

GAHC010019942018



THE GAUhati HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Cont.Cas(C)/52/2018

ASSAM DENTAL SERVICE ASSOCIATION
MMC HOSPITAL CAMPUS, PANBAZAR, GHY-1, REP. BY ITS PRESIDENT

VERSUS

SAMIR KR. SINHA
PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM, HEALTH AND FAMILY
WELFARE DEPTT., ASSAM, DISPUR, GHY-6

Advocate for the Petitioner : MR. B CHAKRABORTY

Advocate for the Respondent : MR. D BORA, SC, HEALTH & FAMILY WELFARE DEPTT.

Linked Case : WP(C)/7217/2017

ASSAM DENTAL SERVICE ASSOCIATION
REGD NO. 2248
MNC HOSPITAL CAMPUS
PANBAZAR
GUWAHATI- 01
REP. BY ITS PRESIDENT

VERSUS

THE STATE OF ASSAM and 2 ORS.

REP. BY THE PRINCIPAL SECRETARY OF THE GOVT OF ASSAM
HEALTH AND FAMILY WELFARE DEPARTMENT
DISPUR
GUWAHATI-6

2:SAMIR SINGHA
PRINCIPAL SECRETARY
HEALTH AND FAMILY WELFARE DEPARTMENT
DISPUR
GUWAHATI- 06
3:DIRECTOR OF HEALTH SERVICES
ASSAM
DISPUR
GUWAHATI-6

Advocate for : MS.P HAZARIKA
Advocate for : appearing for THE STATE OF ASSAM and 2 ORS.

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 9.2.2021

Mr. D. Bora, the learned counsel for the Health Department has submitted a letter dated 28.01.2021, issued by the Joint Secretary to the Government of Assam, Health & Family Welfare Department, which contains a status report which basically states that nothing has been done for the past one year, as Assembly Elections are around the corner and a decision can be arrived at after a new Government takes charge.

Mr. B. Chakraborty, the learned counsel for the petitioner has submitted a letter No. HSE/Assam Dental Health Service Rule/87/2017/560 dated 27.01.2021, issued by the Director of Health Services, Assam and addressed to the Principal Secretary to the Government of Assam, Health & Family Welfare (A) Department, which is to the following effect:-

“Subj : Regarding fresh proposal for creation/up-gradation of promotional posts of

Dental Surgeon.

Ref : No. HLA 669/2007/pt/491, dated 5.2.2020.

Sir,

With reference to the subject cited above, I have the honour to submit herewith a for fresh proposal as per minutes of meeting held on 21.11.2019 in between Commissioner & Secretary, to the Govt. of Assam, Health & Family Welfare Department & associate members of Assam Dental Service Association, the (check list No. 5 & 9) duly filled (Annexure- I to V) 4 (four) nos posts of Chief Dental Surgeons are to be created in different zones and 1 (one) no of Joint Director of Dental Service posts to be created at D.H.S. H.Q which are also mentioned in the new draft service rules vetted by legislative department, Govt. of Assam and would be placed before cabinet for approval of the Service Rules.

More over, I have the honour to submit the proposal for up-gradation of 33 (thirty three) Nos. of Dental Surgeons in all District H.Q to Senior Dental Surgeons and 33 (thirty three) post of Dental Surgeons will be relocated to newly created Model Hospitals/ FRU/CHC etc. I would like to submit Justification, Job responsibilities of different cadre for newly created promotional/up-gradation cadre of Dental Surgeons, according to Notification OM No/AAP 200/94/4 dated 30.11.1994 of personal (A) Deptt.

The proposal for Up-gradation/creation of the post is submitted in compliance with the OM No/AAP 200/94/4 dated 30.11.1994 of personal (A) Department.

This is for favour of kind information and necessary action."

Mr. D. Bora, the learned counsel shall obtain the status report with regard to the above letter dated 27.01.2021 within two weeks.

List the matter on **03.03.2021**.

JUDGE

Comparing Assistant