

Medical examination

Medical examination (Sec. 11). In certain cases of accidents, a workman has to be medically examined in order to be entitled to claim any compensation.

Sec. 11 of the Act gives the following rules for medical examination:

1. Where a workman has given notice of an accident and the employer before the expiry of 3 days from the date of the service of the notice offers to have him examined free of charge by a qualified medical practitioner. the workman shall submit himself for such an examination. Where the workman is in receipt of a half-monthly payment, he may also be required to submit himself for medical examination from time to time.
2. If the workmen improperly refuses to submit himself for medical examination or in any way obstructs the same, his right to compensation shall be suspended during the continuance of such refusal or obstruction [Sec.11(2)]
3. If the workmen voluntary leaves, without having been so examined, the vicinity of the place in which he was employed, his right to compensation shall be suspended until he returns and offers himself for the medical examination. [sec.11(3)].
4. Where the workmen, who refused medical examination, subsequently dies, the Commisioner may, if he thinks fit, direct the payment of compensation to the dependants of the deceased workman [sec.11(4)].
5. Where a right to compensation is suspended, no compensation shall be payable in respect of the period of suspension[sec11(5)].

6. In case the injury of a workman has been aggravated due to his refusal to be attended by a qualified medical practitioner or his refusal to follow the instructions of the medical practitioner, the workman would get compensation only for that injury which would have been, had he been properly treated. He would not get any compensation for aggravated injury [sec.11(6)].