

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).**

Case No. – OA 706 of 2022.

DR. SUBHASH CHANDRA DE - VERSUS- THE STATE OF WEST BENGAL AND OTHERS.

Serial No. and  
Date of order

5  
16.5.2023

For the Applicant

: Mr. S.N. Ray,  
Advocate.

For the State Respondents

: Mr. G.P. Banerjee,  
Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt. – II) dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsel for the contesting parties, the case is taken up for consideration sitting singly.

The issue in this application is for a direction to the respondent to convert his Contributory Provident Fund (CPF) into General Provident Fund(GPF). In terms of the Tribunal's order, the respondent – Director of Health Services passed a reasoned order on 4<sup>th</sup> March, 2021 which was communicated to the applicant also. In the operative part of the order, the respondent advised the Director General (Ayush) and Principal & Superintendent, J.B. Roy State Ayurvedic Medical College & Hospital, Kolkata to proceed for converting the applicant's Contributory Provident Fund (CPF) account into the General Provident Fund (GPF) account and disburse his pensionary benefits.

During today's hearing, Mr. G.P. Banerjee, learned counsel for the State respondents files a copy of correspondence dated 7<sup>th</sup> February, 2023 addressed by the Principal Superintendent, J.B. Roy State Ayurvedic Medical College & Hospital, Kolkata to the applicant Dr. Subhas Chandra De. In this letter, the applicant has been requested to provide details of his CPF during his tenure as Ex-management Doctor at

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Chittaranjan National Cancer Institute during 01.01.1973 to 12.08.1988. In reply to this, the applicant has written to the Principal Superintendent informing him that during the said period, no Contributory Provident Fund or General Provident Fund was deducted from his account as he had worked as a Deputy Visiting Surgeon at Chittaranjan Cancer Hospital.

Submission of Mr. Banerjee is that by this very letter of the applicant, it is evident that no C.P.F or G.P.F was deducted from his pay. Therefore, the question of conversion of C.P.F. into G.P.F. does not arise.

After hearing the submissions of the learned counsels of both sides and perusing the records, the Tribunal is satisfied that evident from the applicant's letter that the question of conversion of C.P.F. to G.P.F. does not arise since during the period in mention, no C.P.F. or G.P.F. was deducted from the applicant.

Accordingly, the application is disposed of.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A).

Sk.