

GOVERNMENT OF ASSAM
HEALTH & FAMILY WELFARE (A) DEPARTMENT
DISPUR::: GUWAHATI-6

No. HLA. 312/1999/159

Dated Dispur the 14th September, 2021

SPEAKING ORDER

Whereas, Deputy Commissioner, Goalpara and Joint Director of Health Services, Goalpara reported vide their letters dated 16th February, 2021 and 8th February, 2021 respectively regarding Election campaign by Dr. Mirza Hanif Ullah, Senior Medical & Health Officer, 200 bedded Civil Hospital, Goalpara;

Whereas, Dr. Mirza Hanif Ullah, Sr. M&HO has violated the Rule 18(1) of Assam Civil Services (Conduct) Rules, 1965;

Whereas, the services of doctors under Health & Family Welfare are transferrable under the existing service rules;

Whereas, Dr. Mirza Hanif Ullah, Sr. M&HO, 200 bedded Civil Hospital, Goalpara was transferred as Sr. M&HO at S.K. Roy Civil Hospital, Hailakandi vide Govt. order No.HLA.312/1999/130 dated 07/06/2021 after Model Code of Conduct;

Whereas, Dr. Mirza Hanif Ullah submitted a representation dated 08/06/2021 before the Govt. for stay of his transfer order on health ground and family matter;

Whereas, Dr. Mirza Hanif Ullah has filed a writ petition WP(C) No.3154/2021 before Hon'ble Gauhati High Court challenging the transfer order No.HLA.312/1999/130 dated 07/06/2021;

Whereas, Hon'ble Gauhati High Court passed an order on 28/06/2021 in W.P(C) No.3154/2021 with a direction to consider the representation dated 08/06/2021 submitted by Dr. Mirza Hanif Ullah, Sr. M&HO considering personal difficulties due to post COVID syndrome and to dispose the same by a speaking order;

Whereas, the Health & Family Welfare Department passed following Speaking Order vide No. HLA. 312/1999/156 dated 23rd July, 2021-

"Therefore, in pursuance of the order passed by Hon'ble Gauhati High Court on 28/06/2021 in WP(C) No.3154/2021, Government in Health & Family Welfare (A) Department has decided to keep the transfer order of Dr. Mirza Hanif Ullah issued No.HLA.312/1999/130 dated 07/06/2021 in abeyance till 31st August, 2021 due to post Covid recovery of doctor concerned.

Moreover, in the interest of Public service and in partial modification of the earlier order No.HLA.312/1999/130 dated 07/06/2021, Dr. Mirza Hanif Ullah, Sr.M&HO, 200 Bedded Civil Hospital is hereby transferred and posted as Sr. M&HO at Hatsingimari SDCH, South Salmara. However, his services are transferable to any place within Assam in future.

Dr. Mirza Hanif Ullah, Sr. M&HO shall stand released from 200 bedded Civil Hospital, Goalpara on 31st August, 2021(afternoon) and he is directed to join at Hatsingimari SDCH, South Salmara within 48 hours after expiry of this period".

Whereas, Sufia Ahmed, W/o Dr. Mirza Hanif Ullah, Sr. M&HO submitted a petition dated 12/08/2021 before the government to re-consider the transfer order on health and family ground;

Taking into consideration of the petition dated 12/08/2021 and in partial modification of the earlier order No.HLA.312/1999/156 dated 23/07/2021, Dr. Mirza Hanif Ullah, Sr.M&HO, 200 Bedded Civil Hospital is hereby transferred and posted as Sr. M&HO at Abhayapuri CHC(FRU), Bongaigaon.

Dr. Mirza Hanif Ullah, Sr. M&HO shall stand released from 200 bedded Civil Hospital, Goalpara on 20th September, 2021(afternoon) and he is directed to join at Abhayapuri CHC(FRU), Bongaigaon within 48 hours".



(Anurag Goel, IAS)

Principal Secretary to the Govt. of Assam
Health & Family Welfare Deptt.

Memo No. HLA. 312/1999/159-A
Copy to:

Dated Dispur the 14th September, 2021

- 10) The Accountant General (A & E), Assam, Beltola, Guwahati – 29.
- 11) The Deputy Commissioner, Goalpara/.....
- 12) The Director of Health Services, Assam, Hengrabari, Guwahati – 36.
- 13) The Joint Director of Health Services,
- 14) The Treasury Officer,
- 15) Doctor concern.....
- 16) The Standing Counsel, Health & F.W Department with a request to appraise the Hon'ble Gauhati HC.
- 17) PS to Hon'ble Minister, Health & F. W., Assam, Dispur.
- 18) PS to Principal Secretary, Health & Family Welfare Department, Dispur, Guwahati-6.

By order etc.

14/9/21
Joint Secretary to the Govt. of Assam
Health & Family Welfare Deptt.