

No.E File-106423/127

Dated Dispur the 5th September, 2023

SPEAKING ORDER

Whereas Dr. Fariel Nasiri was appointed as M&HO-I under Regulation 3(f) vide Govt. order No.HLA.997/2013/46 dated 04/11/2013 which was regularized on 13/08/2014 ;

Whereas, Dr. Fariel Nasiri proceeded for PG studies (MD Microbiology at SMCH,Silchar) for session 2015-18 without obtaining NOC and release order from Health & F.W Department after handing over charge on 15/06/2015 ;

Whereas, Dr. Fariel Nasiri applied for EOL on 16/06/2015 which was received by Health & F.W Department on 06/4/2018. In the meantime, Dr. Fariel Nasiri has resumed her duty on 18/06/2018 at Silchar Polytechnic after completion of her PG Course ;

Whereas, The matter of granting EOL was consulted with Finance (Esstt.-A) Department and Finance Department advised to obtain views from Personnel (B) Department .

Whereas, Personnel (B) Department requested to furnish the action taken by Health Department on the doctor concerned for violating ACS (conduct) Rules, 1965 ;

Whereas, Dr. Fariel Nasiri was issued show cause notice vide Govt. letter No.HLA.341/2018/43 dated 16/6/2021 with charges of negligence of duty, insubordination, misconduct and breach of trust ;

Whereas, Dr. Fariel Nasiri submitted her reply on 26/6/2021 wherein she stated that she was selected for 3 yrs PG Course in Microbiology at SMCH in 2015, and she was to join to course immediately. Accordingly she handed over her charge on 15/6/2015 and applied for granting of EOL on 16/6/2015 through proper channel. Dr. Fariel Nasiri also admitted that she joined the PG course as she was not aware of taking NOC/Release order prior to proceeding for PG study.

Whereas, Department accepted the explanation of Dr. Fariel Nasiri, M&HO-I and proposed the following actions against the doctor for violating ACS (conduct) Rules, 1965 before Personnel (B) Department -

1. *The Department proposes to grant EOL(without pay) to Dr. Fariel Nasiri, M&HO-I w.e.f. 16/6/2015 to 17/6/2018 under Rule 14(5) of the Revised Leave Rules,1934 with the approval of Finance Department. However, she will not be granted PG advance increment till 13/9/2021 although doctor concern had joined her duty on 18/6/2018 after completion of her PG course.*
2. *The period of EOL w.e.f. 16/6/2015 to 17/6/2018 will not be counted for any purpose like pension etc. whatsoever.*

Whereas Personnel (B) Department conveyed their views as follows-

“As the department has not drawn DP and have proposed for grant of EOL and that Dr. Fariel Nasiri will not be granted increment, the Department is advised to seek views of Finance Department in this matter”.

Whereas Finance (Estt.-A) Department was moved for their concurrence to grant EOL in respect of Dr. Fariel Nasiri, M&HO-I w.e.f. **16/06/2015 to 17/06/2018 for undergoing PG study;**

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Whereas, Finance Department conveyed their no objection to the proposal for ex-post-facto concurrence to the EOL availed by Dr. Fariel Nasiri, M&HO-I, Silchar Polytechnic w.e.f. **16/06/2015 to 17/06/2018** for pursuing PG Course at SMCH, Silchar in Microbiology, subject to the following conditions:

- 1) The doctor concerned will not be granted PG advance increment till issue of order of EOL permission by the Department.
- 2) The period of EOL w.e.f. 16/06/2015 to 17/06/2018 will not be counted for any purpose like pensionary benefits ;

Now, therefore, pursuant to concurrence of Finance(Esstt.-A) Department, Dr. Fariel Nasiri, M&HO-I, Silchar Polytechnic is hereby granted Extraordinary Leave w.e.f. 16/06/2015 to 17/06/2018 for pursuing PG Course at SMCH, Silchar in Microbiology, subject to the following conditions:

- 1. Dr. Fariel Nasiri, M&HO-I, Silchar Polytechnic will not be granted PG advance increment till the date of issue of this order.**
- 2. The period of EOL w.e.f. 16/06/2015 to 17/06/2018 will not be counted for any purpose like pensionary benefits.**

Accountant General, Assam will accordingly release salary benefits accordingly to Dr. Fariel Nasiri, M&HO-I.

Joint Secretary to the Govt. of Assam,
Health & Family Welfare Department

Memo No. E File-106423/127-A

Dated Dispur the 5th September, 2023

Copy to:

1. The Accountant General, Assam, Beltola, Guwahati-29.
2. The Director of Health Services, Assam, Hengrabari, Guwahati-36.
3. The Director of Health Services (FW), Assam, Hengrabari, Guwahati-36.
4. The Joint Director of Health Services, Cachar, Assam
5. The Treasury Officer,.....
6. Dr. Fariel Nasiri, M&HO-I, Silchar Polytechnic, Cachar, Silchar.
7. P.S. to Hon'ble Minister, Health & Family Welfare Department, Assam, Dispur.
8. P.S to Principal Secretary, Health & Family Welfare Department, Assam, Dispur.

By order etc.

Sd/-

Joint Secretary to the Govt. of Assam
Health & F.W. Department.

(The document is electronically signed and hence does not require physical signature)