

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

Subject: Non-joining of Medical Officers in Health & Family Welfare Department – cancellation of appointment thereof.

Ref. No's: (i) Government Order No. 333 of HME of 2018 dated 29-05-2018 & Government Order No. 630 of HME of 2018 dated 20-11-2018.
(ii) No. Est/3/1-133/112/2018/10525 dated 20-05-2022 from Directorate of Health Services, Kashmir.

Government Order No: 467-JK(HME) of 2022
Dated: 30-06- 2022

WHEREAS, on the recommendations of the Jammu and Kashmir Public Service Commission, vide Government Order No. 333-HME of 2018 dated 29.05.2018, sanction was accorded to the appointment of 371 Medical Officers in the J&K Health and Family Welfare (Gazetted) Service;

AND WHEREAS, it was mentioned in the aforementioned appointment order that the selectees/appointees who are presently doing PG Courses/Registrarship/Demonstratorship in the Government Medical College, Jammu, Government Medical College, Srinagar, Sher-i-Kashmir Institute of Medical Sciences (SKIMS), Soura, Srinagar and SKIMS Medical College, Bemina shall exercise an option i.e:-

- i. Either to join Government Service without completing their PG courses/tenure of Registrarship/ Demonstratorship; and in that case, they would not be allowed, under any circumstances, to, proceed on leave to complete their remaining PG Courses/Tenures as Registrars/Demonstratorship and if they do so by absenting themselves from the place of their posting, their services shall be terminated under the provisions of the J&K Civil Services Regulations (CSR) Volume-I and the J&K Civil Services Classification, Control & Appeal (CCA) Rules, 1956, as no such leave would accrue to them at the time of joining the service;

OR

- ii. They may seek extension in the joining period from the Administrative Department for the completion of their PG Courses/ minimum tenures as Registrars/ Demonstrators.

AND WHEREAS, the issue regarding extension of joining time in favour of the Medical Officers (selectees) who had opted for the same was placed before the State Administrative Council (SAC) and after the approval of the State Administrative Council (SAC), vide Government Order No. 630-HME

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of 2018 dated 20-11-2018, sanction was accorded to the grant of extension as one time exception in favour of 254 Medical Officers for undergoing various higher courses till its completion mentioned against each, subject to the following conditions:-

- i. The service benefits of these doctors shall be counted from the actual date of their joining in the Health Department and in, no case, the period from the date of their appointment in Health Department shall be counted in their services for any service benefits.
- ii. Inter-se-seniority viz-a-viz those who have joined shall be fixed as per proviso(b) attached to Sub Rule(1) of Rule 24 of the Civil Service Classification, Control and Appeal (CCA) Rules, 1956.
- iii. Their appointments in the department shall remain protected for the period only for which extension has been sought.
- iv. On joining in the department they will have to work in far flung and backward areas of the State for a minimum period of five years.
- v. Further, in future selections/appointments of Medical Officers, selectee Medical Officers shall not be allowed to continue with PG/tenure of Senior Residency/ Registrarship/Demonstratorship and they will have only one choice either to opt for appointment or opt out and go for PG/tenure of Senior Residency/ Registrarship/ Demonstratorship.

AND WHEREAS, the Directorate of Health Services, Kashmir vide his communication No. Est/3/1-133/112/2018/10525 dated 20.05.2022 has furnished the details of the following Medical Officers who, after expiry of the extended spell of joining period, have failed to join in the Directorate of Health Services, Kashmir thereby resorting to unauthorized absence:-

S.No	S.No. In G.O.No. 333-HME of 2018 dated 29.05.2018 i.e. Appointment Order	S.No. In G.O.No. 630-HME of 2018 dated 20.11.2018 i.e. Extension in Joining Time Order	Particulars of Appointee(s) (Medical Officers)	Extension granted vide Government Order No. 630-HME of 2018 dated 20.11.2018 upto
1.	9	7	Dr. Syed Humairah Mushtaq, D/o Syed Mushtaq Ahmad, R/o 60 Mulgam, Kunzer, Baramulla	06/2021
2.	62	43	Dr. Asma Bashir, D/o Bashir Ahmad Gatoo, R/o Kanipora Shopian	06/2021
3.	80	55	Dr. Muzaffar Mushtaq S/o Mushtaq Ahmad R/o 33 Drangbal, Pampore	03/2021. Note: The said doctor left Sr. Residency from SKIMS Medical College Bemina, Srinagar w.e.f. 15.02.2021, however applied for rejoining in DHISK on 28.03.2022 i.e. after a gap of one year of the authorized

				term and even left for undergoing fellowship outside country at his own.
4.	104	75	Dr. Javaid Iqbal S/o Mohd Qasim Malik R/o Killora Shopian	05/2021
5.	106	77	Dr. Mujahid Ahmad Mir S/o Ab. Aziz Mir R/o Hardpora, Akingam, Kokernag	04/2021
6.	165	116	Dr. Choudari Muzafar Paswal S/o Choudari Sobiya Paswal R/o 78 Tangmarg, Damhal Hanjipora	06/2021
7.	9 RBA	153	Dr. Yaser Rehman S/o Abdul Rehman Wagay R/o Gassirana Kulgam	03/2021
8.	53 RBA	181	Dr. Farooq Ahmad Guroo S/o Ali Mohd. Guroo R/o Ghat Tokuna Awantipora	05/2021

AND WHEREAS, it can be concluded that aforementioned above eight (08) Medical Officers after seeking extension in their joining to a particular time have failed to join in Directorate of Health Services, Kashmir and therefore their services, in light of the condition No. (iii) of Government Order No. 630-HME of 2018 dated 20-11-2018, are no more protected, hence their probation requires to be terminated and they are to be discharged from the J&K Health & Family Welfare (Gazetted) Services without giving any further notice in light of Rule 21(1) of the J&K Civil Services (Classification, Control and Appeal) Rules, 1956 which reads as under:-

"Rule 21. Suspension of probation period:

(1) At any time before the expiry of the prescribed period of probation, the appointing authority may—

- a) suspend the probation of a probationer and discharge him from the service for want of vacancy; and*
- b) at his discretion terminate the probation of a probationer and discharge him from service."*

Now therefore, it is hereby ordered that the appointment in respect of following Medical Officers appointed vide Government Order No: 333-HME of 2018 dated 29.05.2018, shall be deemed to have been cancelled, ab-initio:-

S. No	S.No. in G.O.No. 333-HME of 2018 dated 29.05.2018 i.e. Appointment Order	S.No. in G.O.No. 630-HME of 2018 dated 20.11.2018 i.e. Extension In Joining Time Order	Particulars of Appointee(s) (Medical Officers)	Extension granted vide Government Order No. 630-HME of 2018 dated 20.11.2018 upto
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			Mulgam, Kunzer, Baramulla	
2.	62	43	Dr. Asma Bashir, D/o Bashir Ahmad Gattoo, R/o Kanipora Shoplan	06/2021
3.	80	55	Dr. Muzaffar Mushtaq S/o Mushtaq Ahmad R/o 33 Drangbal, Pampore	03/2021.
4.	104	75	Dr. Javald Iqbal S/o Mohd Qasim Malik R/o Killora Shoplan	05/2021
5.	106	77	Dr. Mujahid Ahmad Mir S/o Ab. Aziz Mir R/o Hardpora, Akingam, Kokernag	04/2021
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By order of the Government of Jammu & Kashmir.

Sd/-

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

No. HD/Gaz0Gen/275/2022-02

Dated: 30-06-2022

Copy to the:

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
2. Director, SKIMS Soura, Srinagar.
3. Director Information, J&K.
4. Principal, Government Medical College, Jammu/Srinagar/Anantnag/Baramulla/Doda/Kathua/Rajouri.
5. Principal, SKIMS Medical College/Hospital, Bemina.
6. Director, Archives, Archaeology & Museums, J&K Jammu.
7. Director, Finance, Health & Medical Education Department.
8. Director, Health Services, Jammu.
9. Director, Health Services, Kashmir.
10. OSD with Advisor (B) to the Hon'ble Lieutenant Governor, J&K.
11. Private Secretary to the Principal Secretary to the Government, Health & Medical Education Department.
12. Concerned doctors.
13. I/C Website, Health & Medical Education Department.
14. Government Order File/Stock File/Monday Return (w.2.s.c.).

(Mohammad Iqbal Lone)

Under Secretary to the Government
Health & Medical Education Department