

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

Subject: Settlement of period for undergoing higher studies in respect of Dr. Arif Ahmad Wani, Medical Officer.

Ref. No.Est-3/1-133/2054 dated 25-09-2020 from Directorate of Health Services, Kashmir.

Government Order No: 864 -JK(HME) of 2020

Dated: 19 -11- 2020

WHEREAS, Dr. Arif Ahmad Wani was appointed as Medical Officer in the Health Services Department vide Government Order No. 639-HME of 2016 dated 09-12-2016 and reported in the office of Director Health Services, Kashmir on 24-12-2016;

AND WHEREAS, at the time of his appointment the said doctor was undergoing MD in Radiodiagnosis and continued the same on the directions of Hon'ble Court issued in SWP No:148/2017 titled Dr. Irshad Ahmad & Ors Vs State and Ors;

AND WHEREAS, the operative part of the order dated 31-01-2017 passed by the Hon'ble High Court in SWP No. 148/2017 titled Dr. Irshad Ahmad and Ors Vs State & Ors reads as under:-

"Be that as it may, with a view to maintain consistency, it is directed that the petitioners shall be allowed to complete their post graduate courses without prejudice to their appointment as Medical Officers, till next date of hearing."

AND WHEREAS, the said doctor after completion, the aforesaid doctor has rejoined in Directorate of Health Services, Kashmir on 01-06-2018 and his services of the doctor are being utilized at erstwhile DH Anantnag by the Director Health Services, Kashmir. Now Director, Health Services, Kashmir has forwarded his case regarding settlement of period to the Administrative department for issuance of appropriate instructions;

AND WHEREAS, the instant case has been examined in consultation with Director Finance, Health & Medical Education Department (Chairman, Departmental Designated Committee), and the department while taking a considerate view in the matter, in the interest of patient care, decided to treat the period of undergoing MD in Radiodiagnosis at SKIMS Soura, Srinagar w.e.f 24-12-2016 to 31-05-2018 in respect of Dr. Arif Ahmad Wani, Medical Officer as extension in joining time which is without any financial implications and this shall be subject to outcome of SWP No. 148/2017 titled Dr. Irshad Ahmad Vs State & Others subject to the condition that the said doctor was not involved in any subversive activities as well as was not employed in any Government/Private Sector and no departmental enquiry is pending against him, for which an affidavit authenticated by the 1st Class Judicial Magistrate shall be obtained by the Director Health Services, Kashmir from the concerned doctor. Besides, action taken by DHSK for utilizing his services on rejoining be also confirmed. The concerned doctor be **warned** not to leave his place of posting for any occasion in future unauthorizedly, for which disciplinary action shall be initiated against him with any further notice.

Now therefore, sanction is hereby accorded to:

- i. treat the period of undergoing MD in Radiodiagnosis at SKIMS Soura, Srinagar w.e.f 24-12-2016 to 31-05-2018 in respect of Dr. Arif Ahmad Wani, Medical Officer as extension in joining time which is without any financial implications and this shall be subject to outcome of SWP No. 148/2017 titled Dr. Irshad Ahmad Vs State & Others subject to the condition that the said doctor was not involved in any subversive activities as well as was not employed in any

Government/Private Sector and no departmental enquiry is pending against him, for which an affidavit authenticated by the 1st Class Judicial Magistrate shall be obtained by the Director Health Services, Kashmir from the concerned doctor. Besides, action taken by Directorate of Health Services, Kashmir for utilizing his services on rejoining is also confirmed.

Further, the concerned doctor is **warned** not to leave his place of posting for any occasion in future unauthorizedly, for which disciplinary action shall be initiated against him with any further notice.

By order of the Government of Jammu & Kashmir.

Sd/-

(Atal Dulloo) IAS

Financial Commissioner

Health and Medical Education Department

Dated: 19 -11-2020

No. HME/HRM/117/2018

Copy to the:

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



(Mohammad Iqbal Lone)

Under Secretary to the Government
Health & Medical Education Department

