

GOVERNMENT OF JAMMU AND KASHMIR  
**HEALTH & MEDICAL EDUCATION DEPARTMENT**  
HUMAN RESOURCE MANAGEMENT BRANCH  
Civil Secretariat, J&K

e-mail: hrmjkhme@gmail.com

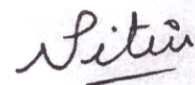
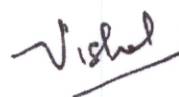
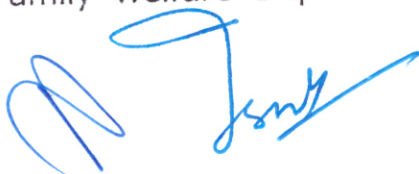
**Subject: OA No 61/1816/2021, titled Dr. Phunchok Norboo Vs UT of J&K & Ors - Regarding placement of Dr. Phunchok Norboo, Dental Specialist as Senior Consultant Dental.**

**Government Order No. 614 - JK(HME) of 2022**  
**Dated: 17-08-2022**

**WHEREAS**, after the bifurcation of State of Jammu and Kashmir into Two Union Territories, the posts of Health & Family Welfare (Gazetted) Service were bifurcated between UT of J&K and UT of Ladakh vide SRO-695 dated 25.10.2019 & SRO-697 dated 25.10.2019 respectively. As per SRO-697 dated 25.10.2019, no post of Senior Consultant Dental was allocated to UT of Ladakh owing to the reason that there is only one post of Senior Consultant Dental sanctioned for entire erstwhile State of Jammu & Kashmir that too in Jammu division;

**AND WHEREAS**, a tentative seniority list of Consultants was issued by the J&K Health & Family Welfare Department vide Government order No. 11-JK(HME) of 2020 dated 01.01.2020, wherein the Consultants belonging to Union Territory of Ladakh were excluded from the said seniority list. However, no representation/objection was filed by any Consultant posted/working in the Union Territory of Ladakh against the said tentative seniority list;

**AND WHEREAS**, a final seniority list of Consultants of Health & Family welfare Department was issued vide Government order No.

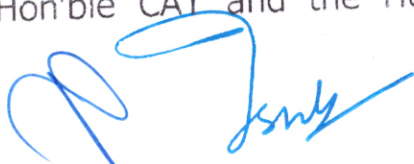


719-JK(GAD) of 2020 dated 09.10.2020. As a result, Dr. Phunchok Norboo was not considered for placement as Senior Consultant Dental in the UT of J&K. Moreover, Dr. Phunchok Norboo, Dental Specialist has represented this department that due to personal reasons, he is unwilling to join as Deputy Director Dentistry in the Directorate of Health Services Kashmir and requested that he may be allowed to continue his services at SNM Hospital Leh. Besides, Director Health Services, Kashmir has also informed that Dr. Phunchok Norboo, senior most Dental Specialist has shown his unwillingness for the said promotion vide letter No. Est/3/1-133/1010 dated 01/07/2019;

**AND WHEREAS**, after issuance of Final Seniority list of Medical Officers, the Medical Officers/Consultants belonging to Union Territory of Ladakh approached the higher authorities for incorporation of their names in the seniority lists issued by the Health & Family Welfare Department, UT of Jammu & Kashmir;

**AND WHEREAS**, a tentative seniority list of Consultants of various disciplines of J&K Health & Family Welfare Department including that of Consultants belonging to Union Territory of Ladakh was issued vide Government Order No. 161-HME of 2021 dated 04.03.2021 and the said seniority list was not finalized owing to the fact that General Administration Department in the meantime initiated the process of apportionment of the manpower, of the erstwhile State of J&K into the two successor Union Territories, as per the option exercised;

**AND WHEREAS**, aggrieved for not placing the petitioner as Senior Consultant Dental, Dr. Phunchok Norboo approached the Hon'ble CAT and the Hon'ble CAT in O.A. No. 61/1816/2021 has



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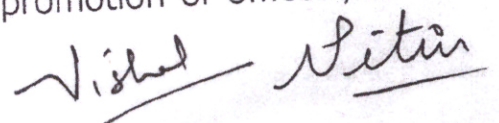
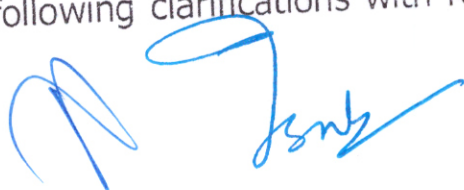
passed the following directions on 07.12.2021, the operative part of which is reproduced as under:

**"Looking to the limited prayer made by the learned counsel for the applicant, we dispose of the OA with direction to the respondents to treat this OA as representation of the applicant and dispose of the same by passing a reasoned and speaking order within a period of four weeks from the date of receipt of a certified copy of this order. A Copy of the Speaking order be given to the applicant."**

**AND WHEREAS**, vide letter No. HME-HRM/135/2021-02 dated 05.01.2021, the opinion of General Administration Department was sought as to whether the names of Consultants/Medical Officers/Dental Surgeons belonging to the Union Territory of Ladakh are to be incorporated in the seniority lists of Health & Medical Education Department or not in view of the apportionment of staff between Union Territory of J&K and Union Territory of Ladakh;

**AND WHEREAS**, as per the notification issued on 02.09.2021, issued by the General Administration Department, the applicant namely Dr. Phunchok Norboo, Dental Specialist figuring at Serial No. 243 in the list of officers/officials who opted to serve in the UT of Ladakh. Moreover, in terms of Government order No. 1212-JK(GAD) of 2021 dated 15.11.2021, wherein final apportionment of staff to Union Territory of Ladakh was made in which Dr. Phunchok Norboo also figured at Serial No. 240 in the list of Health & Medical Education Department;

**AND WHEREAS**, the General Administration Department vide Circular No. 09-JK(GAD) of 2022 dated 08.03.2022 has issued following clarifications with regard to promotion of officers/officials in



Union Territory of J&K and exclusion of the employees, apportioned in Union Territory of Ladakh, in the seniority lists of J&K Services:

- i. **Consequent upon the apportionment of manpower between Union territory of Jammu & Kashmir and Union Territory of Ladakh, the promotions/appointments in Jammu and Kashmir shall be considered against the posts allocated to Union territory of Ladakh shall be excluded while considering any such exercise except for the services falling under the ambit of S.O. 428 dated 21.12.2021.**
- ii. **The employees apportioned to Union territory of Ladakh vide Government order No. 1212-JK(GAD) of 2021 dated 15.11.2021 shall be excluded from "Seniority List/Eligibility list" and such employees shall not be considered for promotions in the Union territory of Jammu and Kashmir w.e.f. 15.11.2021**

Now, therefore, in view of the facts and circumstances, as enumerated above and as per Circular No. 09-JK(GAD) of 2022 dated 08.03.2022 issued by the General Administration Department, the Health & Medical Education department is not in a position to accede to the request of the petitioner for his placement as Senior Consultant, Dental at this stage in the Union Territory of J&K. Hence, the claim of Dr. Phunchok Norboo, Dental Specialist is hereby rejected and he is advised to approach the administration of Union Territory of Ladakh for the same.

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

Sd/-

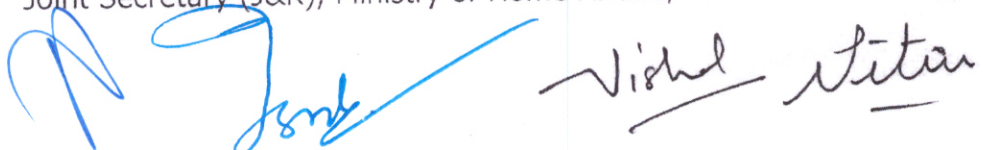
**(Manoj Kumar Dwivedi) IAS**  
Principal Secretary to the Government,  
Health and Medical Education Department

No: HD-Lgal/322/2021-02

Dated: 17.08.2022

**Copy to the:-**

1. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.





3. Principal Secretary to the Government, Health & Family Welfare Department, UT of Ladakh.
4. Principal Secretary to the Government, General Administration Department
5. Director, Archives, Archaeology & Museums, J&K, Jammu.
6. Director, Health Services, UT of Ladakh for information and necessary action.
7. OSD to the Advisor (B) to Lieutenant Governor, J&K.
8. Private Secretary to the Principal Secretary to the Government, Health & Medical Education Department.
9. Concerned doctor.
10. Government Order file/Stock file/Website H&ME/Monday Return file.

*Amali*  
17.08.2022

**(Javaid Ahmad Malik)JKAS**

Under Secretary to the Government,  
Health & Medical Education Department

*Jasb* *Vishal*

*Titin*