

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

Subject: Settlement of period of un-authorized absence in respect of Dr. Amanpreet Kour, Medical Officer (ISM).

Government Order No. 243 -JK(HME) of 2024
Dated: 26 . 03 . 2024

WHEREAS, Dr. Amanpreet Kour was appointed as Medical Officer (Ayurvedic) in the Indian System of Medicine, Jammu & Kashmir vide Govt. Order No. 212-HME of 2001 dated 13.02.2001 and reported in the office of Directorate of Indian System of Medicine Jammu & Kashmir on 19.01.2002.

WHEREAS, Dr. Amanpreet Kour, has been on continuous unauthorized absence from her duties w.e.f. **12-10-2010** to **12-11-2019**;

WHEREAS, the concerned doctor was served series of notices to rejoin her duties and vide No. HD/ISM/28/2017 dated 07.07.2017, the Department issued a final notice to the doctor, wherein, a final opportunity was given to the doctor to report back in the Directorate General of Indian Systems of Medicine Jammu within 15 days;

WHEREAS, the said doctor submitted her joining to the Director, Indian System of Medicines, J&K, Jammu on her own risk and responsibility on 13.11.2019 along with affidavit to the effect that she is possessing higher Qualification in the field of Ayurveda (MD & Ph.D) in Shalyatantra (Surgery) from National Institute of Ayurveda Jaipur;

WHEREAS Dr. Amanpreet Kour was asked to perform her duties in Government Ayurvedic Medical College/Hospital, Jammu for teaching purpose and patient care, on the recommendations of Principal Government, Ayurvedic Medical College/ Hospital, Jammu keeping in view her higher qualification, till permanent arrangement is made by the Administrative Department;

WHEREAS, the doctor was then served charge sheet memo which she replied and vide Government Order No.772-JK(HME) of 2022 dated 31.10.2022, Dr. Saleem-Ur-Rehman, the then director, Health Services, Jammu was appointed as Inquiry Officer who concluded the report as under:-

"That timely action which was required to be taken following the J&K CSR Rules under Article 113 and Article 128 has been avoided by the Officials/Officers at the helm of affairs resulting into allowing the anomaly to sustain and on the contrary the focus has been made only in issuing and receiving letters instead of taking punitive action, as warranted under rules.

Even the final notice was served upon the said doctor after a delay of almost two years. However, it cannot be said that the doctor is not at fault as an employee in government services always know/ well aware of the fact that there is no provision of such a long spell of leave/unauthorized absence and this can lead to punitive action under rules. Despite of that she remained on such a long period of unauthorized absence. Though, the said doctor has been allowed to rejoin the department keeping in view her expertise in the field of Ayurveda and is working in the department yet she cannot be allowed to go un-punished, As the said doctor is also at fault to some extent. Although, the time to take major punitive action against the said doctor has passed, yet, to set an example so that others may not take advantage, she may be imposed a minor punishment which can be censure/warning etc, as provided under rules."

WHEREAS the case was placed before the Departmental Designated Committee in its meeting held on 15.06.2023 which deliberated upon the case and recommended as under:-

"(a) To treat the period of unauthorized absence in favour of Dr. Amanpreet Kour, Medical Officer w.e.f. 12.10.2010 to 12.11.2019 as "Dies-Non" and shall be subject to the condition that the said doctor was not involved in any subversive activities as well as she was not employed in any government/private sector and no departmental enquiry is pending against her, for which an affidavit duly authenticated by 1st class Judicial Magistrate shall be obtained by the Directorate of Ayush, J&K from the concerned doctor.

(b) The salary in favour of the doctor shall be released from the date she has actually discharged the duties on field.

(c) Besides, the concerned doctor shall be warned not to leave her place of posting for any occasion in future unauthorizedly, for which disciplinary action shall be initiated against her without any further notice".



WHEREAS, the case was examined and placed before the Competent Authority being it as a fait accompli and owing to her higher qualification (M.D & PH.D), Shalyatantra (Surgery) which is rare in Ayurveda stream for accord of approval which was accorded.

NOW, THEREFORE, sanction is hereby accorded to treat the period of unauthorized absence in favour of *Dr. Amanpreet Kour*, Medical Officer w.e.f. 12.10.2010 to 12.11.2019 as "**Dies-Non**" subject to the following conditions:


- a. That the said doctor was not involved in any subversive activities as well as she was not employed in any government/private sector and no departmental enquiry is pending against her, for which an affidavit duly authenticated by 1st class Judicial Magistrate shall be obtained by the Directorate of Ayush, J&K from the concerned doctor.
- b. Besides, the concerned doctor shall be warned not to leave her place of posting for any occasion in future un-authorizedly, for which disciplinary action shall be initiated against her without any further notice.
- c. The salary in favour of the doctor shall be released from the date she has actually discharged her duties.

By order of the Government of Jammu & Kashmir.

Sd/-
(Dr.Syed Abid Rasheed Shah) IAS
Secretary to the Government
Health & Medical Education Department
Dated: 26.03.2024

HD-Gaz0Gen/140/2021-02 E-27800
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. OSD with Advisor (B) to the Lieutenant Governor
5. Director, Ayush (ISM) J&K.
6. Private Secretary to the Secretary to the Government, Health & Medical Education Department.
7. Concerned doctor.
8. Government Order file/Stock file/Monday Return.
9. I/C Website H&ME Department.


(Mushtaq Ahmad Khan)JKAS
Under Secretary to the Government