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Appointment of mentally disordered persons in companies

2 years ago 8 Replies

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B S MURTHY

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You may kindly clarify the following: 1. Can a Corporate (Private Limited Company) appoint a person with mental disorder (SCHIZOPHRENIA) on its rolls?. After knowing the fact also can they continue to do so? Such cases to which Government authority we can report ? What are the relevant sections dealing with the Companies Act / Other Acts? 2. If a Corporate in the line of manufacture of drugs and chemicals does not maintain the registers of production / sales (batch-wise) to whom we can report? What are the relevant sections?

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10992

Yes, they can. But what is the onset of schizophrenia? Are there medical records to prove it? If no. Then it is waste to pursue this matter, you may even get beaten up by the said person for calling him or her schizhophrenic! If not, it is proved that he or she is not schizhophrenic but you definitely have adjustment problems in office !

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B S
MURTHY ▾

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It is a factual case I have referred. There are certain prescriptions as given by neuro physicians. The medicines are found to be for schizophrenia. For your information, as per the theory / science, and information gathered, the schizophrenia can not be cured. The patient has to be on life time medication. The patient has a homicidal attitude and some times suicidal attitude.

My query is in respect of law.. If the company keeps such person in employment, can any one question the company, and if so, under what Section / Act.

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Bangalore

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Originally posted by : B S MURTHY

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“ The patient has a homicidal attitude and some times suicidal attitude. ”

My query is in respect of law.. If the company keeps such person in employment, can any one question the company, and if so, under what Section / Act.

Mr Moorthy

Apart from insanity perspective, there are many factors involved.

What is the composition of MOA of the company.

What is the composition of AOA of the company.

what is the position offered to the person and in which capacity is he working in the company?

Since how long has been working in the company?

How long is the onset of the disease, that you have not answered. This is very important in order to ascertain legal standing of appointment. Such person does he own any shares in the company? All this need to be known to give you correct answer.

↩ Reply

🕒 2 years ago



B S
MURTHY ▾

👍 Likes: 6

Points: 586

1. Composition of MOA and AOA of the company we do not know. We can not presume that there is a provision to appoint persons of insanity in the company.

2.As per the present information the person has got medical history of more than 5 years.

3.The person referred is in software line.

4. He has been working in the said company for the last 3 years.(after the onset of disease)

.Keeping the above facts aside, I am referring to the basic principles of law in the matter.

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Bangalore

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Until unless that interferes in the working of work/working of the company such cannot be taken in to account.

Schizhophrenia does not legally be termed as insanity, lot of variables being involved in order to ascertain whether the person can be fired or not. It is difficult situation. Such onset being recent in nature, can always be questioned in court of Law in case the party is fired. To pursue such matter will consume lot of time, money, energy of both the parties visavis the one who has problem with the person who is allegedly suffering and also the person on who the complaint is being made. Anything can be proved/unproved in court, all you need is money and a good advocate.

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● Madhu ▾

p

👍 Likes: 60

Points: 4463

@ Mr. Murthy

1. Can a Corporate (Private Limited Company) appoint a person with mental disorder (SCHIZOPHRENIA) on its rolls?. After knowing the fact also can they continue to do so? Such cases to which Government authority we can report ? What are the relevant sections dealing with the Companies Act / Other Acts?

Company is doing good social job why you are against them ? Please clarify .

The Rights of Persons with Disabilities Act 2016

This is for rights of person with all disabilities , they have right for employment , India have signed United Nation Convention on Disabilities .

Why you want him unemployed and eager to destroy him further in all respect ,

What exactly is your problem with him.

Only because he is taking medicine , does not make him unfit .

He may have certain other abilities which company feels it is useful for them or he may be taking less pay as compared to you all.

Even Nobel Laurette John Nash was suffering from Schizophrenia .

↩ Reply

🕒 2 years ago



● Madhu ▾

p

👍 Likes: 60

Points: 4463

Define your problem , put your problem solution can be found out.
If it is related to behaviour instead of destroying him completely why don't you work with him to make his life better

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It looks like a case of personal vendetta.

Bangalore

👍 Likes: 643

Points:

10992

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