

**FORM II**  
**TRIPURA HUMAN RIGHTS COMMISSION**  
**KUNJABAN, AGARTALA**

**Complaint No. 02 of 2024**

**Complainant : Sri Pritam Chowdhury**

**ORDER SHEET**

Sl.No.	DATE	ORDER	NOTE
09	05.08.24	<p>The Commission reviewed the materials on record. It is found that the case was registered on the complaint of one Pritam Chowdhury S/O Lt. Priyatosh Chowdhury of South Para Road, Chandinamura, West Bhubanban, West Tripura alleging that he had been working as DRW under Ward No. 32 of Agartala Municipal Corporation and while on duty, he suffered an accident and was under treatment at GBP Hospital. Thereafter, he went to join his duty but the Ward Secretary did not allow him to sign the Attendance Register.</p> <p>On receipt of the complaint, the Commission directed the Commissioner, Agartala Municipal Corporation to inquire into the matter and submit report. Assistant Municipal Commissioner, Central Zone submitted his report to the Commission on 16.02.2024.</p> <p>From the report of Assistant Commissioner, Central</p>	

Zone, it appears that the complainant Pritam Chowdhury was discharging his duty as Malaria staff under ward no.32 of Central Zone, AMC. During his service period, he created lots of nuisance like absence from duty, making quarrel with other staff, for getting honorarium for those absent days, signing attendance register for absent days without prior permission from the authority etc. In doing so, he has hampered the work culture of the office as well as the common citizens of ward no. 32 were deprived of getting services of Agartala Municipal Corporation due to his unauthorized absence from his duties. Several communications have been made to the Municipal commissioner / Assistant Municipal Commissioner (Central Zone), from the Ward Secretary as well as the Corporator of ward no. 32 from 2021 to 2023. Moreover communication has been made from local people of ward no. 32 regarding his irregularities in duties.

Due to unauthorized absence of complainant Sri Pritam Chowdhury, the Assistant Municipal Commissioner, Central Zone, issued two Show Cause Notices- (1) on 11.08.2023

vide No. F.1-6/Estt/CZ/AMC/2023 (Part-II)/122-129 directing him to show cause why his afore mentioned act shall not be treated as lack of devotion to government duties and his service shall not be discontinued with immediate effect.

(2) In second show cause notice dated 25.08.2023, Assistant Municipal Commissioner, Central Zone further directed the complainant Pritam Chowdhury to submit before him any evidence in support of his claim that he is not allowed to join his duty at Ward office of AMC on or before 30.08.2023 failing which an ex-parte decision shall be taken.

By another letter vide no. F.36/S-I/CZ/AMC/2023/218-224 dated 27.06.2024 the Assistant Municipal Commissioner, Central Zone, Agartala Municipal Corporation, informed this Commission that the matter of unauthorized absence and other delinquency in duties etc. was referred to the AMC authority with a proposal to transfer complainant Pritam Chowdhury to any other Ward



under the AMC. It was further stated that subsequently AMC authority instructed to replace him with a suitable person.

(3) It appears from records that the complainant Sri Pritam Chowdhury submitted his reply to the Show Cause Notices issued to him and also made several prayers to the AMC authorities vide his letters dated 28.02.2023, 22.03.2023, 06.05.2023, 18.05.2023, 31.05.2023 and 17.08.2023 praying for allowing him to resume his duty as Anti Malaria Spray person. However, the AMC authorities, as it appears, apparently did not take any action on those letters. Rather Sri Pritam Chowdhury was not allowed to resume his duties though he adequately explained his absence from duties due to an accident on 15.02.2023, when he was seriously injured and his left leg was fractured. He was given rest from duties by the attending physician of Bhati Abhoynagar UPHC & UHTC.


The Commission also examined Sri Pritam Chowdhury on 06.05.2024 and recorded his statement on oath. In his



statement, Sri Chowdhury reiterated his earlier stand that he approached the AMC authorities several times by writing letter and praying to allow him to resume his duties but the AMC authorities did not respond to his prayer.

(4) It is obvious that though two Show Cause Notices were issued to Sri Pritam Chowdhury and Sri Chowdhury also submitted replies to the AMC authorities but the AMC authorities did not issue any order of discontinuance of the service of Sri Pritam Chowdhury in writing and also did not transfer him to any other Ward. From record, it appears that the complainant was working as a DRW in Agartala, Municipal Corporation since 07.11.2017 i.e for more than six years. Not allowing the complainant to resume his duties without issuing a written order shows the unauthorized / unlawful action of the authorities against him.


In such circumstances, the Commission is of the view that disallowing the complainant Sri Pritam Chowdhury from resuming his duties is inappropriate and lacks legal sanction.


 5/8/24

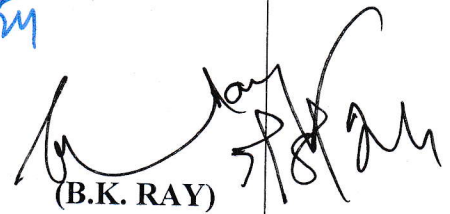
As such, the Commission recommends that the Municipal Commissioner, Agartala Municipal Corporation should review the matter and take action on the representation of the complainant Sri Pritam Chowdhury made before the AMC authorities and pass appropriate order according to established procedure of dealing with such departmental matters. Action taken on this should be communicated to the Commission within one month of this recommendation.

Copy of the recommendation be sent to the Municipal Commissioner, Agartala Municipal Corporation for necessary action.

List on 06/09/2024..... for response from the Municipal Commissioner.

  
(UDIT CHOUDHURI)  
MEMBER

  
(JUSTICE S.C. DAS)  
CHAIRPERSON

  
(B.K. RAY)  
MEMBER