TNAI's Legal Battle Milestones for Nurses working in Private Sector

Writ petition filed by Trained Nurses Association of India (TNAI)

1. TNAI filed a Public Interest Litigation in the Hon'ble Supreme Court on **December 2011** vide Writ Petition number **527/2011**. The EC/ Council of TNAI approved the needed budget to assist the petition filed in the Supreme Court. No financial assistance/ support were received by TNAI from any organization or individual to run this case.
2. Hon'ble Supreme Court passed an order and instructed the Central Government to look into the issues mentioned in the TNAI's writ petitionand take necessary actions by forming a committee on **29.01.2016.**
3. Based on the Supreme Court order, formed a committee under the chairmanship of **Dr. Jagadish Prasad, DGHS-MoHFW.** The representatives of the committee were drawn from Joint Secretary (MoHFW), President (INC), Nursing Advisor (MoHFW), Secretary (TNAI), Secretary (AIGNF), Two Members from Private Hospitals, DME, Director of Nursing (Member Secretary). `
4. The committee deliberated on the issues on its meetings held on 18.04.2016 and 30.06.2016. Based on the terms of reference prepared by the expert committee, and the consolidated report presented by TNAI before the committee led to the recommendation brought out vide letter number **Z-29011/15/2013-N (Vol. II)** dated **20th September 2016**.
5. The copy of recommendations were sent to all the Health/ Addl/ Principal Secretaries (Health) on **26thOctober, 2016.** TNAI also send the copy of the recommendation letter vide its letter dated **TNAI/ PRIM/ Govt/ 249** Dated **26th October 2016.**
6. The recommendations were reported in the EC/ Council meeting held in Jaipur on **October 15-16** and a copy was given to all the members.
7. Progress in the recommendations was discussed in the Executive Committee meeting held on **May 13-14, 2017** and extended al the possible support to all the TNAI Branches across the country.
8. **Initiatives taken by the state Governments on the recommendations.** i) **Mizoram:** Government has formed a committee to formulate guidelines to be adopted
   - ii) **Government of Goa** has submitted the recommendations to the Under Secretary (Health) with the approval of DHS for implementation.
   - iii) Government of **Kerala** prepared a proposal for the revision of minimum wages on **1611.2017**after wide spread agitation and intervention of TNAI in the letters written to Chief Minister, Health Minister and Labour Minister of Government of Kerala.
     The copy of the letter also was personally delivered to PS of **Ms. Anupriya Patel** Minister of State for HFW, Government of India on July 15, 2017-12-14
   - iv) TNAI headquarter along with state branch held a meeting with **Mr. Madhup Vyas** Secretary Health on **16.02.2017**, and **Dr. Kirti Bhushan**, Directorate General of Health Services on **25.04.2017**. TNAI headquarters has prepared **legislative document** for the state of **Delhi** and submitted to the Labour Minister, Member of Parliament, Chief Secretary and Health Secretary on date **June 14, 2017.**
     Indian Professional Nurses Association filed a case in the high court and the first hearing was on **May 31, 2017** and court has commented after the second hearing on **August 2017** regarding steps taken for the implementation of the expert committee recommendations. In response, Delhi Government formed a committee dated July. The letter came to the notice of TNAI. TNAI sent dissent letter to the Chairman vide letter no **TNAI/ PRIM/ 180** dated **20th September 2017**
   - v) **Maharashtra Nursing Council** made a circular under the signature of Registrar vide dated **24 November 2017** to all the, Private Institutions in the state to follow the Recommendations of the Central Government Committee.
9. TNAI has once again filed a Writ Petition number **1217- 2017** dated **27thNovember 2017** in the **Supreme Court of India** with prayer to direct the Union of India to adhere with the recommended guidelines/rules framed by the committee in compliance to the Supreme Court order in case of WP No. 527/2011 TNAI vs GoI ors till the legislation is made by the Parliament/ Legislative Assemblies.

From,
Secretary General's Desk (The Trained Nurses' Association of India)