

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

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**Subject:** Un-authorized absence of doctor – termination thereof.

**Government Order No. 824-JK(HME) of 2023**  
**Dated: 05-10-2023**

**WHEREAS,** Dr. Sudesh Kumar was appointed as Medical Officer vide Government Order No. 212-HME of 2007 dated 28.03.2007 and at the time of his appointment, the doctor was pursuing MD Medicine in Government Medical College, Jammu and after completion of said course, the doctor had submitted his joining in Directorate of Health Services, Jammu on 11.06.2007;

**AND WHEREAS,** the doctor was selected for the tenure post of Registrar in Government Medical College, Jammu vide Order No. 504 of 2012 dated 31.10.2012 and was relieved by the Director, Health Services, Jammu vide his office Order No. 823-G of 2012 dated 06.11.2012;


**AND WHEREAS,** the said doctor in the midway of the Registrarship had joined in the Directorate of Health Services, Jammu on 11.02.2013 and subsequently proceeded to pursue DNB Super Specialty Course in Gastroenterology from Indraprastha Apollo Hospital, Sarita Vihar New Delhi, without prior permission from the Competent Authority;

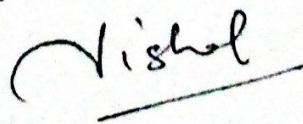
**AND WHEREAS,** after completion of DNB Super Specialty Course, the said doctor has submitted his joining report in the Directorate of Health Services, Jammu on 18.02.2016 and accordingly Director, Health Services, Jammu submitted his joining report to the Administrative Department for further instructions;

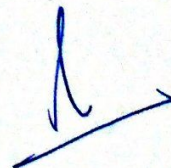
**AND WHEREAS,** after submitted the joining report in the Directorate of Health Services, Jammu, the doctor neither approached Directorate of Health Services, Jammu nor Administrative Department for rejoining his duties, however, the Director, Health Services, Jammu vide communication dated 10.06.2021 has intimated that the whereabouts of the said doctor w.e.f. 18.02.2016 onwards are not known;

**AND WHEREAS,** the Departmental Designated Committee constituted by the Health & Medical Education Department in its meetings held w.e.f. 13.12.2021 to 15.12.2021 deliberated upon the matter and recommended as under:-

***"The Committee recommends that the Departmental proceedings be initiated against Dr. Sudesh Kumar, Medical Officer for about his HD-Gaz0Gen/125/2021-02-Department of Health and Medical Education I/284153/2023 unknown whereabouts by the HRM Section of this Department."***









**AND WHEREAS,** Rule 8(i) of J&K Civil Services Leave Rules, 1979 also reads as under:-

***"Leave cannot be claimed as a matter of right".***

**AND WHEREAS,** Article 128 of J&K Civil Services Regulations, 1956 envisages as under:

***"Absence without leave or after the end of leave involves loss of appointment, except as provided in Article 203(b) or when due to ill health in which case the absentee just produce the certificate of Medical Officer."***

**AND WHEREAS,** Article 113 of J&K Civil Services Regulations, 1956 reads as under:-

***"A Government servant after five years of continuous absence on leave is considered to be out of State employment."***

**AND WHEREAS,** as per recommendation of the Departmental Designated Committee of the Health & Medical Education Department and in light of the rules as mentioned above, the case has been examined and it reveals that the whereabouts of the Dr. Sudesh Kumar, the then Medical Officer are not known and he remained absconded/unauthorizedly absent from duties for more than five years.

**NOW, THEREFORE,** in terms of Article 128 read with Article 113 of Jammu and Kashmir Civil Services Regulations, 1956, sanction is hereby accorded to the termination of services of Dr. Sudesh Kumar, the then Medical Officer and discharge him from Government Services w.e.f. 12.02.2013 i.e. from the date when he resorted to unauthorized absence from duty.

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

Sd/-

(Bhupinder Kumar) IAS  
**Secretary to the Government**

No. HD-Gaz0Gen/125/2021-02

Dated: 05.10.2023

Copy to the:-

1. Principal Secretary to the Lieutenant Governor.
2. Joint Secretary (JK&L), Ministry of Home Affairs, Government of India.
3. Director, Archives, Archaeology & Museums, J&K.
4. Director, Health Services, Jammu/Kashmir.
5. OSD to the Advisor (B) to the Hon'ble Lieutenant Governor.
6. PS to the Secretary to the Government, Health & Medical Education Department.
7. Concerned.
8. Incharge Website H&ME.
9. Government Order file/Stock file/Monday Return.

(Sanjeev Sharma) JKAS

**Deputy Secretary to the Government**

