



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

Subject: Un-authorized absence of Dr. Sabhia Jan, Medical Officer – joining thereof.

Government Order No. 1020 – JK (HME) of 2023
Dated: 08 .12.2023

WHEREAS, vide letter No. Est-3/1-133/3340 dated 06.02.2021, Director, Health Services, Kashmir intimated that Dr. Sabhia Jan was appointed as Medical Officer in the Health & Family Welfare Department vide Government Order No. 132-HME of 2014 dated 04.03.2014 and submitted her joining report in Directorate of Health Services Kashmir on 06.03.2014;

AND WHEREAS, vide Government Order No. 392-HME of 2014 dated 02.07.2014, among others, Dr. Sabhia Jan, Medical Officer was kept on inter-cadre deputation for undergoing her PG in Ophthalmology at Government Medical College, Srinagar;

AND WHEREAS, vide Government Order No. 635-HME of 2014 dated 25.10.2014, permission was granted to the doctors appointed vide Order No. 132-HME of 2014 dated 04.03.2014 to continue their PG/Diploma Courses, subject to the condition that their period of study shall be decided separately;

AND WHEREAS, the aforesaid doctor after completion of PG Course joined back in Directorate of Health Services Kashmir on 01.06.2017;

AND WHEREAS, while posted at SDH Kangan, the doctor proceeded on 30 days earned leave w.e.f. 20.07.2017 sanctioned by the competent authority, and after availing the said leave, failed to join her duties, however, submitted an application dated 28.10.2017 before the Medical Superintendent, SDH Kangan for granting permission to undergo Senior Residency at Government Medical College, Nuh Haryana;

AND WHEREAS, the doctor left for undergoing Senior Residency at GMC Nuh Haryana without prior permission from the competent authority, for which a notice was served to the doctor vide No. Est/3/1-133/1374-77 dated 28.03.2018, wherein, an opportunity was given to her to report back to her duties at SDH Kangan within seven days from the date of issuance of said notice;

AND WHEREAS, in response to notice, the doctor submitted her reply, stating therein that she has been allotted SRship at GMC Nuh Haryana after lot of hard work and requested to allow her to complete the same;

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AND WHEREAS, vide No. HME/HRM/179/2017 dated 19.07.2019, the Administrative Department also issued a notice to the doctor, wherein, among others, last and final opportunity was given to her to report back in the Directorate within 15 days, but the doctor again failed to join her duties;

AND WHEREAS, after completion of the said course, Dr. Sabhia Jan, Medical Officer submitted her joining report in the Directorate of Health Services, Kashmir on 08.10.2020 and requested to allow her to join back her duties;

AND WHEREAS, as per the certificates issued by Shaheed Hasan Khan Mewati GMC Nalhar Nuh Haryana vide No. SHKM/ME- I/2020/1273 dated 30.06.2020 and No. SHKM/ME-II/2020/1168 dated 07.10.2020, Dr. Sabiha Jan has worked as Senior Resident in the Department of Ophthalmology w.e.f. 23.08.2017 to 07.01.2018 and w.e.f. 08.01.2018 to 30.09.2020, respectively;

AND WHEREAS, among others, the case of Dr. Sabhia Jan, Medical Officer was placed before the Departmental Designated Committee for examination/recommendations and the committee in the meetings held on 13.12.2021 to 15.12.2021 deliberated upon the matter and recommended as under:

"The Committee observed that the case of Dr. Sabhia Jan, Medical Officer is pending disposal in the HRM Section of this Department as such the committee recommends that the HRM Section of this Department be requested for expediting the final course of action against the said doctor."

AND WHEREAS, the case was examined in the HRM Section and decided to enquire the matter in detail by appointing an Inquiry Officer;

AND WHEREAS, vide Government Order No. 298-JK(HME) of 2023 dated 11.04.2023, Chief Medical Officer, Srinagar was appointed as Inquiry Officer to enquire the un-authorized absence of Dr. Sabhia Jan, Medical Officer;

AND WHEREAS, vide No. CMO/Sgr/Enq/709 dated 11.05.2023, the Inquiry officer has submitted his report with the following recommendations:

"As per the documentary evidence, Dr. Sabhia Jan, Medical Officer has undergone S.R. Ship w.e.f 23.08.2017 to 30.09.2020 at Shaheed Hasan Khan Mewati GMC Nalhar Nuh Haryana though without formal permission from Competent Authority. Besides, she has Medical Compulsions of her two years old son, as per the Medical records/prescriptions submitted by the doctor.

Therefore, the case may as such be considered for her re-joining in view of her specialization in Ophthalmology & subsequent Senior Residency and her posting can be considered in any Peripheral Health Institution and also in the effective implementation of National Control Blindness Programme. Besides, the Medical Officer be strictly

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warned, not to leave the station without prior permission from the Administrative Department".

AND WHEREAS, the case was placed before the Departmental Designated Committee to enquire the matter in light of the enquiry report submitted by the Inquiry Officer. The Committee examined the case meticulously and recommended as under:

"The Committee recommends the enquiry report be placed before the competent authority for appropriate decision".

NOW, THEREFORE, the recommendation of the Inquiry Officer is hereby accepted by the competent authority and sanction is hereby accorded:-

(a) to allow Dr. Sabhia Jan, Medical Officer to join notionally w.e.f. 08.10.2020 and monetary with immediate effect, subject to following conditions:-

i. *She was not involved in any subversive activities as well as was not employed in any other Government/ private sector during the said period, for which an affidavit duly authenticated by the 1st Class Judicial Magistrate be obtained by the Directorate of Health Services, Kashmir.*

ii. *The concerned doctor is warned not to leave her place of posting for any occasion whatsoever in future, without proper permission from the competent authority, failing which, disciplinary action as warranted under rules, shall be initiated against her without any further notice.*

(b) to treat the intervening period of absence of Dr. Shabia Jan, Medical Officer w.e.f. 19.08.2017 to 07.10.2020 as 'Dies-Non'.

By order of the Government of Jammu and Kashmir.

Sd/-

(Bhupinder Kumar) IAS

Secretary to the Government

Dated: 08.12.2023

No. HME-HRM/44/2021-02(C.No. 29559)

Copy to the:-

1. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
2. Joint Secretary (JK&L), Ministry of Home Affairs, Government of India.
3. Director, Archives, Archaeology & Museums, J&K, Jammu.
4. Director, Health Services, Kashmir.
5. OSD to the Advisor (B) to Hon'ble Lieutenant Governor, J&K.
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 file.

(Sanjeev Sharma) JKAS

Deputy Secretary to the Government

Sanjeev Sharma
08.12.2023
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Sharma