

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

Subject:- Settlement of period of unauthorized/undecided period in respect of Dr. Uzma Choudhary, Medical Officer.

Ref.:- No. DHSJ/ES-3/6105/1117-18 dated 24.06.2021 & No. DHSJ/ES-3/6105/1926 dated 03.09.2021 from Directorate of Health Services, Jammu.

Government Order No. 200 -JK(HME) of 2022

Dated: 19 .04.2022

WHEREAS, Dr. Uzma Choudhary, was appointed as Medical Officer in the Health Services Department vide Government Order No. 132-HME of 2014 dated 04.03.2014;

AND WHEREAS, the aforesaid doctor while posted at PHC Majalta proceeded on child care leave w.e.f. 01.10.2020 to 27.04.2021 without sanction from concerned authorities;

AND WHEREAS, the aforesaid doctor reported back at PHC Majalta on 28.04.2021 i.e after seven months which was accepted by the concerned HoD;

AND WHEREAS, the Directorate of Health Services, Jammu has forwarded the case of the doctor regarding acceptance of rejoining /settlement of period of absence w.e.f. 01.10.2020 to 27.04.2021 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. Uzma Choudhary 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 leave period w. e. f 01.10.2020 to 27.04.2021 as leave whatever kind due including child care leave and remaining period be treated as Dies-Non in terms of Article 163 of J&K CSR, 1956 by taking a administrative decision in the matter.
- ii. The committee also recommends the action taken by the concerned HoD regarding the acceptance of joining back to the place of posting of the above doctor be confirmed.

- iii. The above decisions shall be subject to the outcome of any writ petition petition(s), if any, pending adjudication before any Competent Court & 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 her, for which an affidavit authenticated by 1st Class Judicial Magistrate shall be obtained by the Directorate of Health Services, Jammu from the concerned doctor.

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.

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 w. e. f. 01.10.2020 to 27.04.2021 as leave whatever kind due including child care leave and remaining period of shortfall be treated as Dies-Non .
- ii. confirmation of action taken by the concerned HoD for the acceptance of re-joining of Dr. Uzma Choudhary, Medical Officer.
- iii. The above decisions shall be subject to the outcome of any writ petition petition(s), if any, pending adjudication before any Competent Court & 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 her, for which an affidavit authenticated by 1st Class Judicial Magistrate shall be obtained by the Directorate of Health Services, Jammu from the concerned doctor.

Besides, the concerned doctor is 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.

By order of the Government of Jammu and Kashmir.

Sd/-

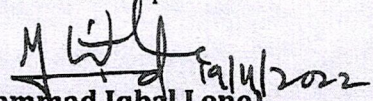
(Vivek Bharadwaj) IAS
Additional Chief Secretary
Health & Medical Education Department

No. HD-Gaz0Gen/243/2021-02

Dated: 19.04.2022

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, Archaeology & Museums, J&K.
4. Director, Health Services, Jammu.
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

