

GOVERNMENT OF JAMMU AND KASHMIR
HEALTH & MEDICAL EDUCATION DEPARTMENT
Civil Secretariat, Jammu/Srinagar.

Subject: Settlement of unauthorized absence/undecided period in respect of Dr. Abraaq Asma Riyaz, Assistant Professor in Government Medical College, Srinagar.

Ref. No. GS-MC/AP-Anes/2109 dated 12.10.2021 from Principal, Government Medical College, Srinagar.


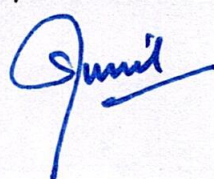
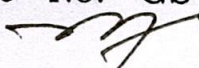
Government Order No. 339 -JK(HME) of 2022
Dated: 20.05.2022

WHEREAS, Dr. Abraaq Asma Riyaz, was appointed as B-Grade Anesthetist in the Health Services Department vide Government Order No. 186-HME of 2012 dated 09.03.2012. Subsequently, she was appointed as Lecturer in the Health & Medical Education Department vide Government Order No.157-HME of 2013 dated 01.03.2013 and submitted her joining report in Government Medical College, Srinagar on 05.03.2013;

AND WHEREAS, the aforesaid doctor applied for 45 days child Care Leave in year 2020, which was sanctioned in her favour w.e.f. 01.02.2020 to 16.03.2020 with the condition that she will not extend it further. However, she failed to report back as reported by the HoD concerned and remained unauthorizedly absent from duties w.e.f 17.03.2020 to 13.06.2021;

AND WHEREAS, accordingly, a show cause notice was issued to the doctor by Principal, Government Medical College, Srinagar vide No. GS-MC/AP/Anes./32-35 dated 24.04.2020 with the directions to resume her duties forthwith;

AND WHEREAS, in response to the said show cause notice, the doctor submitted that she had moved to Delhi wherein due to lockdown she was not able to travel back to Kashmir Valley. Thereafter, an another show cause notice was issued to the doctor vide No. GS-MC/AP/Anes/261-64 dated 08.07.2020 with the



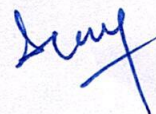
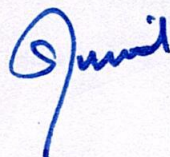
directions to resume her duties forthwith failing which disciplinary action shall be initiated against her, under rules, but she neither joined her duties nor replied to such show cause notice;

AND WHEREAS, final show cause notice was served to the doctor by the Principal, Government Medical College, Srinagar vide No. GS-MC/AP/Anes/88-92 dated 15.01.2021 with the direction to resume her duties within 07 days from the date of issuance of the notice. Ultimately, after remaining absent from duties w.e.f. 17.03.2020 to 13.06.2021, the said doctor submitted her joining report on 14.06.2021 which was forwarded to the Administrative Department for further instructions;

AND WHEREAS, the Administrative Department vide No. ME-Gztd/50/2021 dated 12.07.2021 advised Principal, Government Medical College, Srinagar to allow the aforesaid doctor to resume her duties with the condition that she shall furnish an affidavit to the effect that in future, that she will not leave the station without proper permission/approval of the competent authority and accordingly the doctor was allowed to resume her duties in the Department vide order No. 128-GS of 2021 dated 28.07.2021;

AND WHEREAS, Principal, Medical College, Srinagar has forwarded the case of the doctor regarding settlement of period of authorized/unauthorized absence w.e.f 17.03.2020 to 13.06.2021 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;

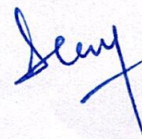
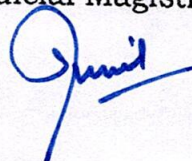
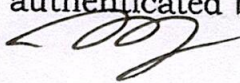
AND WHEREAS, accordingly, the case was placed before the Departmental Designated Committee, who in its series of meetings held on 10.01.2022 & 04.04.2022 deliberated upon the matter and recommended as under:-

“The Committee recommends to treat the period w.e.f. 17.03.2020 to 13.06.2021 in favour of Dr. Abraq Asma Riyaz, Assistant Professor as leave whatever kind due including child care leave and remaining period if any, shall be treated as Dies-Non and also 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 authenticated by 1st Class Judicial Magistrate shall be obtained by the Principal GMC, Srinagar 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:

To treat the period w.e.f. 17.03.2020 to 13.06.2021 in favour of Dr. Abraq Asma Riyaz, Assistant Professor as leave whatever kind due including child care leave and remaining period if any, shall be treated as Dies-Non and also 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 authenticated by 1st Class Judicial Magistrate shall be obtained by



the Principal Government Medical College, Srinagar 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/-

(Navin K.Choudhary) IAS

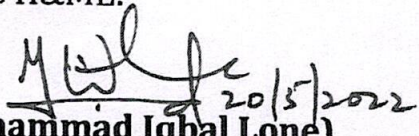
Principal Secretary to the Government
Health & Medical Education Department

Dated:20.05.2022

No.ME-Gztd/50/2021-02

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. Principal, Government Medical College, Srinagar.
4. Director, Health Services, Kashmir.
5. Director, Archives, Archaeology & Museums, J&K.
6. OSD to Advisor (B) to Lieutenant Governor.
7. Concerned doctor.
8. Private Secretary to Principal Secretary to the Government, 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