

**Central Administrative Tribunal
Ernakulam Bench**

OA No.180/00822/2019

Friday, this the 31st day of January, 2020.

CORAM

Hon'ble Mr.Ashish Kalia, Judicial Member

K.S. Joseph, aged 74 years,
S/o. Mr. Joseph Sebastian,
Retired sub-Divisional Engineer,
Bharat Sanchar Nigam Limited (BSNL),
Alapuzha, residing at Kallarackel House,
East of Telephone Exchange, Alapuzha-
688 001 – Ph. 944602524.

Applicant

(Advocate: Mr. T.C. Govindaswamy)

versus

1. Bharat Sanchar Nigam Limited,
represented by the Chairman and Managing Director,
Corporate Office, Harischandra Mathur Lane,
Janpath, New Delhi – 110 001.
2. Chief General Manager (Telecommunication),
Bharat Sanchar Nigam Limited, Trivandrum – 695 001.
3. General Manager (Telecom),
Bharat Sanchar Nigam Ltd.,
Alappuzha – 11.

Respondents

(Advocate: Ms. Thanuja Roshan George)

The OA having been taken up on 31st January, 2020, this Tribunal delivered the following order on the same day:

ORDER (oral)

Applicant is seeking medical reimbursement from the respondents for the expenses incurred in connection with the emergency treatment of his wife in the Medical Trust Hospital which is an empanelled hospital for the treatment by

the respondents.

2. Notices were issued and the respondents submitted their reply statement in the form of a preliminary statement. It is submitted that the case of the applicant had been examined and it had been recommended for reimbursement of Rs.82,152/-. As per the existing instructions/guidelines on the subject, if the amount proposed to reimburse exceeds twice the total of basic pension and DA of the claimant, the case needs to be forwarded to the Circle Office, Thiruvnanthapuram for approval. In the instant case, the basic pension of the applicant is Rs.16075/- and DA comes to Rs.20,447/-. Twice the amount comes to Rs.73044/-. Hence the case was forwarded to the Circle Office for approval. However, the Circle Office had noticed certain discrepancies in the claim. One of the discrepancies noticed was that the patient was admitted on 5.8.2018 and discharged on 17.8.2018. The hospital authorities had charged Rs.8250/- towards anesthesia and Rs. 16,500/- towards operation charges, on 17.8.2018. Further, an amount of Rs.5400/- had been charged towards room rent two times in the bill. These discrepancies need to be clarified from the hospital authorities/applicant. As regards the delay in settling the medical reimbursement claim, it is submitted that all the payments are being made by the Circle office at Thiruvananthapuram and that a number of such claims are pending for want of funds.

3. After hearing the learned counsel on either side, this Tribunal is of the view that there is no embargo placed by the respondents for processing the claim but the only rider they have put is that certain clarifications are required, which is undertaken by the applicant to furnish, within a reasonable time.

4. This Tribunal is of the view that the respondents may disburse the medical expenses as per the extant rules and regulations applicable in the case within a period of three months from the date of receipt of this order. It is needless to say that the applicant will furnish the clarification within 10 days to the respondents.

5. With the above observations and direction, the present OA is disposed of.

(Ashish Kalia)
Judicial Member

aa.

Annexures filed by the applicant:

- Annexure A1: Copy of letter bearing No. G-91/BSNL/MRS/2016-17/Vol.III/34 dated 23.8.2018.
- Annexure A2: Copy of the order No. G.91.BSNL/MRS/2017-18/Vol.III/36 dated 27.8.2018.
- Annexure A3: Copies of the prescriptions and other bills indicating the treatment undergone in the Medical Trust Hospital by the applicant's wife.
- Annexure A4: Copy of the reminder dated 20.10.2018 submitted by the applicant.
- Annexure A5: Copy of the reminder dated 12.7.2019 submitted by the applicant.

Annexures filed by respondents:

Nil