

Government of Jammu & Kashmir
Health & Medical Education Department
Civil Secretariat J&K -Jammu.

Subject: - Settlement of unauthorized/undecided period in respect of Dr. Bhavneet Kour, Dental Surgeon.

Ref.:- No. ES-3/5502/898 dated 03.06.2021 from Directorate of Health Services Jammu.


Government Order No. 231 -JK(HME) of 2022
Dated: 22 .04.2022

WHEREAS, Dr. Bhavneet Kour, was appointed as Dental Surgeon in the Health Services Department vide Government Order No. No-584-HME of 2009 dated 30.12.2009 and was posted at Indira Gandhi Govt. Dental College, Jammu by Directorate of Health Services, Jammu vide office order No.90 G of 2010 dated 03.02.2010;

AND WHEREAS, vide Government Order No.294-HME of 2011 dated 08.06.2011, Dr. Bhavneet Kour was appointed as B-Grade Dentistry now (Consultant Dentistry) however, at that point of time, she was pursuing Registrarship in Indira Gandhi Government Dental College, Jammu and continued with the same. Later on, after completion of her registrarship Dr. Bhavneet Kour reported in Directorate of Health Services, Jammu on 31.05.2013 and was posted at Government Hospital Sarwal, Jammu vide Government Order No.388-HME of 2013 dated 4.07.2013;

AND WHEREAS, the Directorate of Health Services, Jammu vide communication No. ES-3/5502/2110 dated 28.09.2020 reported that Dr. Bhavneet Kaur, Consultant Dentistry, applied for leave without pay for a period of one year w.e.f. 22.07.2015, however, the same had not been processed. In the same communication, Directorate of Health Services, Jammu submits that the said doctor is on unauthorized absence w.e.f. 21.07.2015, which clearly raises an ambiguity, as the doctor applied for leave without pay and instead of sanctioning or rejecting the claim of the doctor, Directorate of Health Services, Jammu did not processed it at all, and the procedural delay/non submission of case cannot be attributed to Dr. Bhavneet Kour;

AND WHEREAS, in the meanwhile, Health & Medical Education Department (HRM Section) sought details of doctors on unauthorized absence from Directorate of Health Services, Jammu which stands







submitted by the concerned Directorate vide communication dated 23.12.2020, which also included name of Dr. Bhavneet Kour;

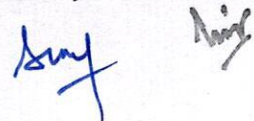
AND WHEREAS, Dr. Bhavneet has shown her willingness to join back the department and the reason behind her unauthorized leave/absence w.e.f. 22.07.2015 has been mentioned as untimely death of her husband;

AND WHEREAS, the Directorate of Health Services, Jammu has forwarded the case of doctor regarding acceptance of rejoining/settlement of period in respect of Dr. Bhavneet Kour 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. Bhavneet Kour, Consultant Dentistry, 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 accept the rejoining in favour of Dr. Bhavneet Kour Consultant Dentistry, notionally w. e. f. 31.05.2021 and monetarily with effect from the date she will be posted and resumes her duties at her place of posting by taking an administrative decision in the matter as an exceptional case and;
- ii. Treat the period unauthorized absence w.e.f 22.07.2015 to 30.05.2021 as Dies-Non in terms of Article 163 of J&K Civil Services Regulations, 1956.
- iii. the above recommendations at (i & ii) shall be subject to the condition that the said doctor was not involved in any subversive activities and 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 accept the rejoining in favour of Dr. Bhavneet Kour Consultant Dentistry, notionally w. e. f. 31.05.2021 and monetarily with effect from the date she will be posted and resumes her duties at her place of posting as an exceptional case; and;
- ii. treat the period unauthorized absence w.e.f 22.07.2015 to 30.05.2021 as Dies-Non.
- iii. the above recommendations at (i & ii) shall be subject to the condition that the said doctor was not involved in any subversive activities and 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.

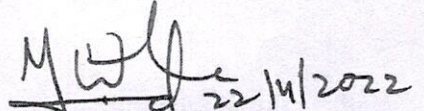
Sd/-
(Vivek Bharadwaj) IAS
Additional Chief Secretary
Health & Medical Education Department

No : HD-Gaz0Gen/133/2021-02

Dated: 22.04.2022

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. OSD to Advisor (B) to Lieutenant Governor.
6. Concerned doctor.
7. Private Secretary to Additional Chief Secretary, Health and Medical Education Department.
8. Government Order file/Stock file/ I/c Website H&ME.


(Mohammad Iqbal Lone)
Under Secretary to the Government
Health & Medical Education Department

