder*

ARUN HALDER  
 Vice-Chairman  
 National Commission for Scheduled C  
 Govt. of India  
 New Delhi

petitioner or by E.O.L. by the Competent Authority as is done in the case of a General Category Candidate. After regularizing the leave period etc. the review DPC be conducted and the petitioner may be promoted from due date with all benefits and treated at par with a General Category Candidate. Minute of the same was sent to the AIIMS authority for submission of action taken report.

4. After hearing both the parties, the Commission observed that the concerned authority didn't comply with earlier recommendations. The Commission recommends the concerned authority to review the petitioner case on sympathetic grounds and with a lenient view and to solve the dispute amicably as per rules.
5. Action Taken Report (ATR) to be submitted to the Commission within 30 days from the date of hearing.

*2 Arun*  
*17.05.22*  
(Arun Halder)  
Vice-Chairman, NCSC

ARUN HALDER  
Vice-Chairman  
National Commission for Scheduled Castes  
Govt. of India  
New Delhi



ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Annsari Nagar, New Delhi-110029

Dated the 7 JUN 2000

12.3.08  
126 Jun 2008  
17-88/2000-Estt.(LI)

## MEMORANDUM

1. The undersigned proposes to hold an inquiry against Miss Sushil, Sister Grade-II, under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure I). A statement of the imputations of misconduct or misbehaviors in support of each article of charge is enclosed (Annexure II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III & IV).
2. Miss Sushil, Sister Grade-II, is directed to submit within 10 days of the receipt of this memorandum a written statement of her defence and also to state whether she desires to be heard in person.
3. She is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. She should, therefore, specifically admit or deny each article of charge.
4. Miss Sushil, is further informed that if she does not submit her written statement of defence on or before the date specified in para 2 above, or does not appear in person before the appointing authority or otherwise fails or refuses to comply with the provisions of Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, or the orders issued thereunder in pursuance of the said Rule, the appointing authority shall hold the inquiry in default of her part.
5. Attention of Miss Sushil is invited to Rule 20 of the Central Civil Services (Classification, Control and Appeal) Rules, 1964 under which no Government servant shall have or attempt to have, or attempt to have, outside military, to bear upon any superior authority, or have or attempt to have, or attempt to have, matters pertaining to her service under the Government, in any respect, submitted on her behalf from another person in respect of any matter dealt with in the Rules. It is presumed that Miss Sushil, Sister Grade-II is aware of such a rule, and that no such action will be made at her instance and action will be taken against her for violation of the said Rule 20 of the C.C.S. (Classification) Rules, 1964.
6. The receipt of this Memorandum may be acknowledged.

DR. VENU GOVIL  
DIRECTOR  
DISCIPLINE & APPEALS

Miss Sushil,  
2-C, D.D.A. Flats,  
Mansarovar Park, Shahdara, Delhi-110032

Miss Sushil,  
12 Defence Colony, Dum Dum, Calcutta-59



STATEMENT OF ARTICLE OF CHARGE AGAINST MISS SUSHIL, SISTER GRADE-II,  
AT THE AIIMS, NEW DELHI.

ARTICLE OF CHARGE

That the said Miss Sushil, while functioning as Sister Grade-II in this Institute, has been willfully and unauthorisedly absenting herself from duties w.e.f. 1.10.2004 without prior permission or sanction of leave by the competent authority

She was advised to report for duty by 18.3.2005, and 20.5.2005 vide this office memo of even number dated 11.3.2005, 6.5.2005 but she failed to comply with the order and continue to be absent from duty unauthorisedly without any valid reason. She was also advised that in case she is sick she should submit the medical certificate from the G.D.M.O. (EHS) or civil surgeon of the area. But she failed to comply with the orders and continues to be absent from duty unauthorisedly without any valid reason and dis-obedience of orders. Now she is still absenting herself from duty unauthorisedly and show cause notice has issued on 10.10.2005. But she has also failed to report for duty to till to date.

Miss Sushil has, thus, failed to maintain devotion to duty and amenability to discipline and has acted in a manner unbecoming of an institute employee in breach of clause 7(1)(b) (ii) of the C.C.S. (Conduct) Rules, 1964 as applicable to the employees of the Institute.

DR. V. S. S. S. S.  
DIRECTOR  
DISCIPLINARY AUTHORITY



STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE AGAINST MISS SUSHIL, SISTER GD.II.

IMPUTATION OF ARTICLE OF CHARGE

It has been reported that Miss Sushil, Sister Grade-II proceeded on 18 days earned leave w.e.f. 13.9.2004 to 30.9.2004. She was due to resume her duty on 1.10.2004 after expiry of the aforesaid leave, but she did not resume her duty. She was advised to report for duty immediately but not later than 18.3.2005 and 20.5.2005 and also to explain as to why action as deemed fit under the C.C.S. (C.C.A.) rules should not be taken against her on account of her unauthorized willful absence from duty vide this office memorandum of even number dated 11.3.2005 and 6.5.2005. She was also advised that in case, she is sick, she should submit the medical certificate from the G.D.M.O. (EHS) of civil surgeon of the area. But she failed to comply with the order and continues to be absent from duty unauthorized without any valid reasons. Thus, she is responsible for her unauthorized willful absence from duty. The Registered A.D. notice was also sent to her on 3.10.2005 but the same has been received back undelivered by the Postal Authority with the return mark "Not known".

She has, however, failed to comply with the orders and continued to be absent from her duty unauthorized without any intimation. Miss Sushil, Sister Grade-II is thus responsible for willful and unauthorised absence from duty and disobedience of orders.

Miss Sushil, Sister Grade-II, by her above acts has failed to maintain the requisite decorum and amenability to discipline and has thereby contravened Rule 3 (1) (a) (ii) of the C.C.S. (Central) Rules, 1964 as read with Regulation 33 (2) of the AIIMS Regulations, 1958 (as amended from time to time).

(DR. P. VENUGOPAL)  
DIRECTOR &  
DISCIPLINARY AUTHORITY



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ANNEXURE III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST  
MISS SUSHIL, AIIMS, NEW DELHI, IS PROPOSED TO BE SUSTAINED.

LIST OF DOCUMENTS

1. Absenting Report received from C.N.O. dated on 30.10.2004
2. Memorandum No.F.17-88/2000-E:stt.(II.) dated 11.3.2005.
3. Memorandum No.F.17-88/2000-E:stt.(II.) dated 6.5.2005
4. Memorandum No.F.17-88/2000-E:stt.(II.) dated 13.10.2005

*[Signature]*  
(DR. P. VENUGOPAL)  
DIRECTOR &  
DISCIPLINARY AUTHORITY



ANNEXURE-IV

LIST OF WITNESSES BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST MISS SUSHIL, AIIMS, NEW DELHI, IS PROPOSED TO BE SUSTAINED.

LIST OF WITNESSS

- 1 Mrs. Jasmine Pacheco, C.N.O. (Actg.)
- 2 Sh. Ravinder Rana, U.D.C. M.S. Office

*P. Venugopal*  
*nd / 11 / 2014*  
(DR. P. VENUGOPAL)  
DIRECTOR &  
DISCIPLINARY AUTHORITY



## ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29

Dated: 12 NOV 2009

8/2000-Estt. (H)

## ORDER

WHEREAS an inquiry under rule 14 of the Central Civil Services (Classification, Control and Appeal), Rules, 1965 is being held against Ms. Sushil, Sister Grade-II.

AND WHEREAS Sh. S. Rangabashiam, Administrative Officer, was appointed as Presenting officer to present the case in support of the articles of charge against the said before the Inquiring authority, vide order No.F.17-88/2000-Estt. (H) dated 23.7.2009.

NOW, due to administrative exigencies, the undersigned, in exercise of the powers conferred by sub-rule (5) of the said Rule hereby appoints, Sh. Kundan Kumar, Administrative Officer, AIIMS as the Presenting Officer to present the case in support of the articles of charge against the said officer, before the inquiring authority.

(Dr. R.C. DEKA)  
DIRECTOR &  
DISCIPLINARY AUTHORITY

Miss Sushil, Sister Grade-II,  
2-C, D.D.A. Flats,  
Mansarovar Park, Shahdra,  
Delhi-110032

Miss Sushil, Sister Grade-III,  
12, Defence Colony, Dum Dum,  
CALCUTTA-59

Copy to:-

Sh. Kundan Kumar,  
Administrative Officer & Presenting Officer, AIIMS.  
(Proceeding file received to Former Presenting Officer)

Sh. A.M. Tewari,  
Retired Director, Cabinet Secretariat Inquiry Officer, AIIMS  
5-B DDA Flat High Way Apartment,  
Site One, Gazipur, East Delhi

Sh. S. Rangabashiam,  
Administrative Officer, AIIMS.  
(Proceeding file return to Presenting Officer)

For information

For information



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S. No. 51CB)

S. No. 51CB)

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ALL INDIA INSTITUTE OF MEDICAL SCIENCES

No.F.17-34/85-Estt. (H.)

Ansari Nagar, New Delhi-29

Dated:

18 FEB 2010

MEMORANDUM

Subject:- Departmental inquiry under Rule 14 of the CCS (CCA) Rule, 1965 against Ms. Sushil, Sister Grade-II, AIIMS.

\*\*\*\*\*

The report of Inquiry Officer on the above mentioned subject is forwarded to Ms. Sushil, Sister Grade-II. The Disciplinary Authority, AIIMS will take suitable decision after considering the report. Ms. Sushil, Sister Grade-II, may make any representation or submission in writing to the disciplinary authority within 15 days of the receipt of this memorandum, if she wishes to do so.

(KUNDAN KUMAR)  
ADMINISTRATIVE OFFICER (H)

Miss Sushil,  
2-C, D.D.A. Flats,  
Mansarovar Park, Shalimar  
Delhi-110032

Miss Sushil,  
12, Defence Colony, Dum Dum,  
Calcutta-59

Copy to:-

The Chief Nursing Officer

For information please

Encl:- As above



C.No. 59 (R)

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REPORT OF THE INQUIRY OFFICER1. INTRODUCTION

The Departmental inquiry against Ms. Sushil, Sister Grade-II, was ordered by Director & Disciplinary Authority vide order No. 17-88/2000-Estt.(H) dated 29.6. 2006. Initially in 2006 Shri Sanjay Kumar, Admn. Officer subsequently on 23.7.2009, Shri A.M. Tewari, Retired Director, Cabinet Secretariat, Govt. Of India was appointed as Inquiry Officer. Initially, Shri Rangabhasiam, A.O. AllMS subsequently, Shri Kundan Kumar, A.O. was appointed as Presenting Officer to present the case on behalf of AllMS.

2. CHARGE

In brief Ms. Sushil, Sister Grade-II, AllMS hereafter called CSE was charged for willfully and unauthorizedly absenting herself from duty w.e.f. 1.10.2004 without prior permission or sanction of leave by the competent authority.

3. PARTICIPATION OF CSE

CSE Ms. Sushil attended the inquiry. She was given copy of the cited documents. Cited witnesses were examined in her presence. At all stages she was told to engage a defence assistant as she was entitled for the same but she preferred to defend her case herself. She was given all opportunity to cite defence evidence. She cited 12 documents which were taken on record as exhibit D1 to D12. She submitted her brief of argument also in reply to brief submitted by P.O.

4. MANAGEMENT EVIDENCE

Learned P.O. cited four documents as per Annexure III which were taken on record as Exhibit M1 to M4. CSE admitted the documents as authentic. P.O. produced Shri Ravinder Rana, UDC, M.S. Office.

2/  
Sushil  
21/12/04



:-2:-

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AIIMS as MW1 who authenticated the documents and corroborated the management story that CSE was absent from duty w.e.f. 1.10.2004 to 17.2.2007 for more than 2 and a half years and thereafter she joined duty on 18.4.2007. CSE declined to cross examine the witness. The P.O. proved the charge by documentary and oral evidence.

### 5. Defence evidence

After closer of the management evidence, CSE was given opportunity to produce defence evidence to disprove the charge. CSE submitted 12 documents which were taken as Exhibit D1 to D12. D1 & D2 are letter written by CSE to M.S. AIIMS indicating that she could not attend her duty from Septemehr 2004 till 16.4.2007 due to family disturbance and her illness. These two letters are self admission by the CSE that she was absent from duty as mentioned in the charge sheet. Exhibit D3, D4, D5, D6, D7 and D8 are Medical certificate issued by Private Nursing Home to CSE. D9 is prescription dated 13.4.2007. D9 is fitness certificate. D11 and D12 are also prescription and D13 is joining report by CSE. CSE did not produce any witness to authenticate these documents and to explain the details.

### 6. FINDING

By doing documentary and oral evidence CO has proved the charge as discussed in Para 4 above. Ld. PO in his brief of argument has pointed out that Exhibit D1 to D12 are not very authentic. He observed that all the medical and fitness certificate has been issued by Private Practitioner Dr. S.K. Deewan MBBS who has issued the certificates in one go from 15.9, 2004 to 9.10.2006. Secondly, MBBS doctor is not authorised to treat disc. replacement for such a long time and issue certificate for such a long time. Thirdly, Ms. Sushil is EHS beneficiary but she never took the treatment from AIIMS and always preferred treatment from MBBS doctor in spite of the fact that AIIMS is one of the best hospital in the country. In reply to the P.O's brief CSE in her written brief submitted that she took medical and fitness certificate from her

..3/-

*Gammil*  
21/1/10



family physician Dr. S.K. Deewan, MBBS whenever she took treatment from him. She further stated that she was unable to come to AIIMS Hospital because it is very far from her residence. She preferred to take a treatment near her house because it was convenient to her.

7. After careful consideration of the evidence on record and argument submitted by both the side IO finds that the argument submitted by Ld. P.O. is more probable than that of the CSE. CSE being member of the EHS is contributing towards the scheme and in return is entitled to have treatment in AIIMS without making any further payment. In other words, she is entitled to have free treatment after contributing towards the EHS Scheme. She was absent for about two and a half years from 30.9.2004 to 16.4.2007. Treatment from private doctor for about a month or two can be accepted. But if somebody is unable to attend the office for more than a year it does not appear to be reasonable to prolong the treatment with ordinary private MBBS doctor after paying his fees instead of taking free treatment from AIIMS. The argument of the CSE that she preferred treatment near to her house because she was unable to come to AIIMS hospital because it is very far from her residence does not hold ground as her residence is in Delhi only from where she attends her duty daily. In case of acute problem she could have hired any ambulance which would have transported her to AIIMS without any problem. Being Nurse in AIIMS she must be aware of all these procedures and facilities and would have managed to come better than any normal person. As discussed above Ld. P.O. has been able to prove the charge by citing documentary and oral evidence and CSE could not disprove the same. Therefore, charge is considered proved as mentioned in the charge sheet.

(A.M. Tewari)

Inquiry Officer

Director (Disciplinary Authority)

AIIMS



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A-AM-ESTD ) Annexure-25 (198)  
ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Annexure - XXV  
Annexure-25 (198)  
Ansari Nagar, New Delhi - 29  
Dated the:

No. F. 17-88/2000-Estt (H)

ORDER

- 6 MAY 2010

WHEREAS disciplinary proceedings under Rule 14 of the Central Civil Services (classification, Control and Appeal) Rule 1965 were initiated against Ms. Sushil, Sister Grade-II vide this Office Memorandum No. F. 17-88/2000-Estt (H) dated 11.7.2006 on the following article of charge:-

ARTICLE OF CHARGE

That the said Miss Sushil, while functioning as Sister Grade-II in this Institute, has been willfully and unauthorisedly absenting herself from duties w.e.f. 1.10.2004 without prior permission or sanction of leave by the competent authority

She was advised to report for duty by 18.3.2005, and 20.5.2005 vide this office memo. of even number dated 11.3.2005, 6.5.2005 but she failed to comply with the order and continue to be absent from duty unauthorisedly without any valid reason. She was also advised that in case she is sick she should submit the medical certificate from the G.D.M.O. (EHS) or civil surgeon of the area. But she failed to comply with the orders and continues to be absent from duty unauthorisedly without any valid reason and dis-obedience of orders. Now, she was still absenting herself from duty unauthorisedly and show cause notice has issued on 3.10.2005. But she had also failed to report for duty to till to date.

Miss Sushil has, thus, failed to maintain devotion to duty and amenability to discipline and has acted in a manner unbecoming of an Institute employee thereby contravened Rule 3 (1) (ii), (iii) of the C.C.S. (Conduct) Rules, 1964 as applicable to the employees of the Institute.

The statement of imputation of misconduct of misbehaviour in support of each article of charge, a list of documents by which, and a list of witnesses by whom the article of charge was proposed to be assessed were supplied to Ms. Sushil, Sister Grade-II with the Institute's Memorandum No. F. 17-88/2000-Estt (H) dated 29<sup>th</sup> June, 2006.

A statement of imputation of misconduct or misbehaviour on which the article of charge was based, together with a list of documents by which, and a list of witnesses by whom the charges was proposed to be sustained. The Inquiring Authority after conducting the Inquiry has submitted the Inquiry report and the charges framed against Ms. Sushil, Sister Grade-II is proved.

Contd..2



AND WHEREAS after gone through the report of the Inquiry Officer considering the evidence on record and the facts and circumstances of the case, the undersigned for good and sufficient reasons has come to the conclusion that the penalty of reduction to a lower stage in the time scale of pay for a period of one year, without cumulative effect imposed on Ms. Sushil, Sister Grade-II which shall meets the ends of justice.

NOW THEREFORE, the undersigned in exercise of the powers vested as the Disciplinary Authority under Rule 15 of the C.C.S. (CCA) Rules, 1965 read with regulation 33 (2) of the AIIMS Regulations 1999 (as amended from time to time) hereby imposes the penalty of reduction to a lower stage in the time scale of pay for a period of one year, without cumulative effect imposed on Ms. Sushil, Sister Grade-II.

A copy of this order may be added to the Confidential Role of Ms. Sushil, Sister Grade-II.

*(Dr. R.C. DEKA)*  
(Dr. R.C. DEKA)

DIRECTOR &  
DISCIPLINARY AUTHORITY

Ms. Sushil,  
Sister Grade-II  
(Th. Chief Nursing Officer)  
AIIMS

जारी किया  
ISSUED

Copy to:-

1. The Accounts Section II & III.
2. The Chief Nursing Officer
3. A.C.Rs' dossier of the person concerned.
4. The dealing Assistant



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अखिल भारतीय आयुर्विज्ञान संस्थान  
ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
स्थापना अनुभाग (अस्पताल)  
ESTABLISHMENT SECTION (HOSPITAL)  
अन्सारी नगर, नई दिल्ली  
ANSARI NAGAR, NEW DELHI - 110029

संयुक्त संख्या-17-88/2000 रथा. (अस्प.)

दिनांक

07.08.2022

## ज्ञापन

## MEMORANDUM

Subject: - Retrospectively regularising the period of unauthorised absence - Ms. Sushil, Sr. Nursing Officer,

\*\*\*\*\*

Whereas, a penalty of reduction to a lower stage in the time scale of pay for a period of one year, without cumulative effect was imposed on Ms. Sushil, Sr. Nursing Officer vide an Order of even no. dated 06.05.2010 following due procedure laid in the CCS (CCA) Rules-1965.

2. And whereas, the period of unauthorised absence from duty for 929 days w.e.f. 01.10.2004 to 17.04.2007 in respect of Ms. Sushil has been treated as Dies-Non vide an O.M. of even no. dated 30.11.2010.

3. And whereas, the said Ms. Sushil has represented her case for conversion of the aforesaid period of Dies-non as leave admissible before the Competent Authority of the Institute and the Hon'ble National Commission for Scheduled Castes.

4. And whereas, the Hon'ble National Commission for Scheduled Castes in its minutes of meeting dated 05.11.2019 has recommended that the period of absence from duty may be adjusted against the leave available to the account of petitioner or by E.O.L. & the Hon'ble National Commission for Scheduled Castes in its minutes of meeting dated 06.05.2022 recommended to review the case of the petitioner (Ms. Sushil) on sympathetic grounds with a lenient view.

5. And whereas, it has been observed that the leave for the period of 18 days Earned Leave w.e.f. 13.09.2004 to 30.09.2004 which was availed by her prior to aforesaid period of unauthorised absence, has not been deducted from her leave account.

6. Now therefore, the Competent Authority of the Institute has considered all the facts and decided to commute retrospectively, the period of unauthorised absence from duty / grant leave as under to Ms. Sushil, Sr. Nursing Officer:-

Type Of Leave	Days	Period Of Leave	Joining
Earned Leave	18	13.09.2004 to 30.09.2004	Leave extended
EOL (without MC) instead of Dies-Non earlier	929	01.10.2004 to 17.04.2007	18.04.2007

(जोगिन्दर कुमार/JOGINDER KUMAR)

प्रशासनिक अधिकारी (अ)/ADMINISTRATIVE OFFICER (H)

Ms. Sushil, Sr. Nursing Officer  
Main OT  
Thru: CNO

Copy forwarded to:-

1. The Chief Nursing Officer - for information only.
2. Accounts Section II & III.
3. The SC/ST/OBC/ Women Cell, AIIMS- to kindly forward an action taken report to the hon'ble National Commission for Scheduled Castes (ref. No. P-3-6/2018/Grlve/SCST/ Est. I dated 14.07.2022). The note containing reply of Rectt. Cell is also forwarded for n/a.

C. No. 59 (A) 316

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ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29

No.F.17-88/2000-Estt.(H.)

Dated the:

MEMORANDUM

3 : DEC 2010

Ms. Sushil, Sister Grade-II has been charge sheeted under the Rule 14 of C.C.S.(C.C.A.) Rules, 1965 on account of her unauthorised wilful absence from duty vide this office memorandum dated 29.6.2006. The Director & Disciplinary Authority has imposed the minor penalty of reduction to a lower stage in the time scale of pay for a period of one year without cumulative effect, and not adversely affecting her pension was imposed vide office order dated 06.5.2010.

Further the Competent Authority has ordered that the period of her unauthorised wilful absence from duty w.e.f. 01.10.2004 to 17.04.2007 may be treated as dies non.

*[Handwritten Signature]*  
30/11/2010

*[Handwritten Signature]*

(A.K. NIM)  
ADMINISTRATIVE OFFICER

Ms. Sushil, Sister Grade-II  
Through: The Chief Nursing Officer

Copy to:-

1. The Accounts Section II & III
2. The GPF Section
3. The Pension Cell

~~NOT FOR  
ISSUED~~



## MEMORANDUM

1. The Director, AIIMS proposes to hold an inquiry against Miss Sushil, Sister Grade-II, under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure I). A statement of the imputations of misconduct or misbehaviors in support of each article of charge is enclosed (Annexure II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III & IV).
2. Miss Sushil, Sister Grade-II, is directed to submit within 10 days of the receipt of this memorandum a written statement of her defence and also to state whether she desires to be heard in person.
3. She is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. She should, therefore, specifically admit or deny each article of charge.
4. Miss Sushil, is further informed that if she does not submit her written statement of defence on or before the date specified in para 2 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, or the orders/directions issued in pursuance of the said Rule, the inquiring authority may hold the inquiry against her ex-parte.
5. Attention of Miss Sushil is invited to Rule 20 of the Central Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interests in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Miss. Sushil, Sister Grade-II is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of Rule 20 of the C.C.S (Conduct) Rules, 1964.
6. The receipt of this Memorandum may be acknowledged.

For & on behalf of the  
Disciplinary Authority

(VINEET CHAUDHRY)  
DEPUTY DIRECTOR (ADMN)

Miss Sushil,  
2-C, D.D.A. Flats,  
Mansarovar Park, Shahdra, Delhi-110032

Miss Sushil,  
12, Defence Colony, Dum-Dum,  
Calcutta-59.



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ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE AGAINST MISS SUSHIL, SISTER GRADE-II,  
AT THE AIIMS, NEW DELHI.

ARTICLE OF CHARGE

That the said Miss Sushil, while functioning as Sister Grade-II in this Institute, has been willfully and unauthorisedly absenting herself from duties w.e.f. 2.4.2010 without prior permission or sanction of leave by the competent authority.

Miss Sushil, Sister Grade-II, was advised to report for duty immediately vide this office memo. No. F. 17-88/2000-Estt. (H) dated 29.11.2010, 21.1.2011, 30.4.2011 and 30.6.2011 but she failed to comply with the orders and continued to remain absent from duty unauthorisedly without citing any valid reason. The official failed to comply with the orders and continues to remain absent from duty unauthorisedly without any valid reasons and in gross violation of orders.

Miss Sushil, Sister Grade-II, has, thus, failed to maintain absolute devotion to duty and is not amenable to discipline and has acted in a manner unbecoming of an Institute employee thereby contravened Rule 3 (1) (ii) & Rule 3 (1) (iii) of the C.C.S. (Conduct) Rules, 1964 as applicable to the employees of this Institute.

For & on behalf of the  
Disciplinary Authority

(VINEET CHAUDHRY)  
DEPUTY DIRECTOR (ADMN)



STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE AGAINST MISS SUSHIL, SISTER GD.JL.

IMPUTATION OF ARTICLE OF CHARGE

It has been reported that Miss Sushil, Sister Grade-II, proceeded on 15 days earned leave w.e.f. 18.03.2010 to 01.04.2010. The official was due to resume her duty on 02.04.2010 after expiry of above mentioned leave. But she did not resume her duty and requested for extension of earned leave again and again upto 1.6.2010. Her request for further extension of leave beyond 1.6.2010 was not recommended by the Chief Nursing Officer. She was directed to report for duty immediately failing which action as deemed fit under the C.C.S. (C.C.A.) rules, 1965 should be taken against her on account of her unauthorized will full absence from duty vide this office memorandum No. F.17-88/2000-Estt (H.) dated 29.11.2010, 21.1.2011, 30.4.2011 and 30.6.2011. The Registered A.D. notices sent to her has been received back undelivered by the postal authority with the remarks that "Unclaimed" and "Not know" returned to sender.

The official has thus failed to comply with the orders of the office and continued to be remain absent from her duty unauthorizedly without any intimation. Miss Sushil, Sister Grade-II, is thus responsible for her willful and unauthorized absence from duty and disobedience of orders issued to her.

She was also charged under rule 14 of the CCS (CCA) Rules, 1965 vide memo No. 17-88/2000-Estt(H) dated 11<sup>th</sup> July 2006 for unauthorized absent from duty. In this charge sheet the penalty was imposed the penalty of reduction to a lower stage in the time scale of pay for a period of one year without cumulative effect imposed on Ms. Sushil, Sister Grade-II.

Miss Sushil, Sister Grade-II, by her above stated conduct has failed to maintain devotion to duty and is not amenable to discipline and has thereby contravened Rule 3 (1) (ii) & 3 (1) (iii) of the C.C.S. (Conduct) Rules, 1964 as read with Regulation 33 (2) of the AIIMS Regulations, 1958 (as amended from time to time).

For & on behalf of the  
Disciplinary Authority

(VINEET CHAUDHRY)  
DEPUTY DIRECTOR (ADMIN)



LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST MISS SUSHIL, AIIMS, NEW DELHI, IS PROPOSED TO BE SUSTAINED.

LIST OF DOCUMENTS

- 2-ph - S 1. Leave application received from Ms. Sushil, Sister Gd-II dated 16.03.2010
- S - 2. Leave application received from Ms. Sushil, Sister Gd-II dated 01.04.2010
- S - 3. Leave application received from Ms. Sushil, Sister Gd-II dated 30.04.2010
- S - 4. Leave application received from Ms. Sushil, Sister Gd-II dated 31.05.2010 with remarks by C.N.O.
- S - 5. Absenting Report received from Ms. Anamma Neelkantan, A.N.S. dated on 30.6.2010 P-203
- S - 6. Memorandum No.F.17-88/2000-Estt.(H.) dated 29.11.2010
- S - 7. Memorandum No.F.17-88/2000-Estt.(H.) dated 31.12.2010
- S - 8. Memorandum No.F.17-88/2000-Estt.(H.) dated 21.01.2011
- S - 9. Memorandum No.F.17-88/2000-Estt.(H.) dated 30.04.2011
- S 10. Memorandum No.F.17-88/2000-Estt.(H.) dated 30.04.2011 undelivered Registered letter with postal remarks
- S 11. Memorandum No.F.17-88/2000-Estt.(H.) dated 30.06.2011.
- S 12. Memorandum No.F.17-88/2000-Estt.(H.) dated 30.06.2011 undelivered Registered letter with postal remarks
- S - 13. Copy of previous penalty order vide No. F.17-88/2000-Estt.(H) dated 06.05.2010

For & on behalf of the  
Disciplinary Authority

(VINAY CHAUDHRY)  
DEPUTY DIRECTOR (ADMN.),



ANNEXURE- IVLIST OF WITNESSES BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST MISS SUSHIL, AIIMS, NEW DELHI, IS PROPOSED TO BE SUSTAINED.LIST OF WITNESSES

- Sw 1 The Chief Nursing Officer, AIIMS - Mx  
Sw-2 Mrs. Ansamma Neelkantan, ANS, AIIMS  
Sw-3 Sh. Ravinder Rana, U.D.C. M.S. Office, AIIMS

For & on behalf of the  
Disciplinary Authority

(VINAY CHAUDHRY)  
DEPUTY DIRECTOR (ADMN.),



322

Registered A.D.

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29

Dated: 12 Nov 2011

No.F.17-88/2000-Estt. (H)

ORDER

WHEREAS an inquiry under rule 14 of the Central Civil Services (Classification, Control and Appeal), Rules 1965 is being held against Miss Sushil, Sister Grade-II.

AND WHEREAS the Director, AIIMS considers that an Inquiring Authority should be appointed to inquire into the charge framed against the said Miss Sushil, Sister Grade-II.

NOW, THEREFORE, the Director, AIIMS, in exercise of the powers conferred by sub-rule (2) of the said Rule hereby appoints, Sh. Inder Singh, Retired dy. Secretary/CDI, CVC as the Inquiring Authority to inquire into the charge framed against Miss Sushil, Sister Grade-II.

For & on behalf of the  
Disciplinary Authority

  
24/10/11  
DEPUTY DIRECTOR (ADMN)

✓ Shri Inder Singh,  
Retired dy. Secretary/CDI, CVC  
A/2/157, Sector-3, Rohini,  
New Delhi-110058  
(Alongwith copy of Chargesheet)

Copy to:-

Shri Ashok Kumar Gupta,  
Office Superintendant & Presenting Officer,  
MSU, AIIMS  
(Alongwith documents listed in the chargesheet)

Miss Sushil,  
2-C DDA Flats,  
Mansarovar Park, Shahdra,  
Delhi-110032

Miss Sushil,  
Sister Grade-II  
(Thorough Chief Nursing Officer)  
AIIMS

9211956646  
26594496

  
17/11/11



323

(9)  
Registered A.D.

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29

No.F.17-88/2000-Estt. (H)

Dated: 12 NOV 2011

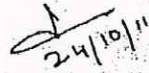
ORDER

WHEREAS an inquiry under rule 14 of the Central Civil Services (Classification, Control and Appeal), Rules, 1965 is being held against Miss Sushil, Sister Grade-II.

AND WHEREAS Director AIIMS considers that a presenting officer should be appointed to present the case in support of the article of charge on behalf of the Institute.

NOW, THEREFORE, Director AIIMS, in exercise of the powers conferred by sub rule (5) (c) of Rule 14 of the said Rules hereby appoints Sh. Ashok Kumar Gupta, Office Superintendent, AIIMS, as the Presenting Officer.

For & on behalf of the  
Disciplinary Authority

  
24/10/11  
DEPUTY DIRECTOR (ADMN)

Shri Ashok Kumar Gupta,  
Office Superintendent & Presenting Officer,  
M.S.U, AIIMS  
(Along with documents listed in the chargesheet)

Copy to:-

1/ Shri Inder Singh,  
Retired dy. Secretary/CDI, CVC  
A/157, Sector-3, Rohini,  
New Delhi-110058  
(Along with copy of Chargesheet)

Miss Sushil,  
C.D.A. Bldg.,  
Mansarovar Park, Shandra,  
Delhi-110029

Miss Sushil,  
Sister Grade-II  
(through Chief Nursing Officer)  
AIIMS



324

No. AIIMS/INO/6/2011

To

The Dy. Director (Admn.)  
All India Institute of Medical Sciences,  
New Delhi

7733  
10/3/12

Sub: Departmental Inquiry against Miss Sushil, Sister Grade-II, AIIMS -  
submission of Inquiry report - Reg.

Sir,

The undersigned was appointed as Inquiring Authority by the Disciplinary Authority, AIIMS, New Delhi vide Order No. F.17-88/2000-Estt.(H) dated 12.11.2011, to conduct oral inquiry against the above said official. On completion of inquiry proceedings, now I am submitting inquiry report alongwith the file containing copy of chargesheet, ordersheets, exhibits, and other communications, etc.

Thanking you,

Yours sincerely,



[INDER SINGH]

Retired Deputy Secretary/CBI, GYC

Inquiring Authority

Dated: 5/3/2012

9/3/12

Handwritten notes and signatures at the bottom of the page, including the name 'Inder Singh' and a date '07/03/12'.



the period

325

11

(72)

Annexure "C"

(CONFIDENTIAL)

## INQUIRY REPORT

In respect of

MISS SUSHIL, SISTER, GRADE-II

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

By

Inder Singh

Retired Deputy Secretary/CDI, CVC

&

Inquiring Authority



328

173  
Confidential

No. AIIMS/INQ/6/2011  
Office of the Inquiring Authority  
C/o All India Institute of Medical Sciences,  
New Delhi

## INQUIRY REPORT

Sub: Departmental Inquiry against Miss Sushil, Sister Grade-II, AIIMS

### 1. INTRODUCTION

The undersigned was appointed as the Inquiring Authority by the Disciplinary Authority, AIIMS, vide Order No. F.17-88/2000-Estt.(H) dated 12.11.2011. Sh. Ashok Kumar Gupta, Office Supdt., AIIMS, New Delhi was appointed as Presenting Officer (P.O.) in this case by the Disciplinary Authority.

### 2. BRIEF HISTORY

2.1 The Preliminary Hearing (PH) in this case was held on 12.12.2011, which was attended by the PO, CO and her Defence Assistant. The CO denied the charges leveled against her. The PO was directed to provide inspection and certified copies of the prosecution documents, and also certified copies of the statements of witnesses, if any, recorded during investigation of the case, to the CO latest by 12.12.2011. The CO was directed to submit her list of defence documents and witnesses latest by 21.12.2012.

2.2 The Regular Hearing was held on 31.1.2012, which was attended by the PO, CO and her defence assistant. 13 prosecution documents were taken on record and marked as Ex.S.1 to S.13. 12 defence documents were also taken on record and marked as Ex.D.1 to D.12. SW-1 to SW-4 were examined and cross-examined and their depositions were recorded. With this and with the consent of the PO, the prosecution case was closed.

2.3 On denial of the charges, the defence case was taken up. The CO neither asked for any defence witness, nor produced during the inquiry. She also did not offer herself to be her own defence witness. With this and with the consent of the CO, the defence case was closed. The CO was examined generally and the inquiry proceedings were closed on 31.1.2012.



2.4 The PO was directed to submit his written brief with a copy to the CO latest by 10.2.2012. The CO was also directed to submit her written brief latest by 20.2.2012. The PO's & CO's written briefs have been received on 27.2.2012 and 24.2.2012 respectively.

### 3. ARTICLE OF CHARGE

Ms. Sushil, while functioning as Sister Grade-II has been willfully and unauthorisedly absending herself from duties w.e.f. 2.4.2010 without prior permission or sanction of leave by the competent authority.

She was advised to report for duty immediately vide office memo No. P.17-88/2000-Ext. (H) dated 29.11.2010, 21.1.2011, 30.4.2011 and 30.6.2011 but she failed to comply with the orders and continued to remain absent from duty unauthorisedly without citing any valid reason. The official failed to comply with the orders and continues to remain absent from duty unauthorisedly without any valid reasons and in gross violation of orders.

Miss Sushil, thus, failed to maintain absolute devotion to duty, and is not amenable to discipline and has acted in a manner unbecoming of an Institute employee, thereby contravening Rule 3(f)(ii) & (iii) of the CCS (Conduct) Rules, 1964, as applicable to the employees of the Institute.

### 4. ASSESSMENT AND ANALYSIS OF EVIDENCE

4.1 The PO in his written brief has stated that there is variation of dates in the application given by the CO and in the written statement submitted by her on 26.9.2011 and her application dated 4.8.2011. Further, it appears that she never applied for leave for the period from 26.6.2010 to 3.8.2011 and instead joined her duties on 4.8.2011 straightway.

4.2 The CO in her written brief has *inter alia* stated that due to continued sickness of her parents and their deteriorating condition, and she being the only member in the family to look after them, she had to apply for and was sanctioned leave for the period 18.3.2010 to 31.5.2010. As the condition of her parents was still not stable and they needed her continued care and presence with them, she had to apply for extension of leave from 1.6.2010 to 25.6.2010, vide application dated 31.5.2010, which she came to know, was not recommended, and her seniors also stopped entertaining any further leave application from her. The continued unavoidable compelling domestic circumstances prevented her from attending duty till 3.8.2011. However, on recovery of her parents from their ailment, she immediately resumed her duty on 4.8.2011 and has been attending duty regularly since then. She has submitted copies of medical records of her parents as her defence documents. In view of above, the CO has averred that her absence from duty for the period in question was legitimately due to compelling



from her. The continued unavailability compelling domestic circumstances prevented her from attending duty till 3.8.2011. However, on recovery of her parents from their sickness, she immediately resumed and unavoidable domestic circumstances, and not at all willful. She got leave duly sanctioned in advance for the period 18.3.2010 to 31.5.2010 and also applied for leave for the later period.

4.5 It is seen from Ex.S.1 that the CO vide her application dated 16.3.2010 applied for 15 days EL from 18.3.2010 to 1.4.2010, which was recommended and forwarded by the officer incharge. Ex.S.2 is an application dated 1.4.2010 for EL from 2.4.2010 to 1.5.2010 for 30 days of the CO, duly recommended and forwarded by officer incharge. She further applied for leave for 30 days from 2.5.2010 to 31.5.2010 vide application dated 30.4.2010 [Ex.S.3], which was also recommended and forwarded by the officer incharge. It is also seen from Ex.S.4 that the CO applied for 25 days EL w.e.f 1.6.2010 to 25.6.2010 on 31.5.2010, which was not recommended by the officer incharge. It is seen from Ex.S.5 that ANS Ortho OT informed the Chief Nursing Officer, AIIMS, about the absence of the CO since 1.2.2010, vide letter dated 30.6.2010. Vide Memo dated 29.11.2010 [Ex.S.6] the CO was informed by the AO, AIIMS, that she has been absenting from her duty without prior permission of the competent authority, and was directed to rejoin her duty immediately failing which action as deemed fit under the rules will be taken against her on account of unauthorized willful absence from duty. As the CO did not join her duty, vide memorandum dated 21.11.2010 [Ex.S.8] she was again directed to rejoin her duty immediately. Vide memos dated 30.4.2011 [Ex.S.9] and dated 30.6.2011 [Ex.S.10] she was again directed to join her duty immediately. However, both the memorandums were returned undelivered by the postal authorities.

SW-1, Mrs. S.B. Samuel, Chief Nursing Officer, AIIMS, in her deposition during inquiry has stated that as per Ex.S.5, the CO was absent from duty on 26.6.2010. However, she has joined the duty on 4.8.2010 and continuously working satisfactorily. SW-2, Mrs. Anamma Neelkantan, DNE, AIIMS, in her deposition has stated that the CO was required to join her duty on 26.6.2010, but she remained absent, and accordingly the matter was reported to CNO by her on 30.6.2010 for necessary action vide Ex.S.5.

The CO in her defence brief has stated that due to continued sickness of her parents and their deteriorating condition, and she being the only member in the family to look after them, had to apply for and was sanctioned leave for the period 18.3.2010 to 31.5.2010. As the condition of her parents was still not stable and they needed her continued care and presence with them, she had to apply for extension of leave from 1.6.2010 to 25.6.2010 vide application dated 31.5.2010, which she came to know, was not recommended, and her seniors also stopped entertaining any further leave application.



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from her. The continued unavoidable compelling domestic circumstances prevented her from attending duty till 3.8.2011. However, on recovery of her parents from their sickness, she immediately resumed her duty on 4.8.2011 and has been attending duty regularly since then. She has submitted copies of medical records of her parents as her defence documents. In view of above, the CO has averred that her absence from duty for the period in question was legitimately due to compelling and unavoidable domestic circumstances, and not at all willful. She got leave duly sanctioned in advance for the period 18.3.2010 to 31.5.2010 and also applied for leave for the later period.

From the above discussion of evidence, it is well established that the CO has remained absent w.e.f. 1.6.2010 without the prior sanction of the competent authority, as the earlier applications were applications, and hence that cannot construed to be absence without prior intimation/sanction. The CO has contended that due to illness of her parents, she remained on leave till they fully recovered, and in support of her contention she also submitted medical records of her parents [Ex-D.1 to D.11]. However, it is seen that in the applications for EL, she has mentioned the reasons as work at home/domestic work. Had this been the case, she could have appropriately mentioned the reason as illness of parents. Further, when the memorandum 29.11.2010, advising her to join duty immediately was issued, she was expected to report for duty and explained the reasons for not joining her duty (due to illness of her parents), but she has failed to do so. As such, the CO has remained on unauthorized absence from 1.6.2010 (as against 2.4.2010 mentioned in the article of charge) till she joined her duty on 4.8.2011. The contention of the CO is untenable, unconvincing and seems to be an afterthought, and hence unacceptable. The article of charge is therefore held as proved against the CO.

15

FICER

5. FINDINGS

Article of Charge

Held as proved.

*[Signature]*  
Rajinder Singh  
Retired Deputy Secretary (Dd), CVC  
Regulating Authority

New Delhi  
5/8/2010



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## ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-110029.

Dated the:-

No.F.17-88/2000-Estt. (H.)

ORDER

- 4 JAN 2014

WHEREAS disciplinary proceedings under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules 1965 were initiated against Ms. Sushil, Sister Grade-II vide memorandum of even number dated 15-09-2011 on the following article of charge:-

ARTICLE OF CHARGE

"That the said Ms. Sushil, while functioning Sister Grade-II in this Institute was willfully and unauthorisedly, absenting herself from duties w.e.f. 02-04-2010 without prior permission or sanction of leave to her by the competent authority. She was advised to report for duty immediately vide this office memo. of even number dated 29-11-2010, 21-01-2011, 30-04-2011 and 30-06-2011. But she had failed to comply with the order and continued to be absent from duty unauthorisedly without any valid reason. Thus she failed to comply with the order and continued to be remain absent from duty unauthorisedly without any valid reasons and in gross violation of orders.

Ms. Sushil, Sister Grade-II has, thus, failed to maintain absolute devotion to duty and is not amenability to discipline and has acted in a manner of unbecoming of an Institute employee thereby contravened Rule 3 (1) (ii) & 3 (1) (iii) of the C.C.S. (Conduct) Rules, 1964 as applicable to the employees of this Institute.

A statement of imputation of Misconduct or Misbehavior on which the article of charge was based together with a list of documents by which, and a list of witnesses by whom the charge was proposed to be sustained were also forwarded to her alongwith the aforesaid Memorandum of even No. dated 15-09-2011.

AND WHEREAS Ms. Sushil, Sister Grade-II denied the charge and hence an inquiry was ordered. Sh. Inder Singh, Retired Dy. Secretary/CDI, CVC, was appointed as the Inquiring Authority to inquire into the charge vide order of even number dated 12-11-2011. The Inquiry Officer conducted the Inquiry and submitted his report wherein the charge framed against Ms Sushil, Sister Grade-II was held as proved.

AND WHEREAS a copy of the Inquiry report was sent to Ms. Sushil, Sister Grade-II vide office memorandum dated 14-05-2013 and she was given an opportunity of making such submissions on the report of the inquiry as she desired. Her submission on the report of Inquiry were received vide her letter dated 28-05-2013. Ms. Sushil, Sister Grade-II again denied the charge and represented against

Cont.....2...



the finding of the Inquiry Officer. On careful consideration of the report of the inquiry Officer and other relevant facts of the case in the light of the submission made by Ms. Sushil, Sister Grade-II, the President, AIIMS, being Disciplinary Authority in exercise of the powers conferred by Rule 15 of the CCS(CCA) Rules, 1965 read with regulation 33(2) of the AIIMS regulation(as amended), 1999, now for good and sufficient reasons has decided to impose the major penalty as stipulated at (v) of Rule 11 of the CCS (CCA) Rules, 1965 i.e. "Salary is reduced to four times lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" on Ms. Sushil, Sister Grade-II which shall meets the ends of justice.

NOW THEREFORE, the President, AIIMS in exercise of the powers vested as the President, AIIMS in exercise of the powers conferred by Rule 15 of the CCS(CCA) Rules, 1965 read with regulation 33(2) of the AIIMS regulation, 1999 (as amended), hereby to impose the major penalty as stipulated at (v) of Rule 11 of the CCS (CCA) Rules, 1965 i.e. "Salary is reduced to four times lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" on Ms. Sushil, Sister Grade-II which shall meets the ends of justice.

A copy of this order may be added to the Confidential Rolls of Ms. Sushil, Sister Grade-II.

By orders and for & on behalf of the  
President & Disciplinary Authority

(ATTAR SINGH)  
CHIEF ADMN. OFFICER

Ms. Sushil, Sister Grade-II,  
Through: Chief Nursing Officer

AD  
06-01-14

Copy to:-

1. The Accounts Section II & III.
2. The Chief Nursing Officer.
3. A.C.Rs' dossier of the person concerned.
4. The dealing Assistant

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ESTABLISHMENT SECTION (HOSPITAL)  
ANSARI NAGAR, NEW DELHI-110029

No.F 17-88/2000-Estt.(H)

Dated the:

MEMORANDUM

17 NOV 2020

Subject: Regularization of period of absence - Ms. Sushil, Senior Nursing Officer at this Institute.

\*\*\*\*\*

In continuation of Order of even number dated 04.01.2014 vide which the penalty of "reduction to four times lower stage in the time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" was imposed on Ms. Sushil, Senior Nursing Officer (then Sister Gd-I) now re-designated as Nursing Officer, the period of her absence/unauthorized absence w.e.f. 01.02.2010 to 03.08.2011 is regularized as under:-

S.No.	Nature of Leave	No. of days	Period of leave
1.	Earned Leave	66 days	01.02.2010 to 07.04.2010
2.	Half Pay Leave	54 days	08.04.2010 to 31.05.2010
3.	Extraordinary Leave	429 days	01.06.2010 to 03.08.2011

This issues with the approval of the competent authority.

Ms. Sushil (N07040)  
Senior Nursing Officer, Main OT,  
Through: The Chief Nursing Officer

*[Signature]*  
[G. R. PILLAI]  
ADMINISTRATIVE OFFICER

O/L [Signature]  
16/11/2020

Copy to

- The Chief Nursing Officer
- The Accounts Section-II & III



333

Annexure-31

Annexure-15

(59)

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ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
(GENERAL SECTION)

IMMEDIATE

F.No. 2-1/2018-Genl. (GB-157)

Dated: 06.03.2019

EXTRACT FROM THE PROCEEDINGS OF 157<sup>TH</sup> MEETING OF THE GB (AIIMS) HELD ON 24.01.2019 AT 10:45 A.M. IN THE DR. RAMALINGASWAMI BOARD ROOM, AIIMS, NEW DELHI.

\*\*\*\*\*  
ITEM NO.GB-157/13

To consider the appeal of Mr. Deepak Katara, Ex-Sister Grade-II (Re-designated as Nursing Officer), AIIMS, New Delhi against the penalty of removal from service.

Governing body deliberated and rejected the appeal of Shri Deepak Katara.

ITEM NO.GB-157/14

To consider the appeal filed by Ms. Sushil, Sister Grade-II (Re-Designated as nursing officer), at the AIIMS, New Delhi against the penalty of Reduction of salary to four times lower stage in time scale for a period of four years.

Governing body deliberated and rejected the appeal of Ms. Sushil, Sister Grade-II.

Further action to implement the decision of the GB may kindly be initiated immediately under intimation to Dy. Director (Admin) and the undersigned on or before 22.03.2019 positively.

(Signature)  
Dy. Director (Admin)

(Signature)

PS to Dy. Director (Admin)



334

Annexure - 1450

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

No.F.17-88/2000-Estt.(H.)

Ansari Nagar, New Delhi-29

Dated the:

20 MAR 2019

MEMORANDUM

Subject: Appeal against the order No.F.17-88/2000-Estt.(H) dated 04.01.2014  
- Ms. Sushil, Sister Grade-II (Re-designated as Nursing Officer) at  
AIIMS Hospital, New Delhi.

\*\*\*\*\*

With reference to her letter dated 31.01.2014 on the subject cited above, Ms. Sushil, Sister Grade-II(Re-designated as Nursing Officer) is informed that her appeal against the order No.F.17-88/2000-Estt.(H) dated 04.01.2014 regarding the penalty imposed on her, i.e. "Salary reduced to four time lower stage in time scale for a period of four years, which shall ordinarily be a bar to the promotion during such period, but not after the said period and she will not earn the annual increment during these four years" was placed before the Governing Body in its meeting held on 24.01.2019. The Governing Body after considering the same, rejected the appeal.

  
(G.R. PILLAI)  
ADMINISTRATIVE OFFICER

Ms. Sushil, Nursing Officer(Main O. T.)  
Th: The Chief Nursing Officer





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०१०००००००००००  
I.I.M.S.

Annexure - 32  
Annexure - XXXII

Ref. from pre-page

335

The meeting of the Departmental Promotion Committee for 90 (08-U/R, 55-S/Caste and 30-S/Tribe) posts of Sister Grade-I in the pay scale of Rs.5500-9000 was held on 28<sup>th</sup> June, 2006 under the Chairmanship of Medical Superintendent at 2.45 P.M. in the office of the Medical Superintendent.

The Committee noted that requisite Bench Mark of the ACRs in this pay scale is "Good". One on the basis of grading accorded in the ACRs, the Departmental Promotion Committee recommend the following Sister Grade-II for promotion to the post of Sister Grade-I in the pay scale of Rs.5500-9000:-

Sr. No.	Name of the employee	Whether SC/ST/UR/OBC	Sr. No. in agenda	Recommended against the vacant post: U/R, S/C and S/T.
01.	Ms. Deepa Kumari P.T.	OBC	03	U/R
02.	Ms. Manmohan Kaur	OBC	04	U/R
03.	Ms. Indu Verma	OBC	05	U/R
04.	Ms. Sibimol K.A.	OBC	06	U/R
05.	Ms. Jayshree R. Ingola	OBC	07	U/R
06.	Ms. Jeeto	OBC	08	U/R
07.	Ms. Sajitha Saji (Nee T.P.)	OBC	09	U/R
08.	Mrs. Anila Dasan	OBC	10	U/R
09.	Ms. Rajani Prasad	S/Caste	138	S/Caste
10.	Ms. Lily Kerketta	S/Tribe	139	S/Tribe
11.	Ms. Shashi Mawar	S/Caste	140	S/Caste
12.	Ms. Savitri A. Singh	S/Caste	141	S/Caste
13.	Ms. Kalpita Chatterjee (Mandal)	S/Caste	143	S/Caste
14.	Ms. L.L. Haikhoneng Haokip	S/Tribe	144	S/Tribe
15.	Ms. Sujata Fatima Kerketta	S/Tribe	145	S/Tribe
16.	Ms. Manjula	S/Caste	146	S/Caste
17.	Ms. Rekha	S/Caste	147	S/Caste
18.	Ms. Gitali Biswas	S/Caste	148	S/Caste
19.	Ms. Luankholkhim (Thlawngate (Nee Seldou)	S/Tribe	149	S/Tribe
20.	Ms. Sushma Kumari	S/Caste	150	S/Caste
21.	Ms. Reena Kumari Gond	S/Tribe	151	S/Tribe
22.	Ms. Apama Bodhankar	S/Caste	152	S/Caste
23.	MS.SARITA ANGELA MINZ	S/T	155	S/Tribe
24.	MS.SUNITA DEVI	S/C	156	S/Caste
25.	MS.KRISHNA P. WANKHEDE	S/C	157	S/Caste
26.	MS.RAJNI LAKRA	S/T	158	S/Tribe
27.	MS.NIRMALA EKKA	S/T	159	S/Tribe
28.	MS.SINIJA RAJESH (RANI)	S/C	160	S/Caste
29.	MS.KIRTI PRAMOD THULKAR (MANIRAM JAGZAPE)	S/C	161	S/Caste
30.	MS.TAMANNA	S/C	162	S/Caste
31.	MS.PARAMJIT KAUR	S/C	163	S/Caste
32.	MS.JYOTI LAKRA	S/T	164	S/Tribe
33.	MS.BERNADETTA EKKA	S/T	165	S/Tribe
34.	MS.SABNAM LAKRA	S/T	166	S/Tribe
35.	MS.BINITA EKKA	S/T	167	S/Tribe
36.	MS.SANGITA VITHALRAO GADGE	SC	168	S/Caste
37.	MS.ANITA SUSHMA EKKA	S/T	169	S/Tribe
38.	MS.AGNES MINZ	S/T	170	S/Tribe
39.	MS.SUKO MINJ( Nee XALCO)	S/T	171	S/Tribe
40.	MS.SANGEETA NEGI	S/T	172	S/Tribe
41.	Ms. Karuna Suresh Chavan	S/Caste	173	S/Caste
42.	Ms. R.K. Nimrila	S/Tribe	174	S/Tribe
43.	Ms. Pushpa Ved	S/Caste	175	S/Caste
44.	MS.CHANDANA S. BANSOD	S/C	177	S/Caste
45.	MS.BABLI RANI	S/C	178	S/Caste

Contd ---



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Result

46.	MS.KIRAN SUMANTI LAKRA	S/T	179	S/Tribe
47.	MS.ISABELA LAKRA	S/T	180	S/Tribe
48.	MS.L.HJINGJAKIM HAOKIP	S/T	181	S/Tribe
49.	MS.ARCHANA (M. BODHANKAR) S.DAHAT	S/C	182	S/Caste
50.	MS.TEENA KUMARI	S/C	183	S/Caste
51.	MS.SUNITA SINGH	S/C	184	S/Caste
52.	MS.LOTIKA TOPNO	S/T	185	S/Tribe
53.	MS.DOMINICA TOPPO	S/T	186	S/Tribe
54.	MS.LALITA D. TIRKEY	S/T	187	S/Tribe
55.	MS.MARIJA GORETI KIRO	S/T	188	S/Tribe
56.	MS.USHA KIRAN	S/C	189	S/Caste
57.	MS.KAMAL KUMARI	S/C	190	S/Caste
58.	Ms. Meerja Kumari	S/Caste	191	S/Caste
59.	Ms. Rajwanti Kaur.	S/Caste	193	S/Caste
60.	Ms. Reena Duggal	S/Caste	194	S/Caste
61.	Ms. Ashu	S/Caste	195	S/Caste
62.	Ms. Shalina Vithal Wahane	S/Caste	196	S/Caste
63.	Ms. Manju	S/Caste	197	S/Caste
64.	Ms. Prabhajot Kora	S/Caste	198	S/Caste
65.	Ms. S.L. Konneineng	S/Tribe	199	S/Tribe

## Wait List

Sr. No.	Name of the employee	Whether SC/ST/UR/OBC	Sr. No. in agenda	Recommended against the vacant post: U/R, S/C and S/T.
01.	Ms. Jivan Lata Kumari	OBC	11	U/R
02.	Mrs. Mini Satheesh (Nee S.)	OBC	12	U/R
03.	Ms. Kamjilt Kaur	OBC	13	U/R
04.	Ms. Pushpa	OBC	14	U/R
05.	Ms. Bindhu Anil Kumar (Nee M.N.)	OBC	15	U/R
06.	Ms. Nirjala Kumari	OBC	16	U/R
07.	MS. SUNITA SHARMA (KUMARI)	OBC	17	U/R
08.	MS. LEELA VATI	OBC	18	U/R
09.	MS. TETARI KUMARI	OBC	19	U/R
10.	MS. SAROJ KUMARI	OBC	20	U/R
11.	MS. SANTOSH KUMARI	OBC	21	U/R
12.	MS. MANJU SHREE	OBC	22	U/R
13.	MS. BIMLA KUMARI	OBC	23	U/R
14.	MS. LINI GOPALAN	OBC	24	U/R
15.	Ms. Binu M.N.	OBC	25	U/R
16.	Ms. Shiny K.P.	OBC	26	U/R
17.	Ms. Laxmi Devi	OBC	27	U/R
18.	Ms. Anita Singh (Nee Roy)	OBC	29	U/R
19.	Ms. Sindhu C.S.	OBC	30	U/R
20.	Ms. Bindu K.V.	OBC	31	U/R

The committee noted that 52 vacant posts reserved for S/Caste of Sister Grade-I are available, out of which only 32 candidates have been recommended for promotion to the post of Sister Grade-I. Rest 20 posts reserved for S/Caste may be kept vacant due to non-availability of eligible candidates in the feeder grade.

The committee also noted that 30 vacant posts reserved for S/Tribe of Sister Grade-I are available, out of which only 25 candidates have been recommended for promotion to the post of Sister Gr.I. Rest 05 posts reserved for S/Tribe may be kept vacant due to non-availability of eligible candidates in the feeder grade.

The Committee also considered the candidature of Mrs. Meena Antony Rupwate (Sr. No.1), Ms. Rekha Shriram Kanwale (Sr. No.2), Ms. Lisha (Sr. No.28), Ms. Rajeshwari R (Sr. No.142), Ms. Anita Yash (Sr. No.153), Ms. Archana Chhanna Meshram (Sr. No.154), Ms. Taranjeet Kaur (Sr. No.176) and Ms. Sushil (Sr. No.192) and found them Unfit for





स्वास्थ्य विभाग (पदा प्रकोष्ठ)  
Est Section (Recd. Cell)  
क. सं. / S. No. 67/06  
दिनांक / Date 29/06/06

Contd. from pre-1000

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promotion to the post of Sister Grade-I as they were not fulfilling the requisite Bench Mark 'Good' of their ACRs.

The recommendations of the Departmental Promotion Committee which are placed in the file at Slip 'X' are submitted for approval of the Director please.

Submitted please.

29/6

29/6

Minutes of the DPC held  
Sr. Ad. (Recd.) on 28/06/2006 for the  
post of Sister Grade-I are  
placed at Slip 'X'.  
Submitted for approval.

29/06/06

निदेशक/Secretary  
Director Sec. (Recd. Cell) I.I.M.S.  
आवक संख्या / Diary No.  
दिनांक / Date

Director  
29/6/06

P. Kumar  
1/7/07

EDN 989  
29/6/06  
29/06

29/6/06

OSDR  
29/7/06  
Sh. Dandekar

Rebekah

For promotion order in respect of 65 sister grade-II for promotion to the post of Sister Grade-I in the pay scale of Rs. 5500-8200 is placed below for signatures please.

29/6/06

29/6/06

Sr. Ad. (Recd.)

29/7/06

OSDR

29/7/06

Sh. Dandekar

(103)

**MINUTES OF THE MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE FOR PROMOTION TO THE POST OF SISTER GRADE-I HELD ON 28<sup>TH</sup> MARCH 2007 AT 2.30 P.M. IN THE OFFICE OF THE MEDICAL SUPERINTENDENT, AIIMS.**

The following were present:-

- |   |   |                  |
|---|---|------------------|
| 1. Dr. D.K. Sharma<br>Medical Superintendent                | - | Chairman         |
| 2. Dr. P.N. Dogra<br>Professor of Urology                   | - | Member           |
| 3. Dr. M. Irshad<br>Professor of Lab. Medicine              | - | Member           |
| 4. Ms. Jasmin Pacheco<br>Chief Nursing Officer              | - | Member           |
| 5. Sh. S. Rangabashiam<br>Administrative Officer (Hospital) | - | Member Secretary |

Name of the Post	: Sister Gd-I
Pay Scale	: Rs. 5500-175-9000
Classification	: Group 'C'
Mode of Recruitment	: 100% by promotion
Grades from which promotion: is to be made & eligibility	: Sister Grade-II with 5 years of regular grade.
No. of Posts & reservation	: 60 (28-UR / 27-SC / 05-ST)

The committee noted that the requisite bench Mark of the ACR's in this pay scale is "GOOD". On the basis of the grading accorded in the ACR's. The Departmental Promotion Committee recommended the following Sister Gd-II for promotion to the post of Sister Gd-I in the pay scale of Rs. 5500-9000:-

S. No.	Sr. No. in the Agenda	Name of the Employee	The post reserved for
1.	2	Ms. Lisha	OBC
2.	3	MS. JAINY. BIJU (NEE P.K.)	OBC
3.	4	MS. PRATIMA KUMARI	OBC
4.	5	MS. MAHILAMANI MOHANA RAJAN	OBC
5.	6	MS. SUSHILA KUMARI	OBC
6.	7	MS. NEEELAM DEVI	OBC
7.	8	MS. PARVATI KUMARI	OBC
8.	9	MS. SHIJI Rajesh (MOL R.)	OBC
9.	10	MS. SUMA Sam Kumari (A.S.)	OBC
10.	11	MS. KAVITHA Rajan (N.K.)	OBC
11.	12	MS. SHIBI P.K.	OBC
12.	13	MS. SUSHMA Santosh (Nee T.K.)	OBC
13.	14	MS. SUMA K. KURIACHAN	OBC
14.	15	MS. BEENAMOL K.S.	OBC
15.	16	MS. SALY Sunil (K.R.)	OBC
16.	17	MS. LETHA ANAND (NEE P.J.)	OBC
17.	18	MS. SWAPNA N.S.	OBC
18.	20	MS. HEMA PURI (BISHT)	UR
19.	21	MS. SUNUMOL B	UR
20.	22	MS. Raghavan (Nee K. SRINITHYA)	UR
21.	23	MS. SARVAN KAUR	UR



22.	24	MRS.KIRAN SINGH (RAJPUT)	UR
23.	25	MS.ADITI SINHA	UR
24.	26	MS.JEEÑAMMA JAMES	UR
25.	27	MS.BILSY BABY(NEE JAMES)	UR
26.	28	MS.MARIEL SEBASTIAN	UR
27.	29	MS.ALPHONSA JOSE	UR
28.	240	MS. NEELIMA KUMARI	SC
29.	241	MS. BEEÑA RAJU @	SC
30.	242	MS. ANITA SUREN	ST
31.	243	MS. SUNITA DEVI	SC
32.	244	MS. B.VIJAYALAKSHMI	SC
33.	245	MS. RANJANA TOPNO	ST
34.	246	MS. NEERU BALA	SC
35.	247	MS. RENJU BALA	SC
36.	248	MS. AHILYA KUMARI	SC
37.	249	MS. POONAM	SC
38.	250	MS. RITU PRASAD	ST
39.	251	MRS. LIZA C.L.	SC
40.	252	MS. NANDINI G.CHAUHAN	SC
41.	253	MS. ALICE BHATIA	ST
42.	254	MS. PUSHPA	SC
43.	255	MS. R.K.COSMIA	ST
44.	257	MS. ARCHANA SINHA	SC
45.	258	MS. ANITA SAHA	SC
46.	259	MS. RENJU	SC
47.	260	MS. MANJUSHA NATHUJI WASNIK	SC
48.	261	MS. SEEMA Jassal( KALSI )	SC
49.	262	MS. TUMPA DAS	SC
50.	264	MS. POONAM BEWAL	SC
51.	266	MS. SANGHAMITRA BEHERA	SC
52.	267	MS. RAJNI	SC
53.	268	MS. MANDE SUMITRA RADHEYSHYAM	SC
54.	270	MS. SAMUEL MASIH	SC
55.	275	MS. ASHA	SC
56.	276	MS. PINKY,	SC

The Committee also considered the cases of the following candidates.

**Ms. Meena Antony Rupwate (Sr. NO-1):-** The committee noted that the official is under suspension since August 94. As per rules with regard to promotion, 5 ACR's are to be considered by Departmental Promotion Committee. But in her case two years ACR's present. Hence, the Departmental promotion Committee did not consider her for promotion to the post of Sister Gd-I.

**Ms. Lisha (Sr. No-2):-** The committee noted that she has overall grading "Average" in her ACR's for the year 2003-04. However the committee gone through all the individual columns and observed that all the columns have grading "Good" but she has been given overall grading "Average". Therefore, the committee judged that there seems to be injustice with her. As such Departmental Promotion Committee recommended her promotion to the post of Sister Gd-I.

The committee also considered the candidature of Ms. Rajeshwari R (Sr. No 189), Ms. Anita Yash (Sr. No 190), Ms. Archana Chhanna Meshram (Sr. No 191) and Ms. Sushil (Sr. No-193) but did not find them "FIT" for promotion to the post of Sister Gd-I.

The committee also considered the candidature of Ms. Shima (Sr. No-19), Ms. Taranjeet Kaur (Sr. No.192), Ms. Prabhajot Kora (Sr. No. 194) and Ms. Sindhu P.N. (Sr. No.-269), but the decision of Departmental Promotion Committee in their cases have been kept in sealed cover, as disciplinary case is pending against them.

The committee also recommended that the following candidates may be kept on waiting list :-

S. No.	Sr. No. in the Agenda	Name of the Employee	Whether SC/ST/UR/OBC	Remarks
1	30	MS.SUNI THOMAS	UR	Subject to clearance of Disciplinary case
2	31	MRS.BINDU SHAJU.(NEE K.)	UR	
3	32	MS.SANGEETA R SINGH	UR	
4	33	MS.NEELAIMA SINGH	UR	
5	34	MS.LEENAMMA ABRAHAM	UR	
6	35	MS.KAVITA MASIH	UR	
7	36	MS.SHUJA ANTONY	UR	
8	37	MS.ROSE MARY CHERIAN	UR	
9	38	MS.JOLLY JOHN	UR	

**Ms. Suni Thomas (Sr. No -30):-** The committee considered her case and the decision in her case has been kept in sealed cover as disciplinary case is pending against her.

(Member)

(Member)

(Member)

S. Rangobashian  
(Member Secretary)

(Chairman)





सत्यमेव जयते धर्मस्योपरमम्  
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A.I.I.M.S.

MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION  
COMMITTEE FOR PROMOTION TO THE POST OF SISTER GD-I  
ON 13-05-2010 AT 4.00 P.M. IN THE MEDICAL SUPERINTENDENT  
OFFICE, AIIMS

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The Following were present:-

1	Dr. D.K.Sharma Medical Superintendent (Hospital)	:	Chairman
2	Prof. V.K.Paul HOD, Deptt. of Paediatrics	:	Member
3	Ms. A. Qureshi Lecturer, College of Nursing..	:	Member
4	Ms. Shashi Kapil Chief Nursing Officer	:	Member
5	Mrs. C.E. Peter Paul Nursing Superintendent	:	Member
6	Ravi Chauhan Administrative Officer	:	Member - Secretary

Name of the Post : Sister Gd-I  
Classification : Group 'B'  
Pay Scale : Rs.9300-34800 with grade pay Rs. 4800  
Method of Recruitment : 100 % by Promotion  
Grade from which promotion is to be made and eligibility : Sister Gd-II with 5 years of regular service in the grade.  
No. of Post : 130 (UR-100, SC-16, ST-14)  
11 (Anticipated UR-5, SC-3, ST-3) as per details given below:-

w.e.f. 01.04.2010 (UR)  
w.e.f. 01.05.2010 (ST)  
w.e.f. 01.05.2010 (UR)  
w.e.f. 01.05.2010 (ST)  
w.e.f. 01.05.2010 (SC)  
w.e.f. 01.06.2010 (SC)  
w.e.f. 01.06.2010 (ST)  
w.e.f. 01.07.2010 (UR)  
w.e.f. 01.07.2010 (SC)  
w.e.f. 01.07.2010 (UR)  
w.e.f. 01.07.2010 (UR)

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The Committee noted that requisite Bench Mark of the ACRs in this pay scale is On the basis of grading accorded in the ACRs, the Departmental Promotion Comm. recommend the following Sister Gd-II for promotion to the post of Sister Gd-I in the pay scale of Rs.9300-34800 with grade pay Rs. 4800 w.e.f. 13.05.2010 , the date of Departmental Promotion Committee held:-

Sr. No.	Sr. NO. in the Seniority List	Name of the Candidates	Wheth er SC/ST/ UR	Fit / Unfit	Recomm ended against the vacant post	Remarks
1	2	MS.SANGEETA R SINGH	UR		UR	
2	3	MS.NEELAIMA ROHIT MICHAEL	UR		UR	
3	4	MS.LEENAMMA ABRAHAM	UR		UR	
4	5	MS.KAVITA MASIH	UR		UR	
5	6	MS.SHUJA JOJI (ANTONY)	UR		UR	
6	7	MS.ROSE MARY LALU (NEE CHERIAN)	UR		UR	
7	8	MS.JOLLY JOHN	UR		UR	
8	9	MS.ANNAMMA BIJU	UR		UR	
9	10	MS.BETTY MARIA BINU (NEEJOSEPH)	UR		UR	
10	11	MS.CHINNAMM A P GEORGE	UR		UR	
11	12	MS.ROSAMMA PRINCE	UR		UR	
12	13	MS.NEELAM KHATRI	UR		UR	
13	14	MS.MOLLY KUTTY JAIN	UR		UR	
14	15	MS.BINCY BENNYEHEN	UR		UR	
15	16	MS.DAISY GEORGE (ABRAHAM)	UR		UR	
16	17	MS.DEEPA	UR		UR	
17	18	MS.REKHA PRADHAN (SARDANA)	UR		UR	
18	19	MS.SHARMISTH A DAS	UR		UR	
19	21	MS.DARLY ANTONY(NEE JOSEPH)	UR		UR	
20	22	MS.DOLLY THOMAS	UR		UR	





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20	22	DOLLY THOMAS	UR	UR
21	23	MS.MEENA JOSHY (JOSEPH)	UR	UR
22	24	MS.SUNITA R. BENJAMIN	UR	UR
23	25	MS.RENUKA E. MASSY	UR	UR
24	26	MS.PRATIMA N. DASS	UR	UR
25	27	MS.GIGI MOL TOMY (NEE JOSE)	UR	UR
26	28	MS.GIJIMOL THOMAS (AUGUSTINE)	UR	UR
27	29	MS.GBETA ARORA	UR	UR
28	30	MS.MEENALI BHARDWAJ	UR	UR
29	31	MS.MARY SAJI (N.ABRAHAM)	UR	UR
30	32	MS.SANGBETA PETER	UR	UR
31	33	MS.C.VASUNDH ARA	UR	UR
32	34	MS.SHBBBA MOL (CHERIAN) THOMAS	UR	UR
33	35	MS.MINI RAJI	UR	UR
34	36	MS.ANCY MARTIN	UR	UR
35	37	MS.BINDHU JOHN(PAPPACH AN)	UR	UR
36	38	MS.REBECCA ROBERT	UR	UR
37	39	MS.KUMARI LATHIKA R (OMANA KUTTAN)	UR	UR
38	40	MS.ROOPI R. KUMAR	UR	UR
39	41	MS.BINDU BASIL (NBE P. JOSEPH)	UR	UR
40	42	MS.SUMAN LUTHRA	UR	UR
41	43	MS.ALKA VAISHY	UR	UR
42	44	MS.JAYASRI DEY(TALUKDAR)	UR	UR
43	45	MS.SHBELAMMA SHIBU (NEE CHACKO)	UR	UR
44	46	MS.SHEENA VERGHESE(K.JO HN)	UR	UR

45	47	MS.BEENA JOSE	UR		UR
46	48	MS.NEERUPMA WILKINSON	UR		UR
47	49	MS.MAYAMOL SABU (NEE MATHEW)	UR		UR
48	50	MS.REGI THOMAS (NEE AUGUSTINE)	UR		UR
49	51	MS. SIBY BIJU (NEE P.K.)	UR		UR
50	52	MS.LEENA TOMY (KURIAN)	UR		UR
51	53	MS.JOLLY JACOB (NEE THOMAS)	UR		UR
52	54	MS. NEETU VERMA (NEE SINHA)	UR		UR
53	55	MS.BEENA ACHANKUNJU (NEE RAJAN)	UR		UR
54	56	MS.ROSEMARY BABU (MATHEW)	UR		UR
55	57	MS.SINDHU BENOI K. TOM (JAMES)	UR		UR
56	58	MS.TESSY JOSEPH (GEORGE)	UR		UR
57	59	MS. DOLLY SHIBU (NEE MOL K)	UR		UR
58	60	MS.SWARNALAT A GILL	UR		UR
59	61	MS.SUJA THOMAS (MATHEW)	UR		UR
60	62	MS.LISSY PAULOSE	UR		UR
61	63	MS.BIBY JOSEPH	UR		UR
62	64	MS.SARAMMA VARGHESE (LALU)	UR		UR
63	65	MS.MINIMOL A.V.	UR		UR
64	66	MS.REENAMOL ANTONY	UR		UR
65	67	MS.MAYA V. NAIR (NEE DEVI P.N.)	UR		UR
66	68	MS.JESSY THOMAS	UR		UR
67	69	MS.SHAILA SHEJI (PHILIP)	UR		UR





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68	70	MS.CHRISTINA AUGUSTINE (NEE MATHEW)	UR	UR
69	71	MS.DENCY MOL AUGUSTHY	UR	UR
70	72	MS.ALEXYAMA SAJI (NEE SKARIA)	UR	UR
71	73	MS.BIJU LUKOSE SHIBI	UR	UR
72	74	MS.BINDU JOSES	UR	UR
73	75	MS.SIJI SOJAN (NEE P. MANUEL)	UR	UR
74	76	MS.MARIAMMA RAJU	UR	UR
75	77	MS.KOCHURANI SIBI(GEORGE)	UR	UR
76	78	MS.SEBNA REGI (KURIAN)	UR	UR
77	79	MS.JOLLY SANTOSH(ISSAC)	UR	UR
78	80	MS.POONAM CHAUHAN(KUM ARI)	UR	UR
79	82	MS.MAYA SIVANAND(NEE P)	UR	UR
80	83	MS.SHEEBA MARTIN(K.GEOR GE)	UR	UR
81	84	MS.GEETA PANDEY (NEE PATHAK)	UR	UR
82	85	MS.ANCY REJU	UR	UR
83	86	MS.SARASWATH I AMMA N.K.	UR	UR
84	87	MS.SUJA THACHERAYIL	UR	UR
85	88	MS.MINIMOL K.K. ( BALA KRISHANAN )	UR	UR
86	89	MS.CIJI M JOSEPH	UR	UR
87	90	MS.REGI JIJU (P VERKEY)	UR	UR
88	91	MS.PRINCY ALFONSA THOMAS (NEE JOSE)	UR	UR
89	92	MS.JESSY PRINCE (JOSEPH)	UR	UR
90	93	MS.SAPNA TRACY	UR	UR

91	94	MS.HEMA NEGI	UR		UR
92	95	MS. HISSY CHACKO (VARGGHESE)	UR		UR
93	96	MS.LEENA BEJOJ (NEE JOSEPH)	UR		UR
94	97	MS.ROSHAN CECIL (JOHN)	UR		UR
95	99	MS.MOLLY KUTTY MATHEW	UR		UR
96	100	MS.BILSY SIMON(JOSEPH)	UR		UR
97	101	MS.LISBY BENNY (NEE KURIAKOSE)	UR		UR
98	102	MS.BINU M. ANIL (P.EAPEN)	UR		UR
99	103	MS.JINCY BIJU (K GEORGE)	UR		UR
100	104	MS.DAISY WILSON(NEE C.M)	UR		UR
101	137	MS. Rita S. Naik	SC		SC
102	146	MS.RAJESHWARI MASIH (NEE R)	SC		SC
103	148	MS.ARCHANA CHHANNA MESHRAM	SC		SC
104	198	MS. KIRAN SHEELA (NEE KERKETTA)	ST		ST
105	200	MS. MARYJONE LALROSIBM	ST		ST
106	201	MS. BALA GEORGE LOBO (NEE H.MAIDA)	ST		ST
107	203	MS. GULAB MINJ (XALXO)	ST		ST
108	204	MS. MANJULA SUSHILA SAH (NEE KERKETTA)	ST		ST
109	205	MS. MARIA GRACE SINGH	ST		ST
110	206	MS. ANITA MANJULA TOPNO	ST		ST
111	207	MS. KIRAN KUMARI (NEE KAMAL)	SC		SC
112	208	MS. RITU BHAWNA HARISON (NEE GEORGE)	ST		ST
113	209	MS. REKHA RANI	SC		SC



5.	109	MS. JOSSY JOHN (Nee Paul)	UK		UR	347
6.	223	MS. RUTH NGAIH LUN	ST		ST	1-1
7.	227	MS. RACHEL ZELIANG	ST		ST	
8.	228	MS. LALSIENTLING	ST		ST	
9.	231	MS. SHRABANI MONDAL	SC		SC	
10.	235	MS. RAJNI	SC		SC	
11.	238	Ms. Sonu Rani	SC		SC	

The Departmental Promotion Committee also considered the candidature of Mrs. Meena Antony Rupwati (Sr. No.-1), Mrs. Shainy Antony (Sr. No. 20), Mrs. Mini Saji (Sr. No. 81), Mr. Joseph Simon (Sr. No. 98), Ms. Anita Yash (Sr. No. 118) and Ms. Sushil (Sr. No. 151) and found them Unfit for promotion to the post of Sister Gd-I as they were not fulfilling the requisite bench Mark "Good" in their ACRs..

MEMBER

  
MEMBER

MEMBER



MEMBER



MEMBER-SECRETARY

  
CHAIRMAN



2014

**348 RECRUITMENT CELL**

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A.I.I.M.S.

**Subject: Recommendations of Departmental Promotion Committee for promotion to the post of Sister Grade-I at the AIIMS, New Delhi.**

The meeting of the Departmental Promotion Committee for 90 posts i.e. UR-66, SC-16 and ST-08 of Sister Grade-I in the Pay Band-II of Rs.9300-34800 plus grade pay of Rs.4800/- was held under the Chairpersonship of Medical Superintendent, AIIMS on 07.11.2014 at 2.30 P.M.

The summary of the recommendations of the Departmental Promotion Committee for the post of Sister Grade-I are as under:-

At the outset it was ascertained that none of the persons under consideration for this DPC is related to any of the members of the DPC.

The DPC was informed that while it needed to consider fresh promotion to the grade of Sister Grade-I against 90 vacancies, it also needed to partially review the recommendations of the DPC meetings held on 05.05.2000, 01.05.2001, 02.08.2005, 28.06.2006 and 28.03.2007 so far as it relates to Ms. Meena Antony Rupwate due to the reason that DPC procedures enumerated in DOP & T.O.M. No. 22011/5/86-Estt. (D) dated 10<sup>th</sup> April, 1989 as amended from time to time and DOP & T.O.M. No. 22011/4/91-Estt. (A) dated 14<sup>th</sup> September, 1992 had not been followed as may be seen from the below mentioned table:-

Sr. No.	Date of DPC	Recommendation of DPC	Reason mentioned by DPC	DOP & T Instructions which have not been followed
1	05.09.2000	Unfit	Due to termination/ resigned/voluntary Retirement/unauthorized absence	Ms. Rupwate was under suspension w.e.f. 07.08.1994 which was revoked on 23.06.2007. As per DOP & T O.M dated 14.09.1992, the recommendation of DPC in respect of a person under suspension should have been kept in sealed cover. Moreover, as per para 11.2 of DOP & T.O.M. dated 10.04.1989, the DPC is required to assess the suitability of such person without taking into account the disciplinary case/Criminal prosecutions pending.
2	01.05.2001	Unfit	Unauthorized absent/pending disciplinary action	-DO-
3	02.08.2005	Unfit	Due to being under suspension	-DO-
4	28.06.2006	Unfit	Not meeting the benchmark	The recommendation should have been kept in sealed cover. Moreover, the only two available ACRs (1992-1993 and 1993-1994) contain 'Good' grading. Hence can not be said to be not meeting the benchmark. As per DOP & T.O.M. No. 22011/5/86 Estt. D dated 28.06.1989, in case the required number of ACRs are not available, the DPC should take into account all the available ACRs only.
5	28.03.2007	Unfit	Official under suspension only 02 ACRs available	-DO-

The DPC was further informed that due to the reasons mentioned above, it has been decided that the recommendations of DPC as mentioned above may be reviewed so far as it relates to Ms. Rupwate.

The DPC was also informed that the minimum benchmark prescribed for the post of Sister Grade-I is 'Good'.

Accordingly the DPC considered the candidature of Ms. Rupwate based on her all available ACRs (1992-1993 and 1993-1994) and recommend her for promotion w.e.f. 15.07.1998 the date of promotion of Ms. Manjima John who was her immediate junior on notional basis and actual benefits from the date of revocation of suspension i.e. 23.06.2007.



The DPC also considered the candidature of persons from SR. No. 02 to onwards in the agenda of the remaining 89 vacancies of Sister Grade-I. On the basis of the ACRs of the relevant period the Departmental Promotion Committee recommends the following Sister Grade-II for promotion to the post of Sister Grade-I in Pay Band-2 of Rs. 9300-34800 + Grade Pay of Rs. 4800/-

Sr.No	Sr.No. In agenda	Name	Category	
1.	2.	MS. Mini Mol Gomes (Sebastian)	UR	
2.	3.	MS. JOSSY JOHN (Nee Paul)	UR	
3.	4.	MS. SOFIA K.	UR	
4.	5.	MS. SJI: MONCY (MARV JOSEPH)	UR	
5.	6.	MS. JESSY BIJI MENCHERY (MATHEW PAVYAPILLIL)	UR	
6.	7.	MS. GINI JIBY (NEE KURIAN)	UR	
7.	8.	MS. SHARLY DASS	UR	
8.	9.	MS. SHILAMMA JAISON (NEE MICHAEL)	UR	
9.	10.	MS. JESSY TOMSON (NEE JOSEPH)	UR	
10.	11.	MS. ARCHNA SINGH	UR	
11.	12.	MS. GEETHAMMA BABU	UR	
12.	13.	MS. SEEMA SHARMA	UR	
13.	14.	MS. SHARANJEET KAUR	UR	
14.	15.	MS. ISSY JOSY (VERGESE)	UR	
15.	16.	MS. MARY REJ	UR	
16.	17.	MS. BINDHU (PHILIP) VERGESE - II	UR	DPC recommended her for promotion subject to vigilance clearance on submission of APRs
17.	18.	MS. BINDHU SAJI (JOSEPH)	UR	
18.	19.	MS. NEELAJA	UR	
19.	20.	MS. ANIE IOJI	UR	
20.	21.	MS. GINE MOL BENNY	UR	
21.	22.	MS. DAISY JOMAN (THOMAS)	UR	
22.	23.	MS. SUJA JOMAN JACOB	UR	
23.	24.	MS. SHIJIMOL JOSEPH (SHIJI SHIBU)	UR	
24.	25.	MS. GINIMOL BIJU (THOMAS)	UR	
25.	26.	MS. SUJA (SHIVA)	UR	
26.	27.	MRS. SANJU KUMARI	OBC	
27.	30.	MS. RISHNA NATH	OBC	
28.	31.	MS. JAYA SANKAR (NEE NAG)	OBC	
29.	32.	MS. ANITA SINGH	OBC	
30.	33.	MS. MANJIT KAUR	OBC	
31.	34.	MS. KABITA SAHOO (NEE NAYAK)	OBC	
32.	35.	MS. AMBILI (NEE S. SANKER)	OBC	
33.	36.	MS. SMITHA NATH'S	OBC	
34.	37.	MS. BINDHU AJITH (NEE R.K.)	OBC	
35.	38.	MS. SMITHAMOL BALANANDAN	OBC	
36.	39.	MS. AGNIMOL V. SWAN	OBC	
37.	40.	MS. KUSUM RANI	OBC	
38.	41.	MS. PROMILA KUMARI	OBC	
39.	42.	MS. SALMA	OBC	
40.	43.	MS. SREEDevi SUBHAS (NEE T.G.)	OBC	
41.	44.	MS. SANTOSH CHOUDHARY	OBC	DPC recommended them for promotion subject to vigilance clearance on submission of APRs
42.	45.	MS. WINCY A. AUGUSTIN (NEE JOSE)	OBC	
43.	46.	MS. BINDU K.R. (NEE AJITH)	OBC	
44.	47.	MS. BINDU SHAIBY (NEE K.)	OBC	
45.	48.	MS. NIRMALA KUMARI	OBC	
46.	49.	MS. BEENA ANIL (NEE K.K.)	OBC	
47.	50.	MS. USHA RANI	OBC	
48.	51.	MS. AMERICA KUMARI	OBC	
49.	52.	MS. NIGAR AFROZ	OBC	
50.	53.	MS. BINDU SHIJI (NEE N.C.)	OBC	
51.	54.	MS. RANJU KUMARI	OBC	DPC recommended them for promotion subject to vigilance clearance on submission of APRs outcome of their vigilance clearance
52.	55.	MS. JESSY P.G. (NEE LAWRENCE)	OBC	
53.	56.	MS. SMITHA (K. RAJ) SAJEEV	OBC	DPC recommended her for promotion subject to vigilance clearance on submission of APRs
54.	57.	MS. MARY KUTTY P.P. (NEE BABY)	OBC	
55.	58.	MS. AMBILI K.C.	OBC	DPC recommended her for promotion subject to vigilance clearance on submission of APRs
56.	59.	MS. RITA KUMARI	OBC	
57.	60.	MS. NEELAM RANI	OBC	
58.	61.	MS. SAROJINI KUMARI	OBC	





59.	62.	MS. REKHA SINHA	OBC	
60.	63.	MS. KRISHNA KUMARI S.	OBC	
61.	64.	MS. JASMEEN BERNARD	OBC	
62.	65.	MS. ARCHANA SINHA	OBC	
63.	66.	MS. RUSHMA AMIT B. (OTSA)	OBC	
64.	67.	MS. PARVEEN VICTOR	OBC	
65.	68.	MS. SHANTY SEBASTIAN	OBC	
66.	69.	MS. SAMUEL MASIH	SC	
67.	70.	MS. BOWANG LOMALA ROY	ST	
68.	71.	MS. VIKESONU KHEVA	ST	
69.	72.	MS. NOAHBOI SINGSIT	ST	
70.	73.	MS. RHOL NEILRAILHOUVUM	ST	
71.	74.	MS. MARIAM TOPPO	ST	
72.	75.	MS. BROTI KESS	ST	
73.	76.	MS. JESSWANILAL ROVI	ST	
74.	77.	MS. TENOSHUNDI ZITA	ST	
75.	78.	MS. RENU BALA	SC	
76.	79.	MS. MEENA KUMARI (NEE DEO)	SC	
77.	80.	MS. RITAKUMARI	SC	
78.	81.	MS. KALAPANA SHENDE (NEE JENDER BORKAR)	SC	DPC recommended them for promotion subject to vigilance clearance on submission of APRs
79.	82.	MS. SMITA PRINCE SONTAKKE (NEE K. GAWANDE)	SC	
80.	86.	MS. SUSHEELA PRASAD (KUMARI)	SC	
81.	87.	MS. CHARULATA VINDO KUMARI (NEE D. BHAMBORE)	SC	
82.	88.	MS. SHEELA DAS	SC	
83.	89.	MS. PREETI KUMARI	SC	
84.	90.	MS. KUSUM LATA SINGH	SC	
85.	91.	MS. RANJHAN ROHIT SAINI (K Godhate)	SC	
86.	92.	MS. SONALI H. PATIL (NEE S. MESHRAM)	SC	
87.	93.	MS. SHUBH LATA MASSEY	SC	
88.	94.	MS. USHA KUMARI	SC	DPC recommended her for promotion subject to vigilance clearance on submission of APRs
89.	95.	MS. SHANTI MAHTO (NEEK)	SC	

वर्तमान संविधान (संशोधन) के अंतर्गत  
 Elect. Secy. (A) के अंतर्गत  
 16/11/14  
 8/11/14

The Departmental Promotion Committee also considered the candidature of Ms. Anita Mash (Sr. No. 28 in the Agenda). However, considering that her ACR for the year 2006-2007 and 2007-2008 contain below benchmark grading, the DPC did not recommend her for promotion.

The Departmental Promotion Committee also considered the candidature of Ms. Sushil (Sr. No. 29) in the Agenda) on whom a penalty of salary reduction to four time lower stage in the time scale for a period of 4 years which shall ordinarily be a bar to the promotion has been imposed. Therefore the DPC did not recommend her for promotion.

The minutes of the Departmental Promotion Committee is enclosed.

The post of Sister Grade-I is a Group 'B' post. The President, AIIMS is the Competent Authority for appointment/promotion to Group 'B' posts at this Institute.

Accordingly, the recommendations of the Departmental Promotion Committees for promotion to the post of Sister Grade-I is submitted for approval of the President, AIIMS, as per the note is put up below for approval and signature of the Director, AIIMS please.

Recd 07.11.14  
 S. A. O.  
 8.11.14

Director  
 08/11/2014  
 11.11.14  
 M. R. Sharma

RECEIVED  
 08 NOV 2014  
 3039327  
 10 NOV 2014  
 RECEIVED  
 DIRECTOR OFFICE, AIIMS



Reference President approval on F.R

The F.R. is a approval of the President, AIMS to the recommendation of the Departmental Promotion Committee meeting held on 7th November, 2014 at 2.30 P.M. in the office of the Medical Superintendent for the post of Sister Grade-I in the Pay Band-2 of Rs. 9300-34800+Grade Pay of Rs. 4800 wherein total 90 (UR-66, SC-16, & ST-08) Sister Grade-II have been recommended for promotion to the post Sister Grade-I including Mrs. Meena Antony Rupwate who was recommended by the DPC for promotion w.e.f. 15.07.1998 the date of promotion of Ms. Mariamma John who was her immediate junior, on notional basis and actual benefits from the date of revocation of her suspension i.e. 23.06.2007.

The Vigilance clearance in r/o of SK No. 16, 40, 41, 50, 51, 53, 55, 78, 79 and 88 has already received from the Vigilance Cell, which may kindly be seen at slip 'X' and 'Y'.

In view of the above, if approved, fair promotion letter in respect of Ms. Meena Antony Rupwate, promotion from the date of revocation of her suspension i.e. 23.06.2007 and 89 other Sister Grade-II to the post of Sister Grade-I in the pay scale of Rs. 9300-34800+Grade Pay of Rs. 4800 from the date they assume the charge of the post, are placed below for signature please.

Res  
25-11-14

o/s  
25/11/14

S.A.O.

U  
25-11-14

OS





अभ्यास  
A. I. I. M. S.

**RECRUITMENT CELL**

**352**

**Subject: Recommendations of Departmental Promotion Committee for promotion to the post of Sister Grade-I at the AIIMS, New Delhi.**

③ \*\*\*\*\*

The meeting of the Departmental Promotion Committee for 29 posts i.e. UR-23, SC-04 and ST-02 of Sister Grade-I in the Pay Band-II of Rs.9300-34800 plus grade pay of Rs.4800/- was held under the Chairpersonship of Medical Superintendent, AIIMS on 15.12.2014 at 4:00 P.M.

The summary of the recommendations of the Departmental Promotion Committee for the post of Sister Grade-I are as under:-

The Departmental Promotion Committee noted that the Bench Mark with regard to post in this Pay Band-II of Rs.9300-34800 + Grade Pay of Rs.4800/- is 'GOOD'. On the basis of the ACRs of the relevant period the Departmental Promotion Committee recommends the following Sister Grade-II for promotion to the post of Sister Grade-I in Pay Band-II of Rs.9300-34800 + Grade Pay of Rs.4800/-:-

Sr. No.	Sr. No. In agenda	Name	Category	Remarks
	3	MS. KAISA ADANI KAJEO	ST	FIT ✓
2.	4	MS. L. (N.) LAMNGAIHOHING	ST	FIT ✓
3.	5	MS. ANITA TOPPO (NEE TIGGA)	ST	FIT ✓
4.	6	MS. MAHIMA KUMAR	ST	FIT ✓
5.	7	MS. DIMPAL SAGAR (BELLA)	ST	FIT ✓
6.	8	MS. LOMINAMINGTHOJAM	SC	FIT ✓
7.	9	MS. NEMNEIKIM KIPGEN	ST	FIT ✓ ST
8.	10	MS. TARA MARTHA (NEE KATIYAR)	SC	FIT ✓
9.	11	MS. KIRAN BALA	SC	FIT ✓
10.	12	MS. NAMITA DEBNATH (NEE HALDER)	SC	FIT ✓
11.	13	MS. SUPARNA DAY SARKAR (SANTRA)	SC	FIT ✓
12.	14	MS. AADAPHO	ST	FIT ✓
13.	15	MS. ROSILAYANGPI SERTO	ST	FIT ✓
14.	16	MS. RAJANI KS. (NEE SH. LAJ)	SC	FIT ✓
15.	17	MS. N. NAROKALA AO	ST	FIT ✓
16.	18	MS. HARIET MRIDULA KUJUR	ST	FIT ✓
17.	19	MS. MANJU	SC	FIT ✓
18.	20	MS. SWETA (ABHIMANU WASE)	SC	FIT ✓
19.	21	MS. RILABRUAT KIMIT	ST	FIT ✓
20.	22	MS. PREMABHUJANGOMI	SC	FIT ✓
21.	23	MS. NITUMANISH BONDHATEYK (BORKAR)	SC	FIT ✓
22.	24	MS. SUREKHA DAMA RAMKETE	SC	FIT ✓
23.	25	MS. L. HOILCHIN M	ST	FIT ✓
24.	26	MS. UJAWALA (WANKHADE) SHYAM PADGHAN	SC	FIT ✓
25.	27	MS. SENTIMONGLA	ST	FIT ✓
26.	28	MS. ASRITAMINJ	ST	FIT ✓
27.	31	MS. PANCHSHILA VANJARI	SC	FIT ✓
28.	48	MS. BABITA	SC	FIT ✓
29.	49	MS. ANITA	SC	FIT ✓

The Departmental Promotion Committee also considered the candidature of Ms. Anita Yash (Sr. No. 01 in the Agenda). However, considering that her ACR for the year 2006-2007 and 2007-2008 contain below benchmark grading, the DPC did not recommend her for promotion.

The Departmental Promotion Committee also considered the candidature of Ms. Sushil (Sr. No. 02 in the Agenda) on whom a penalty of salary reduction to four (4) times overstage in the time scale for a period of 4 years, which shall ordinarily be a bar to the promotion has been imposed. Therefore, the DPC did not recommend her for promotion.



P. 2/14

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20/12/14

The minutes of the Departmental Promotion Committee, enclosed

The post of Sister Grade-I is a Group 'B' post. The President, AIIMS is the Competent Authority for appointment/promotion to Group 'B' post at this Institute.

Accordingly, the recommendations of the Departmental Promotion Committee for promotion to the post of Sister Grade-I is submitted for approval of the President, AIIMS, as per the note is put up below for approval and signature of the Director, AIIMS please.

Section (Cell)  
S. No. 17/14

Rose  
15-12-14

DPC for promotion to the post of sister Grade-I was held on 15.12.2014. Minutes of the meeting are placed below. A note containing recommendations of the DPC is put up for kind approval and signature of the President, AIIMS please.

Manta  
17/12/2014

Sr. AO (R)

18-12-14

(Signature)

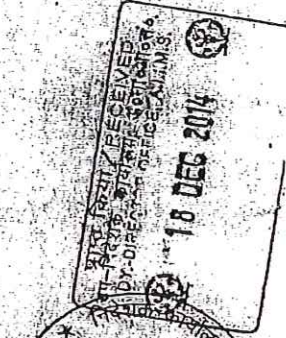
(Signature)

(Signature)  
27/12/14

(Signature)

22-12-14

(Signature)



Manta  
22/12/2014



The following were present:-

1	Dr. D.K. Sharma, Medical Superintendent	Chairman
2	Dr. Mahesh R., Asstt. Professor, Department of Hospital Administration,	Member
3	Mrs. Sarita Mehta, Chief Nursing Officer (Acting)	Member
4	Mrs. Nishi Giri, Nursing Superintendent, JPNATC	Member
5	Ms. G.R. Andrews, Lecturer, College of Nursing	Member
6	Sh. B.K. Singh, Administrative Officer, Hospital	Member-Secretary

Name of the post	SISTER GRADE-I
Classification	Group 'B'
Pay Band & Grade Pay	Rs. 9300-34800 + Grade Pay of Rs. 4800/-
Method of Recruitment	100% by Promotion.
Grade from which promotion is to be made and eligibility	Sister Grade-II with 05 years of regular service in the grade.
No. of posts & Reservation	Total Vacancy - 14 (UR-10, SC-03 & ST-01)

At the outset it was ascertain that none of the persons under consideration for this departmental Promotion Committee is related to any of the Members/Chairman of the DPC.

The Departmental Promotion Committee noted that the Bench Mark with regard to post in this Pay Band - 2 of Rs. 9300-34800 + Grade Pay of Rs. 4800/- is 'GOOD'. On the basis of the ACRs of the relevant period the Departmental Promotion Committee recommends the following Sister Grade-II for promotion to the post of Sister Grade-I in Pay Band-2 of Rs. 9300-34800 + Grade Pay of Rs. 4800/- :-

Sr. No	Sr. No. in agenda	Name	Category	Remarks
1.	03.	MS. R.NUSANGLA DANEE	ST ✓	
2.	04	MS. JUDITH LALFAKZUALI (SAMTE)	ST ✓	
3.	05	MS. P.KHAILALA SHANGNE	ST ✓	
4.	06	MS. BIJI BIJU	UR	
5.	07	MS. KOCHURANI JOSEY	UR	
6.	08	MS.ROJA JOHNY	UR	
7.	09	MS.LOVELY THOMAS	UR	
8.	10	MS. NISHA SAJI	UR	
9.	11	MS.THRESIAMMA MATHEW (JOHN)	UR	
10.	12	MS.MINI GEORGE	UR	
11.	25	MS.NBERU BAHOT (SARWAN)	SC	
12.	26	MS.PRAMOD KUMAR BALDEV	SC	
13.	27	MS.SARITA SINGHAL	SC	
14.	28	MS. R. VANLALRUATI	ST	DPC recommended her for promotion subject to vigilance clearance on submission of APRs

The Departmental Promotion Committee also considered the candidature of Ms. Anita Yash (Sr. No. 01 in the Agenda). However, considering that her ACR for the year 2006-2007 and 2007-2008 contain below benchmark grading, the DPC did not recommend her for promotion.

The Departmental Promotion Committee also considered the candidature of Ms. Sushil (Sr. No.02) in the Agenda) on whom a penalty of salary reduction to four time lower stage in the time scale for a period of 4 years which shall ordinarily be a bar to the promotion has been imposed. Therefore, the DPC did not recommend her for promotion.

(B.K. SINGH)  
ADMINISTRATIVE OFFICER

(SARITA MEHTA)  
MEMBER

(NISHI GIRI)  
MEMBER

*Manoj Kumar*

*G. R. Andrews*



**355**

**MINUTES OF THE MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE FOR PROMOTION TO THE POST OF SISTER GRADE-I HELD ON 1<sup>st</sup> August, 2016 AT 02:45 P.M. IN THE OFFICE OF THE MEDICAL SUPERINTENDENT, AIIMS.**

The following were present:-

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- |   |  |   |          |
|---|--|---|----------|
| 1 | Dr. D.K. Sharma,<br>Medical Superintendent.                    | : | Chairman |
| 2 | Dr. Kamal Kishore,<br>Professor, Department of<br>Pharmacology | : | Member   |
| 3 | Sh. B.K. Singh,<br>Admin. Officer, Hospital                    | : | Member   |
| 4 | Mrs. Nishi Giri<br>Chief Nursing Officer (Acting)              | : | Member   |
| 5 | Mrs. Krishna Bakshi<br>Nursing Superintendent, NSC             | : | Member   |
| 6 | Dr. G.R. Andrews,<br>Lecturer, College of Nursing              | : | Member.  |

Name of the post	: <b>SISTER GRADE-I</b>
Classification	: Group 'B'
Pay Band & Grade Pay	: Rs. 9300-34800 + Grade Pay of Rs. 4800/-
Method of Recruitment	: 100% by Promotion.
Grade from which promotion is to be made and eligibility	: Sister Grade-II with 05 years of regular service in the grade.
No. of posts & Reservation	: Total Vacancy - 32 anticipated (UR-21, SC-08 & ST-03)

At the outset it was ascertained that none of the persons under consideration for this departmental Promotion Committee is related to any of the Members/Chairman of the DPC.

The Departmental Promotion Committee noted that the Bench Mark with regard to post in this Pay Band - 2 of Rs. 9300-34800 + Grade Pay of Rs. 4800/- is **'GOOD'**. On the basis of the ACRs of the relevant period the Departmental Promotion Committee recommends the following Sister Grade-II for promotion to the post of Sister Grade-I in Pay Band-2 of Rs. 9300-34800 + Grade Pay of Rs. 4800/- :-

Sr. No	Sr. No. in agenda	Sr. No. circulated	In	Name	Category	Remarks
1.	3	139		MS.SHEENAMMA SAJI	UR	FIT
2.	4	140		MS.SUNITHA JOSE	UR	FIT
3.	5	141		MS.SHANI VINOD (NEE JOSEPH)	UR	FIT
4.	6	142		MS.SHEEBA JOSEPH (NEE KURIAKOSE)	UR	FIT
5.	7	143		MS.NEELAM MALIK	UR	FIT
6.	8	144		MS.SIJI K.BIJU	UR	FIT
7.	9	145		MS.POONAM RAJIV (SHARMA)	UR	FIT
8.	10	146		MS.LIGI RONY	UR	FIT
9.	11	147		MS. BEENA SAJI (MATHEW)	UR	FIT
10.	12	148		MS.ANNAMMA ABRAHAM	UR	FIT
11.	13	149		MS.SAILY THOMAS	UR	FIT
12.	14	150		MS.GOLDA ROSE	UR	FIT
13.	15	151		MS.MARY KUTTY SAJAI	UR	FIT
14.	16	152		MS.MARY KUTTY SHAJU (ABRAHAM)	UR	FIT
15.	17	153		MS.SINDHU SOJI	UR	FIT
16.	18	154		MS. SHINY SUDHEER	UR	FIT
17.	19	155		MS. JOLLY CIBICHEN	UR	FIT
18.	20	156		MS.LIJA JOJAN	UR	FIT
19.	21	157		MS.RENNI JOHN	UR	FIT
20.	22	158		MS.SUBY THOMAS	UR	FIT
21.	23	159		MS.MONA BELLANI	UR	FIT
22.	49	281		MS.JYOTI SINGH (NEE WESLEY)	UR	FIT
23.	50	282		MS.UJJAWAL	SC	FIT
24.	51	284		MS.ANJALI	SC	FIT
25.	52	285		MS.KAMLESHWARI	SC	FIT
26.	53	287		MS.BINDU DILIP	SC	FIT
27.	54	288		MS.ANIATI KIRAN	SC	FIT
28.	55	289		MS.POOJA	SC	FIT
29.	56	290		MS.ANURADHA	SC	FIT
30.	60	588		MS.LUPAL REMEI CHUBEY	SC	FIT
31.	61	593		MS. BANDARILINNOLA K DOHLING	ST	FIT
32.	62	606		MS. ROSE LALHOIHCHING	ST	FIT

The Departmental Promotion Committee also considered the candidature of Ms. Anita Vash (Sr. No. 01 in the Agenda). However, considering that her ACR for the year 2006-2007, 2007-2008 & 2013-014 contain below benchmark grading, the DPC did not recommend her for promotion.

The Departmental Promotion Committee also considered the candidature of Ms. Sushil (Sr. No.02) in the Agenda). In whom a penalty of salary reduction to four time lower stage in the time scale for a period of 4 years w.e.f 04.01.2014 which shall ordinarily be a bar to the promotion has been imposed. Therefore, the DPC did not recommend her for promotion.

*[Signature]*  
**Sh. B.K. Singh**  
**Member**

*[Signature]*  
**Ms. Nishi Giri**  
**MEMBER**

*[Signature]*  
**Mrs. Krishna Bakshi**  
**MEMBER**

*[Signature]*  
**Dr. G.R. Andrews,**  
**MEMBER**

*[Signature]* Kishore  
01/8/16  
**Dr. Kamal Kishore,**  
**MEMBER**

*[Signature]*  
**Dr. D.K.Sharma**  
**Chairman**



**MINUTES OF THE MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE FOR PROMOTION TO THE POST OF SENIOR NURSING OFFICER HELD ON 15.10.2019 at 2.15 PM IN THE OFFICE OF THE MEDICAL SUPERINTENDENT, MAIN HOSPITAL AIIMS.**

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The meeting of the Departmental Promotion Committee for promotion to the post of Senior Nursing Officer under the method of 100% by promotion was held on 15.10.2019 at 2.15 P.M. under the Chairmanship of the Medical Superintendent, AIIMS, New Delhi in the office of the Medical Superintendent. The composition of the DPC is as under:-

1. Dr. D.K. Sharma, Medical Superintendent : Member
2. Dr. Raj Pal, Prof., Department of Ophthalmic Sciences, : Member
3. Dr. A. Shariff, Prof., Department of Anatomy : Member
4. Mrs. Kamlesh Chandelia Chief Nursing Officer (Acting) : Member
5. Mrs. Meena Kumar Nursing Superintendent : Member
6. Mr. G.R. Pillai Administrative Officer : Member

All the members were present in the meeting.

At the outset it was ascertained that none of the persons under consideration for this Departmental Promotion Committee is related to the Chairman and Members of the Committee.

The committee noted the Recruitment Rules & details of vacancies of the post of Senior Nursing Officer are as under:-

Name of the post	: Senior Nursing Officer
Classification	: Group 'B'
Pay Band & Grade Pay	: Level - 08 in the pay matrix (Pre-revised Rs. 9300-34800 + Grade Pay of Rs. 4800/-)
Bench Mark	: Good
Whether by seniority-cum-fitness, i.e., non-selection', or by merit-cum-seniority, i.e. 'selection'.	: Seniority-cum-fitness
Method of Recruitment	: 100% by Promotion.
Grade from which promotion is to be made and eligibility	: Sister Grade-II (re-designated as Nursing Officer) with 05 years of regular service in the grade.
No. of posts & Reservation	: Total vacancies - 303 (UR-241, SC-43 & ST-19) Clear cut vacancies - 242 (UR-192, SC-33 & ST-17) Anticipated vacancies 61 (UR-49, SC-10 & ST-02)

The Committee noted that the Bench Mark of ACRs with regard to promotion to the post in the level 08 in the Pay Matrix (Pre-revised Rs. 9300-34800 + Grade Pay of Rs. 4800/-) is **'GOOD'**.

The Committee noted that as per DoPT order No. F.36012/11/2016-Estt. (Res-I) (Pt.-II) dated 15.06.2018, promotions are to be made against unreserved vacancies with unreserved candidates and against reserved vacancies with reserved candidates only.

On the basis of the ACRs/Gradings of the required period i.e. five years and also taking into consideration vigilance & Disciplinary Clearance in respect of all candidates, the Departmental Promotion Committee considered the candidature of following Nursing Officer and found them 'Fit' for promotion as per their seniority to the post of Senior Nursing Officer from the date assume the charge of the post:-

Sr. No	Sr. No. in agenda	Name	Category	Recommendation	Remarks
1.	1	Ms. Anita Yash	SC	Fit	For NCI Jhajjar SC point
2.	2	MS.SUSHIL	SC	Fit	For NCI Jhajjar SC point
3.	3	MS.SINI-HARIKUMAR	UR	Fit	
4.	4	MS. MINI BENNY (JOSEPH)	UR	Fit	
5.	5	MS.BIBI SOJAN	UR	Fit	For NCI, Jhajjar
6.	6	MS. RANIBINOY (MOL SEBASTIAN)	UR	Fit	For NCI, Jhajjar
7.	7	MS.ROSAMMA ANIL	UR	Fit	For NCI, Jhajjar
8.	8	MS.SOJI MOL REJI	UR	Fit	For NCI, Jhajjar
9.	9	MS.SHOBHA JOSHY (THOMAS)	UR	Fit	For NCI, Jhajjar
10.	10	MS.TESSY SHAJI SEBASTIAN	UR	Fit	For NCI, Jhajjar
11.	11	MS.AMBILI ANURAJ	UR	Fit	For NCI, Jhajjar
12.	12	MS.VALSAMMA SIBI	UR	Fit	For NCI, Jhajjar
13.	13	MS.JEEMOL BABY ( P.MATHEW)	UR	Fit	For NCI, Jhajjar.
14.	14	MS.MABLE JOSSY	UR	Fit	For NCI, Jhajjar
15.	15	MS.YADWINDER KAUR MEHTA	UR	Fit	For NCI, Jhajjar
16.	16	MS.LIGIMOL LIJU	UR	Fit	For NCI, Jhajjar
17.	17	MS.MINI RAJAN	UR	Fit	For NCI, Jhajjar
18.	18	MS. JESSY P. JOSEPH (GEORGE)	UR	Fit	For NCI, Jhajjar

15/10/19

not ready

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Sr. No	Sr. No. in agenda	Name	Category	Recommendation	Remarks
19.	19	MS. NEETU VERMA (Nee SONI)	UR	Fit	
20.	20	MS.PUNAM SINGH SOLANKI (RANI)	UR	Fit	For NCI, Jhajjar
21.	21	MS.NEETU SHARMA	UR	Fit	For NCI, Jhajjar
22.	22	MS.JIBI ROBIN (P.JACOB)	UR	Fit	For NCI, Jhajjar
23.	23	MS.MARY PUSHPA	UR	Fit	For NCI, Jhajjar
24.	24	MS.ALKA WALDON	UR	Fit	For NCI, Jhajjar
25.	25	MS. GENCY JOHN (NEE JOSEPH)	UR	Fit	For NCI, Jhajjar
26.	26	MS.JENCY BIJU	UR	Fit	For NCI, Jhajjar
27.	27	MS.ALEYAMMA BIJU	UR	Fit	For NCI, Jhajjar
28.	28	MS.METTYMOL JOYAL	UR	Fit	
29.	29	MS.JOBY:TITTO (E.D.)	UR	Fit	
30.	30	MS.SHERLYMOL SHIJI (THOMAS)	UR	Fit	
31.	31	MS.REEJA BINOY (THOMAS)	UR	Fit	
32.	32	MS.RAVITA DEVI	UR	Fit	
33.	33	MS.LIJI LOUIS (J.PUTHUKUDY)	UR	Fit	
34.	34	MS.BIJIMOL JOSHI (NEE THOMAS)	UR	Fit	
35.	35	MS.JOBI MOL S.ABRAHAM (V. MATHEW)	UR	Fit	
36.	36	MS.MANJUSREE R	UR	Fit	
37.	37	MS.GIGI SHINOY	UR	Fit	
38.	38	MS.SMITHA THOMAS (MOLE LUKOSE)	UR	Fit	
39.	39	MS.LUCY JOSEPH	UR	Fit	
40.	40	MS.ANSAMMA MATHEW	UR	Fit	
41.	41	MS.REENA JOSE	UR	Fit	
42.	42	MS.JAIS (PRIMESON)	UR	Fit	
43.	43	MS.LEENA A. DINESH (GEORGE)	UR	Fit	
44.	44	MS.MINI TOJO (MATHEW)	UR	Fit	
45.	45	MS.MOLAMMA JOHNSON (NEE L.B)	UR	Fit	
46.	46	MS. SHIJIBENNY (N.G.)	UR	Fit	
47.	47	MS.SONIA MONCY (JOSEPH)	UR	Fit	
48.	48	MS.BEENA JOSE (JOHN)	UR	Fit	
49.	49	MS.SHYLA SHAJI (VARGHESE)	UR	Fit	
50.	50	MS.BEENA THOMAS (BABY)	UR	Fit	
51.	51	MS.NEELAM DANIEL (M)	UR	Fit	
52.	52	MS.LISSAMMA PAUL (JOSEPH)	UR	Fit	
53.	53	MS.RAJDEEP KAUR (NEE WALIA)	UR	Fit	
54.	54	MS.VANAJA NAIR	UR	Fit	
55.	55	MS.SAJIMOL JAMES	UR	Fit	
56.	56	MS. ARCHANA SINGH	UR	Fit	
57.	57	MS. BALVINDER KAUR	UR	Fit	
58.	58	MS.SHEENA BIJU (JOHN)	UR	Fit	
59.	59	MS.JASMINE THOMAS (NEE GEORGE)	UR	Fit	
60.	60	MS.BINCY JOSEPH (XAVIER)	UR	Fit	
61.	61	MS.SOPHAMMA SHIBU	UR	Fit	
62.	62	MS.SINIMOL KURIAKOSE	UR	Fit	
63.	63	MS.MINIMOL BENNY	UR	Fit	
64.	64	MS.BLOSSOM SIMON	UR	Fit	
65.	65	MS.MEENA SEBASTIAN	UR	Fit	
66.	66	MS.ANJANA OLIVE SEWAK	UR	Fit	
67.	67	MS.BINDU DOMINIC	UR	Fit	
68.	68	MS.LATA MASIH (SHARMA)	UR	Fit	
69.	69	MS.JOSIA SHARMA	UR	Fit	
70.	70	MRS.PUSHPA FLOWRANCE WILLIAM	UR	Fit	
71.	71	MS.HARPREET KAUR	UR	Fit	
72.	72	MS.JINCY MINOY	UR	Fit	
73.	73	MS.MANJUMOL BIJU (KURIAKOSE)	UR	Fit	
74.	74	MS.ANNAMMA VARGHESE	UR	Fit	
75.	75	MS.MANJU SHIBU	UR	Fit	
76.	76	MS.MARY BIJU	UR	Fit	
77.	77	MR.CHRISTY MANOJ (JAMES)	UR	Fit	
78.	78	MS.SHEEBA BIJOMON (K.JOSEPH)	UR	Fit	
79.	79	MS.RINCY NIXON	UR	Fit	
80.	80	MS.MINIKUTTY JAMES	UR	Fit	
81.	81	MS.JINCY JOY	UR	Fit	
82.	82	MS.VANDHANA ANI	UR	Fit	
83.	83	MS.SONIA ROY	UR	Fit	
84.	84	MS.ANI ANTAPPEN	UR	Fit	
85.	85	MS.SWAPNA SAJI	UR/OBC	Fit	
86.	86	MS.SREEJA V.K.	UR/OBC	Fit	
87.	87	MS.MANISHA RANJAN	UR/OBC	Fit	
88.	88	MS. RANJANA CHOUDHARY (KUMARI)	UR/OBC	Fit	
89.	89	MS.SAVITA RANI	UR/OBC	Fit	
90.	90	MS.INDU DEY	UR/OBC	Fit	
91.	91	MS.URMILA DEVI	UR/OBC	Fit	
92.	92	MS.REENA REGI (L.V.)	UR/OBC	Fit	
93.	93	MS.POQNAM KASHYAP	UR/OBC	Fit	
94.	94	MS.VIJAYAMMA BAJU	UR/OBC	Fit	



Sr. No	Sr. No. In agenda	Name	Category	Recommendation	Remarks
96.	96	MS.PADMAWATI	UR/OBC	Fit	
97.	97	MS.BABITA YADAV (NEE SINGH DHANKAR)	UR/OBC	Fit	
98.	98	MS.SHIBIL.P.T.	UR/OBC	Fit	
99.	99	MS.SMITHA PRADEEP (P.KISHAN)	UR/OBC	Fit	
100.	100	MS.SUJATA SAINI	UR/OBC	Fit	
101.	101	MS.ARCHANA RANA	UR/OBC	Fit	
102.	102	MS.PARVEEN	UR/OBC	Fit	
103.	103	MS.SEENA K.MURTY	UR/OBC	Fit	
104.	104	MS.ANITA VERMA	UR/OBC	Fit	
105.	105	MS.ANURADHA	UR/OBC	Fit	
106.	106	MS.SINI MOL A.S.	UR/OBC	Fit	
107.	107	MS.MANISHA	UR/OBC	Fit	
108.	108	MS.NEERAJ KUMARI	UR/OBC	Fit	
109.	109	MS.BEENA BIJU (C.S.)	UR/OBC	Fit	
110.	110	MS.SUSHMA DEVI	UR/OBC	Fit	Already posted at NCI, Ihajjar
111.	111	MS.SHABANA ANSARI	UR/OBC	Fit	
112.	112	MS.KAMLESH KUMARI	SC	Fit	For NCI, Ihajjar, against SC point
113.	113	MS.KAVITA	UR/OBC	Fit	
114.	114	MS.RAJITHA GOKUL	UR/OBC	Fit	
115.	115	MS.ANITA AVINASH SINGH	SC	Fit	Against SC point
116.	116	MS.RAJ RANI	UR/OBC	Fit	
117.	117	MS.SARITA DUGGAL MANCHAL	SC	Fit	Against SC point
118.	118	MS.PRAHLAD SINGH	UR/OBC	Fit	
119.	119	MS.SHALU	SC	Fit	Against SC point
120.	120	MS.NEETU VERMA	UR/OBC	Fit	
121.	121	MS.MANJU RANI	SC	Fit	Against SC point
122.	122	MS.MAMTA YADAV (NEE RANI)	UR/OBC	Fit	
123.	123	MS.SUMAN SINGH	SC	Fit	Against SC point
124.	124	MS.BENCY SEBESTIAN	UR	Fit	
125.	125	MS.BINDU BIJU	UR	Fit	
126.	126	MS. BITTOO ATLES	UR	Fit	
127.	127	MS.SMITHA JOJI (MOLE AUGUSTINE)	UR	Fit	
128.	128	MS.SINI SIBY (NEE SINIMOLE PHILIP)	UR	Fit	
129.	129	MS.ANCY DANIEL	UR	Fit	
130.	130	MS.MANJU MATHACHEN	UR	Fit	
131.	131	MS.MINI SANTOSH (THOMAS)	UR	Fit	
132.	132	MS.BEENA DINESH	UR	Fit	
133.	133	MS.JISSI TERRY	UR	Fit	
134.	134	MS.BINDU JIPSON	UR	Fit	
135.	135	MS. BINDU SAJIMON	UR	Fit	
136.	136	MS.ANNAMMA B.JACOB	UR	Fit	
137.	137	MS.MOBY ROY	UR	Fit	
138.	138	MS.JULEE BIJU (K.VARGHESE)	UR	Fit	
139.	139	MS.ADLEENA ALBERT JOHNSON (MASSEY)	UR	Fit	
140.	140	MS.BINDU JIJUMON (NEE VARGHESE)	UR	Fit	
141.	141	MS.HEMA MEENAKSHI	UR	Fit	
142.	142	MS.SAVITA PANDEY (NEE UPRETI)	UR	Fit	
143.	143	MS.TUSHARA AUGUSTINE JOMON	UR	Fit	
144.	144	MS.BINDU LEKHA HARKESH (G).	UR	Fit	
145.	145	MS. NIDHI ANAND (NEE MALHOTRA)	UR	Fit	
146.	146	MS.SHYLA JOHN (K.THOMAS)	UR	Fit	
147.	147	MS.HARISHREE KUTTAN	UR	Fit	
148.	148	MS.TRESSA MATHAI	UR	Fit	
149.	149	MS.MANISHA JHA (CHARAN)	UR	Fit	
150.	150	MRS.SANYOGITA ATTRI (VASHISTH)	UR	Fit	Already posted at NCI Ihajjar
151.	151	MS.KAVITA	UR/OBC	Fit	
152.	152	MS.MINJU MALHOTRA	UR	Fit	
153.	153	MS.MUJAHIDA KHAN	UR	Fit	
154.	154	MR. VIKRAM SINGH CHOUDHARY	UR/OBC	Fit	
155.	155	MS.LAXMI CHOUDHARY	UR	Fit	
156.	156	MS.SHASHI BALA SHARMA	UR	Fit	Already posted at NCI, Ihajjar
157.	157	MS.SIMI SAJI	UR	Fit	
158.	158	MS.JOSHY JENSON	UR	Fit	
159.	159	MS.SHEEBA BIJU (P.C.)	UR	Fit	
160.	160	MS.JEEWANTI BHATT	UR	Fit	
161.	161	MS.SUNITA BAKSHI	UR	Fit	
162.	162	MS. Zubida Khalid (JUBIE JOHN)	UR	Fit	
163.	163	MS.DIMPLE TANEJA (PASRICHA)	UR	Fit	
164.	164	MS.SHJEE SUNNY (JOSEPH)	UR	Fit	
165.	165	MS.SREELATHA RAMESH (K.S.)	UR	Fit	

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Sr. No	Sr. No. in agenda	Name	Category	Recommendation	Remarks
168.	168	MS.PRATIBHA LAL (PAUL)	UR	Fit	
169.	169	MS.DEEPALI BHARDWAJ	UR	Fit	
170.	170	MR. SUBHASH CHAND SHARMA	UR	Fit	
171.	171	MS. C.RANI	UR	Fit	
172.	172	MS. BINIMOL MANOJ (NEE JOHN)	UR	Fit	
173.	173	MS. LALITA DEVI	UR	Fit	
174.	174	MS. SUNITHA ANIL (NEE K.V.)	UR	Fit	
175.	175	MS. MANJU GOSAIN (NEE SHAH)	UR	Fit	
176.	176	MS. ANITA ROY	UR	Fit	
177.	177	MS. ANCY MANOJ (NEE SEBASTIAN)	UR	Fit	
178.	178	LINCY JAMES (JOSEPH)	UR	Fit	
179.	179	MS. DEEPA JOSEPH (NEE MATHEW)	UR	Fit	
180.	180	MS. GEETA RAWAT (DEVI NEGI)	UR	Fit	
181.	181	MS. SREE DEVI.R. NAIR (NEE K.N.)	UR	Fit	
182.	182	MS. MINJ. JOHNSON	UR	Fit	
183.	183	MS. LINTA JOSEPH	UR	Fit	
184.	184	MS. ARUN LATA	UR	Fit	
185.	185	MS. JASVANDEEP KAUR	UR	Fit	
186.	186	MS. SUNITA RAJAWAT (KUMARI)	UR	Fit	
187.	187	MS. BHAGWATI NAYAL (NEE RANA)	UR	Fit	
188.	188	MS. JISHA GEORGE (NEE JOHN)	UR	Fit	
189.	189	MS. RUSHY BIJU (NEE GEORGE)	UR	Fit	
190.	190	MS. ANNAMMA JOMON (NEE ABRAHAM)	UR	Fit	
191.	191	MS. RAASHI DEVAN	UR	Fit	Subject to the completion of ceiling period of her penalty of reduction to a lower stage in the time scale of pay by five stage for a period of five years i.e. 29.10.2019 and subject to the submission of APR for vigilance clearance.
192.	192	MS. JYOTI AGRawal (NEE SHARMA)	UR	Fit	
193.	193	MS. MONICA EMANUAL (NEE SHARMA)	UR	Fit	
194.	194	MS. MEENU SHUKLA	UR	Fit	
195.	195	MS. SMITHA AJITH	UR	Fit	
196.	196	MS. MONIKA PAREEK (SINGH)	UR	Fit	
197.	197	MS. BEENA RAWAT	UR	Fit	
198.	198	MS. THRESIAMMA MATHEW (NEE PHILIP)	UR	Fit	
199.	199	MS. SINIMOL JAMES (P.C.)	UR	Fit	
200.	200	MS. SEEMA (RANI) Kushwaha	UR	Fit	
201.	201	MS. HEMA BISHT	UR	Fit	
202.	202	MS. SHERLY MICHEAL	UR	Fit	
203.	203	MS. RINI VARGHESE	UR	Fit	
204.	204	MS. SHEEBA BINU	UR	Fit	
205.	205	MS. MEENAKSHI DATTA	UR	Fit	
206.	206	MS. ROSE PETER	UR	Fit	
207.	207	MS. BHARTI DEVI	UR	Fit	
208.	208	MS. SEEMA TRIPATHI (NEE DUBEY)	UR	Fit	
209.	209	MS. ELIZABETH CHACKO	UR	Fit	
210.	210	MS. KABITA JOSHI (NEE UPRETI)	UR	Fit	
211.	211	MS. PARMILA	UR	Fit	
212.	212	MS. VINITA SHARMA	UR	Fit	
213.	213	MS. DEVINDER KAUR	UR	Fit	
214.	214	MS. ROHINI RAI	UR	Fit	
215.	215	MS. SARITA NEGI (BISHT)	UR	Fit	
216.	216	MS. SAROJ	UR	Fit	
217.	217	MS. BINDIYA BAVEJA (RANI)	UR	Fit	
218.	218	MS. JAYA BORA	UR	Fit	
219.	219	MS. PREETY GABA	UR	Fit	
220.	220	MS. CATHARINE JOSE (NEE JACOB)	UR	Fit	
221.	221	MS. INDU BALA	UR/OBC	Fit	
222.	222	MS. SONIKA GUPTA MALHOTRA	UR	Fit	
223.	223	MS. Melinda Robin (Nee C. J.)	UR	Fit	
224.	224	MS. MANISHA	SC	Fit	Against SC point
225.	225	MS. Praveena C. K.	UR/OBC	Fit	
226.	226	MS. Sonia Chauhan	UR	Fit	
227.	227	MR. GOVIND PRASAD GUPTA	UR	Fit	
228.	228	MS. NEELAM ANEJA	UR	Fit	
229.	229	MS. RENJULA SUNU KUMAR	UR	Fit	
230.	230	MR. PARAS RAM	UR/OBC	Fit	
231.	231	MS. PRIYANKA RAJPUT	UR	Fit	
232.	232	MS. Sheeba John	UR	Fit	
233.	233	MS. NEETU SINGH	UR	Fit	
234.	234	MS. SARA MATHEW	UR	Fit	

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Sr. No	Sr. No. In agenda	Name	Category	Recommendation	Remarks
236.	236	MS. SOUMYA GIBY	UR	Fit	
237.	237	MS. DEEPTI GUPTA AIRAN	UR	Fit	
238.	238	MS. AKANKSHA CHOUDHARY (Nee BALIYAN)	UR	Fit	
239.	239	MR. TEJA RAM CHOUDHARY	UR/OBC	Fit	
240.	240	MS. KAMNA PAHUJA (NEE CHITKARA)	UR	Fit	
241.	241	MR. UMA SHANKER AGRAWAL	UR	Fit	
242.	242	LAXMI SAINI	UR	Fit	
243.	243	MS. SARITA PANDEY	UR	Fit	
244.	244	MS. PRIYANKA SEN	UR	Fit	
245.	245	MS. BHUVANA MATHIVANAN (A.)	UR/OBC	Fit	
246.	246	MS. BINDU S.	UR/OBC	Fit	
247.	247	MS. PRIYANKA SHARMA	UR	Fit	
248.	248	MR. ANISH M.K.	SC	Fit	Against SC point
249.	249	MS. SUPERNA TREHAN	UR	Fit	
250.	250	MRS. POONAM SINHA	UR/OBC	Fit	
251.	264	MS. Kondru Shyamla	SC	Fit	Against SC point
252.	267	MS. AISHWARYA R.L. GUPTA	SC	Fit	Against SC point
253.	271	MRS. PARAMESHWARY GOSWAMI (NEE G.M.)	SC	Fit	Against SC point
254.	275	MS. PAKHRAMBAM SHARDA DEVI	SC	Fit	Against SC point
255.	277	MS. RAJ KUMARI	SC	Fit	Against SC point
256.	279	MRS. CHITRA SHARMA (Nee A.)	SC	Fit	Against SC point
257.	283	MS. MAYA VINOSH S.	SC	Fit	Against SC point
258.	290	MS. RAJNI	SC	Fit	Against SC point
259.	293	MS. JAYANTI RANI BEHERA	SC	Fit	Against SC point
260.	296	MS. REEMA	SC	Fit	Against SC point
261.	297	MS. SUMAN LATA	SC	Fit	Against SC point
262.	298	MS. BHARTI DEVI	SC	Fit	Against SC point
263.	299	MS. KIRAN KUMARI JOSHI	SC	Fit	Against SC point
264.	300	MS. Meenakshi Sharma (nee Rajpal)	SC	Fit	Against SC point
265.	301	MS. Lupal Remel	ST	Fit	NCI, Jhajjar against ST point
266.	302	MS. Bandjarilinnola K Dohling	ST	Fit	Against ST point (subject to the submission of APR for vigilance clearance.)
267.	303	MS. Jal Shree Surender Kr	SC	Fit	Against SC point
268.	304	MS. Rosè Lalohchling	ST	Fit	Against ST point
269.	305	MS. Srimil Shobhta Beenco	ST	Fit	Against ST point
270.	306	MS. Anjali Amlta Tete	ST	Fit	Against ST point
271.	307	MS. Chinghikim	ST	Fit	Against ST point
272.	308	MS. Ching Blak Lun	ST	Fit	Against ST point (already posted at Jhajjar)
273.	309	MS. Golmei Kiran	ST	Fit	Against ST point
274.	310	MS. Zui Nymmai Esther	ST	Fit	Against ST point
275.	311	MS. Mangalakshmi A.	SC	Fit	Against SC point
276.	312	Mrs. Deepika Barla	ST	Fit	Against ST point
277.	313	MS. Strimol ANISH	SC	Fit	Against SC point
278.	314	MS. Chalinika R, Chauhan	SC	Fit	Against SC point
279.	315	MR. Kishor Kumar K.G.	SC	Fit	Against SC point
280.	316	MR. Divya Kumar (Mohanani)	SC	Fit	Against SC point
281.	317	MS. Deepa Manikandan (R.)	SC	Fit	Against SC point
282.	318	MS. Kshetrinmayum Roma Devi	SC	Fit	Against SC point
283.	319	MS. Reniya O.N	SC	Fit	Against SC point
284.	320	MS. Geeta Devi	SC	Fit	Against SC point
285.	321	MRS. Kavita Rani Singh	SC	Fit	Against SC point
286.	322	MS. Priyanka Rani	SC	Fit	Against SC point
287.	323	MS. Chelan Kumari	SC	Fit	Against SC point
288.	324	MS. Anupma Rani	SC	Fit	Against SC point
289.	325	MS. C. Lalengkimi	ST	Fit	Against ST point
290.	326	MS. B.T. Thanbuana	ST	Fit	Against ST point
291.	327	MS. Daryal Khilony Anal	ST	Fit	Against ST point
292.	328	MS. Harshala Ezra	ST	Fit	Against ST point
293.	329	MS. Nemzaman Naulak	ST	Fit	Against ST point
294.	330	MS. Bliss Thanglet	ST	Fit	Against ST point
295.	331	MS. L. Ngahnellam	ST	Fit	Against ST point
296.	332	MS. Lunkhoni Haokip (Nee H)	ST	Fit	Against ST point
297.	333	MS. Christy Chingbiakkim	ST	Fit	Against ST point
298.	334	MS. Shalini Kondru	SC	Fit	Against SC point
299.	337	MS. Savita V.Kumar	SC	Fit	Against SC point
300.	338	MS. Poonam Prewa (Nee Rajora)	SC	Fit	Against SC point
301.	339	MS. Chitraksha K.Bhave	SC	Fit	Against SC point
302.	342	MS. Pulkrabam Joymall Devi	SC	Fit	Against SC point
303.	344	MS. Lalita Rani	SC	Fit	Already posted at NCI, Jhajjar Against SC point

SC - SC  
 43 - 35  
 19 - ST  
 19

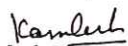
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The Committee noted that a decision was taken by the competent authority that the incumbents appointed against the post created for NCI, Jhajjar have to join their duties on promotion at NCI, Jhajjar. Names were invited from the Senior Nursing Officer vide circular dated 05.10.2018 who were willing to be posted in NCI, Jhajjar. However, 04 Senior Nursing Officers (UR-03 & ST-01) have given their willingness and already transferred/posted at NCI, Jhajjar, 05 Senior Nursing Officer (UR-03 & SC-02) were earlier posted at Jhajjar. Hence, the committee recommended that offers of promotion is to be given to candidates (SC-04, ST-02 & UR-25) as indicated above against their names with condition that they must assume the charge of the post of Senior Nursing Officer at NCI, Jhajjar on their promotion. In case if any candidate refuse to join at NCI, Jhajjar on promotion against the posts created for NCI, Jhajjar within stipulated period of time, such act will be considered as refusal of promotion and promotion order is to be treated as cancelled/withdrawn. Accordingly, as per DoPT Instructions on the subject, he or she will be debarred from promotion for a period of one year or till such time next vacancy arises, whichever is later. The Committee further considered that for such a scenario of refusal/cancellation of promotion order, in case of not joining the post at NCI, Jhajjar, wait list for offering the post to the next eligible candidate(s) is required to be recommended. Hence, the committee, after assessing required ACRs and Vigilance Clearance, found the following Nursing Officers 'Fit' for promotion as per their seniority to the post of Senior Nursing Officer and recommended the following wait list:-

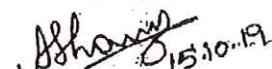
Sr. No	Sr. No. in agenda	Name	Category	Recommendation	Remarks
1.	251	MR. SURESH CHAND SANGI	UR	Fit	
2.	252	MR. JAGDISH DHYAL	UR	Fit	
3.	253	MR. Bhagwan Sahal Sharma	UR	Fit	
4.	254	MS. SEEMA GEORGE ANU	UR	Fit	
5.	255	MR. PRADEEP SHARMA	UR	Fit	
6.	256	MS. JYOTI	UR/OBC	Fit	
7.	257	MS. POONAM SHARMA ( NEE PANDEY)	UR	Fit	
8.	258	MS. KIRAN BALA	UR	Fit	
9.	259	MS. BHAWANA	UR	Fit	
10.	260	MRS. SANGEETA	UR/OBC	Fit	
11.	261	MS. Shakuntla Sundriyal Sharma	UR	Fit	
12.	262	MS. SUMAN KUMARI	UR	Fit	
13.	263	MR. HANUMAN PRASAD YADAV	UR/OBC	Fit	
14.	265	MS. ANNU YADAV	UR/OBC	Fit	
15.	266	MR. BALBEER SINGH	UR/OBC	Fit	
16.	268	MS. SETHULAKSHMI SAGAR (V.T.)	UR/OBC	Fit	
17.	269	MR. SHERA RAM	UR/OBC	Fit	
18.	270	MR. POORAN SINGH CHAUDHARY	UR/OBC	Fit	
19.	272	MR. Rakesh Kumar Chaudhary	UR/OBC	Fit	
20.	273	MR. PRADEEP CHOUDHARY	UR/OBC	Fit	
21.	335	MS. Rita Jyoti Lakra	ST	Fit	Against ST point
22.	336	MS. V.L. Himangali Zuall	ST	Fit	Against ST point
23.	346	Ms. G. Indira	SC	Fit	Against SC point
24.	349	Mr. Kamal Kishore	SC	Decision kept in sealed cover	Against SC point
25.	351	MS. Khumukcham Ranjita Devi	SC	Fit	Against SC point
26.	353	MR. Ramchandra Verma	SC	Fit	Against SC point
27.	355	MR. Virendra Kumar Singhal	SC	Fit	Against SC point

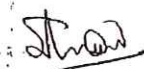
The meeting of the Committee ends with vote of thanks to the Chair.

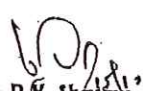
  
Mrs. Kamlesh Chandella  
MEMBER

  
Mrs. Meena Kumari  
MEMBER

  
Dr. Raj Pal  
MEMBER

  
Dr. A. Shariff  
MEMBER

  
Sh. G.R. Pillai  
MEMBER

  
Dr. D.K. Sharma  
CHAIRMAN