



## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CALCUTTA BENCH, CALCUTTA

O.A. No. 351/00 150/AN of 2016

## In the matter of :

Anita Halder, wife of Late Ravinder Lal  
residing at C/o. Tanuja Furnishing Shop, Goalghar  
Junction, Port Blair, Pin - 744101 working to the  
post of Staff Nurse under Andaman & Nicobar  
Administration, Health Department with effect  
from 2001 without any absorption to the said  
post.

..... Applicant

## - Versus -

1. Union of India through the Secretary,  
Ministry of Health & Family Welfare,  
Government of India, Sashtri Bhawan,  
New Delhi - 110001.
2. The Lieutenant Governor, Andaman & Nicobar  
Islands, Raj Niwas, Port Blair, Pin 744101.

*W.L.**Anita Halder*

3. The Chief Secretary, Andaman & Nicobar Administration Secretariat, Port Blair, Pin 744101.
4. The Director of Health Services, Andaman & Nicobar Administration, J.B. Pant Hospital, Port Blair, Pin 744101.
5. The Director of Social Welfare, Andaman & Nicobar Islands Administration, Port Blair, Pin - 744101.

*W.H.*

25/23/117

O R D E R

Mr.A.K.Patnaik, J.M.

This OA has been filed by the applicant under Section 19 of the A.T. Act alleging non-consideration of representation dated 19.8.16 for absorption to the post of Staff Nurse in the Health Department of A&N Islands Administration who is working to the post of Staff Nurse as a trained qualified candidate without any permanent absorption till today after lapse of 16 years, with the following prayers :

- a) To pass an appropriate order directing upon the respondent authority to consider the case of the present applicant for permanent absorption to the post of Staff Nurse against which your applicant is performing duty and discharging her responsibility w.e.f. 2001 as a trained and qualified candidate who has completed training under the quota of A&N Administration for West Bengal Nursing Council on 14.6.01 and she has got a Diploma in General Nursing - Midwifery Examination (3 years) after completion of successful training in the West Bengal Nursing Council on 14.6.2001.
- b) To pass an appropriate order directing upon the respondent authority to give the permanent status in favour of the applicant to the post of Staff Nurse in the Health Department, Andaman & Nicobar Administration who is a trained and qualified candidate discharging duties and her responsibilities with her full satisfaction to the A&N Administration, Health Department w.e.f. 2001 after rendering more than 16 year of service along with consequential benefits.

2. Heard Mr.P.C.Das, Id. Counsel leading Ms.T.Maity, Id. counsel appearing for the applicant and Mr.S.K.Ghosh, Id. Counsel appearing for the A&N Administration.

3. Mr.Das submitted that the applicant was firstly appointed to the post of Staff Nurse on casual basis on 5.10.01 by the Medical Officer, Primary Health Centre, Havelock under A&N Administration Health Department. Being a qualified and trained candidate till today she is continuously working in different Primary Health Centre as well as the hospital of different islands under the control of Directorate of Health Services, without being permanently absorbed. The applicant has thus submitted a representation dated 18.8.2016 to the respondent No.3 for considering her case for appointment on permanent basis.



4. As per the submission of Ld. Counsel appearing for the applicant the said representation so preferred by the applicant on 18.8.2016 addressed to the respondent No.3 is still unanswered and hence without waiting for any reply, we think it proper to dispose of this matter by directing the respondent No.3 to consider the representation of the applicant if it is still pending consideration and communicate the result thereof by way of a well-reasoned order within a period of 2 months from the date of receipt of this order. Though we have not expressed any opinion on the merit of the matter and all the points raised in the said representation stated to have been made on 18.8.16 are kept open for the said respondent No.3 to consider the same as per the rules and regulations in force, still then we hope and trust that after such consideration if the applicant's grievance is found to be genuine then expeditious steps may be taken within a further period of 3 months from the date of such consideration to extend those benefits to the applicant.

5. As prayed for by Mr.Das a copy of this order along with the paper book be transmitted to the respondent No.3 by Speed Post for which he undertakes to deposit cost with the Registry within a period of one week.

6. With the aforesaid observation and direction the OA is disposed of.



(JAYA DAS GUPTA)  
MEMBER (A)



(A.K. PATNAIK)  
MEMBER (J)

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