

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

Subject: Settlement of period of unauthorized absence in favour of Dr. Mohinder Singh Azad, Dental Surgeon (Retired).

Ref: No.ES-3/4125/4016 dated 03-03-2021 from Directorate of Health Services, Jammu.

Government Order No: 310 -JK(HME) of 2021

Dated: 26-04-2021

WHEREAS, Dr. Mohinder Singh Azad, was appointed as Dental Surgeon in the Health Services Department vide Government Order No. 76-HME of 1993 dated 20-01-1993 and he has submitted joining report in Directorate of Health Services, Jammu on 09-02-1993;

AND WHEREAS, the aforesaid doctor on his transfer, he has not reported to Emergency Hospital Ramban after getting relieved from Central Jail Jammu on 12-09-1995 following the quashment of his transfer order dated 17-06-1994 by the learned single judge of Hon'ble High Court and further requested to issue a speaking order to this effect;

AND WHEREAS, the Directorate of Health Services, Jammu vide Order No. DHS-J/840/Legal/13947-52 dated 25-02-2000 has already settled period of absence (transfer issue), w.e.f 13-09-1995 to 22-02-1999 in respect of Dr. Mohinder Singh Azad, Dental Surgeon as leave whatever kind due to him including extra ordinary leave as admissible under rules. However, the concerned doctor is not able to settle his pension papers as concerned DDO has advised him that such period of settlement should be issued by the Administrative Department itself. Although Director, Health Services, Jammu has intimated that the speaking order passed in the instant case is unimpaired/ legal and is still intact;

AND WHEREAS, the Directorate of Health Services, Jammu has forwarded his case regarding settlement of period of unauthorized absence to the Administrative Department for instructions and orders.

AND WHEREAS, while examining the case, it has been felt that the willful absence of the concerned doctor can't be treated as leave whatever kind due as was treated by the Director, Health Services, Jammu vide order No. DHS-J/840/Legal/13947-52 dated 25.02.2000, but can be considered for Dies-Non only.

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

M. Singh

S. Singh

A. Singh

Designated Committee) and the Department while taking considerate view in the matter, decided to treat the period of absence(transfer issue), w.e.f 13-09-1995 to 22-02-1999 in respect of Dr. Mohinder Singh Azad, Dental Surgeon(retired) as **Dies Non**, 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 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 Service, Jammu from the concerned doctor.


Now therefore, sanction is hereby accorded to treat the period of absence(transfer issue), w.e.f 13-09-1995 to 22-02-1999 in respect of Dr. Mohinder Singh Azad, Dental Surgeon(retired) as **Dies Non**, 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 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 Service, Jammu from the concerned doctor.

By order of the Government of Jammu & Kashmir.

Sd/-
(Atal Dulloo) IAS
Financial Commissioner
Health and Medical Education Department
Dated: 26 -04-2021

No. HD/Gaz/Gen/24/2018-PF
Copy to the:-

1. Principal Secretary to the Lieutenant Governor.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
3. Director, Archives, Archaeology & Museums, J&K.
4. Director, Health Services, Jammu.
5. Director Finance, Health & Medical Education Department.
6. OSD with Advisor (B) to Lieutenant Governor.
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