

Letter No. 28

16/11/2019
राजकीय महाविद्यालय
भिकियासैण (अल्मोड़ा)

प्रेषक,

निदेशक, उच्च शिक्षा,
उत्तराखण्ड,
हल्द्वानी (नैनीताल)।

सेवा में,

प्राचार्य,
राजकीय महाविद्यालय,
भिकियासैण (अल्मोड़ा)।

पत्रांक: डिग्री सेवा-1/ 7479 /2019-20

दिनांक: 26 नवम्बर, 2019

विषय: प्राध्यापकों द्वारा बिना चिकित्सा प्रमाण पत्र के एक दिन का मेडिकल अवकाश मांगे जाने के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक निदेशाल को प्रेषित अपने पत्रांक-334/2019-20 दिनांक 16.11.2019 का सन्दर्भ ग्रहण करें, जिसके माध्यम से महाविद्यालय के दो प्राध्यापक श्री लवकुश कुमार, एसो० प्रो० भौतिक विज्ञान एवं डॉ० संजीव मेहरोत्रा प्रो० वाणिज्य द्वारा बिना चिकित्सा एवं स्वस्थता प्रमाण पत्र के दिनांक 11.11.2019 का एक दिन के मेडिकल अवकाश की मांग की गई है, के सम्बन्ध में मार्गदर्शन करने का अनुरोध किया गया है।

तदक्रम में अवगत कराना है कि मा० उच्चतम न्यायालय के आदेश दिनांक 17 मार्च, 1972 में दिये गये आदेश का पालन करना सुनिश्चित करें।

भवदीय,

क प्र स
शुभम

Shukla
02.12.2019

(डॉ० एस० सी० पंत)
निदेशक उच्च शिक्षा
उत्तराखण्ड हल्द्वानी (नैनीताल)

तीन दिन से कम मेडिकल अवकाश हेतु प्रमाण पत्र आवश्यक नहीं

(Supreme Court)

C.A. Vaidalingam, D.G. Palekar and K.K. Mathew, JJ..

Civil Appeal No. 893 of 1968, March 17, 1972

Between Associated Cement Companies Ltd. and Cement Workers Kamdar Union and Others.

Leave-Sick Leave of a days Illness Production of Medical certificate Not expedient from practical point of view:

Generally speaking no workman will get himself treated by a doctor on the very first day of an illness. For minor ailments, no workman would go to doctor for treatment and he would be a great hardship to the workman if a medical certificate from qualified doctor is insisted upon for sick leave for a days illness. From a practical point of view we do not think that it would be expedient to insist that a workman should produce a medical certificate from qualified doctor to avail himself of sick leave for a day on the ground of illness.

Thereafter the second respondent by its letter dated February 10, 1965, made a charter of demands including the demands that the appellants should not insist upon medical certificate for granting sick leave for less than 3 days. The Government Gujrat, Which was the appropriate Government by its letter dated October 19, 1965 referred the dispute relating to the foregoing demands for adjudication to the Industrial Tribunal Gujrat.

(a) Medical certificate not to be considered necessary in case of short and sudden illness. The Medical certificate should not be considered necessary for getting sick leave less than three days.