

Government of West Bengal

Directorate of Health Services
Swasthya Bhavan, Sector-V; G.N.29, Bidhan Nagar,
Kolkata-700 091.

AD (PE)
A release has
immediately
11/11/20

No. HFW-42011(49)/13/2020-Personnel Sec(DHS)

Dated: Kolkata, /11/2020

To :

Dr. Prasabta Kumar Chaudhury, s/o Late Narndra Nath Chaudhury, P-227, Basunagar, Santi
Kutir, P.O.- Madhyamgram, Kolkata- 700 129

Sub: O.A. No. 285 of 2020

Dr. Prasanta Kumar Chaudhury

-Vs-

The State of West Bengal & Ors

Enclosed please find herewith a copy of the signed Reasoned Order passed by the Secretary, Deptt. of Health & Family Welfare, Govt. of West Bengal, in compliance with the Order of the Hon'ble W.B.A.T. dated. 28.09.2020 passed by the Hon'ble Justice Soumitra Pal, Chairman, Chairman and the Hon'ble Dr. S. K. Das, Member (Administrative) which will speak for itself.

Please acknowledge receipt of the same.

821

Assistant Director of Health Services (P&E),
West Bengal

No. HFW-42011(49)/13/2020-Personnel Sec(DHS) 13839/1/2 Dated: Kolkata, 11 /11/2020

Copy forwarded for information and necessary action to :-

1. The Deputy Director of Health Services (Administration), Swasthya Bhawan, Kol-91.
2. The Chief Medical Officer of Health, Murshidabad, P.O.- Berhampore, Pin- 742 101

AD
11/11/2020

Assistant Director of Health Services (P&E),
West Bengal

AD
11/11/2020

Reasoned Order in terms of the Order of the Hon'ble Tribunal in O.A. No. 285 of 2020 (Dr. Prasanta Kumar Chaudhury -Vs - The State of West Bengal & Ors.) dated. 28.09.2020

Whereas, The Hon'ble WBAT vide its order dated 28.09.2020 directed the Secretary, Department of Health & Family Welfare, Government of West Bengal, to pass a reasoned order in respect of the prayer of the applicant Dr. Prasanta Kumar Chaudhury for transfer posting after giving the applicant an opportunity of hearing;

And whereas, in compliance with the solemn order of the Hon'ble Tribunal, the applicant was called for hearing vide office memo no. HFW-42011(49)/13/2020-Personnel Sec (DHS) dated 02.11.2020. The applicant attended the personal hearing on 04.11.2020 at 3:00 p.m. and was heard extensively;

And whereas, it appears from the original application that, Dr. Chaudhury joined as Medical Officer in the West Bengal Health Services on 28.01.2004 at Biltora P.H.C. under Raghunathpur BPHC, Purulia and served there for 04 months 09 days only. And thereafter continued serving in different health institutions covering different work zones such as 'A', 'B', 'C'. The applicant was working as Superintendent, Berhampore Mental Hospital, Murshidabad (since 16.09.2016), wherefrom, the applicant has been transferred and posted as Dy. CMOH-II, Kalimpong vide transfer order HF/O/HS(MA)/895/HPT/32M-86-19 dated 19.08.2020 issued from HS Branch of this department,;

And whereas, it is pertinent to mention that, a show cause letter was issued by the CMOH, Murshidabad vide no. CM-MSD/639 dated 22.01.2020 regarding his irregular attendance, disobeying higher authority, not performing the role as superintendent;

Dy. :

And whereas, subsequently, the petitioner had submitted a prayer for posting on 26.08.2020 with a request to issue an order to post him at a place in or around Kolkata on the basis of the following reason(s) :

1. suffering from Hypertension, spondylosis, Myopia, renal stone
2. his family is residing at Madhyamgram, North 24 Pgs which is too far away from his place of posting .

Now therefore, after giving the incumbent patient hearing and after considering the entire gamut of the situation, it is ordered that, the prayer of the petitioner Dr. Prasanta Kumar Chaudhury for transfer to any health institution within Kolkata is not accepted as transfer is an integral and incidental to service and accordingly, the petitioner is directed to join his new place of posting. The Deputy Director of Health Services (Administration), being the controlling authority of all the mental hospitals of the state, is directed to release Dr. Chaudhury immediately from the present place of his posting to join his new assignment as Dy CMOH-II, Kalimpong .

Thus the matter is disposed of.

All concerned are being informed accordingly.



Secretary

**Department of Health & Family Welfare
Government of West Bengal**