

## BIHAR HUMAN RIGHTS COMMISSION

*9, Bailey Road, Patna*

**File No. BHRC/Comp. 3070/16**

**Sub: Non-payment of salary to a Sr. Resident Surgeon in JLNMC since Jan, 2015.**

**Case of: Dr. Hemant Kr. Das, JLNMC, Bhagalpur**

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Dr. Hemant Kr. Das, Sr. Resident, Surgery Department, Jawahar Lal Nehru Medical College & Hospital (JLNMC) Bhagalpur had complained to the Commission (in May, 2016) that he joined the office of Suptd., JLNMC on 12<sup>th</sup> Jan, 2015 as per the govt. notification but he did not get any salary till date. Notices were issued to the Principal & Suptd., JLNMC. According to the reply filed by Suptd., JLNMC there was a technical flaw in the notification due to which payment could not be made. He made a reference to the Health Deptt. in **April, 2016** for rectification of the notification. The rectification was issued by the Health Deptt. on 15<sup>th</sup> June, 2016.

2. Commission wanted the Health Deptt. to apprise on two points:-

(a) The technical glitch in the notification could have been rectified earlier. The Principal / Suptd., kept sitting over the matter for more than a year.

(b) Why a compensation be not awarded to the petitioner for the Human Rights Violations and mental agony he has suffered due to inaction on the part of Govt. functionaries .

3. Dr. Ranjeet Kumar Sinha, Associate Professor- cum- OSD, Health Deptt. and Sh. Dayanand Prasad, Under Secretary ( Nodal Officer) Health Deptt., **appeared** before the Commission **today** and presented a report from the Govt. (17/क्यू-02-03/2016-467(17) dt. 23.06.2016) **indicating that department has sought explanations from the Principal/Suptd., JLNMC against departmental action and up-to-date salary dues approx. Rs. Seven lakhs have been paid to the petitioner .** Petitioner has also expressed satisfaction at the administrative response and requested for withdrawal of his complaint.

4. **Commission, therefore, directs:-**

(a) **A compensation of Rs. 50,000(Fifty Thousand) be paid to the petitioner (Dr. Hemant Kr. Das) within two months by the Health Deptt.**

(b) **Deptt. will also apprise the Commission about follow up administrative action taken in the matter by 25<sup>th</sup> Aug,2016.**

5. Copy of the order be sent to (i) **Principal Secretary, Health Deptt.,** (ii) **Sh. Ranjeet Kr. Sinha, Associate Professor-cum- OSD, Health Deptt. Govt. of Bihar** for necessary action and (iii) the **Petitioner** for information.

6. List on **31<sup>st</sup> Aug, 2016**

**Sd/....  
(Neelmani)  
Member**

Date: 24.6.2016

**Asstt. Registrar**