



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

Subject: Settlement of the period of undergoing higher studies (Senior Residency & MCH in Plastic Surgery) in favour of Dr. Farooq Ahmad Mir, Medical Officer.  
Ref: No. Est/3/1-133/333 dated 08.05.2019 from Directorate of Health Services Kashmir.

**Government Order No: 704 -HME of 2019**  
**Dated: 22 -07-2019**

WHEREAS, Dr. Farooq Ahmad Mir, who was appointed as Medical Officer in the Health Services Department, vide Government Order No.132-HME of 2014 dated 04.03.2017 submitted his joining report in the Directorate of Health Services, Kashmir on 08-03-2014. However simultaneously he preferred to undergo Senior Residency in SKIMS Soura, w.e.f 08-03-2014 to 17-08-2015;

AND WHEREAS, while undergoing Senior Residency, the aforesaid doctor was selected for undergoing MCH in Plastic Surgery at SKIMS Soura w.e.f 18-08-2015 to 17-08-2018;

AND WHEREAS, the Health and Medical Education Department, vide communication No HD/Gaz/Gen/171/2007 dated 11-08-2015, conveyed approval in favour of the said doctor to join MCH course at SKIMS, Soura, Srinagar subject to the condition that if his period of Senior Residency is settled by the Department then his study period of MCH course will be treated as 'Dies-Non' in terms of Article 163 of J&K CSR,s Volume-I read with SRO 514 of 1999;

AND WHEREAS, the aforesaid doctor was undergoing Senior Residency on the directions of the Hon'ble High Court but without the permission/NOC of Administrative Department. The Hon'ble High Court in SWP No. 2047/2014 titled Dr. Sheikh Riyaz Ahmad & Ors Vs State & Ors, had passed the following interim directions on 31-08-2015:-

*"... Notice for objections. Meanwhile, petitioners shall be allowed to complete Senior Residency/Registrarship in SKIMS without prejudice to their appointment as Medical Officer by treating them on deputation."*

AND WHEREAS, the aforesaid doctor, after completion of MCH course has rejoined in the Directorate of Health Services, Kashmir on 20-08-2018 and the said Directorate referred his case to the Administrative Department for issuance of appropriate instructions;

AND WHEREAS, the instant case was examined in consultation with the Director Finance, Health & Medical Education Department(Chairman, Departmental

*M. H. Mir*



Designated Committee) and the Department while taking a considerate view in the matter, in the interest of patient care, decided to accept his re-joining, notionally from the date he has reported in the Directorate of Health Services, Kashmir viz 20-08-2018 and monetarily with immediate effect i.e. 08-07-2019;

AND WHEREAS, vide Government Order No. 639-HME of 2019 dated 08-07-2019, among others, sanction was accorded to the acceptance of re-joining of Dr. Farooq Ahmad Mir, Medical Officer, notionally from the date he has reported in the Directorate of Health Services, Kashmir i.e. on 20-08-2018 and monetarily with immediate effect i.e. w.e.f 08-07-2019. Consequently he was posted at SDH Kokernag, Anantnag;

AND WHEREAS, the issue with regard to settlement of the intervening period was again examined in consultation with Director Finance, Health and Medical Education Department (Chairman, Departmental Designated Committee) and the Department while taking considerate view in the matter, decided that the period of undergoing higher studies (Senior Residency) w.e.f 08.03-2014 to 17-08-2015 shall be treated as extension in joining time of the said doctor, without any financial benefits to him and the period spent on undergoing MCH course w.e.f 18-08-2015 to 17-08-2018, shall be treated as Dies-Non, which shall not count any service benefits.

Now, therefore, sanction is hereby accorded to the:-

- i. Settlement of the period of undergoing higher studies (Senior Residency) in SKIMS Soura Srinagar, w.e.f. 08.03.2014 to 17.08.2015, in favour of Dr. Farooq Ahmad, Medical Officer, as extension in joining without any financial benefits to him. This shall be the subject to outcome of SWP NO.2047/2014 titled 'Dr. Sheikh Riyaz Ahmad & Ors Vs State & Ors'.
- ii. Treatment of the period of undergoing higher study (MCH course), in Plastic Surgery at SKIMS Soura by Dr. Farooq Ahmad Mir, Medical Officer, w.e.f 18.08.2015 to 17-08-2018, as Dies-Non which shall not qualify for any service benefits.

The concerned doctor is **warned** not to leave his place of posting un-authorizedly for any occasion in future.

By order of the Government of Jammu & Kashmir.

Sd/-

(Atal Dulloo) IAS

Financial Commissioner

Health and Medical Education Department

Dated: 22.07.2019

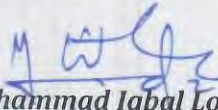
No. HD/Gaz/Gen/179/2018

Copy to the:-

1. Ld. Advocate General, J&K, Srinagar.
2. Director, SKIMS Soura Srinagar.
3. Director, Health Services, Jammu.
4. Director, Health Services, Kashmir.



5. Director Finance, Health & Medical Education Department.
6. OSD with Advisor (K) to Hon'ble Governor.
7. Director, Archives, Archaeology & Museums, J&K, Srinagar.
8. Additional Secretary (law), Health and Medical Education Department.
9. Concerned.
10. Private Secretary to the Financial Commissioner, Health and Medical Education Department.
11. I/C Website, Health and Medical Education Department.
12. Government Order file/Stock file.

  
(Mohammad Iqbal Lone) 21/7/2019

Under Secretary to the Government  
Health & Medical Education Department

