



Government of Jammu & Kashmir
Health & Medical Education Department
Civil Secretariat J&K Jammu.

Subject:- Implementation of judgment dated 19-12-2017 passed by the Hon'ble Court at Jammu, SWP No.2960/2017 titled Dr.Shafika Bano V/S State of J&K and others.

Government Order No: 65 -HME of 2018

D a t e d :- 19 - 01 - 2018

Whereas the Department vide Government order No.666-HME of 2017 dated 14-12-2017 among others also transferred Dr.Shafika Bano Consultant Gynecology from Government Hospital Sarwal, Jammu to District Hospital Ramban;- and

Whereas the above Doctor approached before the Hon'ble High Court at Jammu by way of SWP No.2960/2017, seeking the direction to the respondents to allow the petitioner to perform the duty in the Government Hospital Sarwal or post her at appropriate place in the District Jammu.:- and

Whereas the Hon'ble High Court on 19-12-2017 disposed of the aforesaid writ petition with following directions;-

"Mr.Sanjeev Padha, Learned Deputy Advocate General appearing for the respondents states that the respondent authority shall accord consideration to the representation of the petitioner based on the Medical Board certificate.

Accordingly, a direction is issued to the respondents to consider the request of the petitioner for retention on its merits expeditiously, preferably, within a period of two weeks from the date of receipt of copy of this order."

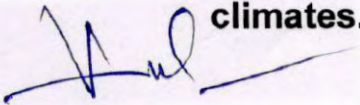
Whereas the petitioner represented before the Department through copy of representation for compliance of aforesaid judgment of the Hon'ble Court;-and

Whereas the Department after examining representation of the petitioner requested the Principal, Government Medical College, Jammu vide communication No.HD/Legal/Gaz/MR-186/2017-S dated 1-1-2018 to place case of the petitioner before the Standing Medical Board for examination and thereafter furnish the report for taking further course of action in the matter in pursuance of the judgment of the Hon'ble court ; - and

Whereas the Member Secretary Standing Medical Board ,Government Medical College, Jammu vide communication No.GMC/MBC-2356-S/892 dated 8-1-2018 has forwarded Medical report about petitioner;-and

Whereas the Standing Medical Board in its report after examining the petitioner has observed as under;-

“Smt.Shafika Bano, age 52 years w/o Sh.(Dr)Noor Ali appeared before the Standing Medical Board on 04-01-2018.As per previous record, it is found that the patient is having multiple ailments like Bronchial Asthma with history of episodes of Status Asthmaticus with narrow QRS complex Tacky Cardia(PSVT) which is a life threatening condition if immediate treatment is not provided by the expert. In addition, she is also suffering from Hypothyroidism with Diabetes Mellitus with post Menopausal Syndrome following Laparoscope Hysterectomy with Low Back Ache. It is pertinent to mention that she may required ICU care at any time for episodes of Status Asthmatics and PSVT. In view of above disease, she requires regular follow-up at tertiary care centre. Further, she is advised to avoid exertional activities, long travel hilly terrains and cold climates.



Whereas the Department after examining / considering aforesaid report of the Standing Medical Board about the petitioner has decided that Dr.Shafika Bano Consultant Gynecology under transfer to District Hospital Ramban be posted at Community Health Centre(CHC) Khour.

Now therefore, in compliance to the judgment dated 19-12-2017 passed by the Hon'ble High Court at Jammu in SWP No.2960/2017 titled Dr.Shafika Bano, v/S State of J&K and others, it is hereby ordered that Dr.Shafika Bano Consultant Gynecology (petitioner) under transfer to District Hospital Ramban is posted at Community Health Centre(CHC) Khour.

By order of the Government of Jammu and Kashmir.

Sd/-

(Dr.PawanKotwal) IAS

Principal Secretary to Government
Health and Medical Education Department.

No:-HD/Legal/Gaz/MR/MR-186/2017-S Dated:- 19-01-2018

Copy to the:-

1. Director, Health Services Jammu, for information and necessary action.
2. Director, Finance Health and Medical Education Department.(Nodal Officer, Website H&ME)
3. Addl.Secretary(C) to Government,H&ME Department
4. OSD with Hon'ble Minister for Health and Medical Education for information of the Hon'ble Minister
5. Special Assistant to Hon'ble Minister of State for Health and Medical Education Department for information of Hon'ble Minister
6. Concerned.
7. Shri Sanjeev Kumar Padha, Government Advocate, Jammu.
8. Pvt. Secretary to Principal/Secretary to Government, Health and Medical Education Department for information of the Principal Secretary
9. Govt. Order file (w.2.s.c)/Stock File.

(Sajjad Amin Shah)

Addl. Secretary to Government, (Law)
Health & Medical Education Department