

From,

Hira Singh Bonal,
H.J.S.
Registrar General,
High Court of Uttarakhand,
Nainital.

To,

- All the District Judges, Subordinate to High Court of Uttarakhand.
2. Principal Judge/Judges, Family Courts, Subordinate to High Court of Uttarakhand.
 3. Principal Secretary, Legislative and Parliamentary Affairs, Govt. of Uttarakhand, Dehradun.
 4. Secretary, Law-cum-L.R, Govt. of Uttarakhand, Dehradun.
 5. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Hardwar Road, Dehradun.
 6. Chairman, State Transport Appellate Tribunal, 3/5 A, Race Course, near Rinku Medicos, Dehradun.
 7. Director, Uttarakhand Judicial and Legal Academy, Bhowali, District Nainital.
 8. Legal Advisor to Hon'ble Governor, Uttarakhand, Raj Bahwan, Dehradun.
 9. Secretary, Lokayukt, 3/3 Industrial Area, Patel Nagar, Dehradun.
 10. Registrar, State Consumer Redressal Commission, Uttarakhand, H. No. 176, Azabpur Kala near Spring Hill School, Mothrowala Road, Dehradun- 248415.
 11. Member- Secretary, Uttarakhand State Legal Services Authority, Nainital.
 12. Presiding Officer, Labour Courts, Dehradun, Hardwar & Kashipur, District Udham Singh Nagar.
 13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
 14. Presiding Officer, Food Safety Appellate Tribunal, Dehradun and Haldwani, District Nainital.
 15. Registrar, Public Service Tribunal, District Dehradun.
 16. Chairman, Cooperative Tribunal, Dehradun.
 17. Registrar-cum-Secretary, State Police Complaint Authority, Dehradun.
 18. Chairman, Permanent Lok Adalat, Dehradun, Haridwar, Nainital and Udham Singh Nagar.
 19. Addl. Secretary, Law, Uttarakhand Public Service commission, Haridwar.

C. L. No. 05/UHC/Admin.A/2020 **Dated: June 30th, 2020.**
Subject: Regarding comprehensive guidelines for various types of leaves.

Sir/Madam,

In continuation of earlier Circular Letter No. 03/XIV-2/Admin.(A)/2006 dated May 16, 2006, of this Court, issued in regard to Earned Leave, which provides as under:

-2-

“The Judicial Officers should not avail earned leave unless sanctioned by the High Court. The application for earned leave should be submitted well in advance of the proposed leave and in case of emergency, permission may be granted by the District Judge/Principal Judge Family Courts to avail the leave under intimation to the High Court”.

And Circular Letter No. 07/XIV-30/Admin.(A)/2019 dated September 05, 2019, issued regarding submission of the leave applications by the Judicial Officers, which provides as under:

“Applications by Judicial Officers for sanctioning of earned leave etc. should be submitted at least 20 days prior to the date of commencement of leave, except in emergency”.

2. In this regard, I am directed to say that direction issued in both the aforesaid Circular Letters are not being complied with by most of the Judicial Officers and they are used to sent their applications for earned leave, only three or four days prior to the date of commencement of proposed leaves. Hon’ble Court has taken serious note of this, as non compliance of the said directions results into the wastage of precious time of Registry and the Court.

Henceforth, Judicial Officers are directed to ensure strict compliance of both the aforesaid Circular Letters, and applications by Judicial Officers for sanctioning of earned leave etc. should be submitted at least 20 days prior to the date of commencement of leave, except in emergency and the Judicial Officers should not avail earned leave unless sanctioned by the High Court.

-3-

3. With regard to medical leave, I am to say that Most of the Judicial Officers proceed on medical leave without submitting any medical leave application and only send intimation to this Court and proceed on medical leave. Few of them are not even sending intimation before proceeding on medical leave and only sending intimation after four or five days of proceeding on medical leave. Some Judicial Officers are not submitting the Medical Certificate as per rules or sometimes submit Fitness Certificate only, in support of their medical leave application, whereas, as per Fundamental Rule 81 (B) (2) and Fundamental Rule 71 of the Financial Hand Book, Vol. II, Chapter-X, Part II to IV, Medical Certificate and Fitness Certificate have to be produced separately.

Henceforth, all the Judicial Officers are directed to send information regarding Medical leave before proceeding on Medical leave and to apply for medical leave on the enclosed format (**Annexure- 'A'**) and in support of the application for Medical Leave, Medical Certificate, as per subsidiary Rule- 89 of the Financial Hand Book (**Annexure- 'B'**) be submitted and to resume their duties Fitness Certificates, as per subsidiary Rule- 43(a) (**Annexure- 'C'**) be submitted.

4. With regard to the Maternity Leave, I have to say that all the female Officers are submitting incomplete applications for Maternity Leave.

Therefore, I am directed to impress upon you that henceforth, application for Maternity Leave should be submitted by the female officers as per enclosed format (**Annexure- 'D'**) and in support of Maternity leave application, some document (Medical paper) (in the case,

-4-

if Maternity leave is applied before delivery) and birth certificate of the child (in the case, if Maternity leave is applied, after delivery) should be produced. **(Annexure- 'E')**.

5. With regard to Child Care Leave, I have to say that while applying for Child care leave female Officers are not complying with the Office Memorandum No. 11/xxvii(7)/34/2011 dated 30.05.2011, issued by the Government and submitting incomplete applications for Child Care Leave and proceed on leave without prior sanctioning of it.

Therefore, I am directed to impress upon you that henceforth, no Officer shall proceed on Child care leave without its prior sanction and shall submit the application for Child Care Leave, as per enclosed format **(Annexure- 'F')**.

6. Similarly in the case of Paternity Leave, while applying for the Paternity Leave, G.O. No. 819/xxvii(7)34/2010-11 dated 31.12.2013, has not been followed by the Judicial Officers, and it is being noticed that most of the Officers proceed on Paternity leave without its Prior sanction.

Therefore, I am directed to impress upon you that henceforth, no Officer shall proceed on Paternity leave without its prior sanction and shall submit the application for Paternity Leave, as per enclosed format. **(Annexure- 'G')**.

7. Further, I am directed to inform you that C.L.No.03/XIV-2/Admn.(A)/2006 dated. May 16, 2006, issued regarding station leave and Earned Leave, provides as under:

“The District Judge/Principal Judge/Judge, Family Courts should not leave the district without prior permission from the High Court and in case of emergency such permission may be obtained on

-5-

telephone also from the Hon'ble Administrative Judge of the district concerned.

The Judicial Officers should not avail earned leave unless sanctioned by the High Court. The application for earned leave should be submitted well in advance of the proposed leave and in case of emergency permission may be granted by the District Judge/Principal Judge, Family Courts to avail the leave under intimation to the High Court.”

And C.L.No.10/UHC/Admin.A /2019 dated. December 17, 2019, issued with regard to correspondence/communication with the High Court, provides as under:

“While submitting any type of correspondence to the Hon'ble Court on administrative side, it should be a practice that, the same be first examined at your level and after satisfying at your own level, same be sent to the Hon'ble Court, mentioning the applicable Rules/provisions, as the case may be, and along with your comments/opinion. Like-wise, with regard to medical reimbursement claims, it should be ascertained that claim is as per Rules and has been made with time and the same be sent to the Hon'ble Court along With your comments.”

8. In this regard, I am to say that both the aforesaid Circular Letters are being not followed by the Judicial Officers and some Officers are proceeding on leave and leaving their Districts, without prior sanctioning of leaves or station leave. Further, some of the officers are submitting applications to leave the station after availing the station leave, which is very objectionable and the Hon'ble Court has taken a serious note of this.

-6-

Therefore, I am again directed to impress upon you that application to leave the Station and for Casual leave shall be submitted at least one week prior to proposed leave, except in emergency and no Judicial officer shall leave the District without prior permission from the High Court and only in emergency, permission may be obtained on telephone from the High Court.

Further, while submitting any type of correspondence to the Hon'ble Court on administrative side Circular Letter No. 10/UHC/Admin.A/2019 dated December 17, 2019, should be strictly followed and no correspondence on administrative side should be submitted to the Hon'ble Court, unless and until, the same be first examined at your level and after satisfying at your own level, same be sent to the Hon'ble Court, mentioning the applicable Rules/ provisions, as the case may be, and along with your comments/opinion.

You are therefore, requested to comply with the aforementioned directions of the Hon'ble Court and bring it to the notice of all the Judicial Officers for strict compliance.

Yours sincerely,

Sd/-

(Hira Singh Bonal)

Registrar General

Dated: June 30th, 2020.

No. 2904 / XIV-30/Admin.(A)/2019

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordships for kind perusal.
3. All the Registrars of the Court.
4. P.A. to Registrar General.
5. Librarian of the Court.
6. Assistant Registrar, Computer Section, High Court of Uttarakhand, Nainital, with a request to upload it on the Website.
7. Guard File.

Registrar General

-7-

ANNEXURE – ‘A’

MEDICAL LEAVE APPLICATION

1.	Name of the Judicial Officer	
2.	Leave Rule applicable	
2.	Designation	
3.	Date of appointment in Service	
4.	Period for which medical leave is being applied	
5.	Duration of previous medical leave, if availed.	

Dated:

Signature of Applicant

-8-

ANNEXURE – ‘B’

MEDICAL CERTIFICATE FOR LEAVE
Subsidiary Rule -89

Name : -----
Appointment held : -----
Age : -----
Total Service : -----
Previous period of
leave of absence on
medical certificates : -----
Disease : -----
History : -----

**Signature of
employee :
concerned**

I.....Chief Medical Officer/Authorised medical
attendant at ----- or of-----
-----after careful and personal examination of the case hereby certify that
Shri/Smt./Kumari.....is in bad state of health and
I solemnly and sincerely declare that according to the best of my judgement, a
period of absence from duty is essentially necessary for the recovery of his/her
health and recommended that he/she may be granted leave for
.....with effect from.....

Date: **Medical Officer/Authorised Medical Attendant**
Countersignature

CMO OR CMS/PMS of Government Hospital

-9-

ANNEXURE – ‘C’

FITNESS CERTIFICATE FOR LEAVE
Subsidiary Rule -43 (a)

I.....Medical Officer/Authorised
Medical Attendant at -----do hereby certify
that I have carefully examinedof
the.....department and find that
he/she has recovered from his/her illness and now fit to resume duties in
Government service w.e.f.

I also certify that before arriving at this decision, I examined the original
medical certificate and statement of the case on which leave was granted and
have taken these into consideration in arriving my decision.

Date: **Medical Officer/Authorised Medical Attendant**

Countersignature

CMO OR CMS/PMS of Government Hospital

-10-

ANNEXURE – ‘D’

MATERNITY LEAVE APPLICATION

1.	Name of the Judicial Officer	
2.	Designation	
3.	Date of appointment in Service	
4.	Duration for which maternity leave is being applied	
5.	Whether applying for maternity leave for the first time/second time.	
6.	Nos. of surviving children before present maternity leave application.	
7.	Has 2 years time elapsed from the end of last maternity leave (if availed)	
8.	Date of Birth/Expected date of Birth of child	

Dated:

Signature of Applicant

ANNEXURE – ‘E’

MATERNITY LEAVE CERTIFICATE

1. Name :-----
2. Designation :-----
3. Age :-----
4. Total Service :-----
5. Previous period of maternity leave :-----
6. Disease/Reason :-----
7. History :-----

I.....at.....

.....
.....after careful and personal examination of the case hereby
certify that Ms.....has given birth to a
male/female child on...../Or expected date of delivery of
Ms.....is.....Hence, I solemnly and sincerely
declare that a period of absence from duty is essential necessary
recovery of her health and recommend that she may be granted
maternity leave as per rules with effect from.....

Date: **Medical Officer/Authorised Medical Attendant**

Countersignature

CMO OR CMS/PMS of Government Hospital

-12-

ANNEXURE – ‘F’

CHILD CARE LEAVE APPLICATION

1.	Name of the Judicial Officer	
2.	Designation	
3.	Date of appointment in Service	
4.	Has probation been completed	
5.	Name of the child for whom child care leave is being applied	
6.	Date of Birth of child	
7.	Date on which child will be attaining age of 18 years	
8.	Is the child among the two eldest children	
9.	Duration for which child care leave is being applied	
10.	Reason for child care leave	
11.	Has the applicant previously availed child care leave in current calendar year (if yes, mention detail)	
12.	Total child care leave availed till date (out of total 730)	

Dated:

Signature of Applicant

-13-

ANNEXURE – ‘G’

PATERNITY LEAVE APPLICATION

1.	Name of the Judicial Officer	
2.	Designation	
3.	Date of appointment in Service	
4.	Duration for which paternity leave is being applied	
5.	No. of surviving children before present paternity leave application.	
6.	Date of Birth of child /Expected date of delivery of applicant's wife	
7.	Duration of previous paternity leave (if availed)	
8.	Detail of enclosed document as proof of child birth/expected date of delivery of applicant's wife	

Dated:

Signature of Applicant