

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

Subject: Unauthorized absence of doctors – termination thereof.

Government Order No. 723 -JK(HME) of 2020
Dated: 21.09.2020

WHEREAS, the Director, Health Services, Jammu vide communication No. ES-3/4296 dated 11.01.2020 forwarded the details of following five (05) Medical Officers who have remained un-authorizedly absent from duties:-

S. No.	Name of doctor	Absent from
1.	Dr. Lalit Kumar (MS Surgery), Medical Officer	DH Reasi
2.	Dr. Sandeep Bhardwaj, (MS Surgery) Medical Officer	CHC Ramnagar
3.	Dr. Neeraj Gupta, (MD Medicine & DNB Cardiology) Medical Officer	Deployed to work at DH Udampur
4.	Dr. Mubashir Ul Haq, Medical Officer	CHC Bhaderwah
5.	Dr. Mohd. Irfan Banday, (M.S Ortho) Medical Officer	CHC Bhaderwah

AND WHEREAS, the Director, Health Services, Jammu had already served notices to these un-authorizedly absent Medical Officers, giving them opportunity to report back to their duties;

AND WHEREAS, after examination of the cases in the Health and Medical Education Department, it was decided to give last and final opportunity to these un-authorizedly absent Medical Officers for reporting back in the Directorate of Health Services, Jammu within a period of 15 days positively;

AND WHEREAS, upon their non-joining, again vide communication No. HME/HRM/55/2011-I dated 27.01.2020, last and final opportunity was given to these un-authorizedly absent five (05) Medical Officers, mentioned above, to report back in Directorate of Health Services, Jammu within a period of 15 days, failing

M. J. J.



which it shall be presumed that they have nothing to say in their defence and proceedings as warranted under Rule 21(1) of the Jammu & Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956, Rule 25 (2) of the J&K Civil Services Leave Rules, 1979 and Article 128 of the J&K Civil Service Regulations, shall be initiated against them;

AND WHEREAS, the Director, Health Services, Jammu, vide communication No. ES-3/Notice/377 dated 29.04.2020 read with No. DHS/J/4938 dated 17.02.2020, has informed that these five (05) un-authorizedly absent Medical Officers did not resume their duties despite final notice/opportunity given to them by the Administrative Department;

AND WHEREAS, rule 21(1) of the Jammu & Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956 provides as under:-

"At any time before the expiry of the prescribed period of probation, the appointing authority may:-

- (a) Suspend the probation of a probationer and discharge him from the service for want of vacancy; and
- (b) At its discretion terminate the probation of a probationer and discharge him from the service."

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

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

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 must produce the certificate of Medical Officer".

AND WHEREAS, the cases of aforementioned five (05) Medical Officers presently on un-authorized absence, have been thoroughly examined in the Department in light of the rule position governing the subject and it has been found that since these Medical Officers have not resumed their duties despite repeated notices and opportunities granted to them, this act on their part is a voluntary act and warrants initiation of necessary action against them in terms of relevant rules;

AND WHEREAS, upon such examination, it has been concluded that it shall be appropriate to terminate the services of these five (05) Medical Officers for their continued un-authorized absence.

Now, therefore, in light of the rules governing the subject and in context of the circumstances explained hereinabove, the services of the following five (05) Medical Officers are hereby terminated with effect from the dates mentioned against each for their continued un-authorized absence:-

S.No.	Name of doctor	Place of posting	Services terminated with effect from
1.	Dr. Lalit Kumar (MS Surgery), Medical Officer	District Hospital, Reasi.	30.04.2019
2.	Dr. Sandeep Bhardwaj, (MS Surgery) Medical Officer	CHC Ramnagar	11.08.2016
3.	Dr. Neeraj Gupta, (MD Medicine & DNB Cardiology) Medical Officer	Deployed to work at District Hospital, Udhampur.	25.05.2019
4.	Dr. Mubashir Ul Haq, Medical Officer	CHC Bhaderwah.	12.04.2019
5.	Dr. Mohd. Irfan Banday, (MS Orthopaedics) Medical Officer	CHC Bhaderwah.	01.07.2019

By order of the Government of Jammu & Kashmir.

Sd/-

(Atal Dulloo) IAS

Financial Commissioner

Health & Medical Education Department

Dated: 21.09.2020

No. HME/HRM/55/2011-Part-1

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.
4. Director, Health Services, Jammu.
5. OSD with Advisor (B) to the Lieutenant Governor.
6. Private Secretary to the Financial Commissioner, Health & Medical Education Department.
7. Concerned.
8. Government Order file/Stock file/Website HME.

(Mohammad Iqbal Lone)

Under Secretary to the Government

Health & Medical Education Department