



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

Subject: Settlement of intervening period of absence in favour of Dr. Murtaza Fazli Ali, Consultant Orthopedics, on deputation to Government Medical College, Anantnag.

Government Order No. 1017 – JK (HME) of 2023

Dated: 08-12-2023

WHEREAS, Director Health Services, Kashmir vide Communication No. Est-3/1-133/862 dated 04.03.2023 has intimated that Dr. Murtaza Fazil Ali was appointed as Medical Officer vide Government Order No. 287-HME of 2011 dated 23.05.2011 and joined in the Directorate of Health Services, Kashmir on 08.06.2011;

AND WHEREAS, during the period, he was undergoing Registrarship in Orthopedics at SKIMS Medical College, Bemina Srinagar and continued the same in light of the interim directions passed by the Hon'ble High Court vide Order dated 04.07.2011 in SWP No. 1198/2011, titled Dr. Imran Mumtaz and Others V/S State and Ors, the operative part of which is reproduced as under:-

"Meanwhile, petitioners shall be permitted to join on parity of Government order dated 17.02.2010, strictly in terms of rules".

AND WHEREAS, in pursuant to the above order, objection was filed before the Hon'ble High Court;

AND WHEREAS, the doctor, after completion of Registrarship, reported back in the Directorate of Health Services Kashmir on 22.12.2012 and was ordered to report District Hospital Anantnag vide Order No. Est-3/1-133/63-66 dated 06.04.2013, without prejudice to the outcome of various writ petition pending disposal in the Hon'ble High Court and pending instructions from the Administrative Department;

AND WHEREAS, the doctor has approached the Directorate of Health Services, Kashmir with an application, requesting therein for settlement of period of underwent Registrarship w.e.f. 09.06.2011 to 21.12.2012 as 'on deputation';

AND WHEREAS, the case of Dr. Murtaza Fazli Ali, Consultant Orthopedics was placed before the Departmental Designated Committee in its meeting held on 03.08.2023, who deliberated upon the case and recommended as under:-

"(a) To treat the period of unauthorized absence of the doctor spent on undergoing Registrarship at SKIMS Medical College, Bemina w.e.f. 09.06.2011 to 21.12.2012

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as "Dies non" which shall be subject to the condition that the said doctor was not involved in any subversive activities as well as he was not employed in any Govt/Private sector and no departmental enquiry is pending against him, for which an affidavit duly authenticated by 1st class Judicial Magistrate shall be obtained by the Directorate of Health Services, Kashmir from the concerned doctor.

Besides, the doctor shall be warned not to leave his place of posting on basis in future for which departmental actions shall be initiated against her without any notice".

NOW, THEREFORE, on the recommendation of the Departmental Designated Committee, sanction is hereby accorded to treat the period of unauthorized absence of Dr. Murtaza Fazli Ali, Consultant Orthopedics spent on undergoing Registrarship at SKIMS Medical College, Bemina w.e.f. 09.06.2011 to 21.12.2012 as "**Dies-Non**", subject to the condition that the doctor was not involved in any subversive activities as well as he was not employed in any Govt/Private sector and no departmental enquiry is pending against him, for which an affidavit duly authenticated by 1st class Judicial Magistrate shall be obtained by the Directorate of Health Services, Kashmir from the concerned doctor.

Besides, the doctor shall be warned not to leave his place of posting on unauthorized basis in future for which departmental actions shall be initiated against her without any notice.

By Order of the Government of Jammu and Kashmir.

Sd/-

(Bhupinder Kumar) IAS

Secretary to the Government

Dated: 08.12.2023

No. HD-Gaz0Gen/252/2023-02(C.No. 7150817)

Copy to the:-

1. Principal Secretary to the Hon'ble Lieutenant Governor.
2. Joint Secretary, (JK&L), Ministry of Home Affairs, Government of India.
3. Director, Archives, Archaeology & Museums, J&K.
4. Director, Health Services, Kashmir.
5. OSD with Advisor (B) to the Hon'ble Lieutenant Governor.
6. PS to the Secretary to the Government, Health & Medical Education Department.
7. Concerned doctor.
8. I/C Website H&ME.
9. Government Order file/Stock file/Monday Return.

(Waqar Talib) JKAS

Under Secretary to the Government

Waqar Talib

Waqar Talib