

Government of Jammu & Kashmir  
Health & Medical Education Department  
Civil Secretariat, Jammu/Srinagar.

Subject:- Settlement of unauthorized/undecided period in respect of Dr. Ghulam Mustafa Dar, Medical Officer.

Ref:- No. Est/3/1-133/5653 dated 02.09.2021 from Directorate of Health Services Kashmir.

**Government Order No. 225 -JK(HME) of 2022**  
**Dated: 21 .04.2022**

WHEREAS, Dr. Ghulam Mustafa Dar, was appointed as Medical Officer in the Health Services Department vide Government Order No. 132-HME of 2014 dated 04.03.2014 and submitted his joining report in Directorate of Health Services, Kashmir on 11.03.2014.;

AND WHEREAS, doctor while posted at PHC Kandi Kupwara applied for study leave for undergoing PG in Surgery outside UT of Jammu & Kashmir and the Administrative Department vide Letter No HD(Gaz)Gen-91/2016-PF dated 24.03.2017 conveyed NOC in favour of the aforesaid doctor for appearing in the counselling of NEET PG MD/MS/PG Diploma Courses 2017;

AND WHEREAS, Chief Medical Officer, Kupwara vide letter dated 20.06.2017 forwarded the application of the doctor wherein he has requested for grant of study leave for undergoing PG in Surgery at Geetanjali University w.e.f. 01.06.2017 However, he joined at his own without obtaining prior approval from the Administrative Department;

AND WHEREAS, the aforesaid doctor after completion of P.G in Surgery applied for joining in Directorate of Health Services, Kashmir on 22.06.2020. Vide Government Order No. 119-JK(HME) of 2021 dated 16.02.2021, the joining of the doctor concerned alongwith some others was accepted prospectively;

AND WHEREAS, the Directorate of Health Services, Kashmir has forwarded the case of doctor regarding settlement of period of

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authorized/unauthorized absence w.e.f. 01.06.2017 to 15.02.2021 to the Administrative Department;

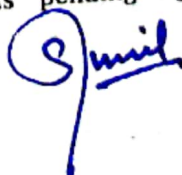
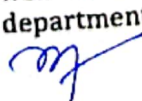
AND WHEREAS, the Health and Medical Education Department had already constituted Departmental Committee for examining such cases vide Government Order No. 511-HME of 2018 dated 13.09.2018 read with Government Order No. 726-HME of 2018 dated 21.12.2018 & Government Order No. 479-JK(HME) of 2021 dated 08.07.2021. Later on the Health and Medical Education Department vide Government Order No. 749-JK(HME) of 2021 dated 30.11.2021, re-constituted the Departmental Committee to be headed by Director Finance, H&ME Department for examining the cases of doctors or any officer/official of sub-ordinate office related to unauthorized absence/ overstay on deputation/ study leave or any other case of similar nature;

AND WHEREAS, the case of Dr. Ghulam Mustafa Dar, Medical Officer among others was placed before the Departmental Designated Committee for examination, wherein after series of meetings held w.e.f. 13.12.2021 to 15.12.2021 deliberated upon the matter and recommended as under:

- i. The Committee recommends to treat the period of unauthorized absence w.e.f 01.06.2017 to 15.02.2021 in favour of Dr. Ghulam Mustafa Dar, Medical Officer as "Dies Non" in terms of Article 163 of J&K Civil Services Regulations, 1956 by taking an Administrative decision in the matter, subject to the condition that the said doctor was not involved in any subversive activities as well as he was not employed in any Government/Private sector and no departmental enquiry is pending against him, for which an affidavit authenticated by 1st Class Judicial Magistrate shall be obtained by the Directorate of Health Services, Kashmir from the concerned doctor.
- ii. Besides, the concerned doctor shall be warned not to leave his place of posting for any occasion in future un-authorizedly, for which disciplinary action shall be initiated against him without any further notice.

Now therefore, the Department while taking considerate view in the matter as per recommendations of the Committee & in the interest of patient care, accords sanction as under:

- i. to treat the period of unauthorized absence w.e.f 01.06.2017 to 15.02.2021 in favour of Dr. Ghulam Mustafa Dar, Medical Officer as "Dies Non", subject to the condition that the said doctor was not involved in any subversive activities as well as he was not employed in any Government/Private sector and no departmental enquiry is pending against him, for which an affidavit



authenticated by 1st Class Judicial Magistrate shall be obtained by the Directorate of Health Services, Kashmir from the concerned doctor.

Besides, the concerned doctor is warned not to leave his place of posting for any occasion in future un-authorizedly, for which disciplinary action shall be initiated against him without any further notice.

**By order of the Government of Jammu and Kashmir**


Sd/-  
(Vivek Bharadwaj) IAS  
Additional Chief Secretary  
Health & Medical Education Department

Dated: 21.04.2022

No. HD-Gaz0Gen/434/2021-02

Copy to the:-

1. Principal Secretary to the Hon'ble Lieutenant Governor.
2. Joint Secretary (Jammu, Kashmir & Ladakh), Ministry of Home Affairs, Government of India.
3. Director, Archives, Archeology & Museums, J&K.
4. Director, Health Services, Kashmir.
5. Director Finance, Health and Medical Education Department.
6. OSD to Advisor (B) to Lieutenant Governor.
7. Concerned doctor.
8. Private Secretary to Additional Chief Secretary, Health and Medical Education Department.
9. Government Order file/Stock file/I/c Website H&ME.

  
(Mohammad Iqbal Lone)

Under Secretary to the Government  
Health & Medical Education Department

