

Government of Jammu and Kashmir  
**Health & Medical Education Department**  
Civil Secretariat, J&K, Jammu.  
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**Subject:** Settlement of period of higher studies in favour of Dr. Khalid Aeja Nasti, Medical Officer.

**Ref:** i. No. Est/3/1-133/3163 dated 14-01-2021 from Directorate of Health Services, Kashmir.

**Government Order No: 179-JK(HME) of 2021**  
**Dated: 09 - 03-2021**

WHEREAS, Dr. Khalid Aeja Nasti was appointed as Medical Officer in the Health Services, Department vide Government Order No. 132-HME of 2014 dated 04-03-2014 and he has reported in Directorate of Health Services, Kashmir on 07-03-2014. However, at the time of appointment the aforesaid doctor preferred to undergo PG at SKIMS Soura w.e.f 07-03-2014 vide Government Order No. 635-HME of 2014 dated 25-10-2014, wherein permission was granted to the aforesaid doctor to continue his PG/Diploma course. However, the period of his study shall be decided separately;

AND WHEREAS, after the completion of said course, the said doctor joined in the Directorate of Health Services, Kashmir on 02-05-2017 and was posted at Block Achabal. The said doctor while posted at Block Achabal approached to the concerned office with an application stating therein that he has been selected for Registrarship at SKIMS Soura, Srinagar left on the court directions w.e.f 10-06-2020 without obtaining permission/NOC of the Administrative Department;

AND WHEREAS, the operative part of interim order dated 27-07-2020 passed by the Hon'ble CAT, Chandigarh Bench in O.A No. 62-/477/2020 titled Dr. Khalid Aeja Nasti V/s D/o Health and Medical Education Jammu & Others, reads as under:-

*"..... Considering above noted facts that applicant has been selected by a valid selection process and his joining has been extended upto 06-06-2020, but he has not been relieved despite there being a representation by him, therefore, we are of the opinion that the applicant has been able to make out a prima facie case in his favour, as such, we deem it appropriate to direct the concerned authority to relieve the applicant so as to enable him to join his new assignment. Which is connection with Covid-19. However, his relieving and joining will be subject to outcome of present O.A.*

7. Respondent No.3 is directed to allow the applicant to join duty.
8. If the facts are otherwise, the respondents can make the application for vacation/modification of order prior to the date fixed."

AND WHEREAS, the said doctor has been detected COVID Positive and after recovery from COVID he developed MRI documented acute discitis and currently on treatment for pyogenic discitis, in support of which the said doctor

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produced some medical documents as documentary evidences and due to health issues he could not continue Sr. Residency and reluctantly forced to resign in view of hectic duty schedule and aforesaid doctor rejoined on 17-08-2020;

AND WHEREAS, the Directorate of Health Services, Kashmir has forwarded his case regarding rejoining/settlement of period of higher studies to the Administrative Department for instructions and orders.

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 accept the re-joining of Dr. Khalid Aejez Nasti, Medical Officer, notionally i.e. 17-08-2020 and monetarily with immediate effect. Treat the period of undergoing higher studies w.e.f 07-03-2014 to 01-05-2017 in favour of Dr. Khalid Aejez Nasti, Medical Officer as extension of joining time which is without any financial implication & treat the period of absence w.e.f 10-06-2020 to 16-08-2020 in favour of Dr. Khalid Aejez Nasti, as Dies-non and this shall be subject to outcome of O.A No. 62-/477/2020 titled Dr. Khalid Aejez Nasti V/s D/o Health and Medical Education Jammu & Others. The aforesaid decisions shall be 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 Services Kashmir, from the concerned doctor. Besides, the concerned doctor shall be warned not to leave his 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 re-joining of Dr. Khalid Aejez Nasti, Medical Officer, notionally i.e. 17-08-2020 and monetarily with immediate effect.
- ii. treat the period of undergoing higher studies w.e.f 07-03-2014 to 01-05-2017 in favour of Dr. Khalid Aejez Nasti, Medical Officer as extension of joining time which is without any financial implication.
- iii. Treat the period of absence w.e.f 10-06-2020 to 16-08-2020 in favour of Dr. Khalid Aejez Nasti, as **Dies-non** and this shall be subject to outcome of O.A No. 62-/477/2020 titled Dr. Khalid Aejez Nasti V/s D/o Health and Medical Education Jammu & Others.

The aforesaid decisions (i, ii & iii) shall be 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 Services Kashmir, from the concerned doctor.



Besides, the concerned doctor is **warned** not to leave his place of posting un-authorizedly 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: 09-03-2021

No. HD/Gaz/Gen/163/2020

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, Kashmir.
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.

  
9/3/2021  
(Mohammad Iqbal Lone)

Under Secretary to the Government  
Health & Medical Education Department



