

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

Subject:- Settlement of period of unauthorized/undecided period in respect of Dr. Ghulam Rasool Bilal, Medical Officer.

Ref. No. Est.-3/1-133/G/83/5643 dated 01.09.2021 from Directorate of Health Services, Kashmir.

Government Order No. 435 -JK(HME) of 2022
Dated: 21 .06.2022

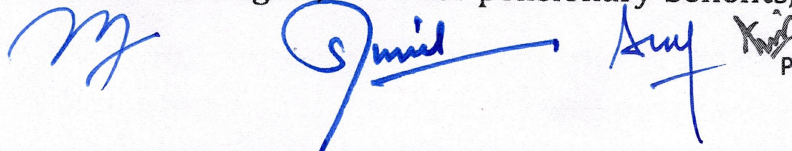
WHEREAS, Dr. Ghulam Rasool Bilal, was appointed as Medical Officer in the Health Services Department in the year 1973;

AND WHEREAS, the aforesaid doctor remained unauthorizedly absent from the duties w.e.f 10.06.1980 to 20.08.1990 and after remaining unauthorizedly absent, he was allowed to join back to the services on 20.08.1990 and the absence period was treated as Dies-Non;

AND WHEREAS, the Medical Officer has attained the age of superannuation on 30.04.2003. The Medical Officer has also filed a writ petition before the Hon'ble High Court bearing SWP No. 1355/2015 seeking direction to accord consideration to his period of unauthorized absence w.e.f 10.06.1980 to 20.08.1990 on the analogy of Dr. Masood Alamgir, Dr. Farooq Ahmad Jan-Rathore, Dr. Nisar Ahmad Ghasi, Dr, Shafi Ahmad Wani and Dr. Hakim Viqar;

AND WHEREAS the said writ petition subsequently disposed of by the Hon'ble High Court Srinagar vide order and judgment dated 24.04.2018 with the following directions, the operative portion of the same reads as under:-

"In view of the aforesaid statement of the learned counsel for the petitioner, this petition is disposed with a direction to the Respondents to consider the case of the petitioner as regards counting his period of absence from the 10th of June, 1980 to 20th of August, 1990 for pensionary benefits, on the



same analogy as has been evolved in the cases of Dr. Masood Alamgir, Dr. Farooq Ahmad Jan-Rathore, Dr. Nisar Ahmad Ghasi, Dr. Shafi Ahmad Wani and Dr. Hakin Viqar, provided the same is applicable to the facts and circumstances of the case of the present petitioner, Needless, on part of the Respondents to be done strictly in accordance with the law and the rules governing the filed within a period of four weeks from the date the certified copy of this order is made available to them by the petitioner.”

AND WHEREAS, the Directorate of Health Services, Kashmir has forwarded the case of the doctor regarding settlement of period of authorized/unauthorized absence w.e.f. 10.06.1980 to 20.08.1990 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. Ghulam Rasool Bilal, Medical Officer, among others was placed before the Departmental Designated Committee for examination, wherein after series of meetings held on 10-01-2022 & 04.04.2022 deliberated upon the matter and recommended as under:-

“The Committee recommends to reject the claim of Dr. Ghulam Rasool Bilal, Medical Officer in pursuance of the aforesaid judgment of the Hon’ble Court by issuance of the reasoned and speaking order.”

Now therefore, in compliance to the directions of the Hon'ble High Court in SWP No. 1355/2015, the case of Dr. Ghulam Rasool Bilal, Medical Officer (petitioner) was re-examined in the department and was found devoid of merits, hence rejected.

By order of the Government of Jammu and Kashmir.

Sd/-

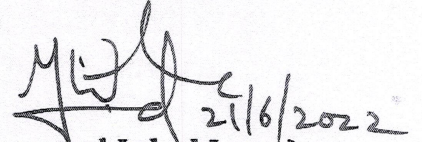
(Manoj Kumar Dwivedi) IAS
Principal Secretary to the Government
Health & Medical Education Department

No. : HD-Gaz0Gen/328/2021-02

Dated: 21.06.2022

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, Kashmir.
5. Director Finance, Health and Medical Education Department.
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

