

GAHC010174822018



2024:GAU-AS:12563

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

Case No. : WP(C)/5476/2018

PRADIP KR. SARKAR AND 96 ORS.
S/O. SRI KANDU LAL SARKAR, R/O. NA BHETI, WARD - 9, P.S. AND DIST.
MORIGAON-782105. PLACE OF POSTING- MORIGAON CIVIL HOSPITAL.

2: DR. ATINDRA DAS

S/O. LT. SACHINDRA CH. DAS
R/O. C/O. JOY DURGA MEDICAL
P.O. AND P.S. JAGIROAD
DIST. MORIGAON
PLACE OF POSTING- JHARGAON BPHC.

3: DR. ATANU BORA
S/O. LT. RAMANI MOHAN BORA
R/O. C/O. LT. RAMANI MOHAN BORA
VILL. MAJORATI HAIBORGAON
DIST. NAGON
PLACE OF POSTING- DAGON BPHC.

4: DR. HRIDAY RAKTIM KAKATI
S/O. SRI SANKAR KAKATI
R/O. C/O. SRI SANKAR KAKOTI B.B. ROAD WARD NO.-03 MANGALDAI
DIST. DARRANG- 784125
PLACE OF POSTING- ORANG BPHC.

5: DR. APARAJITA PATOWARY

D/O. LT. JITEN PATOWARY
R/O. C/O. BINA PATOWARY-26
NAYANPUR GANESHGURI GUWAHATI-781005 KAMRUP (M) PLACE OF
POSTING- NORTH GUWAHATI BPHC.

6: DR. ABANI KR PEGU
S/O. MR. LAKHIMINANDAN PEGU

R/O. CHAPA KHOWA DIST. TINSUKIA-786157
PLACE OF POSTING- CHAPAKHOWA FRU SADIYA.

7: DR. BHASKAR JYOTI SARMAH

S/O. BIPUL CHANDRA SARMAH
R/O. DR. BHASKAR J SARMAH
S/O. BIPUL CH. SARMAH
OPP. KAPILI HOSPITAL
PANIGAON DIST. NAGAON-782003 PLACE OF POSTING- DHING BPHC
NAGAON.

8: DR. JUTI ADHIKARY

D/O. MR. PRADIP CH. ADHIKARI
R/O. C/O. DR. BIPUL PRASAD DEKA
JAPORIGOG
ALOKPUR HOUSE NO. 6
DISPUR-5 PLACE OF POSTING- SONAPUR BPHC.

9: DR. AJANTA TALUKDAR

D/O. MR. MADHUSUDAN TALUKDAR
R/O. AZARA KALITAPARA
C/O. DR. HIRAKJYOTI DAS NEAR KALITAPARA SHIV MANDIR
PLACE OF POSTING- RANGIA BPHC.

10: DR. SHAMIM AKHTAR AHMED

S/O. DR. GIASUDDIN AHMED
R/O. 102
HATIGAON
BETAPARA ROAD
NEAR GANPATI MARBLES AND TILES
GUWAHATI-781038
PLACE OF POSTING- LAKHIPUR PBHC
CACHAR.

11: DR. JAYASHREE PATHAK

D/O. D.N. PATHAK
R/O. A.R.B. ROAD
NEAR KHUTIKATIA SHIV MANDIR
SOUTH HAIBARGAON
NAGAON-782002
PLACE OF POSTING- BURAGOHAIN THAN BPHC.

12: DR. JENIFA SABNAM

D/O. HABIBUR RAHMAN
R/O. H/NO.11 SANKAR AZAN PATH

HATIGAON
KAMRUP (M) GUWAHATI-781038
PLACE OF POSTING- KATHIATOLI BPHC.

13: DR. DWAIPAYAN DAKUWA
S/O. KESHAB CH. DAKUA
ADDRESS- GOLIAHATI NO.1
BARPETA TOWN
BARPETA-781301
PLACE OF POSTING- BHAWANIPUR BPHC.

14: DR. MD. NAZRUL ISLAM SHIKDER
S/O. MD. HASAN ALI
R/O. HOWLY TOWN (W.NO.-1) BARPETA
-781316 PLACE OF POSTING- CHENGA BPHC.

15: DR. PAWAN PANIKA
S/O. BHUPAL PANIKA
R/O. NAHARANI GAON
P.O. KONWARI GAON P.S. NAHARANI THANA
DIBRUGARH-786610 PLACE OF POSTING- JUGIJAN BPHC
NAGAON..

16: DR. JIMU KR ROY
S/O. SRI AMAL CH. ROY
R/O. DR JIMU KR ROY S/O. AMAL CH ROY
H.P.C COLONY-B 81/4 KAGAZNAGER JAGIROAD-782413
MORIGAON
PLACE OF POSTING- LAHORIGHAT BPHC
MORIGAON.

17: DR. SANAM MONDAL
D/O. LT. ABU BAKKAR MONDAL
R/O. C/O. SHAMSUL ZAMAN AHMED
VILL. JHAGRAPARA PT-1
P.O. KHALILPUR DHUBRI-783325
PLACE OF POSTING- GAZARIKANDI.

18: DR. SANJAY KUMAR SINGH
S/O. LT. SHIV NARAYAN SINGH
R/O. HOWLY
WARD NO.1 DIST. BARPETA-781316 PLACE OF POSTING- KALGACHIA
BPC.

19: DR. RONOJ KUMAR BRAHMA
S/O. NAURI KANTA BRAHMA
R/O. SWDWMSRI NWGWR BY-LANE-2
NEAR NORTH BONGAIGAON P.O.

BONGAIGAON-783380
PLACE OF POSTING- BALLAMGURI BPHC.

20: DR. RANJEETA KALITA
D/O. TARINI CHARAN KALITA
R/O. H/NO. 82
JONAKINAGAR
NO.2 MATHGHARIA NOONMATI
GUWAHATI-781020 PLACE OF POSTING- BARAPUJIA BPHC
NAGAON.

21: DR. AMAR MUCHAHARY
S/O. LT. BALENDRA MUCHAHARY
R/O. C/O. NILIMONY BASUMATARY
VILL. GOSSAIGAON WD-3
RAJAPARA
KOKRAJHAR
BTC
-783360 PLACE OF POSTING- KACHUGAON BPHC.

22: DR. MRIDUSMITA THAKURIA
D/O. DR. S.P. THAKURIA
GANDHIBASTI
ANGSHUMAN (NEAR KALIMANDIR)
GUWAHATI PLACE OF POSTING- BARPETA ROAD FRU
BARPETA.

23: DR. RUPAM CHOUDHURY
S/O. SRI DURGESWAR CHOUDHURY
R/O. TOWN PATHSALA
P.O. MUGURIA
WARD NO.4 (MILANPUR)
BARPETA-781325
PLACE OF POSTING- BOITAMARI BPHC
BONGAIGAON.

24: DR. JAYANTA KR SARMA
S/O. LT. HARENDRA NATH SARMA
R/O. C/O. KSHIRADA DEVI
VILL. AND P.O. SONESWAR
P.S. KAMALPUR
KAMRUP PLACE OF POSTING- NIZKAURBAHA BPHC (BAKSA)

25: NARZIS AKRAM HAZARIKA
D/O. AKRAM HUSSAIN
R/O. C/O. DR. ABDUR REZZAQUE
HATIGAON
SANJOGI PATH (ELLORA UPAPATH) H/NO.-11 (BEHIND P.S.) PLACE OF

POSTING- BARPETA DEIC (FAAMCH)

26: DR. NAYEEMA SULTANA
D/O. MD. NUR ISLAM
R/O. BASISTHA ROAD
LAKHIMI NAGAR
BYE LANE 3
H/NO.-30
BELTOLA
GUWAHATI-781028
PLACE OF POSTING- HOWLY CHC.

27: DR. BRAJAMANI SARMA
S/O. SRI ABINASH SARMA
R/O. SARUPETA
NEAR RLY STATION
BARPETA-781318
PLACE OF POSTING- NITYANANDA BPHC.

28: DR. HUMAYUN KABIR

S/O. MD. MATIAR RAHMAN
R/O. H/NO.24
SHINTU BHAWAN
PO INDRAPUR
BHANDAGARH
KAMRUP (M)-781032 PLACE OF POSTING- MUKALMUA PHC/FRU
NALBARI.

29: DR. KHISAL AHMED MAZUMDER
S/O. KAMAL UDDIN MAZUMDER
R/O. C/O. KAMAL UDDIN MAZUMDAR
OLD LAKHIPUR ROAD
MODHUR BOND
SILCHAR (NEAR MAYA BHABAN) PLACE OF POSTING- BORKHOLA BPHC.

30: DR. BISWADIP SHYAM
S/O. BIKASH RANJAN SHYAM
R/O. H/NO.23
LANE-1
LINK ROAD
SILCHAR-788006
PLACE OF POSTING- BIKRAMPUR BPHC
CACHAR.

31: DR. CHIRANJIB BARMAN
S/O. LT. SWARAJMANI BARMAN R/O. C/O. KALPANA BARMAN
NATIONAL HIGH WAY

NETAJI LANE
HOUSE NO-21
PLACE OF POSTING- DHOLAI BPHC
CACHAR

32: DR. SHILPI PURKYASTHA
D/O. MR SWAPAN PURKAYASTHA
R/O. SHIV COLONY
KUMBHIRGRAM AIRPORT
SILCHAR-788109
PLACE OF POSTING- S.M. DEV CIVIL HOSPITAL CACHAR.

33: DR. RICHA DUTTA
D/O. BROJALAL DUTTA
R/O. H/NO.-26
LANE NO.-9
LINK ROAD
SILCHAR-788006
PLACE OF POSTING- SONAI BPHC
CACHAR

34: DR. BISWAJIT DEY

S/O. BADAL DEY
R/O. C/O. SRI BADAL DEY
CHATESWARI BAKERY
P.N.G.B. ROAD
P.O. DHEKIAJULI
SONITPUR-784110 PLACE OF POSTING- NAGARBERA BPHC

35: DR. PALLABI BARMAN

D/O. DHARMESWAR BARMAN
R/O. VILL. BALIKORIA KARJARA
P.O. GOPAL BAZAR
DIST. NALBARI-781353 PLACE OF POSTING- TIHU FRU
NALBARI.

36: DR. CHAYANIKA BISMITAR
D/O. LT. DR. HITENDRA KR. BISMITAR
R/O. H/NO. 8
SUKURI RABHA PATH
BELTOLA COLLEGE ROAD
A.G.BUS STOP
LAKHIMANDIR
BELTOLA-781028

PLACE OF POSTING- BIHDIA (KAMRUP)

37: DR. MADHUMITA DEVI

D/O. SRI KANDARPA KUMAR SARMA
R/O. C/O. RAJIB SARMA
JYOTINAGAR
PATHSALA
BARPETA
PLACE OF POSTING- MANDIA BPHC
BARPETA.

38: DR. MOITHILI KAKATI

D/O. HEM CHANDRA KAKATI
R/O. PLAT NO.B-51 SURYA KIRAN APARTMENT
KHANAMUKH
LANKESWAR
JALUKBARI
GUWAHATI-781014
PLACE OF POSTING- RAMPUR BPHC (KAMRUP RURAL)

39: DR. JESMINARA BEGUM

D/O. AMIRUL ISLAM
R/O. C/O. AMIRUL ISLAM
H/NO.-81
WARD NO. 18
BISHNUPALLY
P.O. AND P.S. HOJAI
DIST. HOJAI-782435
PLACE OF POSTING- LALA BPHC
HAILAKANDI.

40: DR. RASHMI REKHA SHARMA

D/O. MR. DIPAK KR. SHARMA
R/O. BAPUJI NAGAR
H/NO.87
NOONMATI
KAMRUP (M)
GUWAHATI-781020
PLACE OF POSTING- DR. RABI BORO CIVIL HOSPITAL
BAKSA (BTAD)

41: DR. SMITA KALITA

D/O. SATISH CHANDRA KALITA
R/O. H/NO.66
UDAINAGAR
KONADHORA

KHANAPARA GUWAHATI-781022
PLACE OF POSTING- SIPAJHAR BPHC (DARRANG)

42: DR. ANTARA SARMAH

D/O. GOBINDA PRASAD SARMA
R/O. H/NO. 29
NAMGAR PATH
MILANPUR TINIALI
CHANDMARI
P.O. BAMUNIMAIDAM-781021
PLACE OF POSTING- SUALKUCHI BPHC

43: DR. CHIRANJIB CHAKRAVORTY
S/O. BHUPEN CHAKRAVORTY
R/O. HOUSE NO.-1
PANJABARI
SUNDAR PATH
GUWAHATI-781037
PLACE OF POSTING- BOKAJAN BPHC
KARBIANGLONG.

44: DR. KSH. SANJAY SINGH

S/O. MRS. KSH IBOCHOUBI SINGH
R/O. FLAT NO.1B
RAJDANI HOUSING
CO-OPERATIVE SOCIETY
NALINI BALA DEVI PATH
SREENAGAR
G.S. ROAD
PLACE OF POSTING- HOWRAGHAT BPHC/CHC
KARBIANGLONG.

45: DR. SUPAL CHAKRABORTY
S/O. LT. SUNIL CHAKRABORTY
R/O. H/NO.3
MAIDAM BAKARAPARA
PILLINGKATA ROAD
PO. AND P.S. BASISTHA
KAMRUP (M)-781029
PLACE OF POSTING- LANKA BPHC
NAGAON.

46: DR. UTPAL KUMAR BORAH

S/O. MR. ANAND RAM BORAH
R/O. FLAT NO.3FG

BLOCK-B NEEA APARTMENT
NEAR KALIMANDIR
HENGRABARI-781036
PLACE OF POSTING- GOGAMUKH
DHEMAJI.

47: DR. PRAKRITI RANI KALITA
D/O. LT. HIRENDRA CH. SINGHA
R/O. MUGURIA
KALIGHAT
WARD NO.5
PATHSALA PLACE OF POSTING- JALAH

48: DR. MD. NAZRUL ISLAM
S/O. MD. ABED ALI
R/O. VILL. MOWAMARI
P.O. RAMAPARA RAM
DIST. BARPETA
PLACE OF POSTING- GOLAKGANJ BPHC.

49: DR. SUMAN JAIN
D/O. MR. MALCHAND LALANI
R/O. PURANI BAZAR
WARD NO.8
P.O. AND P.S. BILASIPARA
PLACE OF POSTING- RANIGANJ BPHC

50: DR. NABANITA HAZARIKA
D/O. KSHUDRESWAR NATH HAZARIKA
R/O. MEDHIPARA
P.O. CHAPAI CHOWKA
DIST. DARANG-784529
PLACE OF POSTING- KHOIRABARI BPHC.

51: DR. JUGANTA KARDONG
S/O. SRI LAKHESWAR KARDONG
R/O. DHALPUR CHC
DOCTORS QUARTER RCC-2
VILL. AND P.O. DHALPUR DIST. NORTH LAKHIMPUR-784165
PLACE OF POSTING- DHALPUR CHC.

52: DR. PURBAJYOTI KAKATI
S/O. MR. DIJEN KAKATI
R/O. JATIA
MANDAKINI PATH
H/NO.-4
KAHILIPARA ROAD
GUWAHATI-06. PLACE OF POSTING- BHURBANDHA BPHC

MORIGAON

53: DR. YASHMIN PARVEEN
D/O. K. M. AFTABULLAH
R/O. H/NO.11
NOTBAMA
MAZAR
SIJUBARI
HATIGAON
DISPUR
GUWAHATI-781038
PLACE OF POSTING- DISTRICT HOSPITAL KAMRUP (M)

54: DR. DEBOJIT GOSWAMI
S/O. LT. NARAYAN GOSWAMI
R/O. FLAT NO.102 A
NIRMAN APARTMENT
NEAR CRPF CAMP
DHARAPUR
GUWAHATI-17
PLACE OF POSTING- BEZERA CHC/FRU

55: DR. GITIMA DUTTA GOSWAMI
D/O. LT. RAMESH DUTTA
R/O. FLAT NO.102-A
NIRMAN APARTMENT
NEAR CRPF CAMP
DHARAPUR
GUWAHATI-17 PLACE OF POSTING- NORTH GUWAHATI BPHC

56: DR. GAUTAM KUMAR DAS

S/O. TIKENDRA NATH DAS
R/O. VILL. KALJIRAPARA (RATANPUR)
P.O. NITYANANDA
BARPETA
781329
PLACE OF POSTING- KHARUPETIA BPHC

57: DR. MANMITA DAS

D/O. MR. PRATAP CH. DAS
R/O. SATYAM APARTMENT
LANKESWAR
JALUKBARI (WEST) GUWAHATI-14
PLACE OF POSTING- MUKALMUA PHC/FRU
NALBARI

58: DR. NISHANKA MILAN NATH
S/O. LT. MILAN CH. NATH
R/O. UDAYGIRI BPHC
H/NO.9
NEAR A.S.E.B COLONEY
NARENGI GHY.-26 PLACE OF POSTING- UDALGURI
BPHC

59: DR. MAYURI KAR
D/O. MR. BIDHAN KAR
R/O. GOALPARA-783101PLACE OF POSTING- SRIJANGRAM BPHC.

60: DR. MD. IRFAN HABIB
S/O. ATM FORHAD ALI
R/O. RUPNAGAR BALADMARI
GOALPARA-783121
PLACE OF POSTING- DEIC
BONGAIGAON CH

61: DR. MOUSUMI HAZARIKA
D/O. MR. JOYRAM NATH HAZARIKA
R/O. BORDOLOI NAGAR SECTOR-2 BYLANE-8
TINSUKIA-786125
PLACE OF POSTING- PATSAKU BPHC.

62: DR. RAJIB KUMAR
S/O. MR. RAKHAL CH KUMAR
R/O. KSHS NAZIRA SDCH LIGIRIPUKHURI
HOSPITAL QUARTER PLACE OF POSTING- KSHS NAZIRA SDCH
LIGIRIPUKHURI

63: DR. NELOM NISHA
D/O. SUBHASH CHANDRA SHAH
R/O. C/O. SRI RAJENDRA GUPTA
GUPTA HOTEL WARD NO.3
COLLEGE ROAD
DC PATH
MORANHAT TOWN
SIBSAGAR
PLACE OF POSTING- SONARI SDCH
CHARAIDEO.

64: DR. PRIYALAKSHMI SAIKIA
D/O. DEVAJYOTI SAIKIA
R/O. B.G. ROAD
CHEREKAPAR

PROFESSORS COLONY
NEAR HOLY NAME SCHOOL
SIVASAGR. PLACE OF POSTING- SAPEKHATI BPHC.

65: DR. VIJAY LAXMI SAIKIA

D/O. MR. DEVAJYOTI SAIKIA
R/O. B.G. ROAD
CHEREKAPAR
PROFESSORS COLONY
NEAR HOLY NAME SCHOOL
SIVASAGR PLACE OF POSTING- MORABAZAR BPHC

66: DR. JUTHIKA DEVI SARMA

D/O. LT. PARESH SARMA
R/O. ONGC COLONY
B-BLOCK
Q.NO-B-302
SIVASAGAR-785640 PLACE OF POSTING- SIVASAGAR CIVIL HOSPITAL

67: DR. DEEPSHIKHA RAJKONWAR

D/O. MR. AJIT RAJKHONWAR
R/O. C/O. MR. JATIN GOGOI
VILL. RAICHAJ
P.O.
P.S. DEMOW
SIVASAGAR-785662
PLACE OF POSTING- KHELUA BPHC

68: DR. SUMAN PEGU

S/O. BHABEN CH. PEGU
WARD NO.-3
DHEMAJI
PLACE OF POSTING- GOGAMUK

69: DR. AJAY BAKAL

S/O. BIMAN BAKAL
R/O. WARD NO.14
LAKSHMINAGAR
P.O. CHEREKAPAR
SIVASAGAR-785640
PLACE OF POSTING- GELEKEY BPHC
SIVASAGAR

70: DR. SATYABHAMA BURAGOHAIN

D/O. MR. SANKAR BURAGOHAIN
R/O. WARD NO.14

LAKSHMINAGAR
P.O. CHEREKAPAR
SIVASAGAR-785640
PLACE OF POSTING- GAURISAGAR BPHC
SIVASAGAR

71: DR. SIDHARTHA MANGAL BORDOLOI

S/O. MR. ROMENDRA NARAYAN BORDOLOI
P.O. AND VILL. GORGAON
SIVASAGAR-785685
PLACE OF POSTING- DEMOW BPHC
SIVASAGAR.

72: DR. SIKHA BARUAH

D/O. MR. BHOGO CHANDRA BORUAH
R/O. C/O. B.C. BORUAH
NAOSOLIA GAON
AIRPORT ROAD
ROWROIAH
P.O. BORBHETA AIR FIELD
JORHAT-785005
PLACE OF POSTING- SOLMORA BPHC
JORHTA.

73: DR. AJOY KUMAR GOND

S/O. LT. MANIK CHANDRA GOND
R/O. JORHAT TARA JAN SONARI GAON
NO.1
NEAR WATER SUPPLY
KRISHNACHURA PATH PLACE OF POSTING- KAKOJAN BPHC
JORHAT

74: DR. WARIS ALI

S/O. MD. ALI
C/O. DR. WARIS ALI
DENTAL SURGEON TEOK FRU
JORHAT-785112
PLACE OF POSTING- TEOK FRU JORHAT

75: DR. OBINASH KYSHAP MAHANTA

S/O. KESHAB MAHANTA
R/O. TARA JAN NO.1 SONARI GAON
JURHAT
PLACE OF POSTING- NAKACHARI BPHC

76: DR. MRIGAKHI BORDOLOI

D/O. MADHAB CHANDRA BORDOLOI
R/O. NEAR A.G. NURSING HOME
TARAJAN WEST
A.T. ROAD JORHAT-785001 PLACE OF POSTING- JMCH
JORHAT.

77: DR. BORNALEE PHATOWALI

D/O. LT. JOY PRASAD PHATOWALI
R/O. THANA ROAD
NEAR PRESIDENT TOWER
JORHAT PLACE OF POSTING- BAGHCHUNG.

78: DR. DHARITRY DUTTA

D/O. MR JAGAR CHANDRA DUTTA
R/O. GOHAIN TEKELA GAON
JORHAT-785001
PLACE OF POSTING- BHOGAMUKH BPHC

79: DR. APURBA KR SAIKIA

S/O. MR. BHBEN CH. SAIKIA
R/O. C/O. DR. J.N. GOGOI
JIVAN JYOTI
NAALI
HABICHUK
JORHAT-785001
PLACE OF POSTING- TITABOR
JORHAT.

80: DR. TAPASHYA MALI

D/O. SRI NIRANJAN CHANDRA MALI
R/O. BORKANDAZ ROAD
FAUZDARY PATTY
NEAR RAM MANDIR
NAGAON-782001
PLACE OF POSTING- SAMAGURI BPHC.

81: DR. PRIYANKA GHOSH

D/O. JIBAN CHANDRA GHOSH
R/O. C/O. NAGAON DRUG DISTRIBUTORS
M.D. ROAD
NEAR UNION BANK NAGAON-782001
PLACE OF POSTING- HOJAI FRU

82: DR. MITALI GOSWAMI
D/O. PADMA GOSWAMI
R/O. VILL. PUB SALMARA
P.O. PHULOGURI DIST. NAGAON-782103
PLACE OF POSTING- B.P. CIVIL HOSPITAL
NAGAON.

83: DR. ANUPAMA PANDIT

D/O. JAGADISH CHANDRA PANDIT SAMADARPATTY
HAIBARGAON
WARD NO.6 NAGAON-782002
PLACE OF POSTING- KAOIMARI FRU

84: DR. BIKASH LOGUN
S/O. MR. REDLY LOGUN
R/O. H/NO.684
MISSION COMPAIRD
P.O. AND DIST. GOLAGHAT
PLACE OF POSTING- SARUPATHAR GOLAGHAT.

85: DR. NIBEDITA BUJAR BARUA
D/O. MR. MAHENDRA MALLA BUJAR BARUAH
R/O. C/O. MAHENDRA MALLA BUJAR BARUAH
VILL. BIDYAPUR (MALIKUCHI) P.O. AND DIST. NALBARI-781335
PLACE OF POSTING- S.M.K CIVIL HOSPITAL
NALBARI.

86: DR. DEBASHRI DEB
D/O. LT. SAMPAD DEB
R/O. C/O. SMT PURNIMA DEV QT. NO.64 TYPE-2
PO- R.K.MISSION
OPP. R.K. MISSION HOSPITAL
G-SECTOR
ITANAGAR-791111
ARUNACHAL PRADESH
PLACE OF POSTING- JONAI BPHC

87: DR. LEEZA DEVI
D/O. DR. PRAHLAD NATH
R/O. C/O. DR. PRAHLAD NATH
477
WARD NO.10
GREEN ROAD
GOLAGAT-785621.

88: DR. MOUSUMI PAUL

D/O. SRI HIMANGSHU RANJAN DEY
R/O. WIDE SMILE DENTAL CLINIC
P.N. ROAD
DIBRUGARH-786001
PLACE OF POSTING- LAHOWAL BPHC
DIBRUGARH.

89: DR. MADHUMITA PAL DUTTA

D/O. RAKHAL CANDRA PAL
R/O. DR. MADHUMITA PAL DUTTA
DENTAL SURGEON RBSK
PANITOLA BPHC
DIBRUGARH PLACE OF POSTING- PANITOLA BPHC
DIBRUGARH.

90: DR. BISWAJIT BORA

S/O. DR. GOPAL BORA
R/O. NEW AMULAPATTY
GOLAGHAT
LABHI BARUAH ROAD-785621
PLACE OF POSTING- KAMARBANDHA ALI BPHC
GOLAGHAT.

91: DR. DAVID BIKOMIYA DEORI

S/O. LT. BHARAT KUMAR DEORI
R/O. NA-SADIYA BPHC P.O. KUNDIL
DIST. TINSUKIA-786158
PLACE OF POSTING- NA-SADIYA BPHC

92: DR. DIBYAJYOTI PATHK

S/O. LOKESWAR PATHAK
R/O. DENT ALL ORAL HEALTH CLINIC
WARD NO.1
NARAYANPUR DIST. LAKHIMPUR-784164
PLACE OF POSTING- DHALPUR BPHC

93: DR. PRIYANKA SAIKIA

D/O. SRI GAJENDRA NATH SAIKIA
R/O. VILL. BHOGPUR
P.O. BHOGPUR CHARIALI
P.S. NARAYANPUR-787033
PLACE OF POSTING- BIHPURIA
LAKHIMPUR.

94: DR. SANJOY KUMAR SARKAR

S/O. LT. B.N. SARKAR
R/O. C/O. SAI DENTAL CLINIC
C.R. DAS ROAD
P.O.
P.S. AND DIST. DHUBRI-783301
PLACE OF POSTING- SOUTH SALMARA
DHUBRI.

95: DR. ABHIJIT BISWAS

S/O. SAMBHU RAM BISWAS
R/O. BONGAIGAON NETAJI NAGAR
LAHIRIPARA-783380
PLACE OF POSTING- BONGAGAON PHC.

96: DR. SUNAYANA BHUYAN

D/O. DULAL KUMAR BHUYAN R/O. MATRI APARTMENT H/NO.-71
BYELANE-7
BORTHAKUR MILL ROAD
ULUBARI
GUWAHATI-781007
PLACE OF POSTING- MORIGAON DEIC

97: DR. DIGANTA BHATTACHARYA

S/O. LT. DIPAK BHATTACHARYA
R/O. B.B. ROAD
AMOLAPATTY
NAGAON-782001
PLACE OF POSTING- KAMPUR FRU
KAMPUR

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, DEPTT. OF
HEALTH AND FAMILY WELFARE, DISPUR, GUWAHATI-06.

2:THE DIRECTOR OF MEDICAL EDUCATION

ASSAM SIX MILE
KHANAPARA
GUWAHATI-22.

3:THE MISSION DIRECTOR

NATIONAL RURAL HEALTH MISSION
SAIKIA COMMERCIAL COMPLEX
G.S. ROAD
CHRISTIAN BASTI
GUWAHATI-05.

4:THE UNION OF INDIA

REP. BY THE SECRETARY
MINISTRY OF HEALTH AND FAMILY WELFARE
NRHM
NIRMAN BHAWAN
NEW DELHI

Advocate for the Petitioner : MR. P S DEKA, MS A BEGUM,MR. D J DAS,N GAUTAM,MR. K N CHOUDHURY,MR. B J TALUKDAR,MR. P TALUKDAR,MR. D K BHAGAWATI

Advocate for the Respondent : SC, HEALTH AND F W, MR H GUPTA (CGC, R3 & R4),ASSTT.S.G.I.,SC, NRHM

BEFORE
HON'BLE MR. JUSTICE NELSON SAILO

Date of hearing : 05.12.2024

Date of judgment : 12.12.2024

J U D G M E N T & O R D E R (CAV)

Heard Mr. K.N. Choudhury, learned Senior Counsel assisted by Ms. R. Kakoti, learned counsel for the petitioners. Also heard Mr. B. Gogoi, learned Standing Counsel National Health Mission (NHM) for all the respondents.

[2.] The case of the petitioners is that they have been working as Dental Surgeon (BDS) under the Mission Director, National Rural Health Mission, now National

Health Mission (NHM) and likewise, there are a number of Medical Officers (MBBS) working under the same establishment. The petitioners contend that the respondent authorities have failed to maintain parity in pay structure between BDS and MBBS. Initially, both the categories of Doctors were paid a remuneration of Rs. 18,000/- per month while Medical Officers (Ayurvedic), Medical Officers (Homeo) were getting Rs. 15,000/- per month. After a few months, the remuneration in respect of MBBS was increased to Rs. 25,000/- and later vide Notification dated 11.01.2011 to Rs. 35,000/- per month. By the same notification, the remuneration of BDS was fixed at Rs. 29,000/- per month and that of Medical Officers (Ayur) and Medical Officers (Homeo) at Rs. 22,000/- per month. Again, by a subsequent Notification dated 30.08.2012, the remuneration in respect of MBBS was increased to Rs. 40,000/- per month and the remuneration of Medical Officers (Ayur) and Medical Officers (Homeo) were increased to Rs. 40,000/- per month while remuneration for BDS has remained at Rs. 29,000/-. It is therefore the case of the petitioners that they perform equal work, equal duties and responsibilities like Medical Officer (MBBS) and that their educational qualification was declared to be equivalent by the Govt. of India and therefore, they are entitled to equal pay for equal work. Although the petitioners have filed their representations before the respondent authorities but since the same has not been addressed and mitigated, they are before this Court through the instant writ petition.

[3.] Mr. K.N. Choudhury, learned Senior Counsel submits that the action of the respondents in treating MBBS Doctors and BDS differently cannot be sustained in view of the fact that the Govt. of India, Ministry of Health & Family Welfare by its Office Memorandum dated 16.11.1984 declared the post in the field of Dental Science as Medical Post like that of MBBS Doctors. He submits that offering different pay to the same class of people by the respondent authorities has hit the mandate of Article 39 (d) of the Constitution of India, which proclaims 'equal pay for equal work' for both men and women. He submits that equal pay for equal work for men and women means pay for equal work for everyone of between the sexes. He submits that BDS and MBBS degrees are equivalent degree, and as such, the petitioners were rightly given the same amount of remuneration at the time of their initial appointment. Subsequently, remuneration of MBBS Doctors was increased by overlooking the rights of the petitioners for equal amount of salary. He submits that the mandate of equality enshrined in Article 14 of the Constitution of India has been violated by the respondent authorities by not giving the petitioners equal pay with that of MBBS Doctors. He therefore submits that the respondent authorities should be directed to grant the petitioners equal pay and at par with those MBBS Doctors. The learned Senior Counsel in support of his submission relies upon the following authorities:-

(1) *State of Telangana represented by its Secretary to the*

Government, Health, Medical & Family Welfare Department & Ors. Vs. Mohd. Ibrahim & Ors. 2023 SCC OnLine TS 38 and the Order dated 24.07.2023 passed by the Apex Court in SLP (C) Diary No. 20204/2023 (The State of Telangana & Ors. Vs. Mohd. Ibrahim & Ors.)

(2) North Delhi Municipal Corporation Vs. Dr. Ram Naresh Sharma & Ors. (2021) 17 SCC 642

(3) Order dated 03.04.2018 passed by the High Court of Uttarakhand in WP(C) No. 484/2014 (Dr. Sanjay Singh Chauhan & Ors. Vs. State of Uttarakhan & Ors.) and the Order dated 24.03.2022 passed by the Apex Court in SLA (C) No. 33645/2018 (State of Uttarakhand & Ors. Vs. Sanjay Singh Chauhan & Ors.) and

(4) Order dated 29.03.2022 passed by a coordinate Bench of this Court in WP(C) No. 8759/2018 (The Ayurvedic Doctors Association & 2 Ors. Vs. The State of Assam & Ors.).

[4.] Mr. B. Gogoi, learned Standing Counsel, NHM on the other hand submits that the remuneration of Medical Officers (MBBS) under the NHM were revised vide Order dated 30.08.2012 to Rs. 40,000/- per month with an objective to keep parity to the extent possible with similar categories of post under regular Government

Services as well as on the basis higher job responsibilities assigned. He submits that there is no relation of pay parity of Medical Officers (BDS) with Medical Officers (MBBS) under NHM, Assam. Revision of remuneration of various positions including Medical Officers (MBBS), Medical Officers (Ayur) and Medical Officers (Homeo) were done based on job responsibilities within the budgetary provision of Revision of Pay (ROP) and with an objective to keep parity to the extent possible with similar categories of post under regular Government Service. He submits that at par revision of remuneration does not arise since job responsibilities of Dental Surgeon are not the same with Medical Officers (MBBS). He submits that the job responsibilities of Medical Officers (BDS) are not related to life threatening situations while the responsibilities of Medical Officers (MBBS) are related to life threatening matters. He therefore submits that the petitioners cannot have any legitimate grievance with regard to the remuneration given to them and therefore, the writ petition should be dismissed. Mr. B. Gogoi, learned Standing Counsel, NHM in support of his submission relies upon the following authorities:-

(1) S.C. Chandra & Ors. Vs. State of Jharkhnad & Ors. (2007)

8 SCC 271

(2) State of Punjab & Ors. Vs. Jagjit Singh & Ors. (2017) 1

SCC 148

(3) Judgment dated 26.04.2023 of the Apex Court in Civil

Appeal No. 8557/2014 (State of Gujarat & Ors. Vs. Dr. P.A. Bhatt & Ors.) and

(4) Judgment dated 02.01.2024 passed by the Apex Court in Civil Appeal No. 17/2024 (The State of M.P & Ors. Vs. Vijay Kumar Tiwari & Ors.)

[5.] I have heard the submissions made by the learned counsels for the rival parties and I have perused the materials available on record including the authorities relied upon by the parties. As already stated, the petitioners, who are Dental Surgeons are claiming parity of pay with that of Medical Officers (MBBS). They were initially having equal pay in the year 2007 but at subsequent stages, there arose difference of pay and as on 2023, Medical Officers (MBBS) are getting Rs. 55,000/- while the Dental Surgeons are getting Rs. 33,550/- per month. The stand taken by the respondents is that due to the difference in the nature of their work and responsibilities, they cannot be treated at par. Such stand is briefly taken in their counter affidavit. It is also seen that the representations filed by the petitioners have not been considered by the respondent authorities concerned.

[6.] Coming to the authorities relied upon by the petitioners, it may be seen that the case of pay parity in *Mohd. Ibrahim & Ors.* (supra), which was allowed by the High Court and upheld by the Supreme Court was in respect of inequality in the stipend given to Post Graduate students of Ayush Institution on one hand and

House Surgeon and Post Graduate students in Alopathic Institutions in the State of Telangana on the other. However, in the present case, we are concerned with the claim for equal remuneration by Dental Surgeons and with that of Medical Officers (MBBS) and it is not an issue of stipend.

[7.] Reliance has also been placed on the case of *Dr. Ram Naresh Sharma & Ors.* (supra), which is again in respect of the age of superannuation between Ayush Doctors and Alopathic Doctors. It may be seen that a brief comparison has been made with regard to the area of treatment by Doctors of both discipline, unlike the instant case, where comparison will have to be made between Dental Surgeons and Medical Officers (MBBS). Similarly, the case of *Dr. Sanjay Singh Chauhan & Ors.* (supra) though relates to pay parity but the discipline under comparison was between Medical Officers (Ayush) on one hand and Alopathic Medical Officers and Dental Medical Officers on the other. Likewise, the case of the *Ayurvedic Doctors Association & 2 Ors.* (supra) is also in respect of Medical Officers (Ayurvedic) on one hand and Medical Officers (MBBS) on the other hand. A comparison of the duties and activities of both disciplines have been made. Perusal of the same would go to show that the same cannot be done in respect of the present case as the area of practice of a Dental Surgeon as already stated would differ with that of Medical Officers (MBBS).

[8.] The learned Standing Counsel, NHM has relied upon the case of *S.C Chandra*

& Ors. (supra) wherein, the Apex Court had examined and considered various decisions rendered by the same Court. The Apex Court observed that fixation of pay is a delicate mechanism, which requires various considerations including financial capacity, responsibilities, educational qualification, mode of appointments etc. and it has a cascading affect. Therefore, in subsequent decisions of the Apex Court, the principle of equal pay for equal work has been considerably watered down and it has hardly ever been applied by the Court in recent years. The case of *State of Haryana Vs. Jasmer Singh, (1996) 11 SCC 77* was one of the cases referred to wherein, it was held that persons doing the same work may have different degrees and responsibilities, reliabilities and confidentialities and those would be sufficient for valid differentiation of pay. Consequently, the writ petition filed by the appellants before the High Court, which was dismissed was upheld.

[9.] The Apex Court in the case of *Dr. P.A Bhatt & Ors. (supra)* considered the issue as to whether the respondents who possessed the degree of Ayurved in medicine and surgery can be treated at par with Doctors having MBBS degree. After a detail examination between the two (2) disciplines, the Apex Court came to the conclusion that the two (2) disciplines cannot be treated at par and the Doctors of both the discipline cannot be said to be performing equal work so as to be entitle them equal pay. Similar comparison was also made in the case of Vijay Kumar Tiwari (supra) in respect of Post Graduate students in the Ayurveda stream and Post Graduate students in Alopathy stream and it was held that both the

streams cannot be treated at par.

[10.] The Apex Court in *State of Haryana Vs. Haryana Civil Secretariat Personal Staff Association (2002) 6 SCC 72* observed that equation of posts and salary is a complex matter which should be left to an expert body. Courts must realize that the job is both a difficult and time consuming task which even expert having the assistance of staff with requisite expertise have found difficult to undertake. Fixation of pay and determination of parity is a complex matter which is for the expert to discharge. In the present case, as already noticed, the representations submitted by the petitioners have not been considered by the respondent authorities, which led them to file the instant writ petition. Having regard to the complexity in determining parity of pay for two (2) separate disciplines although in the medical field, this Court is of the considered view that a decision in this regard should be left to those who are expert in the field.

[11.] Accordingly, this writ petition is disposed of with a direction to the respondents to look into the grievance projected by the petitioners in terms of their representations which were submitted on 19.02.2014 (Annexure-K), 13.02.2015 (Annexure-L) and 12.01.2018 (Annexure-M). Liberty is also given to the petitioners to submit any other additional documents which justify their claim to the respondent authorities. Such consideration should be done by the respondent authorities if necessary, by constituting an Expert Body/Committee and the

consideration should be concluded by passing a reasoned and speaking order within a period of four (4) months from the date of receipt of a certified copy of this Order. Under the facts and circumstances, the parties are directed to bear their own cost.

JUDGE

Comparing Assistant