

Government of Jammu and Kashmir
Health & Medical Education Department

Civil Secretariat, Srinagar.

Subject: Settlement of period of undergoing higher studies in favour of Dr. Imran Ali, Medical Officer.

Ref: No.Est/3/1-133/1145 dated 14-05-2020 from Directorate of Health Services, Kashmir.

Government Order No: 730 -JK(HME) of 2020

Dated: 22-09-2020

WHEREAS, Dr. Imran Ali, was appointed as Medical Officer in the Health Services Department, vide Government Order No.335-HME of 2010 dated 17-06-2010, and has reported in Directorate of Health Services, Kashmir on 06-07-2010 but preferred to undergo (Senior Residency) at SKIMS Soura, Srinagar upto 08-07-2013;

AND WHEREAS, after the completion of said course the aforesaid doctor rejoined in Directorate of Health Services Kashmir on 09-07-2013;

AND WHEREAS, thereafter, the aforesaid doctor left for Mch in Pediatric Surgery at SKIMS Soura Srinagar w.e.f 06-09-2013 to 04-09-2016 on the directions from Hon'ble High Court and left without obtaining permission/NOC of the Administrative Department.

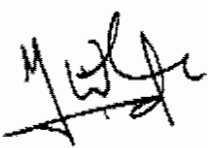
AND WHEREAS, the operative part of interim order dated 26-06-2013 passed by the Hon'ble High Court in SWP No. 1378/13 titled Dr. Imran Ali & Ors Vs State & Ors reads as under:-

".... in the meantime, subject to the objections by the other side, the respondents shall relieve the petitioners to undergo higher courses for which they stand selected pursuant to notifications, referred to above.

AND WHEREAS, after the completion aforesaid course, the concerned doctor rejoined in Directorate of Health Services Kashmir on 05-09-2016 and his services were utilized at DH Baramulla. The aforesaid doctor is presently posted at JLN Hospital Srinagar;

AND WHEREAS, the Directorate of Health Services, Kashmir has forwarded his case regarding re-joining/settlement of higher studies to the Administrative Department for issuance of appropriate instructions;

AND WHEREAS, the issue with regard to settlement of the intervening period was 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 to treat the period of undergoing higher studies (Senior Residency in Surgery) at SKIMS Soura Srinagar, w.e.f 06-07-2010 to 08-07-2013 in respect of Dr. Imran Ali, Medical Officer as extension in joining time which shall be without financial implications and to treat the period of undergoing Mch in Pediatric Surgery at SKIMS Soura Srinagar w.e.f 06-09-2013 to 04-09-2016 in respect of Dr. Imran



All, Medical Officer as Dies-Non and this shall be subject to outcome of SWP No. 1378/13 titled Dr. Imran Ali & Ors and subject to the condition that the said doctor was not involved in any subversive activities as well as was not employed in any Govt/private sector 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 be also confirmed.

Now, therefore, sanction is hereby accorded to:-

- i. Treat the period of undergoing higher studies (Senior Residency in Surgery) at SKIMS Soura Srinagar, w.e.f 06-07-2010 to 08-07-2013 in respect of Dr. Imran Ali, Medical Officer as extension in joining time which shall be without financial implications.
- ii. Treat the period of undergoing Mch in Pediatric Surgery at SKIMS Soura Srinagar w.e.f 06-09-2013 to 04-09-2016 in respect of Dr. Imran Ali, Medical Officer as Dies-Non and this shall be subject to outcome of SWP No. 1378/13 titled Dr. Imran Ali & Ors and subject to the condition that the said doctor was not involved in any subversive activities as well as was not employed in any Govt/private sector for which an affidavit authenticated by the 1st Class Judicial Magistrate shall be obtained by the Directorate of 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 unauthorizedly for any occasion in future, failing which disciplinary action shall be initiated against him without any further notice.

By order of the Government of Jammu & Kashmir.

Sd/-

(Atal Dulloo) IAS

Financial Commissioner

Health and Medical Education Department.

Dated: 22.09.2020

No. HD/Gaz/Gen/31/2017-PF

Copy to the:-

1. Principal Secretary to the Hon'ble Lieutenant Governor.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
3. Director, Health Services, Kashmir.
4. Director Finance, Health & Medical Education Department.
5. OSD with Advisor (R) to Hon'ble Governor.
6. Director, Archives, Archaeology & Museums, J&K, Srinagar.
7. Concerned.
8. Private Secretary to the Financial Commissioner, Health and Medical Education Department.
9. I/C Website, Health and Medical Education Department.
10. Government Order file/Stock file.

(Mohammad Iqbal Lone)

Under Secretary to the Government
Health & Medical Education Department