

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

Subject: Settlement of period of absence/acceptance of rejoining in favour of Dr. Asifa Ali, Medical Officer.
Ref. No: Est/3/1-133/1726 dated 24-10-2019 from Directorate of Health Services, Kashmir.

Government Order No: 584 -JK(HME) of 2020
Dated: 05 -08- 2020

WHEREAS, Dr. Asifa Ali was appointed as Medical Officer, in the Health Services Department vide Government Order No: 639-HME of 2016 dated 09-12-2016 and submitted her joining report in Directorate of Health Services, Kashmir on 24-12-2016. However, at the time of her appointment the said doctor was undergoing Registrarship in GMC Srinagar;

AND WHEREAS, the said doctor filed SWP No.89/2017 titled Dr. Ayaz Ali Mir and Ors Vs State and Ors. for reliving/joining as Registrar in GMC Srinagar. The Hon'ble Court vide its order dated 31-01-2017 ordered as under:

".....In view of the aforesaid submission and with a view to maintain parity, it is directed that the petitioners shall be allowed to complete Registrarship/Sr. Residency without prejudice to their appointment as Medical Officer by treating them on deputation till next date of hearing.

AND WHEREAS, the aforesaid doctor joined as Registrar in GMC Srinagar and after being relieved from the said institute, the doctor reported in Directorate of Health Services, Kashmir on 30-01-2020. Pertinent to mention here that Reply/Objection in the instant case stands filed in the Hon'ble High Court. Now, Directorate of Health Services, Kashmir has submitted the case of the doctor for instructions of the administrative department with regard to acceptance of her rejoining/settlement of period;

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 accept the rejoining in respect of Dr. Asifa Ali, Medical Officer, notionally w.e.f 30-01-2020 and monetarily with immediate effect and treat the period of undergoing Registrarship (Gynae. & Obst.) at GMC Srinagar w.e.f 24-12-2016 to 29-01-2020 in favour of Dr. Asifa Ali, Medical Officer, as extension in joining time, which is without any financial implication and this shall be subject to outcome of SWP No.89/2017, 01/2017 titled Dr. Ayaz Ali Mir and Ors Vs State of J&K and subject to the condition that the said doctor was not involved in any subversive activities as well as was not employed in any 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, the concerned doctor shall be warned not to leave her place of posting unauthorizedly for any occasion in future, failing which disciplinary action shall be initiated against her without any further notice.

Now, therefore, sanction is hereby accorded to:

- i. accept the rejoining of Dr. Asifa Ali, Medical Officer, notionally w.e.f 30-01-2020 and monetarily with immediate effect.
- ii. treat the period of undergoing Registrarship (Gynae. & Obst.) at GMC Srinagar w.e.f 24-12-2016 to 29-01-2020 in favour of Dr. Asifa Ali, Medical Officer, as extension in joining time, which is without any financial implication and this shall be subject to outcome of SWP No.89/2017, 01/2017 titled Dr. Ayaz Ali Mir and Ors Vs State of J&K and subject to the condition that the said doctor was not involved in any subversive activities as well as was not employed in any 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, the concerned doctor shall be warned not to leave her place of posting un-authorizedly for any occasion in future, failing which disciplinary action shall be initiated against her without any further notice.

By order of the Government of Jammu & Kashmir

Sd/-

(Atal Dulloo) IAS

Financial Commissioner

Health and Medical Education Department

Dated: 05-08-2020

No. HD/Gaz/Gen/98/2020

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 to 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.

(Rajeshwar Singh Charak) KAS

Additional Secretary to the Government
Health & Medical Education Department

