



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

Subject: Settlement of period of authorized/unauthorized absence in favour of Dr. Tawseefa Masood, Medical Officer.

Government Order No. 104 -JK (HME) of 2024
Dated: 16 .02.2024

WHEREAS, Director Health Services Kashmir vide letter No.Est/3/1-133/1524 dated 12.04.2023 has intimated that Dr. Tawseefa Masood was appointed as Assistant Surgeon/Medical Officer vide Government Order No. 335-HME of 2010 dated 17.06.2010 and joined in the Directorate of Health Services, Kashmir on 23.06.2010;

AND WHEREAS, at the time of appointment, the doctor concerned was undergoing Senior Residency at SKIMS Medical College, Bemina and preferred to continue the same in light of interim directions of Hon'ble High Court;

AND WHEREAS, the doctor, after being relieved from SKIMS Medical College Bemina vide order dated 06.07.2011, joined in the respective Directorate on the same date and subsequently, without prejudice to the outcome of various writ petitions pending before the Hon'ble High Court and final decision from Administrative Department, the Director, Health Services, Kashmir vide order dated 17.02.2012, directed the doctor to report at SDH Tangmarg for further duties on her own risk and responsibility;

AND WHEREAS, the Hon'ble High Court of J&K vide its order dated 02.01.2015, disposed of the writ petition IA No.3828/2014 in SWP No. 1281/2010 titled "Dr. Masarat Sultan & Ors Vs State and Ors", with the following directions:-

"Learned counsel for the petitioners state that he would be satisfied in case main petition is disposed of with a direction to the respondents to consider the claim of the petitioners in light of the instruction letter dated 03.03.2014. His statement is taken on record.

At the request of learned counsel for the petitioners, main petition SWP No.1281/2010 is disposed of with a direction to the respondents to consider the claim of the

Page 1 of 3

B. S. Masood
A. Masood

petitioners in light of the instruction letter dated 03.03.2014, provided there is no legal impediment, within a period of four weeks from the date copy of the order is served upon the respondents.

Disposed of along-with connected CMPs".

AND WHEREAS, Director Health Services Kashmir vide letter No.Est/3/1-133/1524 dated 12.04.2023 has submitted the case of Dr. Tawseefa Masood, Medical Officer to Administrative Department for settlement of period of undergoing higher studies w.e.f. 23.06.2010 to 05.07.2011;

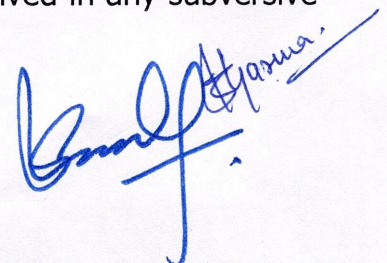
AND WHEREAS, the case was examined in the Department and placed before the Departmental Designated Committee in its meeting held on 15.06.2023. The Committee deliberated upon the case and recommended as under:-

"To treat the period w.e.f. 23.06.2010 to 05.07.2011 (higher study) in favour Dr. Tawseefa Masood, Medical Officer as extension in joining time which shall be without financial implications and shall be subject to the outcome of any writ petition (s), if any, pending adjudication before any competent Court. However such extension period shall not count service in the department and also subject to the condition that the said doctor was not involved in any subversive activities as well as she was not employed in any government/private sector and no departmental enquiry is pending against her, for which an affidavit duly authenticated by 1st class Judicial Magistrate shall be obtained by the DHSK from the concerned doctor.

Besides, the concerned doctor shall be warned not to leave her place of posting at any occasion in future unauthorizedly, for which disciplinary action shall be initiated against her without any further notice".

NOW, THEREFORE, on the recommendation of the Departmental Designated Committee, sanction is hereby accorded to treat the period of undergoing Senior Residency w.e.f. **23.06.2010 to 05.07.2011** from SKIMS Medical College Bemina in favour of Dr. Tawseefa Masood, Medical Officer as **"an extension in joining time without financial implications and such extension period shall not count the services in the department"**, subject to the condition that the said doctor was not involved in any subversive

Page 2 of 3



activities as well as she was not employed in any government/private sector and no departmental enquiry is pending against her, for which an affidavit duly authenticated by 1st class Judicial Magistrate shall be obtained by the DHSK from the concerned doctor.

Besides, the concerned doctor is warned not to leave her place of posting at any occasion in future un-authorizedly, for which disciplinary action shall be initiated against her without any further notice.

This order is subject to the outcome of writ petition pending adjudication before any competent Court of law.

By order of the Government of Jammu and Kashmir.

Sd/-

(Dr. Syed Abid Rasheed Shah) IAS

Secretary to the Government

No. HD-Gaz0Gen/654/2022-02(C.No.7035112)

Dated: 16.02.2024

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.

(Mohsin Raza) JKAS

Deputy Secretary to the Government