



GOVERNMENT OF KERALA

Abstract

Medical Education - Establishment - Order dated 22.08.2023 of the Hon'ble Kerala Administrative Tribunal in OA No. 1159/2023 filed by Dr. Santhosh Prasanth - Complied with - Orders issued

HEALTH & FAMILY WELFARE (B) DEPARTMENT

G.O.(Rt)No.2766/2023/H&FWD Dated,Thiruvananthapuram, 21-10-2023

Read: 1. Order dated 22.08.2023 of the Hon'ble Kerala Administrative Tribunal in OA No.1159/2023 filed by Dr. Santhosh Prasanth
2. Letter No. G4/4229/2023/DME dated 27.09.2023 from the Director of Medical Education.

ORDER

Dr. Santhosh Prasanth, Assistant Professor, Department of Paedodontics, Government Dental College, Alappuzha has filed OA No.1159/2023 before the Hon'ble Kerala Administrative Tribunal seeking for a posting in Government Dental College, Thiruvananthapuram on compassionate ground. The Hon'ble Tribunal has disposed the OA as per the Order read as 1st paper above as follows:-

"As the applicant has serious contention against the retention of respondents 3 and 4 at Thiruvananthapuram, it would be appropriate for him to approach the 1st respondent pointing out the inconveniences caused to him including the claim on compassionate grounds or medical conditions with reference to Annexure A3 medical records. In case the applicant submits such a representation, the 1st respondent shall consider and pass orders on it after affording an opportunity of hearing to the applicant as well as respondents 3 and 4, after taking note of their contentions within a period of two months from the date of receipt of the said representation."

2. As part of complying with the Order, the applicant, 3rd and 4th

respondents were heard by the Under Secretary, Health & Family Welfare Department.

3. During the hearing, Dr.Santhosh Prasanth has informed that while he was working at Government Dental College, Alappuzha, he suffered a massive chest pain on 08/03/2023 and was diagnosed with coronary artery diseases-Acute coronary Syndrome. He was subjected to emergency invasive procedure of PCI to LAD on 08/03/2023 at Government Medical College, Alappuzha. Thereafter he was admitted in Sree Chithra Tirunal Institute of Medical Sciences and Technology, Thiruvananthapuram within a month and underwent PCTA on 11/04/2023 and continuing treatment there. He has also stated that he could not work at Alappuzha as he is under treatment at Sree Chithra and requires continuous medication. Moreover Government Medical College, Alappuzha is a 4 storied building and classes are being conducted at 3rd floor. No lift facilities are available there. Due to this condition, he is compelled to enter into leave and on continuing on leave. Therefore he had applied for a transfer to Government Dental College, Thiruvananthapuram at the time of General Transfer, 2023. But the draft list of Assistant Professors in the Department of Pedodontics was not published. Hence it is requested to give him transfer to Government Dental College, Thiruvananthapuram on compassionate ground by displacing any one of the incumbents who completed minimum tenure at Government Dental College, Thiruvananthapuram since at present there is no open vacancies.

4. The Director of Medical Education in the letter read as 2 nd paper above reported that Dr.Santhosh Prasanth has submitted application for transfer to Government Dental College, Thiruvananthapuram at the time of General Transfer, 2023. In the Department of Pedodontics, the doctor alone has submitted the application for transfer. Hence draft list was not generated by SPARK for publication. Moreover no open vacancies are available at Government Dental College, Thiruvananthapuram. Later, the applicant has submitted a petition before the Director of Medical Education informing that he is eligible for general transfer. This petition has been examined and arrived at a decision that it is feasible to consider this petition favorably after general transfer.

5. Dr.Digesh Balachandran, Assistant Professor, Department of Pedodontics, Government Dental College, Thiruvananthapuram, the 3rd respondent, has stated that Dr.Santhosh Prasanth does not have the mandatory duration of service at his present station of posting and he has also commented that Government Medical College, Alappuzha, a well equipped tertiary care centre located adjacent to the

present posting station of Dr.Santhosh Prasanth, has been managing his health issues effectively and his treatment has been shifted elsewhere on personal choice. The benefits of compassionate grounds, if any, may be extended to himself also since home/family responsibilities involve support and care for his elderly parents staying with him. Hence it was requested to take favourable action regarding the grievances of Dr.Santhosh Prasanth without creating unfavourable implications to himself.

6. Dr.Resmi.J, Assistant Professor, Department of Pedodontics, Government Dental College, Thiruvananthapuram, the 4th respondent has pointed out that as Dr.Santhosh Prasanth has requested for a transfer to a station of his choice which is also his home station. It implies that he is expressing his willingness to discharge all the official duties entrusted upon him at the home station and is an indication that he is physically fit and is not dependent on others for his daily life activities. Any treatment or follow up care for his diagnosed and already treated cardiac condition is available at the Department of Cardiology, Government Medical College, Alappuzha situated adjacent to the campus where he is presently working. The doctor also stated that her two minor children and sixty four year old mother is totally dependent on her and her son is studying in tenth standard and is going to appear for ICSE Board examination in next four months. Considering this fact, she has requested not to issue orders unfavourably to her in response to the application of Dr.Santhosh Prasanth.

7. Government have examined the matter in detail in light of the arguments raised during the hearing and also the connected documents. As per the Medical records produced by the applicant, he underwent Angioplasty twice within two months period at Government Medical College, Alappuzha and Sree Chithra Tirunal Institute of Medical Sciences and Technology, Thiruvananthapuram. Currently he is undergoing treatment at Sree Chithra and needs regular medical follow up and in the Medical Report, it is reported that "Medication should not be stopped without the advice of Cardiology treating physician as there is high chances of stent thrombosis". The Medical Board convened on 13.09.2023 examined the case of Dr.Santhosh Prasanth and certified that "he requires continuous medical follow up & evaluation". As the applicant has underwent two subsequent surgeries in recent time and he is undergoing treatment at Sree Chithra, Thiruvananthapuram, it seems not justifiable to recommend to continue the post surgery treatment at Government Medical College, Alappuzha at this point of time.

8. In the above circumstances, considering the request of Dr. Santhosh Prasanth on a humanitarian ground, Government are pleased to issue orders mutually transferring Dr. Santhosh Prasanth, Assistant Professor, Department of Paedodontics, Government Dental College, Alappuzha and Dr.Digesh Balachandran, Assistant Professor, Government Dental College, Thiruvananthapuram.

9. The Order dated 22.08.2023 of the Hon'ble Kerala Administrative Tribunal in OA No. 1159/2023 is complied with accordingly.

(By order of the Governor)

BINDU.O.

UNDER SECRETARY

The Advocate General, Thiruvananthapuram (with C/L)

The Director of Medical Education, Thiruvananthapuram.

Dr. Santhosh Prasanth, Prabha Bhavan, Srikrishnapuram, Malayinkeezhu P.O., Thiruvananthapuram - 695571

Dr.Digesh Balachandran, Assistant Professor, Department of Pedodontics, Government Dental College, Thiruvananthapuram

Dr.Resmi.J, Assistant Professor, Department of Pedodontics, Government Dental College, Thiruvananthapuram

The Principal Accountant General (Audit/A&E), Kerala, Thiruvananthapuram.

The Information & Public Relations Department (Web & New Media)

Stock File (B1/292/2023/Health)

Forwarded/By order

Section Officer