

No.DJ-R(Inst.)/MND/2020 _____
OFFICE OF THE DISTRICT AND SESSIONS JUDGE MANDI, CIVIL AND
SESSIONS DIVISION, MANDI, DISTRICT MANDI, HIMACHAL PRADESH.

Dated Mandi, the 5th October, 2020.

To

All the Judicial officers,
Civil and Sessions Division,
Mandi, District Mandi, H.P.

Subject : Guidelines.

Sir/Madam,

I am to enclose herewith a letter
Endst.No.HHC/Admn.2(18)78-SML-19571, dated 30th September, 2020,
alongwith its enclosures, as received from the Registry of Hon'ble High
Court of Himachal Pradesh, Shimla, on the subject cited above, for
information and necessary action.

The receipt of this communication may kindly be
acknowledged.

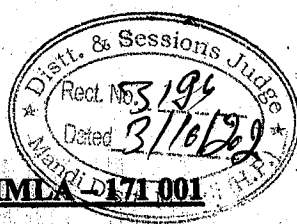
Encls : As above.

Yours faithfully,

Sdh
District and Sessions Judge
Mandi, Civil and Sessions Division
Mandi, District Mandi, H.P.

Endst.No.DJ-R(Inst.)/MND/2020 ⁷²⁶⁴ dated Mandi, the 5th October, 2020.
Copy forwarded to the Assistant Programmer, of this office,
to upload the same on the official website of this court.

MND
District and Sessions Judge
Mandi, Civil and Sessions Division
Mandi, District Mandi, H.P.



HIGH COURT OF HIMACHAL PRADESH, SHIMLA - 171 001

No.HHC/Admn.2(18)78-
Dated Shimla, the 30th September, 2020.

From

The Registrar General,
High Court of Himachal Pradesh,
Shimla - 171 001.

To

The District and Sessions Judge,
Shimla, H.P.

Subject: Guidelines.

Sir, HIGH COURT OF HIMACHAL PRADESH, SHIMLA - 171 001

JAI HIND

With reference to your letter No.DSJ/E/SML/COVID-19/2020-13817 dated 19.9.2020, on the subject cited above, I have been directed to send herewith a copy of Order dated 29.6.2020 of the State Government for information and future guidance, to deal with the matters regarding treatment of period of an employee spent in Institutional/Home quarantine.

Yours faithfully,

Encl: As above.

sd/-
Deputy Registrar (O&A)
Dated 30.9.2020

Endst: HHC/Admn2(18)78-SML-19571

Copy forwarded to all the District & Sessions Judges in the State of H.P., for information and necessary action with regard to COVID-19 instructions as per the aforesaid State Government Order, at their end, please.

Encl: As above.

Dushad
Deputy Registrar (O&A)

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all the District & Sessions Judges in the State of H.P., for information and necessary action with regard to COVID-19 instructions as per the aforesaid State Government Order, at their end, please.

ORDER

Whereas, vide this Department's order of even number dated 31st May, 2020, it was ordered that all offices under the Government of Himachal Pradesh shall remain open on all working days with 100% attendance of all the officers/officials.

Whereas, vide these orders, it has specifically been mentioned that those employees, who develop flu like symptoms/fever or respiratory problems may be advised to proceed on paid leave and take the prescribed treatment/or proceed on home quarantine. The salary/wages/emoluments of such employees shall not be deducted for the days of non-reporting in offices.

Whereas, references and requests for clarifications are being received from various quarters regarding treatment of period of an employee spent in Institutional/Home Quarantine to prevent the potential spread of the Coronavirus to other persons. These employees may have been forced to undergo Home or Institutional Quarantine due to close contact with a COVID positive person, by virtue of their places of residence falling within the notified containment zones, due to travel from outside the State or from within the containment zones or due to their family members undergoing home quarantine.

Whereas, the matter has been considered thoroughly and since the quarantine and isolation of COVID suspect/positive cases is the most potent non-pharmacological intervention for the control and containment of Coronavirus, a view needs to be taken as the forced quarantine and isolation of such employees is in the public interest, and if not quarantined/isolated, such individuals may be a threat to the society at large and may result in most preventable, mortality and morbidity in terms of human life.

NOW, therefore, after consideration and in continuation of this Department's Order of even number dated 31.5.2020, in exercise of the powers conferred by the Himachal Pradesh Epidemic Disease (COVID-19) Regulations, 2020 notified vide Notification No.HFW-A-A(3)1/2020 dated 14.3.2020, under the Epidemic Disease Act, 1897, it is hereby ordered that:-

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a) If a Government servant/daily paid contractual/part-time/outsourced worker is asked/forced to get himself/herself institutional/home quarantined for a specified period due to contact with a COVID positive patient or due to any other reason as enumerated above, and such exposure on account of which the need for quarantine has risen, has occurred during discharge of official duties including travel to various other States/Stations, such period may not be considered as leave/absence from duty and the salary/wages/emoluments of such employee may not be deducted for such period of quarantine. However, if such exposure has not occurred during the discharge of official functions, for instance private visit to the other States, leave of kind due shall be debited to the leave account of such employees.

b) However, if the place of residence of the quarantined Government servant/daily paid/contractual/part-time/outsourced worker happens to fall within any notified containment zone, the period of absence till the delisting of such containment zone shall not be considered as leave/absence from duty and the salary/wages/emoluments of such employee for such period may not be deducted. Such employee shall not discharge official duties through work from home, as far as practicable.

c) If the Government servant/daily paid/contractual/part-time/outsourced worker, comes to be positive due to exposure on official duties or otherwise, the period during which he/she shall be under treatment shall also be considered to be on duty period and no wages/salary/emoluments shall be deducted till the time such employee is medically recovered and fit to resume duty as per the certificate of the competent authority.

This Order shall come into force with immediate effect.

By Order

R.D. Dhiman
 Additional Chief Secretary (Personnel) to the
 Government of Himachal Pradesh

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