

ABSTRACT

Health and Family Welfare - Sanction of Unearned Leave on Medical Certificate - Issue of certificate by Medical Officers - Instructions - Issued.

HEALTH AND AND FAMILY WELFARE (Z1) DEPARTMENT

G.O.(2D) No. 71

Dated: 1.9.2005

Read:

1. G.O.Ms.No.267 P&AR(FR.III) Dept. dt.3.11.1998.

ORDER:

In the G.O. read above the Government have prescribed the procedure to be followed when a Government servant apply for Unearned Leave on Medical Certificate after issue of orders of transfer, as detailed below:

- i) The Government servants applying for Unearned Leave on Medical Certificate after issue of transfer order should be referred to Medical Committee immediately irrespective of the period of leave applied for.
- ii) The Medical Committee should fix up the earliest possible date to have the Government servant medically examined based on the Medical Certificate furnished by him.
- iii) The Medical Committee should recommend whether the Unearned Leave on Medical Certificate applied for by the Government servant may be sanctioned to him or not. It should also specify the date on which he should rejoin duty if it recommends for the grant of leave on Medical Certificate.
- iv) The Unearned Leave on Medical Certificate should be granted immediately to the Government servant for the period recommended by the Medical Committee and the former should be directed to rejoin duty as per the

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fitness certificate given by the Medical Committee at the place of transfer if it is still vacant or at the place posted subsequently.

- v) If the Medical Committee has not recommended for the grant of Unearned Leave on Medical Certificate, then the Government servant should be directed to report for duty at the place of his transfer and after joining in the new post, period of absence should be regulated as leave to which he is eligible other than Unearned Leave on Medical Certificate.
- vi) If the Government servant does not resume for duty even after specific direction to rejoin duty based on the recommendation of the Medical Committee then necessary disciplinary action should be initiated against him without any loss of time by following the procedure laid down under Tamil Nadu Civil Services (Disciplinary and Appeal) Rules.
- vii) If the Government servant is admitted in the Government Hospital as inpatient for taking treatment, then the matter has to be informed to the authority concerned and he should furnish the particulars regarding date of admission and date of discharge from the Superintendent of the Hospital concerned when he rejoins duty. In that case the period from the date of admission to the date of discharge should be regulated as Unearned Leave on Medical Certificate after he had rejoined duty in the new place as per the orders issued by the competent authority.
- viii) If the Government servant is admitted in a Private Hospital, then he has to be referred to the Medical Committee and the leave has to be sanctioned based on the recommendation of Committee only.

2. In spite of these instructions, an instance has been brought to the notice of the Government where a Medical Officer who has been transferred to Government Hospital, Uthagamandalam had not joined duty and proceeded on Unearned Leave on Medical Certificate to avoid the transfer. She was referred to the Medical Board as per the existing procedure. The Medical Board has routinely ratified the Medical Leave applied for even though the physical condition of the Medical Officer, revealed that she was normal and she was not suffering from any illness. Due to the action of Medical Officer in avoiding the transfer and the action of the Medical Board in having routinely ratified the Medical Leave applied for, the post of Medical Officer could not be filled up in a hill station where provision of medical facilities has been given top priority. Such action results in non-filling up of posts of Medical Officers in several areas and it causes difficulties to the Government in providing medical

facilities to the poor public who depend on the Government hospitals for their medical needs.

3. With a view to avoid such happenings in future, the Government direct that whenever applications for sanction of Unearned Leave on Medical Certificate by Government employees after transfer are referred to the Medical Board, the Medical Board members should not routinely ratify the medical leave taken. If it is noticed that the Medical Board recommends the sanction of Medical Leave as a matter of routine without detailed physical examination and proof for the illness, disciplinary action will be taken against the members of the Medical Board. The Director of Medical Education, Director of Medical and Rural Health Services and the Director of Public Health and Preventive Medicine are requested to issue clear instructions to members of the Medical Board in this regard. They are also requested to ensure that no Medical Officer issues any false medical certificate.

4. The Government expects that these instructions should be followed strictly, in public interest, to provide better medical facilities to the poor and needy people. If the instructions of the Government are not followed, disciplinary action will be initiated against the persons responsible.

/By Order of the Governor/

SHEELA RANI CHUNKATH,
SECRETARY TO GOVERNMENT.

To

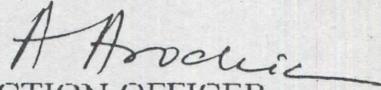
The Director of Medical Education, Chennai-10

The Director of Medical and Rural Health Services, Chennai-6.

✓ The Director of Public Health and Preventive Medicine, Chennai - 6.

The Commissioner of Indian Medicine and Homoeopathy, Chennai.-106.

/forwarded by order/


SECTION OFFICER