

Female health attendants deprived of legal benefits



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Daya Nath Singh 16 October 2010 11121 views

With a view to provide medical facilities to children and pregnant women, the Government of India in the Sixth Five-year Plan in 1981, decided to establish sub health centers in rural areas of the country. Accordingly Assam government had to open sub health centers in every village having population of 5,000 in the plain and 3,000 in the hilly areas. For every sub health centre one nurse was appointed and for their help one female attendant was also appointed. In addition to this one lady health visitor (supervisor) was also appointed for six sub health centers.

As per the system of Assam Government, the nurses and supervisors get the salary according to third grade employees as recommended by Pay Commission. Besides, they are entitled to the benefits announced by the Commission from time to time. But the female attendants were initially offered a salary of Rs.50 per month by the state government in the year 1981 and till now they are getting the same. These female attendants also get rupees one hundred per month from the Central government.

Demanding the increase in their salary and status to Fourth grade employees, their organization, the Assam Health Centers Female Attendants Association approached to the Central government to regularize their services and give them the status of Fourth grade employees. The Union government advised to put their demand before the state government, but the state government did not heed to their demands and said that the Central government could raise their status and increase pay. Since then these poor employees are running from pillar to post.

Getting no remedy, the Association moved to the Gauhati High Court in the year 2000 against the Central as well as State government. The High Court ordered payment of the salary at the rate of Rs.900 per month and regularization of their services with effect from 1991. Since the 1981 pay commission had declared the attendants as the Fourth grade employees, they demanded the increase, but the state government continued paying Rs.50 till now.

Meanwhile, in 1991 Assam government started paying Rs.900 per month to 218 female attendants alongwith the arrears out of 4,500 female attendants throughout the state. The Central and State government moved Apex court against the high court order questioning the status of Fourth grade employees. The Apex court ruled that the Central government was not responsible for regularizing their services and treat their services as Fourth grade employees. This was under the jurisdiction of the State government. The order added, since the Central government did not appoint these employees it cannot be held responsible. On 17th November 2007, Gauhati High Court ruled that the Assam government should regularize their services with effect from 1991 within eight weeks.

The state government further moved to the Apex court on the plea that these female attendants were not the employees, but the volunteers. The Apex court ruled out the decisions of High Court declaring the female attendants as Fourth grade employees. The Association's president Binita Baishya and Secretary, Aisha Khatoon have recently informed to the media persons in Guwahati that they would continue their struggle till the end and move further to the Apex court for justice.

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