

J.N. INSTITUTE OF MEDICAL SCIENCES
POROMPAT, IMPHAL – EAST

ORDERS

Imphal, the 31st August, 2022

No. Legal-J-201/2/2022-JNIMS-JNIMS:- Whereas, Zeneeta Laishram and 45 (forty five) other were engaged/ appointed as Staff Nurses on daily wage basis in JNIMS by orders No. JIMS/NS/09 dated 03/03/2010, 10/03/2010 and 17/03/2010 and their engagement on daily wage basis was converted to the engagement on contractual basis vide order No. JIMS/NS/09 dated 21/05/2011 ; and

2. Whereas, the contractual services of the said Zeneeta Laishram and 47 (forty seven) others were regularized as Staff Nurses in JNIMS vide orders No.01/Regular/SN&Other/JNIMS/16 dated 14/03/2016; and

3. Whereas, the aforementioned Zeneeta Laishram and 45 (forty five) others submitted a joint representation dated 17th May, 2022 jointly addressed to the President, JNIMS Society and Director, JNIMS requesting to expedite creation of 86 (eighty-six) new posts of Nursing Sister in JNIMS and also to fill up the 78 vacant posts of Nursing Sister in JNIMS by promotion purely on year wise vacancy from the eligible and qualified Staff Nurse, JNIMS which is the feeder post for promotion to Nursing Sister and not by clubbing of vacancies for preceding years under one head, strictly in accordance with Manipur Reservation of Vacancies in Posts and Services (For Scheduled Tribes) Rules, 2011, failing which by de-reservation of reserved vacancies in accordance with the said Rules of 2011; and

4. Whereas, Zeneeta Laishram and 10 (ten) others filed a Writ Petition (C) No.425 of 2022 before the Hon'ble High Court of Manipur seeking direction from the Hon'ble High Court to fill up the 78 vacant posts of Nursing Sister by promotion from the eligible and qualified Staff Nurse, JNIMS purely on year wise vacancy and as per para 5.9 and 5.10 of para 5 G of the Office Memorandum dated 15/05/2014 issued by the Department of Personnel and Administrative Reforms (Personnel Division), Government of Manipur and not by clubbing of vacancies for preceding years under one head and to direct the respondents to de-reserve the vacancies reserved for ST or SC in case such vacancies remain unfilled due to non-availability of the candidates within the normal zone of consideration to the extended zone of consideration as per Rule 6(b) of the Manipur Reservation of Vacancies in Posts and Services (For Scheduled Tribes) Rules, 2011 and to consider the case of the candidates belonging to the unreserved category to fill the said vacancies and to direct the second respondent to consider and dispose of the the representation dated 17.05.2022 filed by the petitioner and others before holding DPC for giving promotion to the posts of Nursing Sister.

The Hon'ble High Court has also passed an Order dated 15/06/2022 disposing of the said Writ Petition (C) No. 425 of 2022 with a direction to the respondents to consider the said representation dated 17.05.2022 and pass orders on merits and in accordance with law, after affording reasonable opportunity to all concerned by issuing a speaking Order within a period of eight weeks; and

5. Whereas, the representation dated 17.05.2022 of the petitioner has been considered & examined carefully in compliance with the Hon'ble High Court's Order dated 15/06/2022 and found the following-

a) That, the existing number of sanctioned posts of Nursing Sister is 78 and all posts are lying vacant.

b) That, a Committee was constituted vide this Institute O.M No. 01/388/Nurses Matters/JNIMS/2016 dated 10/09/21 and had its meeting on 15/09/21 to examine and determine the number of Nurses required and post creation of Nursing Cadre in JNIMS as per INC norms. The Committee has recommended for creation of additional 86 (eighty six) posts of Nursing Sister in JNIMS. However, creation of new posts requires State Government's decision & approval and the same is being solicited.

c) That, in case of direct recruitment or by promotion against available vacant posts in JNIMS, the Institute shall follow the Reservation Policy as notified by the Government from time to time for recruitment for posts under the State Government as per Rule No.9(2) of the JNIMS Service Rule, 2015.

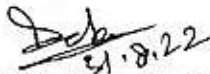
d) That, as per rule 10 of the JNIMS Service Rule, 2015 Rule No.10, all Direct recruitment and appointment by promotion shall be made on the recommendation of Selection Committee or Departmental Promotion Committee respectively constituted for the respective grades.

6. Now, therefore, in compliance with the Hon'ble High Court's Order dated 15/06/2022 passed in W.P(C) No.425 of 2022, the representation dated 17.05.2022 submitted by Zeneeta Laishram and 45 (forty five) other Staff Nurses, JNIMS is hereby disposed of with the following conclusions :

a) That filling up of 78 vacant posts of Nursing Sister as per rules is under active process and the reservation policy as notified by the Government shall be strictly followed in making the appointment;

b) That the request of the petitioners for de-reservation of posts Nursing Sister reserved for ST or SC shall be examined in accordance with existing rules and other connected guidelines.

c) That creation of new 86 posts of Nursing Sister is under process.


21.8.22
(Prof. L. Deben Singh)

Director, J.N. Institution of Medical Sciences

Copy to:-

1. Jr.Govt. Advocate to Addl. Advocate General, Manipur
2. Addl. Chief Secretary (Health & FW), Government of Manipur
3. Zeneeta Laishram, Staff Nurse, JNIMS
4. Concerned file/ Guard file