

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

Subject: Unauthorized absence of doctors – joining thereof.

Government Order No. 854 -JK(HME) of 2020
Dated: 17 .11.2020

WHEREAS, the Directors, Health Services, Jammu vide communication No. DHSJ/ES-3/4344 dated 17-01-2020 has forwarded the list/details of 22 doctors (03 consultants and 19 Medical Officers) who are unauthorizedly absent from duties;

AND WHEREAS, the Director, Health Services, Jammu vide No. ES-3/3899-3900 dated 23.12.2019, No. ES-3/3934-36 dated 24.12.2019 and No. ES-3/5860/4015-17 dated 30.12.2019 respectively had already served show cause notices to these unauthorizedly absent doctors for pursuing higher studies outside the Union Territory of Jammu & Kashmir without prior permission from the competent authority;

AND WHEREAS, Article 128 of J&K Civil Services Regulations Volume-I 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."

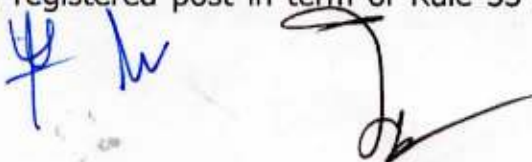
AND WHEREAS, Rule 8(i) of J&K Civil Services Leave Rules, 1979 reads as under:-

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

AND WHEREAS, Rule 25(2) of J&K Civil Services Leave Rules, 1979 reads as under:

"Willful absence from duty after the expiry of leave renders a Government Servant liable to disciplinary action".

AND WHEREAS, vide Memorandum No. HME/HRM/02/2020 dated 27.02.2020, Article of charges and Statement of imputations was served to all these 22 doctors (03 consultants and 19 Medical Officers) through registered post in term of Rule 33 of the Jammu & Kashmir Civil



Services (Classification, Control and Appeal) Rules, 1956 and the same was also published in leading dailies of UT of J&K in its edition dated 07.03.2020, 08.03.2020 and 09.03.2020 respectively;

AND WHEREAS, the reply of the erring doctor was examined in the department and vide Government Order No. 221-JK(HME) of 2020 dated 28-02-2020, Mr. Amit Sharma (KAS) Administrator, Associated Hospitals, Government Medical Colleges, Jammu was appointed as Inquiry Officer to enquire into the charges framed against 22 doctors (03 Consultants and 19 Medical Officer);

AND WHEREAS, Inquiry Officer vide communication No.AHJ/2020/1893 dated 24-03-2020 has furnished the detailed enquiry report;

AND WHEREAS, vide Government Order No. 743-JK(HME) of 2020 dated 25.09.2020, 15 unauthorizedly absent doctors were terminated from the Government services and vide Government Order No. 744-JK(HME) of 2020 dated 25.09.2020, six (06) doctors were allowed to resume their duties, subject to certain conditions;

AND WHEREAS, Director Health Services, Jammu vide communication No. ES-3/6126/2068 dated 23.09.2020 has forwarded joining report submitted by Dr. Bharat Bushan Bassan, Medical Officer for further necessary action;

AND WHEREAS, on the basis of inquiry report submitted by the Inquiry Officer and the information received from the Director, Health Services, Jammu, the case of Dr. Bharat Bushan Bassan, Medical Officer has been examined in the Department and in the interest of patient care, it has been decided to allow the doctor to resume his duties subject to the condition that the said doctor was not involved in any subversive activities as well as was not employed in any other Government/private sector during the said period, for which an affidavit duly authenticated by the Ist Class Judicial Magistrate shall be obtained by the Directorate of Health Services, Jammu, from him. Besides, the period of his absence shall be decided separately.

Now, therefore, sanction is hereby accorded to allow Dr. Bharat Bushan Bassan, Medical Officer to resume his duties, subject to the condition that he was not involved in any subversive activities as well as was not employed in any other Government/private sector during the said period, for which an affidavit duly authenticated by the Ist Class Judicial



Magistrate be obtained by the Directorate of Health Services, Jammu, from the doctor. However, his period of absence shall be decided separately.

Dr. Bharat Bushan Bassan, Medical Officer is warned not to leave his place of posting for any occasion in future un-authorizedly failing which disciplinary action as warranted under rules, shall be initiated against him.

By order of the Government of Jammu & Kashmir.

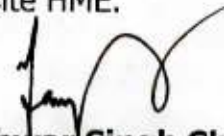
Sd/-
(Atal Dulloo) IAS
Financial Commissioner
Health & Medical Education Department

No. HME/HRM/02/2020

Dated: 17 .11.2020

Copy to the:-

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


(Rajeshwar Singh Charak) KAS
Additional Secretary to the Government
Health & Medical Education Department

