

GOVERNMENT OF JAMMU AND KASHMIR  
**HEALTH & MEDICAL EDUCATION DEPARTMENT**  
HUMAN RESOURCE MANAGEMENT BRANCH  
Civil Secretariat, J&K, Jammu.  
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**Subject: Un-authorized absence of doctors – termination thereof.**

**Government Order No. 234 -JK(HME) of 2022**  
**Dated: 25 -04-2022**

**WHEREAS**, Dr. Muneeb-U-Rashid and Dr. Khalid Javid Bhat were appointed as Medical Officers vide Government Order No. 335-HME of 2010 dated 17.06.2010 and No. 592-HME of 2011 dated 28.10.2011 respectively;

**AND WHEREAS**, the above mentioned Medical Officers applied for study leave in the Directorate of Health Services, Kashmir for undergoing higher studies, but they joined their courses without prior permission from the competent authority;

**AND WHEREAS**, vide No. Est/3/1-133/2648-49 dated 17.12.2019, the Director, Health Services, Kashmir served show cause notices to the doctors who were pursuing higher studies without prior permission from the competent authority. The show cause notices were also published in daily "Greater Kashmir" in its edition dated 21.12.2019;

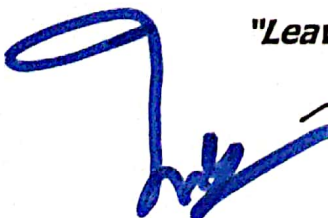
**AND WHEREAS**, the Directors, Health Services, Kashmir vide communication No. Est/3/1-133/243 dated 22.01.2020 has intimated that both the Medical Officers failed to respond to the show cause notice;

**AND WHEREAS**, vide O.M. No. HME/HRM/07/2020 dated 14.07.2020, among others, these Medical Officers were charge sheeted in terms of Rule 33 of the Jammu & Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956;

**AND WHEREAS**, vide letter No. Est/3/1-133/2047 dated 25.09.2020 and No. Est/3/1-133/2192 dated 12.10.2020, Director Health Services, Kashmir has intimated that both the Medical Officers have not submitted their reply to the charge sheet;

**AND WHEREAS**, rule 8(i) of J&K Civil Services Leave Rules, 1979 reads as under:-

***"Leave cannot be claimed as a matter of right".***

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**AND WHEREAS,** Article 128 of J&K Civil Services Regulations Volume-I envisage as under:-

***"Absence without leave or after the end of leave involves loss of appointment, except as provided in Article 203 (b) or when due to ill health in which case the absentee must produce the certificate of Medical Officer."***

**AND WHEREAS,** the case of Dr. Muneeb-U-Rashid and Dr. Khalid Javid Bhat was examined in the Department in terms of the rule position governing the subject and it has been found that they have not resumed their duties despite having been given repeated opportunities. This action on their part is willful & intentional and warrants initiation of necessary action against them in terms of relevant rules governing the subject.

**NOW, THEREFORE,** in terms of Article 128 of Jammu and Kashmir Civil Services Regulations, 1956, Volume-I, the following Medical Officers are, hereby, terminated from Government Service and are, accordingly, discharged from Government service from the dates of their un-authorized absence as mentioned against each:-

S.N o.	Name of doctor	Designation	Absence from the date
1.	Dr. Muneeb-U-Rashid	Medical Officer	08/2017
2.	Dr. Khalid Javid Bhat	Medical Officer	29.03.2017

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

**Sd/-**

**(Vivek Bharadwaj) IAS**  
Additional Chief Secretary  
Health & Medical Education Department

No. HME-HRM/92/2021-02

Dated: 25.04.2022

Copy to the:-

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

**(Javaid Ahmad Malik)**

Under Secretary to the Government  
Health & Medical Education Department

*Javaid Malik*  
25.4.2022

*Michael* *Siti*