

Government of Jammu & Kashmir  
**Health & Medical Education Department**  
Civil Secretariat-Jammu/Srinagar

Subject:- Settlement of unauthorized/undecided period of undergoing Mch in Plastic in respect of Dr. Yawar Nissar, Medical Officer.

Ref. :- No. Est/3/1-133/4980 dated 05.07.2021 from Directorate of Health Services Kashmir.

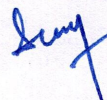
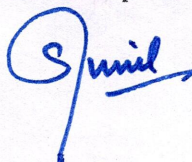
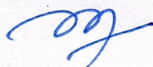
**Government Order No. 245-JK(HME) of 2022**  
**Dated: 27 .04.2022**

WHEREAS, Dr. Yawar Nissar was appointed as Medical Officer in the Health Services Department vide Government Order No. 132-HME of 2014 dated 04.03.2014 and submitted his joining report in Directorate of Health Services, Kashmir on 12.03.2014;

AND WHEREAS, the aforesaid doctor was selected for P.G in Surgery at Government Medical College, Srinagar and joined the same on 01.05.2014 and in the first instance was kept on inter-cadre deputation under Government Order No. 392-HME of 2014 dated 02.07.2014. Later on vide Government Order No. 635-HME of 2014 dated 25.10.2014, permission was granted to the doctors appointed vide Government Order No. 132-HME of 2014 to continue their P.G/Diploma Courses and it was mentioned in the order that their period of study shall be decided separately;

AND WHEREAS, the doctor after completion of P.G Course joined back in Directorate of Health Services, Jammu on 16.05.2017 and was posted at CHC Rajpora. As the doctor while posted at CHC Rajpora left for course w.e.f. 25.08.2017. The aforesaid doctor applied for study leave, initially got selected for Mch in Paediatric Surgery outside U.T where he joined on 30.08.2017 which was upgraded and thereafter was selected for Mch in Plastic Surgery at SKIMS Soura and joined the course at his own on 14.09.2017 without prior permission/NOC or sanction of leave by the Administrative Department;

AND WHEREAS, the doctor after completion of Mch Course applied for joining in Directorate of Health Services, Kashmir on 14.09.2020 and vide Government Order No. 119-JK(HME) of 2021 dated 16.02.2021, the joining of the doctor, among others was accepted prospectively. The aforesaid doctor is





presently posted in GMC, Srinagar on inter-cadre deputation vide Government Order No. 298-JK(HME) of 2021 dated 20.04.2021;

AND WHEREAS, the Directorate of Health Services, Kashmir has forwarded the case of Dr. Yawar Nissar, Medical Officer regarding settlement of period for undergoing Mch in Plastic Surgery at SKIMS Soura w.e.f 25.08.2017 to 15.02.2021 to the Administrative Department;

AND WHEREAS, the Health and Medical Education Department had already constituted Departmental Committee for examining such cases vide Government Order No. 511-HME of 2018 dated 13.09.2018 read with Government Order No. 726-HME of 2018 dated 21.12.2018 & Government Order No. 479-JK(HME) of 2021 dated 08.07.2021. Later on the Health and Medical Education Department vide Government Order No. 749-JK(HME) of 2021 dated 30.11.2021, re-constituted the Departmental Committee to be headed by Director Finance, H&ME Department for examining the cases of doctors or any officer/official of sub-ordinate office related to unauthorized absence/ overstay on deputation/ study leave or any other case of similar nature;

AND WHEREAS, the case of Dr. Yawar Nissar, Medical Officer, among others was placed before the Departmental Designated Committee for examination, wherein after series of meetings held w.e.f. 13.12.2021 to 15.12.2021 deliberated upon the matter and recommended as under:-

- i. The Committee recommends to treat the period for undergoing Mch in Plastic Surgery w.e.f 25.08.2017 to 15.02.2021 in respect of Dr. Yawar Nissar, Medical Officer as "Dies Non" in terms of Article 163 of J&K Civil Services Regulations, 1956 by taking administrative decision in the matter and also subject to the condition that the said doctor was not involved in any subversive activities and was not employed in any Government/Private sector and no departmental enquiry is pending against him, for which an affidavit authenticated by 1st Class Judicial Magistrate shall be obtained by the Directorate of Health Services, Kashmir from the concerned doctor.

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

Now therefore, the Department while taking considerate view in the matter as per recommendations of the Committee & in the interest of patient care, accords sanction as under :

- i. to treat the period for undergoing Mch in Plastic Surgery w.e.f 25.08.2017 to 15.02.2021 in respect of Dr. Yawar Nissar, Medical Officer as "Dies Non" subject to the condition that the said doctor was not involved in any subversive activities and was not employed in any Government/Private sector and no departmental enquiry is pending against him, for which an affidavit authenticated by 1st Class



Judicial Magistrate shall be obtained by the Directorate of Health Services, Kashmir from the concerned doctor.

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

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


**Sd/-**  
**(Vivek Bharadwaj) IAS**  
Additional Chief Secretary  
Health & Medical Education Department

No:HD-Gaz0Gen/368/2021-02

Dated: 27.04.2022

Copy to the:-

1. Principal Secretary to the Hon'ble Lieutenant Governor.
2. Joint Secretary (Jammu, Kashmir & Ladakh), Ministry of Home Affairs, Government of India.
3. Principal, Government Medical College, Srinagar.
4. Director, Archives, Archeology & Museums, J&K.
5. Director Health Services, Kashmir.
6. OSD to Advisor (B) to Lieutenant Governor.
7. Concerned doctor.
8. Private Secretary to Additional Chief Secretary, Health and Medical Education Department.
9. Government Order file/Stock file/ I/c Website H&ME.

  
(Mohammad Iqbal Lone)

Under Secretary to the Government  
Health & Medical Education Department

