

Government of Jammu and Kashmir
Health and Medical Education Department
Civil Secretariat, Srinagar

Subject:- Relieving of Dr. Vishal Tandon, incharge Professor, Pharmacology from all non-teaching assignments including membership of various Committees in Government Medical Jammu - Rescinding of the order thereof.

Government Order No:- 697 -JK(HME) OF 2020

Dated:- 11 - 09 - 2020

WHEREAS, the Principal, Government Medical College, Jammu has issued an order under endorsement No.GMC/20/order/434 dated 26.06.2020, the contents of which read as under:-

"WHEREAS, there are grave charges of professional misconduct against Dr. Vishal Tandon, against whom an FIR had been ordered by the Chief Judicial Magistrate, Jammu on 3rd April, 2019 on grounds of 'forgery with intent to cheat' and the matter is currently under the purview of Hon'ble High Court of J&K vide case number CRMC 185/2019. Furthermore, Crime Branch, Jammu which was investigating the matter vide Preliminary Verification (PV) No.84/2018 in its report dated 27th May, 2019 has confirmed tampering of interview records of an applicant for faculty post in GMC, Jammu and has also indicted Dr. Vishal Tandon in its report for lying, manipulating, concealing and providing wrong facts to both agencies (State Information Commission as well as the Crime Branch, Jammu), multiple times, being a Government employee i.e. I. G Crime in his letter vide No.CHQ/Cit/J-603/18-1677 dated 27th May, 2019 has recommended departmental action against him for professional misconduct.

Now, therefore, in view of maintaining institutional propriety, credibility and considering the serious nature of charges against Dr. Vishal Tandon, he is relieved from all non-teaching assignments and membership of all the committees that he is currently member of, with immediate effect, till such time he is exonerated by the court of law and cleared of all the charges against him by the concerned authorities. Furthermore, he is directed to handover all official records/files in his possession to the Chairman/Head/Member Secretary of respective committees without delay."

Demonstrator/Registrar before the Selection Committee. The matter was subsequently examined in the Health and Medical Education Department, in conjunction with other related issues relevant to the case and accordingly vide Government Order No.535-HME of 2019 dated 07.06.2019 the services of Dr. Bhavana Sahni, as Assistant Professor on academic arrangement basis in the Department of Social and Preventive Medicine in GMC, Jammu, were terminated, in view of her being ineligible under rules to hold the post;

AND WHEREAS, after the issuance of Government Order No.535-HME of 2019 dated 07.06.2019, the Principal, GMC, Jammu informed the Health and Medical Education Department that Dr. Bhavana Sahni has filed a complaint under No.PV(J)-84/2018 before the Crime Branch, Jammu against Dr. Sunanda Raina, (then Principal, GMC, Jammu) and Dr. Vishal Tandon, Professor (then Associate Professor) Department of Pharmacology, with regard to alleged tampering of award sheet at the time when Dr. Bhavana Sahni had applied for engagement as Associate Professor on academic arrangement basis in the Department of S&PM, GMC, Jammu against the advertised post. The Principal, GMC, Jammu in her communication stated that the role of Dr. Vishal Tandon was merely to provide assistance to the Research Committee of the Institution and beyond that he had no role in the interview where the candidate (Dr. Bhavana Sahni) was not considered as eligible or otherwise. The Principal, GMC, Jammu further stated that the Dy.SP Investigating the matter in the Crime Branch is a fast friend of brother of Dr. Bhavana Sahni and requested that this position may be brought to the knowledge of Principal, Secretary to the Government, Home Department and Inspector General of Police, Crime Branch so that Complaint No.PV(J)-84/2018, lying with Crime Branch, Jammu, is disposed of properly;

AND WHEREAS, the matter was examined in the Health and Medical Education Department and copy of the communication No.CMCJ/ES-i/Gaz/2019/896 dated 17.09.2019, as received from the Principal, GMC, Jammu, alongwith its annexures, was forwarded to Principal Secretary to the Government, Home Department with the request to advise the Crime Branch, J&K to take further necessary action in the matter in light of the report of the Principal, GMC, Jammu;

AND WHEREAS, in the order dated 26.06.2020 issued by the Principal, GMC, Jammu, the language used against Dr. Vishal Tandon is very

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AND WHEREAS, the matter mention of which has been made in the above referred to order of the Principal, GMC, Jammu, relates to the case of one Dr. Bhavana Sahni. She had earlier been engaged as Assistant Professor on academic arrangement basis in the Department of Social and Preventive Medicine (S&PM), GMC, Jammu, vide Government Order No.772-HME of 2015 dated 19.09.2015 under the provisions of the then Jammu and Kashmir Medical and Dental Education (Appointment on Academic Arrangement Basis) Rules, 2009 (now replaced by the rules of 2019). Subsequently, all the sanctioned posts of Assistant Professors in the Department of S&PM were filled-up on regular basis, as a result of which no vacancy of Assistant Professor was left in the said Department. In the meanwhile, one Dr. Vijay Mengli, ex-Professor and Head, Department of S&PM, who at that point of time was working as Professor on academic arrangement basis in the said discipline, filed a complaint against Dr. Bhavana Sahni in the Health and Medical Education Department, the contents of which are reproduced hereunder:-

"It is to inform your good-self that Dr. Bhavana Sahni does not fulfill the requisite teaching experience as required under the guidelines. She does not possess any senior residency teaching experience which is a must for the post of lecturer as per the PSC guidelines of J&K. When she does not qualify for the post of lecturer, the appointment to the post of Assistant Professor is highly questionable. The HoD P&SM in light of the above said letter was fully aware and conscious regarding the non-eligibility of the said candidate but still preferred to pursue after gap of nearly two months to request and recommend retention of the said doctor with the Department."

AND WHEREAS, the Health and Medical Education Department sought comments in the matter from the Principal, GMC, Jammu in context of the above complaint, but no such comments were furnished. However, Dr. Bhavana Sahni continued to work as Assistant Professor in the Department of S&PM, GMC, Jammu, in light of interim directions passed by the Hon'ble High Court, Jammu in SWP No.1592/2017, titled 'Bhavana Sahni V/S State and Ors.' In the meanwhile, Dr. Bhavana Sahni applied for engagement on the post of Associate Professor on academic arrangement basis in the Department of S&PM, GMC, Jammu against the advertised post. She was not selected by the Selection Committee on the said post in view of her being ineligible as she failed to produce the mandatory two years experience certificate as

harsh and is also against the stand taken by the Health and Medical Education Department in the case of Dr. Bhavana Sahni, as the Administrative Department disengaged her services, vide Government Order No.535-HME of 2019 dated 07.06.2019, in view of her being ineligible under rules to hold the post of Assistant Professor on academic arrangement basis.

AND WHEREAS, the Principal, Government Medical College, Jammu, as Head of the Institution, can give charge of the assignments, earlier being looked after by Dr. Vishal Tandon, to any other faculty member of his choice but it should not be at the cost of tarnishing the image of any other faculty member.

Now, therefore, in the above backdrop, it is hereby ordered that Order Issued by the Principal, Government Medical College, Jammu vide No.GMC/20/order/434 dated 26.06.2020, whereunder Dr. Vishal Tandon, incharge Professor, Department of Pharmacology, GMC, Jammu was relieved from all non-teaching assignments including membership of various Committees in Government Medical College, Jammu, is rescinded forthwith. However, the Principal, Government Medical College, Jammu is free to give the charge of the assignments, earlier being looked after by Dr. Vishal Tandon, to any other faculty member/s of his choice.

BY ORDER OF THE GOVERNMENT OF JAMMU AND KASHMIR.

Sd/-

(Atal Dulloo), IAS

Financial Commissioner,

Health and Medical Education Department

Dated. 11.09.2020

No.ME-Gaz-18/2020-Sgr

Copy to the:-

1. Principal Secretary to the Lieutenant Governor.
2. Joint Secretary, (J&K), Ministry of Home Affairs, Government of India.
3. Principal, Government Medical College, Jammu.
4. Director, Archives, Archaeology and Museums, J&K.
5. OSD to Advisor (B) (Incharge Health and Medical Education).
6. Concerned.
7. Private Secretary to the Financial Commissioner Health & Medical education Department.
8. Govt. order file/Stock file/ Website HME.

(G. N. Bhat), KAS

Deputy Secretary to Government

Health & Medical Education Department

11.09.2020