



GOVERNMENT OF JAMMU AND KASHMIR
HEALTH & MEDICAL EDUCATION DEPARTMENT
HUMAN RESOURCE MANAGEMENT BRANCH

Civil Secretariat, J&K

Subject: Death of Mst. Nelofar W/o Mohd Hamid Khan, Age 35 year R/o Village Pamrote, Tehsil Surankote, District Poonch.

Government Order No. 431 -JK (HME) of 2023
Dated: 24 -05-2023

WHEREAS, a cancer patient namely Mst. Nelofar W/o Mohd Hamid Khan, Age 35 year of Village Pamrote, Tehsil Surankote, District Poonch, who was brought to Sub District Hospital, Surankote at around 7:00 PM on 10.07.2022, died in the Hospital, allegedly due to negligence of hospital staff on duty;

AND WHEREAS, vide Government Order No. 495-JK(HME) of 2022 dated 12.07.2022, Dr. Mohd Anwar, BMO, SDH Surankote and Dr. Ishtiaq Malik, Medical Officer, NHM, SDH Surankote were placed under suspension for remaining on unauthorized absence from duties on 10.07.2022;

AND WHEREAS, vide Memorandum No. HME-HRM/61/2022-02 dated 15.07.2022, Dr. Mohd Anwar, BMO, SDH Surankote and Dr. Ishtiaq Malik, Medical Officer, NHM, SDH Surankote were charge sheeted in terms of rule 33 of J&K Civil Service (Classification, Control & Appeal) Rules, 1956;

AND WHEREAS, both the doctors furnished their written statement of defense, denying the charges/allegations levelled against them;

AND WHEREAS, vide Government Order No. 114-JK(HME) of 2013 dated 03.02.2023 read with Government Order No. 266-JK(HME) of 2023 dated 31.03.2023, Dr. Samir Mattoo, Project Director, J&K AIDS Control Society was appointed as Inquiry Officer to enquire into the charges framed against the alleged doctors, besides, Chief Medical Officer, Poonch was also appointed as Presenting Officer in the instant case;

AND WHEREAS, vide communication No. JKSACS/Adm/2023/14 dated 08.04.2023, the Inquiry Officer (Project Director, JKACS) has submitted his report, wherein, he has stated that Dr. Mohammad Anwar, the then BMO Surankote had tried twice to contact the CMO Poonch, telephonically for seeking station leave permission on the auspicious occasion of Eid-UI-Azha, but he could not get through due to bad weather condition and network failure. However, as an Administrative

Officer, while exercising his powers, he had temporarily assigned the charge to Dr. Safina, the senior most Medical Officer and passed a proper Order. When the said patient was brought to the hospital, Dr. Arshad Bajjar alongwith other staff members properly checked her and administered the required medicines while telephonically consulting from Delhi ENT Surgeon from whom she was getting the requisite treatment for her disease, but unfortunately, she succumbed due to Medical complication at around 8.45 PM. Further, Dr. Ishtiaq, Medical Officer was suffering from Glaucoma and was unable to perform night duty, therefore, on his request, Dr. Safina engaged Dr. Arshad Bajjar (ISM) to perform the night duty in place of Dr. Ishtiaq Malik.

NOW, THEREFORE, the Inquiry Report submitted by the Inquiry Officer is hereby accepted and sanction is hereby accorded:-

- i. to exonerate Dr. Mohd Anwar (Retd.), the then BMO, SDH Surankote and Dr. Ishtiaq Malik, Medical Officer, NHM, SDH Surankote and drop the charges levelled against them.
- ii. to revoke the suspension of Dr. Mohd Anwar (Retd.), the then BMO SDH Surankote w.e.f. 30.07.2022, i.e. one day prior to his normal date of retirement on 31.07.2022 and treat the intervening period of suspension w.e.f. 12.07.2022, as "On Duty".
- iii. to reinstate Dr. Ishtiaq Malik, Medical Officer, NHM, SDH Surankote and treat his period of suspension as "On Duty".

By Order of the Government of Jammu and Kashmir.

Sd/-

(Bhupinder Kumar) IAS

Secretary to the Government
Health and Medical Education Department

No. HME-HRM/61/2022-02 (CC: 225675)

Dated: 24.05.2023

Copy to the:-

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

(Waqar Talib) JKAS

Under Secretary to the Government
Health and Medical Education Department