



सत्यमेव जयते

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

Civil Secretariat, J&K.

Subject: Settlement of authorized/unauthorized absence period in favour of Dr. Sartaj Ali Bhat, Consultant Paediatrics.

Government Order No. 72 – JK (HME) of 2024

Dated: 31 .01.2024

WHEREAS, Dr. Sartaj Ali Bhat was initially appointed as Medical Officer vide Government Order No. 335-HME of 2010 dated 17.06.2010 and submitted his joining report in the Director, Health Services, Kashmir on 23.06.2010;

AND WHEREAS, during the period, the aforesaid doctor was undergoing Post Diploma (DNB) in Paediatrics at Deen Dayal Upadhyay Hospital, New Delhi and he continued the same without NOC/permission from the Competent Authority, on the directions of Hon'ble High Court passed vide order dated 26.07.2010 in SWP No 1282/2010 titled Dr. Rease Noor Khan & Ors V/s State & Ors., the operative part of which is reproduced as under:

"Meanwhile, subject to objections of the other side the order impugned in the present petition shall remain in abeyance in so far as it relates to the rights of the petitioners and the petitioners be allowed to pursue and complete the post Graduation Degree course/Senior Residency/Registrarship in their respective institutions/College their right to give the same is protected".

AND WHEREAS, after completion of said course, the doctor joined in the Directorate of Health Services, Kashmir on 29.11.2011 and vide Order No. Est/3/1-133/11/4337-40 dated 08.12.2011, Director, Health Services, Kashmir posted the said doctor at SDH Dooru;

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AND WHEREAS, the aforesaid doctor was appointed as Consultant Paediatrics vide Government Order No. 778-HME of 2015 dated 10.12.2015 and submitted his joining report in the Directorate of Health Services, Kashmir on 14.12.2015 and was posted at DH Bandipora;

AND WHEREAS, vide communication No. Est/3/1-133/265/2010/11205 dated 29.06.2022 Director Health Services, Kashmir forwarded the case of Dr. Sartaj Ali Bhat, Consultant Paediatrics, regarding settlement of period of undergoing Post Diploma DNB w.e.f. 23.06.2010 28.11.2011 to the Administrative Department;

AND WHEREAS, the case was placed before the Departmental Designated Committee in its meeting held on 02.02.2023 under the Chairmanship of Director Finance, H&ME Department. The Committee deliberated upon the case and recommended as under:-

"to treat the period for undergoing Post Diploma DNB Outside UT w.e.f. 23.06.2010 to 28.11.2011 in favour of Dr. Sartaj Ali Bhat, Medical Officer (Now Consultant Paediatrics) as extension in joining time which shall be without financial implications and also subject to the outcome of any writ petition petition(s), if any, pending adjudication before any Competent Court. However such extension period shall not count service in the department. 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".

NOW, THEREFORE, on the recommendation of the Departmental Designated Committee, sanction is hereby accorded to treat the period for undergoing Post Diploma DNB outside UT w.e.f. 23.06.2010 to 28.11.2011 in favour of Dr. Sartaj Ali Bhat, Medical Officer (now Consultant Paediatrics) as extension in joining time without financial implications and also subject to the outcome of writ

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petition(s), if any, pending adjudication before any Competent Court. However, the extension period shall not count as service in the department.

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/-

(Dr. Syed Abid Rasheed Shah) IAS
Secretary to the Government

No. HD-Gaz0Gen/244/2022-02(C.No. 190972)

Dated: 31.01.2024

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.

(Waqar Talib) JKAS

Under Secretary to the Government

Waqar Talib

Waqar Talib