



भारत 2023
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अमृत महोत्सव



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

Subject: Enquiry against Dr. Bakhtair Asif Drabu, Medical Officer- reinstatement thereof.

Ref. No. (i) Government Order No. 597-JK(HME) of 2022 dated 05.08.2022.
(ii) Est-3/1-133/B-8/13172 dated 03.11.2022 & Est/1-133/1635 dated 20.04.2023 from Director, Health Services, Kashmir.

Government order No. 513 -JK (HME) of 2023
Dated: 20 .06.2023

Whereas, in terms of Rule 31 of Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956 and pending enquiry into conduct, Dr. Bakhtair Asif Drabu, Medical Officer, was placed under suspension vide Government Order No. 597-JK(HME) of 2022 dated 05.08.2022 for non-joining at his place of posting i.e as I/C Medical Superintendent, District Hospital Kulgam and was attached with the Directorate of Health Services, Kashmir during the period of his suspension;

And whereas, vide this department's letter No. HD-Gaz0Gen/464/2022-02 dated 05.01.2023, the Director Health Services, Kashmir was asked to serve a charge-sheet upon the doctor for non-compliance of the Government Order and to conduct an enquiry based on the reply submitted by the doctor;

And whereas, the Director, Health Services, Kashmir vide communication No. Est./1-133/1635 dated 20.04.2023 forwarded the reply/statement of defense submitted by Dr. Bakhtair Asif Drabu, Medical Officer, and also vide Order No. Est-1/1-133/560-62 dated 15.02.2023, the Directorate constituted an Inquiry Committee of the following Officers/Officials to enquire into the matter:

1. Dr. Jehanzaib Tanki, Dy. Director Dentistry.
2. Dr. Shabir Sidiqi, Nodal Officer RTI/Grievance.
3. Dr. Sheraz Ahmad, Senior Assistant;

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AND WHEREAS, the Inquiry Committee furnished the detailed report, the findings of which are reproduced as under:-

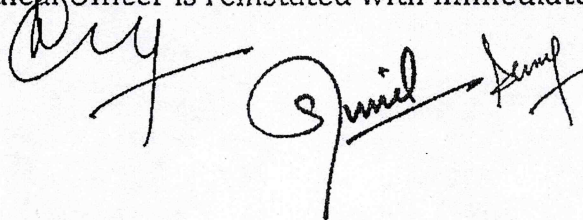
"From the perusal of records, viz-a-viz charge-sheet & reply of the suspended Medical Officer, Dr. Bakhtar Asif Drabu, it reveals that the said doctor at the time of his transfer from Government Medical College, Srinagar to District Hospital Kulgam issued vide No. 492-JK(HME) of 2022, was discharging his duties at a sensitive posting of SMHS Hospital Srinagar as Nodal Officer for COVID-19 right from day one of the pandemic. Besides, he was looking after functioning of oxygen plants and allied manifold sections to ensure adequate oxygen supply to patients admitted in the Hospital in general & COVID patients in particular. Taking cognizance of this, the Medical Superintendent SMHS Hospital, Srinagar and the then Principal GMC, Srinagar instead of relieving the suspended doctor had requested to the Administrative Department for retention of the doctor concerned in the best interest of patient care and smooth functioning of the sensitive posting of SMHS Hospital Srinagar & was relieved on 06.08.2022 vide order No. P/A MS 6540-44 dated 06.08.2022. Hence, It is apparent that the doctor had not deliberately flouted the Government order but has obeyed the orders of his Immediate Controlling Officers, then Medical Superintendent SMHS Hospital Srinagar and then Principal Government Medical College Srinagar".

In the backdrop of above findings and since the committee constituted drawn the conclusion that the doctor in question had not deliberately flouted the Government order, but has obeyed the orders of his immediate Controlling Officers and finally recommended that a lenient view may be taken to reinstate the doctor in question & warn the doctor to remain careful in future.;

And whereas, the case was examined in the Department in pursuance of enquiry report furnished by the Committee constituted for the purpose vide communication No. Est/1-133/1635 dated 20.04.2023 as well as recommendations of the Director, Health Services, Kashmir, for taking lenient view for reinstatement/posting of Dr. Bakhtair Asif Drabu, Medical Officer as one-time exception.

Now therefore, it is, hereby, ordered that:-

- a) The charges leveled against Dr. Bakhtair Asif Drabu, Medical Officer presently attached in the Directorate of Health Services, Kashmir are dropped.
- b) In the interest of health and patient care, Dr. Bakhtair Asif Drabu, Medical Officer is reinstated with immediate effect.



- c) The Director, Health Services, Kashmir shall immediately submit the proposal of the doctor for further posting.
- d) The period of suspension w.e.f. 05.08.2022 till reinstatement of Dr. Bakhtair Asif Drabu, Medical Officer shall be treated as 'on duty' subject to condition that he has regular attendance at the present place of attachment i.e. Directorate of Health Services, Kashmir, which shall be certified by the Controlling Officer, else his period of suspension shall be treated as leave, whatever kind, due.
- e) The concerned doctor shall remain vigilant in future and shall obey all the instructions/orders in letter and spirit issued by the authorities related to his service.

By order of the Government of Jammu and Kashmir.

Sd/-

(Bhupinder Kumar) IAS
Secretary to the Government
Health & Medical Education Department

No.HD-Gaz0Gen/464/2022-02 (E-246280)

Dated 20.06.2023

Copy to the:-

1. Principal Secretary to the Lieutenant Governor.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
3. Director Health Services, Kashmir.
4. Director, Archives, Archaeology & Museums, J&K.
5. OSD with Advisor (B) to the Lieutenant Governor.
6. Pvt. Secretary to the Secretary to the Government, Health & Medical Education Department.
7. Concerned Doctor.
8. I/c Website, Health and Medical Education Department.
9. Government Order file/Stock file/Monday Return (w.2.s.c).

(Shakoor Ahmad Dar) JKAS
Deputy Secretary to the Government
Health & Medical Education Department