



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A No. 44/2020

This the 13th day of March, 2020

Hon'ble Ms. Aradhana Johri, Member (A)

R. P. Bathla, aged 69 years,
 'B',
 S/o. Sh. C. D. Bathla,
 Retired TFT (Science) from KVS
 R/o. C-101, Corona Octus Apartments,
 Sector 37 C, Gurgaon (Haryana) ...Applicant

(By Advocate : Mr. Yogesh Sharma)

Versus

1. Union of India through the Secretary,
 Ministry of Human Resources Development,
 Shastri Bhawan,
 New Delhi – 110 011.
2. The Director General,
 Central Government Health Services (CGHS),
 Nirman Bhawan,
 New Delhi – 110 011.
3. The Additional Director (HQ),
 CGHS Wellness Centre Building,
 Sector XII, R. K. Puram, New Delhi.
4. The Commissioner,
 Kendriya Vidyalaya Sangathan,
 18, Institutional Area,
 Shaheed Jeet Singh Marg,
 New Delhi -110 016.
5. The Deputy Commissioner,
 Kendriya Vidyalaya Sangathan,
 Delhi Region, JNU Campus,
 New Mehrauli Road,
 New Delhi. ...Respondents

(By Advocate : Mr. S. Rajappa with Mr. R. Gowrishankar for R-4 & 5 and Mr. Gyanendra Singh)



O R D E R (ORAL)

The applicant Mr. R. P. Bathla retired on 31.03.2011 as TGT (Science). He was posted at Kendriya Vidhyalaya, Tagore Garden, New Delhi under respondent no. 5. He was issued CGHS card valid from 26.12.2018 to 31.12.2019. Thereafter, though he has deposited Rs.7800/- towards renewal of the card, the said card has not been renewed. The applicant has stated that he is a cancer patient and is undergoing the chemotherapy for which he requires medical treatment and reimbursement of the same through CGHS.

2. Respondents no. 2 and 3 i.e., Director General, CGHS and Additional Director (HQ) CGHS have stated in their counter that as per O.M. dated 29.09.2015, pensioners card will be issued to those pensioners who have been recommended by the KVS on cost to cost basis, in advance, on yearly basis, at the rates determined by Department of Health and Family Welfare in consultation with the Chief Advisor (Cost), Department of Expenditure, Ministry of Finance. They have further stated that CGHS subscription in respect of the applicant has not been received from the KVS till now.



3. The respondents 4 and 5 have stated that they have yet not forwarded the matter of the applicant because they are linking it with all employees of KVS who have not got CGHS card in service. They have stated in their counter that the matter is under consultation between KVS, HRD Ministry and the Ministry of Health. Since it is a policy decision pertaining to a large number of employees, it has also been desired that financial burden should be worked out and approval of the Department of Expenditure, Ministry of Finance is taken.

4. It is of-course desirable that an early decision should be taken but since the matter pertains to a large number of employees, large financial implications and a policy matter, therefore it will naturally take time.

5. The instant case is one where it is admitted that the applicant is a cancer sufferer and is undergoing huge expenditure on account of his treatment. CGHS card has been issued to him which could not have been done without the recommendation of the KVS. Therefore on account of any changed policy of KVS for non renewal of the card, the applicant need not be made to suffer. In the meantime, respondents no. 4 & 5 who are employers of the



applicant should ensure that a suitable arrangement is made so that the applicant is not out of pocket for his chemotherapy and cancer treatment.

6. The O.A is disposed of accordingly. No costs.

(Aradhana Johri)
Member (A)

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