

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

Subject: Settlement of period of higher studies in favour of Dr. Vimal Kumar, Medical Officer.

Ref. No. ES-3/4990/3604 dated 10.02.2021 from Directorate of Health Services, Jammu.

Government Order No. 18/ -JK(HME) of 2021
Dated: 09.03.2021

WHEREAS, Dr. Vimal Kumar, was appointed as Medical Officer in the Health Services Department vide Government Order No. 702-HME of 2001 dated 04.10.2001 and submitted his joining report in Directorate of Health Services, Jammu on 16.10.2001. The said doctor was undergoing Registrarship in the department of Medicine at Government Medical College, Jammu w.e.f. 06.11.2017 to 12.11.2020, on the basis of court directions and left without obtaining prior permission/NOC of the Administrative Department;

AND WHEREAS, the operative part of interim order dated 22.09.2017 passed by the Hon'ble High Court, J&K Jammu in SWP No. 1776/2017, MP No. 02/2017 titled Dr. Vimal Kumar V/s State of J&K & Ors. reads as under:-

"Meanwhile, respondent No.4 Principal, Govt. Medical College, Jammu is directed to declare the result of the petitioner and in the event petitioner makes the grade, he may be permitted to join in the discipline of Medicines as Registrars notwithstanding the fact that there is no permission by the Director Health Services, Jammu".

AND WHEREAS, in the meantime, Dr. Vimal Kumar, Medical Officer was placed as I/C Consultant Medicine vide Government Order No. 76-HME of 2019 dated 18.01.2019 and was posted at CHC, Billawar;

AND WHEREAS, accordingly, Directorate of Health Services, Jammu vide communication No. ES-3/4990/4271 dated 25.02.2019 has forwarded an application submitted by Dr. Vimal Kumar, Medical Officer, who has been placed as I/C Consultant Physician vide Government Order No. 76-HME of 2019 dated 18.01.2019 and was posted at CHC Billawar whereunder he has requested for grant of extension in joining time till completion of his Registrarship in the Department of Medicine, Government Medical College, Jammu;

AND WHEREAS, after the completion said course, the aforesaid doctor was relieved on 11-11-2020 by the Principal Government Medical College, Jammu vide their relieving order No. GMC/ES-1/PF/3116 dated 18.11.2020. The said doctor reported in Directorate of Health Services, Jammu on 13-11-2020;

AND WHEREAS, Directorate of Health Services, Jammu has forwarded his case regarding rejoining/settlement period of Registrarship

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w.e.f. 06.11.2017 to 12.11.2020 to the Administrative Department for issuance of appropriate necessary instructions;

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 considerate view in the matter, in the interest of patient care, decided to accept rejoining of Dr. Vimal Kumar as I/C Consultant Medicine notionally from 13.11.2020 and monetarily with immediate effect and treat the period of undergoing Registrarship in the department of Medicine at Government Medical College, Jammu w.e.f. 06.11.2017 to 18.01.2019 in favour of Dr. Vimal Kumar, Medical Officer, as leave whatever kind due except study leave and remaining period of shortfall be treated as Dies-Non. Further, the remaining period of undergoing Registrarship in the department of Medicine at Government Medical College, Jammu w.e.f. 19.01.2019 to 12.11.2020 in favour of Dr. Vimal Kumar, shall be treated as extension in joining time for the post of Consultant Medicine, which is without any financial implications, subject to the following conditions:-

- a. The said doctor was not involved in any subversive activities as well as he was not employed in any Government/Private sector and no departmental enquiry is pending against him, for which an affidavit authenticated by 1st Class Judicial Magistrate shall be obtained by the Directorate of Health Services, Jammu from the concerned doctor.
- b. The doctor shall join the place of posting where he was posted in terms of Government Order No.76-HME of 2019 dated 18.01.2019 as I/C Consultant Medicine i.e CHC Billawar.
- c. This shall be subject to outcome of SWP No. 1776/2017, MP No. 02/2017 dated 22.09.2017 titled Dr. Vimal Kumar V/S State of J&K and ors.

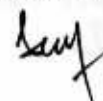
Besides, the concerned doctor shall be warned not to leave his place of posting for any occasion in future un-authorizedly, for which disciplinary action shall be initiated against him without any further notice.

Now therefore, sanction is hereby accorded to:-

- (i) accept rejoining of Dr. Vimal Kumar, as I/C Consultant Medicine notionally from 13.11.2020 and monetarily with immediate effect.
- (ii) treat the period of undergoing Registrarship in the department of Medicine at Government Medical College, Jammu w.e.f. 06.11.2017 to 18.01.2019 in favour of Dr. Vimal Kumar, Medical Officer, as leave whatever kind due except study leave and remaining period of shortfall be treated as Dies-Non.
- (iii) treat the remaining period of undergoing Registrarship in the department of Medicine at Government Medical College, Jammu w.e.f. 19.01.2019 to 12.11.2020 in favour of Dr. Vimal Kumar, as extension in joining time for the post of Consultant Medicine, which is without any financial implications, subject to the following conditions:-







- a. The aforesaid decision (i, ii & iii) shall be subject to the condition said doctor was not involved in any subversive activities as well as he was not employed in any Government/Private sector and no departmental enquiry is pending against him, for which an affidavit authenticated by 1st Class Judicial Magistrate shall be obtained by the Directorate of Health Services, Jammu from the concerned doctor.
- b. The doctor shall join the place of posting where he was posted in terms of Government Order No.76-HME of 2019 dated 18.01.2019 as I/C Consultant Medicine i.e CHC Billawar.
- c. This shall be subject to outcome of SWP No. 1776/2017, MP No. 02/2017 dated 22.09.2017 titled Dr. Vimal Kumar V/S State of J&K and ors.

Besides, the concerned doctor is warned not to leave his place of posting for any occasion in future un-authorizedly, for which disciplinary action shall be initiated against him without any further notice.

By order of the Government of Jammu and Kashmir.


Sd/-
(Atal Dulloo) IAS
Financial Commissioner
Health & Medical Education Department

No.HME/HRM/44/2019

Dated: 09.03.2021

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. OSD with Advisor (B) to the Lieutenant Governor.
6. Director Finance, Health & Medical Education Department.
7. Pvt. Secretary to the Financial Commissioner, Health & Medical Education Department.
8. Concerned Doctor.
9. I/c Website, Health and Medical Education Department.
10. Government Order file/Stock file/Monday Return (w.2.s.c).


(Mohammad Iqbal Lone)

Under Secretary to the Government
Health & Medical Education Department



