



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

**Subject:-** O.A No. 4/2022-titled Dr. Mohammad Yousef Bhat Vs UT of J&K & Ors – Rejection thereof.

**Government Order No.** 549 - JK(HME) of 2022  
**D a t e d :** 27 - 07 - 2022

**WHEREAS,** through a medium of O.A No. 4/2022 titled "Dr. Mohammad Yousef Bhat V/S UT of JK & Ors" the applicant, Dr. Mohammad Yousef Bhat, approached the Hon'ble Central Administrative, Tribunal, Srinagar Bench Srinagar with a plea that the applicant has not been considered for the posts of teaching faculty advertised in the year 2019 in newly established Medical College at Baramulla, despite having vast experience to be appointed and considered for the post of Associate Professor;

**AND WHEREAS,** the applicant also challenged the selection of two doctors appointed on lateral entry basis as Associate Professors in Government Medical College, Baramulla before the Hon'ble High Court at Srinagar bearing SWP No. 476/2019, which stand transferred to Hon'ble Central Administrative Tribunal for adjudication;

**AND WHEREAS,** the applicant has approached the Hon'ble CAT by way of instant OA seeking following reliefs:

**A.** *By issuance of order or direction, respondents be commanded to take final decision on the representations filed by applicant by considering the applicant for the post of Associate professor in the Department of Medicine, for Government Medical Collage Baramulla on the basis of merit, suitability and seniority of the applicant.*

**B.** *By issuance of order or direction, respondents be directed to reserve one post of the Associate professor in the Department of the Medicine in Government Medical Collage Baramulla out of the three sanctioned posts for the applicant on the basis of merit, seniority and suitability.*

**AND WHEREAS,** the Hon'ble Central Administrative, Tribunal, Srinagar Bench Srinagar vide order dated **05-01-2022** disposed of the instant O.A No. 4/2022-titled Dr. Mohammad Yousef Bhat Vs UT of J&K & Ors with following directions:

**"Respondents are directed to consider the said representation within four weeks in accordance with law and communicate the decision to the applicant within a week thereafter. I make it clear that I am not expressing any opinion on the merits of the case."**

Handwritten signature in blue ink.



**AND WHEREAS,** vide communication No. ME-GAZ-NEW GMC/11/2018 dated 16.01.2019 , the Principals of five (05) , new Government Medical Colleges were directed to advertise the posts of Professors & Associate Professors for filling up by way of one time absorption through lateral entry among the eligible faculty members of Medical Colleges and Senior Consultants/ Consultants of Health Department;

**AND WHEREAS,** vide Government Order No. 53-HME of 2019 dated 16.01.2019, two Committees were constituted under the Chairpersonship of Principal, Government Medical College, Srinagar for Kashmir division and Principal, Government Medical College, Jammu for Jammu division for considering the selection of eligible doctors, who may apply for appointment as faculty members ( Professors & Associate Professors) by way of lateral entry as one time absorption in the newly established five Government Medical Colleges. In addition, the criteria for selection and the eligibility was also issued vide the said Government Order;

**AND WHEREAS,** the Principals of GMC, Anantnag / Baramulla/Doda/Kathua/Rajouri (new GMCs) constituted Sub Committees comprising of faculty members (Assistant Professors appointed on direct recruitment basis through J&K, PSC) and Administrative Officer of the concerned Colleges to evaluate the applications received from various candidates for appointment on lateral entry basis. The Sub Committee evaluated the applications alongwith the connected documents in light of the laid down criteria and placed their recommendations before the Selection Committees constituted in terms of Government Order No. 53-HME of 2019 dated 16.01.2019;

**AND WHEREAS,** in pursuance to the advertisement for one time absorption by way of Lateral Entry of faculty members , among others, Dr. Mohammad Yousuf Bhat had applied for the post of Associate Professor in the Department of General Medicine in Government Medical College, Baramulla;

**AND WHEREAS,** among others, the candidature of Dr. Mohammad Yousuf Bhat, who had applied for the post of Associate Professor in the Department of General Medicine in Government Medical College, Baramulla was rejected, in view of the fact that some candidates did not possess the requisite number of publications/ requisite teaching experience/ minimum required service;

**AND WHEREAS,** in Government Medical College, Baramulla candidatures of forty nine (49) candidates including the candidature of Dr. Mohammad Yousuf Bhat was rejected, in view of the fact that some candidates did not possess the requisite number of publications/ requisite teaching experience/ minimum required service;

**AND WHEREAS,** the case of Dr. Mohammad Yousuf Bhat was examined in the Department and it was found devoid of merits.

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**Now, therefore,** the claim of the applicant for his consideration on the post of Associate Professor in the Department of General Medicine in Government Medical College, Baramulla, has been considered in light of the Hon'ble Central Administrative Tribunal, Srinagar Bench Order on 05.01.2022 and also in light of the rules governing the subject has been found devoid of merit and is accordingly rejected.

**By Order of Government of Jammu and Kashmir.**

**Sd/-**

**(Manoj Kumar Dwivedi) IAS**

Principal Secretary to the Government  
Health & Medical Education Department

No. ME-Leg0GAZ/8/2022

Dated: 27 - 07 - 2022

**Copy to the:-**

1. Principal Secretary to the Lieutenant Governor, J&K.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
3. Principal, Government Medical College, Srinagar.
4. Director, Archives, Archeology & Museums J&K.
5. Additional Secretary (Law), Health & Medical Education Department.
6. Concerned .
7. Private Secretary to the Principal Secretary to the Government, Health and Medical Education Department.
8. I/C Website.
9. Government Order file/Stock File.

**(Waqar Talib)JKAS**

Under Secretary to the Government