



GOVERNMENT OF JAMMU AND KASHMIR  
**HEALTH & MEDICAL EDUCATION DEPARTMENT**  
HUMAN RESOURCE MANAGEMENT BRANCH  
Civil Secretariat, J&K.

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**Subject:** Settlement of authorized/unauthorized absence in respect of Dr. Gulzar Ahmad Kuchay, Medical Officer (I/C Consultant Orthopaedics).

**Government Order No. 13 – JK (HME) of 2024**

**Dated: 04 .01.2024**

**WHEREAS,** Director, Health Services, Kashmir vide communication No. Est/3/1-133/7330 dated 05.10.2021 intimated that Dr. Gulzar Ahmad Kuchay, Medical Officer was appointed as Medical Officer vide Government Order No. 335-HME of 2010 dated 17.06.2010 and submitted his joining report in the Directorate of Health Services, Kashmir on 29.06.2010;

**AND WHEREAS,** at the time of appointment, the aforesaid doctor was undergoing DNB in Orthopaedics at Deen Dayal Upadhyay Hospital, Harinagar, New Delhi and continued the same on the interim directions of the Hon'ble High Court passed vide order dated 26.07.2010 in SWP No. 1282/2010 titled Dr. Rease Noor Khan & Ors VS State & Ors, the operative part of which is reproduced as under:

***"Meanwhile, subject to objections of the other side the order impugned in the present petition shall remain in abeyance in so far as it relates to the rights of the petitioners and the petitioners shall be allowed to pursue and complete the Post Graduation Degree course/Senior Residency/Registrarship in their respective institutions/College. Their right to give the same is protected".***

**AND WHEREAS,** the aforementioned doctor, after completion of DNB Course, joined in the Directorate of Health Services, Kashmir on 24.10.2011;

*Nishal*

*Hasma*

**AND WHEREAS,** vide Order No. 485-GZ of 2011 dated 28.10.2011, Director, Health Services, Kashmir directed the concerned doctor to report at DH Anantnag for further duties on his own risk and responsibility with immediate effect, without prejudice to the outcome of various writ petitions pending disposal on the subject matter in the Hon'ble High Court Srinagar/Jammu and final decision from Administrative Department;

**AND WHEREAS,** vide letter No. Est-3/1-133/3314 dated 18.07.2023, Directorate of Health Services, Kashmir has also stated that Dr. Gulzar Ahmad Kuchay, I/C Consultant Orthopedics is presently working/ posted in DH Pulwama and the T.A./3528/2021 titled Dr. Gulzar Ahmad Kuchey Vs UT of J&K is still pending before the Hon'ble Central Administrative Department at Srinagar Bench;

**AND WHEREAS,** the case was placed before the Departmental Designated Committee in its meeting held on 03.08.2023. Accordingly, the Committee deliberated upon the case and recommended as under:-

***"(a) To treat the period of unauthorized absence of the doctor spent on higher studies at Deen Upadhyay Hospital Harinagar New Delhi w.e.f. 29.06.2010 to 23.10.2011 as "Dies non" which shall be subject to the condition that the said doctor was not involved in any subversive activities as well as he was not employed in any Govt/Private sector and no departmental enquiry is pending against him, for which an affidavit duly authenticated by 1st class Judicial Magistrate shall be obtained by the Directorate of Health Services, Jammu from the concerned doctor.***

***Besides, the doctor shall be warned not to leave his place of posting on unauthorized basis in future for which departmental actions shall be initiated against her without any notice".***

**NOW, THEREFORE,** on the recommendation of the Departmental Designated Committee, sanction is hereby accorded to treat the intervening period of absence/undergoing DNB in Orthopaedics at Deen Dayal Upadhyay Hospital, Harinagar, New Delhi

*Nishal*

*Byama*

**w.e.f. 26.09.2010 to 23.10.2011** in favour of Dr. Gulzar Ahmad Kuchay, Medical Officer as '**Dies- Non**'.

Besides, the employee is warned not to leave his place of posting on unauthorized basis in future for which departmental action shall be initiated against him without any notice.

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

**Sd/-**  
**(Bhupinder Kumar) IAS**  
Secretary to the Government

No. HD-Gaz0Gen/17/2022-02(C.No. 116180)

Dated: 04 .01.2024

**Copy to the:-**

1. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
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 Hon'ble Lieutenant Governor, J&K.
6. Chief Medical Officer, Srinagar. The relevant copies of communications are appended herewith.
7. PS to the Secretary to the Government, Health & Medical Education Department.
8. Concerned doctor.
9. I/C Website H&ME.
10. Government Order file/Stock file/Monday Return file.

**(Waqar Talib) JKAS**  
Under Secretary to the Government

*Waqar Talib*

*Waqar Talib*