

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

Subject:- Acceptance of joining in respect of Dr. Mohammad Abass,  
Medical Officer.

Ref.:- No. ES-3/6355/3036 dated 22.09.2021 from Directorate of Health Services,  
Jammu.

Government Order No. 821 -JK(HME) of 2022

Dated: 21.04.2022

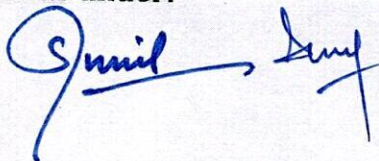
WHEREAS Dr. Mohammad Abass, was appointed as Medical Officer in the Health Services Department vide Government Order No. 333-HME of 2018 dated 29.05.2018 and submitted his joining report in Directorate of Health Services, Jammu on 09.06.2018 and was posted at SDH Mandi vide Government Order No. 453-HME of 2018 dated 08.08.2018;

AND WHEREAS, the aforesaid doctor had undergone Sr. Residency in the Department of Surgery SKIMS Soura, Srinagar w.e.f 04.08.2018 and preferred to continue the same without prior permission/NOC or sanction of leave by the Administrative Department. However, the aforesaid doctor filed SWP No.1337/2018 titled Dr. Mohd. Abass V/S State & Ors. and the Hon'ble High Court passed interim order dated 10.07.2018, the operative of which is reproduced as under:-

SWP No. 1337/2018

*"Meanwhile, subject to objections from the other side and till next date of hearing, it is provided that respondent No. 1 shall transmit the application form of the petitioner, which has received from respondent No. 2 to the Sheri-i-Kashmir Institute of Medical Sciences for consideration without any further delay. The participation of the petitioner in the selection process, however, shall be at his own risk and responsibility and shall remain subject to further orders that may be passed by the Court in this case."*

AND WHEREAS, subsequently, said doctor filed an another writ petition in the Hon'ble High Court vide SWP No. 1612/2018 titled Dr. Mohd. Abass V/S State & Ors and the operative part of the interim order dated 10.08.2018 is reproduced as under:-



SWP No. 1612/2018

*"Meanwhile, subject to objections and till next date of hearing, it is directed that respondent No. 2, Director Health Services, Jammu shall issue requisite no objection certificate in favour of the petitioner so as to enable him to join on the post of Senior Residency in All India Institute of Medical Sciences pursuant to his appointment made vide order dated 12.07.2018."*

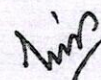
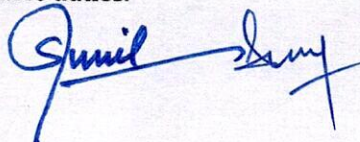
AND WHEREAS, after completion of Sr. Residency in the Department of Surgery from SKIMS Soura, Srinagar the said doctor joined in Directorate of Health Services, Jammu on 19.04.2021;

AND WHEREAS, the Directorate of Health Services, Jammu has forwarded the case of the doctor regarding rejoining/settlement period of authorized/unauthorized absence w.e.f. 04.08.2018 to 18.04.2021 to the Administrative Department for issuance of appropriate necessary instructions;

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. Mohammad Abass, 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 decided to accept rejoining in favour of Dr. Mohammad Abass, Medical Officer afresh and monetarily with effect from the date the concerned doctor is posted and resumes duties.



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 accept of rejoining in favour of Dr. Mohammad Abass, Medical Officer afresh and monetarily with effect from the date the concerned doctor is posted and resumes duties.

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

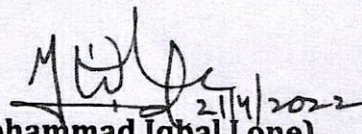
Health & Medical Education Department

No. HD-Gaz0Gen/143/2021-02

Dated: 21.04.2022

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, Archeology & 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

