



GOVERNMENT MEDICAL COLLEGE, SRINAGAR

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Subject: Engagement of Dr. Inayat Ellahi, Registrar In the Department of Radiodiagnosis & Imaging, Government Medical College, Srinagar.

OFFICE ORDER No: 75 -RA of 2020.

DATED: 04 , -03-2020.

Whereas; vide this office Advertisement Notice No. 432 of 2019 Dated 13-11-2019 applications were invited for filling up the posts of Registrars/Demonstrators from PSC confirmed/Non PSC doctors possessing requisite qualification in the concerned discipline; and

Whereas; as per clause (02) of the Advertisement Notice, as above, the applicants working in Health Department (PSC confirmed) are required to submit their application forms along with NO Objection Certificate from their parent Department without which their application forms shall not be entertained as envisaged in Government Order No. 164-HME of 2012 Dated. 02-03-2012; and

Whereas; Dr. Inayat Ellahi submitted an advance copy of his application form in the office of Principal/Dean, Government Medical College, Srinagar; and

Whereas; PSC confirmed/in-service doctors were supposed to annex No Objection Certificate from their Parent Department, which the aforesaid doctor failed to do. As such the advance copy of the application form of the said doctor was rejected; and

Whereas; the said doctor, Dr. Inayat Ellahi (PSC confirmed) filed a Service writ petition in the Hon'ble High Court through the medium of WP(C) 3652/2019 and the Hon'ble High Court was pleased to pass the orders, which are reproduced as under: -

"In the meantime, subject to objections and till next date of hearing before the Bench, the Principal Government Medical College, Srinagar, is directed to accept the application form of the petitioner for the post of Registrar in Radiodiagnosis which stands notified vide advertisement notification No.

432 of 2019 dated. 13.11.2019, if the petitioner is otherwise eligible and he shall be subject to the selection process, notwithstanding the non-availability of No Objection Certificate from the respondents 1&2 "

Whereas; on the above directions of the Hon'ble High Court form of the petitioner was entertained and was subsequently allowed to appear in the interview; and

Whereas; after interview petitioner's merit was kept in a sealed cover for further necessary action; and

Whereas; Hon'ble High Court passed the direction on 20.02.2020 which reproduced as under: -

"Meanwhile, Principal Government Medical College, Srinagar is directed to permit the petitioner to join the post of Registrar in Radiodiagnosis notified vide advertisement notification No. 432/2019, provided the petitioner has been selected

The joining of the petitioner shall be without insisting for the No Objection Certificate from the Department of Health"

Whereas, Dr. Inayat Ellahi has made up the merit and has been selected by the Selection Committee.

Now in view of the Hon'ble High Court directions passed on 20.02.2020 in WP(C) 3652/2019, Dr. Inayat Ellahi, (PSC confirmed doctor) is hereby engaged as Registrar in the Department of Radiodiagnosis & Imaging, Government Medical College, Srinagar provisionally on his own risk and responsibility till final outcome of the writ petition.

However engagement of the selected doctor shall be subject to the following conditions: -

- that the doctor shall submit his joining report in the office of the Principal/Dean Government Medical College, Srinagar within a period of (21) days from the date of issuance of the order, failing which his engagement order as Registrar shall be deemed to have been cancelled ab-initio and post shall be re-advertised in the interest of patient care and teaching programme.
- that he shall not be on the rolls of any other department at the time of joining as Registrar in Government Medical College, Srinagar
- he shall produce his service book and Last Pay Certificate from his parent Department in order to disburse his salary.

The appointment of the above doctor is further subject to submission of an affidavit duly attested by the Judicial Magistrate/first class Magistrate to the effect that: -

- e. he will not participate in any kind of strike during the period of his tenure engagement. In the event he proceeds on strike, his tenure engagement shall be terminated without any notice as the service is covered under ESMA Act.
- f. he shall remain disciplined during the tenure period, any kind of misconduct shall make him liable for termination without any prior notice.
- g. he is not involved in any criminal activity or there is no FIR pending or registered in any criminal department or police station against him.
- h. he will not indulge in private practice during the tenure. In case he is found doing private practice his appointment shall be terminated without any notice.

Lashid
Principal/Dean 3/3/2020
Govt. Medical College
Srinagar

No. RA-MC/R/RD/ 6105-10/me
Copy to:-

Dated. 04-03-2020

- 1 Addl. Advocate General for Information of the Hon'ble High Court. This is in reference to WP(C) 3511/2019 titled Dr. Mohammad Ashraf Khan V/S State of J&K & Ors.
- 2 Director Health Services, Kashmir for information and necessary action.
- 3 Joint Director, Information Department Srinagar for publication in two daily local leading news papers.
- 4 HOD Radiodiagnosis & Imaging, Government Medical College, Srinagar for information.
- 5 Chief Accounts Officer, Government Medical College, Srinagar for information with the remarks that Monthly stipend may be released in favour of the aforesaid doctor only after obtaining attendance report from the HOD concerned till the doctor produces his LPC from his parent department.
- 6 Legal Assistant, Government Medical College, Srinagar for information and necessary action.
- 7 In-charge I.T. Section, Govt. Medical College Srinagar for information with the direction to upload the order on the college website.

Order

Received on 05/03/2020

From Academics Section