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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

M.A.NO. 713/98 in O.A. 1393/97

Date of Order: 10-9-98.

Between:

D.V.Subramanya Sastry.

.. Applicant.

and

1. The Commissioner, Customs and Central Excise, Hyderabad-29.
2. The Secretary, Central Board of Excise and Customs, Central Secretariat, North Block, New Delhi.
3. The Secretary, Ministry of Finance, G.O.I. Central Secretariat, New Delhi.

.. Respondents.

For the Applicant: Mr. V.Krishna Rao, Advocate.

For the Respondents: Mr.V.Rajeswar Rao, Addl.CGSC.

CORAM:

THE HON'BLE MR.JUSTICE D.H.NASIR : VICE-CHAIRMAN

THE HON'BLE MR.H.RAJENDRA PRASAD : MEMBER(ADMN)

The Tribunal made the following Order:-

Heard Mr.V.Krishna Rao for the Misc.Applicant and Mr.V.Rajeswara Rao Addl.CGSC. for the Respondents.

It is ~~seen~~ seen that the Misc.Applicant(who was applicant in O.A.1393/97)has submitted a representation to the Secretary, Ministry of Finance, New Delhi in pursuance of observations contained in the judgment in the said OA delivered on 22-10-97.

Secretary, Ministry of Finance, may have the case examined and communicate a decision to the applicant through Commissioner, Customs and Excise, Hyderabad, in four months.

Thus the MA is disposed of.

[Signature]
Deputy Registrar

To

1. The Commissioner, Customs and Central Excise, Hyderabad-29.
2. The Secretary, Central Board of Excise and Customs, Central Secretariat, North Block, New Delhi.
3. The Secretary, Ministry of Finance, G.O.I. Central Secretariat, New Delhi.
4. One copy to Mr. V.Krishna Rao, Advocate, CAT.Hyd.
5. One copy to Mr.V.Rajeswar Rao, Addl.CGSC. CAT.Hyd.
6. One spare copy.

pvm.

21/9/98

I COURT

TYPED BY

COMPALED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE D.H. NASIR:
VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD:M(1)

DATED: 10-9-1998.

ORDER/JUDGMENT

M.A./P.A./C.A.No.

713/98

in

O.A.No.

1393/97

T.A.No.

(M.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Ordered/Rejected.

Order as to costs.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण / DESPATCH

15 SEP 1998

HYDERABAD BENCH
HYDERABAD BENCH

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD
AT HYDERABAD.

M.A. NO. 713 OF 1998 IN O.A. NO. 1393 OF 1997.

BETWEEN

D.V. SUBRAMANYA SASTRY.

... PETITIONER.

AND

1. The Commissioner, Customs & Central Excise, Hyderabad-29 ... RESPONDENT -1
2. The Secretary, Central Board of Excise & Customs, Central Secretariat, North Block, New Delhi. ... RESPONDENT -2
3. The Secretary, Ministry of Finance, G.O.I., Central Secretariat, New Delhi. ... RESPONDENT -3.

PETITION FILED UNDER SEC. 24 OF ADMINISTRATIVE TRIBUNAL ACT, 1985
AND CENTRAL ADMINISTRATIVE TRIBUNAL (PROCEDURE) RULES, 1987.

a) PETITIONER: D.V. Subramanya Sastry, s/o. Sri D. Anjenaya Sastry, aged 62 years, retired Superintendent, Office of the Customs and Central Excise, r/o H.No. 24-29(N), Vishnupuri Colony, Malkajgiri, Hyderabad-500 047 (R.R. Dist.).

b) RESPONDENTS: (a) The Commissioner, Customs & Central Excise Basheerbagh, Hyderabad-500 029.

(b) The Secretary, Central Board of Excise & Customs, Central Secretariat, North Block, New Delhi.

(c) The Secretary, Ministry of Finance, G.O.I., Central Secretariat, New Delhi.

c) GROUND AND MATERIAL FACTS:

(1) The Petitioner filed the Original Application No. 1393 of 1997 on 12-10-1997 for directions to the Commissioner, Customs & Central Excise, Hyderabad for allowing pending medical claims after 24-11-1987, for allowing continuous multy specialised treatment under 'PARENT'S CARE' and allowing present Ayurvedic treatment which the Applicant's son presently undergoing under an approved Government Doctor at Malkajgiri. He has also requested for sanction of medical advances as per the requirements which are very much needed to get his mentally retarded son cured. ..(Annex. 2)

(2) Against the above noted O.A. 1393/97 the Hon'ble Court has given decision on 22-10-1997 that though the letter C.No.

II/22/13/90-92 A.5 dt. 19-3-1993 written by the Commissioner (Amr-1) taken as compliance of the orders given in O.A. 805/85, it is however advised further in O.A. 1393/97 that the Applicant may submit representations to higher authorities reiterating his his cladsms of entitlement for the same within the next one month after 22-10-1997 ie. from the date of Judgement. It is further stated that if such representation is submitted within the next month, the same may be scrutinised as per the relevent rules and instruction, and in the light of facts revealed and communicate a suitable decision to the Applicant within a reasonable time. In the same Judgement it is also viewed that monetary relief of or assistance from a suitable Welfare Fund or a like source may be considered with Sympathy, independent of any past O.A. or present application, in accordance with the rules and guidelines governing sanction to pensioners from Welfare funds if any discretion is vested in this regard in any of the Respondents, it would be well that it were exercised in the Applicant's favour since he has a very distressing on-going problem on his hands.

3) As per the above decesion given by the Hon'ble Court in O.A. No. 1393/97 the petitioner submitted representations by Regd.Post on 20-11-1997 ^{and reminders (Amr-3 & 7) by} to the Secretary, Central Board of ~~Excise & Customs~~ Excise & Customs, the Secretary, Ministry of Fianance, GOI., New Delhi and others, marking a copy by Regd.post to the Commissioner, Customs & Central Excise, Hyderabad, particularly bringing out the facts of the case and countering the remarks given by the Commissioner, in his compliance report dt.19-3-'93. While countering the remarks, it is clearly stated that the Hon'ble Court did not go into the correctness of the contents for rejection of the claims submitted which cannot be taken

D. V. B. ...

as compliance. Also the statement of Commissioner that he acted on the advise of the Additional Director, C.G.H.S., who in turn acted on the advise rendered by the Superintendent, Hospital for Mentally Retarded and Director of Medical and Health Services of A.P. State~~MENT~~ Government looks very odd when the same authorities have certified in writing that the patient requires continuous treatment for the same ailment. ^{(Annex- 8516) & (18620) H} This reason for rejecting further continuous treatment by the Commissioner speaks itself as bad reasoning. Instead, he could have ordered for immediate examination by medical experts for confirmation of the ailment, whether the Applicant's son requires further treatment. ^{or not.}

4) The Petitioner submits that the previous awards nor the medical certifi~~date~~s did not deny for continuation of treatment or present treatment. Further, they did not deny sanction of interim cash relief and submitting of claims after 24-11-1987. All these positive approaches have wrongly interpreted by the Commissioner only to reject. Previously also the High Court of Judicature A.P. in Misc. Petition No. 5701/85 directed the Respondents to consider for according sanction of medical expenses for getting the Applicant's son medically treated till the ailment is cured. ^{(Annex- 22). He is still under treatment. H}

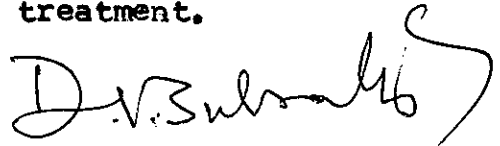
5) The fact is clear that the decision/direction given by the Hon'ble Court in O.A. 1393/97 dt. 22-10-1997 to ~~re~~scrutinise the facts given in the Petitioner's Representation dt. 20-11-1997 and communicate suitable decision to the Petitioner within a reasonable time has not been implemented by the Respondents, even after number of reminders, till today. The reasonable time as given by the Hon'ble Judge cannot be more than TEN months and hence this ~~complaint~~ ^H petition is submitted.

4) NATURE OF ORDER SOUGHT FROM THE TRIBUNAL: In view of the failure by the Respondents to implement the directions within

D. B. Subrahmanyam

H. L.

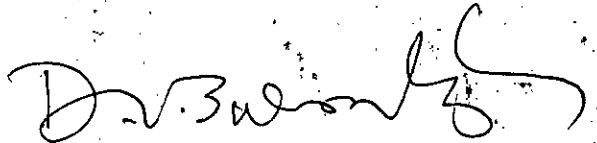
the REASONABLE TIME, even after a lapse of 10 months, it is humbly prayed that the Hon'ble Court may kindly pass Orders for implementation of the decision of the Hon'ble Court given in O.A.No. 1393/97, clearly mentioning a specific period and pass such other and further orders as the Hon'ble Court deems fit in the interest of pathetic condition of the Applicant's son and need for continuation of treatment.



PETITIONER.

VERIFICATION.

I, D.V. Subramanya Sastry, s/o. D. Anjeneya Sastry, aged 62 years, worked as Superintendent (retired) in the Office of the Commissioner, Customs & Central Excise, Hyderabad, r/o. H.No. 24-29(N), Vishnupuri Colony, Malkajgiri, Hyderabad-500 047 (R.R. Dist.) do hereby verify that the contents of paras (a) to (d) are true to my personal knowledge and also believed to be true to my personal knowledge and also believed to be true on legal advise and that I have not suppressed any material facts.



DATE: 7-8-1998:

HYDERABAD:

PETITIONER.

SWORN AND SIGNED BEFORE ME
TODAY 7th AUGUST, 1998.



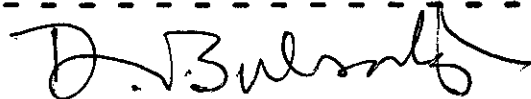
ADVOCATE & COUNSEL FOR
PETITIONER.

LIST OF ENCLOSURES:

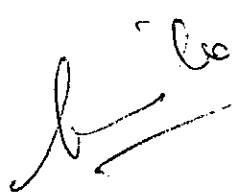
ANNEXURE NO.

DESCRIPTION

1. Letter C.No. II/22/13/90-92 A.5, dt. 19-3-1993 of the Commissioner, Customs & Central Excise, supposed to be treated as Compliance Report against Orders given in O.A.No. 805/85.
2. Decision given by the Hon'ble Court in O.A. No. 1393/97 dt. 22-10-1997 against which the present contempt petition.
3. Representation addressed on 20-11-1997 by Regd. post to the Secretary, Central Board of Customs and Central Excise, The Secretary of Finance, G.O.I. at New Delhi and others with a copy to the Commissioner, Customs & Central Excise, Hyderabad.
- 4 to 7 Reminders sent to them on 1-12-1997, 28-2-1998, 24-4-1998 and 26-6-1998.
- 8 to 16 Certificates issued by the different Medical Authorities certifying the ailment of Applicant's son.
17. Lr.No.12584/Ad.3/94, dt. 4-7-1998 of Indian Medicine & Homoeopathy Dept., Govt. of A.P. for continuous treatment under Ayurvedic medicine.
- 18 to 20 Certificates for mentally handicapped son of the Applicant for travel concession.
- 21 Present Ayurvedic treatment slips from a Govt. recognised clinic.
- 22 W.P. Misc. Petition No. 5701/85 of A.P. High Court of Judicature with direction for getting the treatment for the Applicant's son till the ailment is cured.



PETITIONER.



OFFICE OF THE COLLECTOR OF CUSTOMS & CENTRAL EXCISE
HYDERABAD : 500 029

C.No.II/22/13/92 ...5

Dt: 19.3.1993

SUB : Estt. - Settlement of Medical claims of Mr. D. Rama Murthy, S/o. Shri D.V.S. Sastry, Superintendent of Central Excise, Hqrs. Office, Hyderabad - Reg. 11118.

The Hon'ble Central Administrative Tribunal (CAT), Hyderabad Bench in their O.A No.805/88 dated 7.9.1992 have directed to scrutinise all the claims of Shri D.V.S. Sastry, Superintendent of Central Excise, Hqrs. Office, Hyderabad, subsequent to 24.11.1987 and to settle the same in accordance with the Medical Attendance Rules in force, within a period of 3 months from the date of the order i.e., 7.9.1992.

2. During the period in question, (i.e., 24.11.87 to 31.12.92) 11 (Eleven medical claims (each half-yearly) were preferred by Shri Sastry for reimbursement of medical expenses incurred by him in connection with the treatment of his dependant son (Master D. Ramamurthy) aged about 28 years, a mental patient. In all Shri Sastry has claimed an amount of Rs.4,24,609/- (Rupees Four Lakhs twenty-four thousand six hundred and nine only) spread over the 11 claims referred to above, the details of which are noted in Annexure . The break up for the amounts claimed is as follows :-

i) Purchase of medicines	: Rs. 1,292-00
ii) Diet and ward rent	: Rs. 2,53,630-00
iii) Salary to 2 attendants	: Rs. 1,69,392-00
iv) Consultation & Tests etc.,	: Rs. 295-00
Total	: <u>4,24,609-00</u>

Dr. KRISHNA RAO VALLURI

ADDN. B-2, Sindurani Apt.
Plot No. 3, V.V. Nagar
Malkajgiri, HYDERABAD-500 047,
(Telephone No. 7030888)

3. The position in respect of all those claims is as following :-

i) Medical claims : Rs. 1,292/- incurred towards purchase of medicines: (8 Cash memos).

As per G.O.I. & M.H.O.M. No. F.1-17/52 LSG (M) dated 18-12-1952, Government servants, while claiming the reimbursement of the cost of medicines purchased, are required to submit alongwith their medical bills, Cash memos for the medicines purchased duly countersigned by the attending Doctor and the original prescription by the Doctor from whom medical attendance was received. Further, the essentially certificate must contain the names of all the medicines prescribed and the amount incurred on purchase of each medicine by the Govt. servant. In the present case I find that Shri Sastry has not enclosed the prescriptions to be issued by the AMA; cash memos enclosed to the claims are not counter signed by the AMA/treating doctor; and essentially certificates from the AMA (from whom the patient was receiving treatment) to the effect that "the medicines prescribed were essential for the recovery/prevention of serious deterioration of the condition of the patient" has not been enclosed to the claims. Claims made under 8 cash memos are therefore, rejected.

ii) Diet charges and Ward Rent : (11 claims totalling to Rs. 2,53,630/-) :

Diet charges are inadmissible in case of patients if the Government servant concerned draws pay more than Rs. 640/- per month (Ministry of Health O.M. F.No. 28/136/65 M.B dated 21-9-1965). Shri D.V.S. Sastry, Inspector in 1987 itself was drawing more

Contd.....3/-

[Handwritten signature]
DR. KRISHNA BAO VALLURI
 B-2, Srinilaya Ashram
 Plot No. 31, V.S.R.
 M. HYDERABAD - 500 047,
 Telephone No. 70506651

: 3 :

than Rs. 640/- (in the pre-revised scale) and at present his pay stands much above it.

Further, diet charges are available only if the patient receives indoor treatment (same CM referred to above). Shri Sastry has not produced any evidence in support of his claim that the patient was receiving indoor treatment.

Also the diet charges are reimbursible on actual basis. Shri Sastry has not produced any evidence that the diet charges were actually incurred. I, therefore, do not find any justification in sanctioning the amounts claimed in the 11 claims on account of diet charges.

In respect of 11 claims of ward rents also, the charges are reimbursible on actual basis. Here again, no evidence has been produced by Shri D.V.S. Sastry in support of his claim that the payments of ward rents were made to the Hospital (s). I, therefore reject 11 claims made on this account also.

While rejecting both these claims I take note of advice rendered by the Superintendent, Govt. Mental Hospital, Hyderabad and the Director, Medical and Health services, Andhra Pradesh, Hyderabad that the patient did not require hospitalisation as conveyed to this office by the Chief Medical Officer, C.G.H.S, Hyderabad vide his letter dated 6-2-85. (copy enclosed).

Contd....4/-

Dr. KRISHNA RAO VALLURI

B.A., LL.B., M.A., M.L.S., M.P.M.,
D.P.R., M.P. (H)
ADVOCATE & STAMINI
B-2, Srinilaya Apartment
Plot No. 21, Vengal Rao Nagar, Hyderabad 047,
Malkajgiri, (Telephone No. 220055)

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(iii) Salary to Attendants : Shri Sastry claimed an amount of Rs.1,69,392/- towards payment of salary to two attendants along with his 11 claims for the period 24.11.1987 to 31.12.1992. He has enclosed receipts towards salary paid to two attendants.

In terms of Ministry of Health O.M.No.F.28-23/59 H(1) (20) dated 6.10.1988 and amended rules, reimbursement of charges of attendants is inadmissible only in cases where it is certified by the hospital authorities that the engagement of attendants form part of the treatment under the Hospital Rules and that the attendants were not engaged in lieu of special nursing. I have examined all the 11 claims and I do not find any certificate as required under this provision given by any hospital authority.

Shri Sastry who was present here at the time of dictation draw attention to certificate given by him along with all the 11 claims in which he has referred to Superintendent, Institute of Mental Care, Government of Andhra Pradesh, Hyderabad letter dated 19.11.1975; 24.9.1976 and 24.3.1979 etc. He claims that in these letters apart from allowing special treatment to his child, the Superintendent has also permitted admissibility of an attendant charges. These letters of Superintendent, Institute of Mental Care are not readily available in the departmental files. Sri Sastry claims that these documents were submitted to the department along with first claim made in 1975 and on that basis he had received the reimbursement of attendant charges. Even though these letters may be available, they will not be of any help to Sri Sastry at this stage because the certificate is required for the period for which the claim is being made and it is very obvious that the certificate given in 1975 does not relate to the period 1987 to 1992.

I am, therefore, constrained to reject all the 11 claims made by Sri Sastry. Here again, while rejecting the

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DR. KRISHNA RAO VALLURI
 B.A. LL.B. (Hons.)
 D.P.R.
 ADVOCATE & STAMIN
 B-2, Srinivasa Nagar
 Plot No. 31, V...
 Anukapalle, H...
 Telephone No. 0476

claims I take note of advice rendered by Superintendent, Government Mental Hospital, Hyderabad and the director of Medical and Health Services, A.P. Hyderabad that the patient did not require special attendance for the treatment of the case, as conveyed to this office by the Chief Medical Officer CGHS Hyderabad vide his letter dated 6.2.1985, referred to above.

(iv) Sri Sastry has also submitted 3 claims totally amounting to Rs.295/- for consultation and tests.

NIMSHyderabad is a referral hospital and any payment made there have to be first approved by the CGHS. Sri D.V.S.Sastry is, therefore advised to make an application to the CGHS and give it to us. CAO on receipt of the same may refer it to CGHS for consideration and sanction.

4. Sri D.V.S.Sastry, in his letter dated 12.3.1993 has referred to a certificate dated 5.3.93 given by Thakur Hari prasad Institute of Research and Rehabilitation for the Mentally Handicapped. During this dictation Sri Sastry referred to his letter and says that the certificate given by the institute should be taken into consideration.

5. I have examined the certificate. It only certifies that Master D.Rama Murthy S/O Sri D.V.S.Sastry under went training from 1.1.1975 to 1.5.1977 in the institute which has branch of A.P.State Council for Child Welfare till 1987 and after that has been found into a trust. I do not find that this certificate of the institute helps the claims made by Sri D.V.S.Sastry which have been rejected by me in the paragraphs supra as these claims are not covered by the Medical Attendance Rules.

Encl:- As above.

(A.K.CHABRA)
COLLECTOR-I

To,
Sri D.V.S.Sastry, Supdt., of C.Ex., Hyderabad.
Copy to A.C. of C.Ex., Hyd. IV Divn./Nellore Divn.
Copy to file C.No.I/10/42/89(LH)
spare - 1

Dr. KRISHNA RAO VALLURI

BA LEE
DPH
AUMHAI & SIAM
B-2, Sridaya Apts
Plot No 31, V

Karim, Hyd.
Telephone No. 702665

JO 047

O.A. NO. 1393/1997

Date of Decision:

22nd October, 1997

BETWEEN:

D.V. Subramanya Sastry

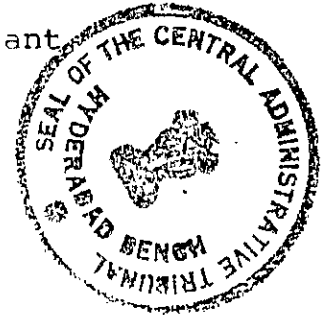
.. Applicant

AND

1. The Commissioner,
Customs & Central Excise,
Bhaseerbagh, Hyderabad-500 029.

2. The Additional Director, C.G.H.S.
Kendriya Swasthya Bhavan,
Begumpet, Hyderabad-500 016.

.. Respondents



Counsel for the Applicant: Mr. V. Krishna Rao

Counsel for the Respondents: Mr. V. Rajeswar Rao

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.)

ORDER

(Per Hon'ble H. Rajendra Prasad: Member (Admn.))

Heard Mr. V. Krishna Rao for the Applicant and
Mr. V. Rajeswar Rao for the Respondents.

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1. This case has long history. The applicant filed OA 805/1988 praying for a direction to the Respondents to sanction his claims towards expenses incurred on the medical treatment of his mentally retarded son and for continuing the expert medical treatment till the boy was cured. The OA was disposed of on 7.9.92 with a direction to the respondents to scrutinise all claims of the applicant subsequent to 24.11.1987, and to settle them in accordance with Medical Attendance Rules in force. The direction was to be complied within 3 months from the date of the said order.

Recd. ex. 97
20th Nov. 97
[Signature]

[Signature]

Dr. KRISHNA RAO VALLURI
B.A., LL.B., LL.M. (LL & P.M.)
DEF. (H)
ADVOCATE & SRI
B-2, Srinilaya
Plot No. 31, L
Mukeshpur, Hyderabad-500 047.
Tel. No. 7050665

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2. Pursuant to the said order the claims were duly scrutinised by the Department and a detailed order containing their decision was communicated to the applicant vide letter C No.II/22/13/90-92 A/5 dated 19.3.1993. The upshot of the decision was that the claims, eleven in number, were rejected.

3. Thereafter the applicant filed MA 1119/96 on 27.11.96 in the disposed of case, complaining therein that the directions issued by the Tribunal in OA 805/88 earlier had not been complied with. In reply thereto, the counsel for the Respondents submitted that a decision had been duly communicated to the applicant in March, 1993. (This communication is referred to in para 2 above.) The applicant, however, denied receipt of the said communication. It is seen from the contents of the said letter that the applicant was actually present when the same was being dictated and he even sought to make certain points in his support while the dictation was in progress.

4. Be that as it may, this court in its order in the MA on 13.2.1997 opined that it would not enter into any controversy as to whether the applicant was or was not served with any reply. The case was disposed of observing that if the reasons given by the authorities in rejecting his claim were not acceptable to him, the applicant could make a further representation to the authority concerned and seek reconsideration of his claim. The MA was finally rejected as not maintainable.

5. Consequent to this, the applicant submitted a detailed representation to Collector, Central Excise and Customs, on 12.3.1997, reiterating his claim for sanction of pending bills and grant of certain amount as an interim payment.

Om

Dr. KRISHNA DAD VALLURI
B.A. LL.B.
11 & PM.
MP. 19

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besides the Additional Director, C.G.H.S. have rendered the expert opinion in the case. Such being the facts, this Tribunal has neither the technical competence nor knowledge to differ or override professional advice so rendered. Likewise, Respondent -1 too has neither the technical knowledge nor expertise in such matters and cannot therefore be expected to ignore the advice rendered by competent medical authorities. Here, it is noted that the Director CGHS has been impleaded as party. This is misadvised in this case as the claim is a matter to be settled between the applicant and his departmental superiors and CGHS has no direct role to play.

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7. Coming to the facts it is clear that detailed reasons have been given by the Commissioner, Customs and Central Excise, for rejecting the claim of the applicant. The applicant had pleaded non-receipt of this reply when MA 1119/96 (in OA 805/88) was taken up for hearing. A copy of the same was handed over to the learned counsel for the applicant today. If so advised, the applicant may submit a representation to higher authority reiterating his claim and the rule or rules under which he claims entitlement for the same. If such a representation is submitted within the next one month, the same may be scrutinised as per the relevant rules and instructions, and in the light of facts revealed, and communicate a suitable decision to the applicant within a reasonable time.

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8. At this stage it was submitted by the learned counsel for the applicant that he may like to approach the authorities for some monetary relief or assistance from a suitable welfare fund or a like source, in case his claim is found to be inadmissible as per rules. This court has no view or opinion on this aspect except to say that, if

Collector rejected the request for interim cash payment on the ground that this bench had rejected his claim. While the decision of the Collector regarding his inability to sanction interim cash payment may be quite sound -since it does not seem permissible under the rules -the ground for rejection does not seem to have been stated correctly. All that the Tribunal observed in its earlier judgement was that it was open to the applicant to make a representation and that the Tribunal was not inclined to preclude or bar such a course of action. The representation could therefore have been rejected, and possibly correctly too, either because the claim itself was inadmissible under the rules, or because it was not open to the applicant to submit a delayed claim. Instead of stating either of the 2 reasons for rejection, the respondents chose to reject the claims on an incorrect ground that this Tribunal had rejected the entire claim in toto.

6. Be that as it may, the question here is one of admissibility. It is stated that the applicant has a grown-up son who is mentally retarded and needs constant medical care. There is no reason to disbelieve the statement. What, however, is to be ultimately determined is whether any such claim is admissible under any existing rule or instruction. As long as this right is not established, no direction can ever be issued by this Tribunal on grounds of mere sympathy. Furthermore the respondents have based their rejection on a valid and acceptable recommendation of the Additional Director, Central Government Health Scheme, who, in turn, had taken into consideration the advice rendered by Superintendent Hospital for Mentally Retarded and

Director, Medical & Health Services of the State Government. Thus two different and independent authorities

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DR. KRISHNA RAO VALLURI
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11.8.50

Approved & Signed

5.11.50

such a request is received from the applicant independent of any past OA or present application, the same may be considered with sympathy, in accordance with the rules and guidelines governing sanction to pensioners from welfare funds. If any discretion is vested in this regard in any of the Respondents, it would be well that it were exercised in the applicant's favour since he has a very distressing ongoing problem on his hands.

Thus the OA is disposed of.

प्रमाणित प्रतिलिपि
CERTIFIED TO BE TRUE COPY

न्यायालय प्रमाणित
COURT OFFICE
केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
हैदराबाद शाखा
HYDERABAD BRANCH

ADVOCATE to Smt.
B-2, Srinilaya &
Plot No. 31, Vaidya Nagar,
Malkajgiri, HYDERABAD-500 047,
(Telephone No. 7050665)

BY REGD. POST ACK DUE:

20th NOVEMBER, 1997.

From

D.V. SUBRAMANYA SASTRY,
('Resource person', Adult Education,
Government of Andhra Pradesh.),
Retired Superintendent,
Customs & Central Excise Department,
D.No. 24-29(N), Vishnupuri Colony,
Malkajgiri (P.O.),
HYDERABAD-500 047 (Andhra Pradesh)
(Telephone No. 7051904)

To

The Minister of Finance,
Union of India,
Parliament House,
NEW DELHI.

The Secretary, Union of India,
Ministry of Finance,
Central Secretariat,
NEW DELHI.

RESPECTED SIR,

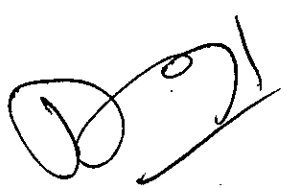
SUB: ESTABLISHMENT - Settlement of Medical Claims & Continuation
of treatment for Mr. D. Rama Murthy, s/o. D.V.S. Sastry,
Retired Superintendent of Central Excise HQRS. Office,
Hyderabad - Regarding.

REF: 1) Judgement of A.P. High Court in W.P. Misc. Petition
No.5701 of 1985.

- 2) Award dt. 7-9-92 of C.A.T. in O.A. 805/88.
- 3) Award dt. 13-2-97 of C.A.T. in M.A. 1119/96.
- 4) Award dt. 22-10-97 of C.A.T. in O.A. 1393/97.
- 5) Lr.C.No.II/22/27/95 A.5 dt. 24-3-1997 from C.A.O.,
C.E. HQRS Office, Hyderabad.
- 6) Lr.C.No.II/22/13/92 A.5, dt. 19-3-93 of Collector-I, C.C.E.

As per the advise given by the Central Administrative Tribunal
(copies enclosed)
in their AWARDS in M.A. 1119/96 and dated 13-2-1997 and in O.A.
1393/97 dated 22-10-1997, to submit a representation to higher
authority reiterating my claim, I submit the following appeal
with a request to do justice to my ailing son, in the light of
the below noted facts of the case:

1. I am a retired Superintendent from the Customs and Central
Excise Department on attaining the age of superannuation, after
rendering more than 25 years of loyal service and as an employee
and Pensioner I am eligible for medical treatment and claims for
myself and dependent members as per the Medical Attendance Rules.
2. My son Mr. D.Rama Murthy is suffering with mental retardation
and undergoing treatment from 1974 and still under continuous
treatment as per the advise of the specialists.



Dr. KRISHNA RAO VALLURI

...contd-2.

बोमा नहीं	NOT INSURED	क्रमांक
रुपये २० डाक टिकटों का मूल्य 1 रु. ० पैसे		No. 3485
Amount of Stamps affixed Rs. p.		
एक रजिस्ट्री*	प्राप्त किया	तारीक मेहर
Received a Registered*		Date Stamp
पानेवाले का नाम		
Addressed to		
	500029	
	पानेवाले अधिकारी के हस्ताक्षर	
	Signature of Receiving Officer	
बोमा नहीं	NOT INSURED	क्रमांक
रुपये गये डाक टिकटों का मूल्य 27 रु. ० पैसे		No. 3486
Amount of Stamps affixed Rs. p.		
एक रजिस्ट्री*	प्राप्त किया	तारीक मेहर
Received a Registered*		Date Stamp
पानेवाले का नाम		
Addressed to		
	पानेवाले अधिकारी के हस्ताक्षर	
	Signature of Receiving Officer	
बोमा नहीं	NOT INSURED	क्रमांक
रुपये गये डाक टिकटों का मूल्य 27 रु. ० पैसे		No. 3487
Amount of Stamps affixed Rs. p.		
एक रजिस्ट्री*	प्राप्त किया	तारीक मेहर
Received a Registered*		Date Stamp
पानेवाले का नाम		
Addressed to		
	पानेवाले अधिकारी के हस्ताक्षर	
	Signature of Receiving Officer	

(16)
(14)


3. The Central Administrative Tribunal, Hyderabad Bench advised me in O.A.No.645/87 dt. 20-10-87 to submit my claim to the concerned authorities for settlement of all ~~xxx~~ dues from 1-7-1985 which has done promptly. I followed it up with a number of reminders, and I was not successful. Instead of settling my claims the Collector, Central Excise has forced me to become C.G.H.S. beneficiary where there are no facilities for treatment of mentally retarded persons.

4. Aggrieved at not settling ~~xxx~~ my claims, I have again approached the Tribunal with O.A. 805/88. In the Judgement the Hon'ble Judge, dt. 7-9-1992, inclined to give my entitlement arising from one year prior to the date of filing this O.A., i.e. 24-11-'87. The Tribunal directed accordingly the Departmental authorities to scrutinise all the claims of ~~xxx~~ me subsequent to 24-11-1987 and settle the same in accordance with the Medical Attendance Rules in force. This directions shall be complied with by the authorities within a period of 3 months from the date of this order. But the directions were not complied by the authorities.

5. Aggrieved by the act of non-compliance of Tribunal Orders I have approached the Tribunal with M.A.No.1119/96 in O.A.No. 805/86 dated 7-9-92. Against this, the Counsel for the Department stated that ~~xxx~~ an Order was issued by the Collector of Customs & Central Excise, Hyderabad in the month of March, 1993 and that shows that that order was passed in compliance with the directions of O.A. Actually, the copy of the above said order was not given to me. The Hon'ble Judge, without however entering into the controversy as to whether the applicant was served with the Order or not, advised me to file a representation to the Competent authority and thereafter seek legal remedy.

6. In view of not receiving by me the Order said to be issued by the Collector and pending for Compliance I have filed again O.A. No. 1393/97 praying for a direction to the authorities to sanction ~~xxx~~ my claims towards expenses incurred on the medical treatment of my mentally retarded son and for continuing the expert medical treatment till the boy was cured. The Counsel for Department repeated the same words that the Order of Collector issued in March, 1993 will stand as compliance and hence the collector rejected the request for interim cash payment on the ground that this bench had rejected my claim. The Bench in its award did not agreed with the Counsel's statement & as given in letter of C.A.O. dt. 24-3-1997 on incorrect ground that the Tribunal had rejected the entire claim in toto. Finally

...Contd-3.


DR. KUSHNA DAS MALLURI
B.A., LL.B., LL.M. & P.M.
D.P.
ADVOCATE

17
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the Hon'ble Tribunal asked the Counsel for Department to hand over the so called order issued by Collector during March, 1993 to me and it was given my Counsel on 22-10-1997 only. At the same time the Hon'ble Court observed that rejectedg the entire claim in toto was incorrect and the question here is one of admissibility. It is also agreed that there is no reason to disbelieve the statement that my son is mentally retarded and needs constant medical care. Finally it is also advised that I may submit a representation to higher authority reiterating his claim. It is advised by the Hon'ble Tribunal that the appellant authorities may scrutinise as per the relevant rules and instructions and in the light of facts revealed, and communicate a suitable decision to the concerned authorities and also to me within a reasonable time.

7. It may kindly be seen that the above noted awards did not deny for continuation of treatment submitting claims after 24-11-1987. Further they did not deny any sanction of interim cash payments for the continuation of treatment and payments as wrongly interpreted by the Chief Accounts Officer in Lr. C.No.II/22-27/95 A.5, dt. 24-3-1997. The awards did not asked for stopping the entire treatment itself and sanction of payments which are most needed for treatment of my son with mental retardation, whether it may from the Central Excise or others. The Andhra Pradesh High Court clearly directed to accord medical expenses for getting my son medically treated at New Delhi or Srinagar with two personal attendants (vide W.P.Misc. Petition No.5701/85).

8. Regarding mental retardation of my son, specific & special certificates have been issued by the Govt. ~~xxxxx~~ Hospital for mental care, Hyderabad; A.P. State Counsel for Child Welfare; National Institute for the mentally Handicapped, G.O.I. Society, Ministry of Welfare; C.G.H.S.; All India Institute of Medical Sciences; and Indian Medicine & Homoeopathy Dept., A.P., Hyderabad. Hence, the treatment of ~~xhe~~ my son who is suffering with mental retardation, has to be continued under 'PARENT'S CARE' till the ailment is cured with reimbursement. The concerned authorities, if necessary, may conduct necessary tests through specialist hospital, before allowing claims.

9. I submit that my son presently undergoing treatment under an ayurvedic specialist as per the advise and it has to be continued.

...Cont.4.

10. REGARDING THE COMPLIANCE LETTER C.No.II/22/13/92 A.5 dt.
19-3-1993 given by Sri A.K. Chabra Collector.I,Hyd:Central Excise:

i) Against the Central Administrative Tribunal directions in 805/88 dt. 7-9-92 by C.A.T. to Collector-I the Counsel for Department stated that issue of the above said Order will form compliance of Order. But neither the Counsel nor the Court did not go into the correctness of the contents for rejection of the claim submitted for the period from 24-11-87 to 31-12-92.

ii) It can be seen that the State Medical authority orders are studied with the verdicts of both High Court & Central Administrative Tribunal which allowed ceaseless parents care treatment prior and after 24-11-1987. ~~Wax~~ Some claims have already been passed by the same department even partially with reference to medicines and diet etc. in respect of first claims from 1-1-75 to 30-6-1975, details of which are available in Collector's file. This occurred thus purely on account of having no treatment at Government Mental Hospital, Hyderabad and many other recognised supersonic hospitals etc. As such the entire expenditure with 1 + 1 attendents (A to 2) under parents care have to be met by the Central Excise Department till the patient is cured, but not till I retired.

iii) Payments as approved regarding diet have already made before 1975 under exemption as per the rates certified and produced from Superintendent, South Central Railway Canteen, as per the letter dt. 28-11-1975.

iv) In one word the entire expenditure without production of certificate (both Indian & Foreign) covers by the most valid ~~xxxxxxx~~ essential certificate covering the parents care treatment under every Rules of M.A. Rules, 1944 even without being an inpatient at-an-at an appropriate word of the Govt. Hospital allied in as much he never be an inpatient in his life time as per the certificate given by the different organisations (copies enclosed).

v) Hence the scrutiny by the Collector does not dis-qualify at all before the Medical Rules stated by the Central & State authorities. More over they have been exercised by the Central Excise Department, atleast partially in different spells. In respect of attendents, denied by the Department, they were admitted to the Staff Selection Commission on proportion service done to my boy.

vi) Collector stated that he acted on the advise of Additional Director, C.G.H.S. who in turn had taken into consideration the advise rendered by Superintendent Hospital for Mentally retarded and Director of Medical and Health Services of State Government. This reason is given by Collector to cover their reason for rejection of my claims. In fact the same authorities have certified that the patient requires continuous treatment under parents care. This could have been solved by proper way of arranging further examination of the patient for future treatment. But improper decision taken.

xx.vii) Hence, now submitted for 'ONSPOT' and necessary final orders at each every point of issue with whom present (ceaseless) past records of the case (through proper channel) for more than TWO decades appropriately.

10. In view of the facts mentioned above, in view of the pathetic condition of the patient to meet the minimum needed expenses to get my mentally retarded son cured and in consideration of the

11/8/91
11/8/91
11/8/91

...contd.5.

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principles of natural justice I request you to give proper direction to the concerned Departments, ie. the Commissioner, Customs & Central Excise to:

- i) allow all medical claims pending, atleast after the date ~~xxx~~ 24-11-1987 as per the directions of the awards, if necessary with some relaxation of Rules;
- ii) allow continuous treatment under 'PARENT'S CARE' with the existing TWO ATTENDENDANTS or necessary escort to the patient till the ailment is cured and special diet as approved.
- iii) allow to consult specialists/specialised hospital for future treatment.
- iv) allow sanction of medical advances as per the requirements which are very much needed for continuous treatment till the patient is cured, *even in any foreign country out of India*
vide CE Deptt. letter dt 27-3-1995 etc
- v) allow ~~xxx~~ present Ayurvedic treatment which ~~xxx~~ my son presently undergoing under an approved Government Doctor, as advised by the Commissioner, Indian Medicine & Homoeopathy Department, Govt. of Andhra Pradesh, with attending claims as per the guidelines given - vide Lt.No.12534/Ad.3194, dt. 4-7-1994 (copy enclosed).

11. In this connection, your kind attention is drawn to the ORDER of Central Administrative Tribunal, Hyderabad wherein I have been advised to submit a representation to you reiterating my claim and also advising you to scrutinise the same as per the relevant rules and instructions and in the light of facts revealed and communicate a suitable decision to me within a reasonable time.

12. I request for sympathetic consideration, if necessary, with relaxation of Rules to help ~~xxx~~ me who could not meet the minimum medical expenses of my ailing son and advise the concerned for suitable action.

Yours faithfully,

(D.V. SUBRAMANYA SASTRY)

Copy to : The Commissioner, Customs & Central Excise,
Basheerbagh, Hyderabad - 500 029

Copy to the Secretary, Central Board of Excise and Customs, Central Secretariat, New Delhi (By RPAD).

DR. KRISHNA RAO VALLURI
B.A., LL.B.
D.O.F.

Room 311 & 312
1-3, Srinilaya
Plot No. 31,
Ankajaini, HYDERABAD-500 047,
Telephone No. 7050665

20/11/1997

Annex-4

BY REGD. POST ACK.DUE WHERE NECESSARY

Dt: 01-12-97

(20)

From:
Sri D.V.Subrahmanya Sastry,
B.A.(Econ)& M.A.(Sanskrit)
"Resource Person"
Adult Education(Joint to Govt.of A.P.
and Ministry of Human Resources, Govt.of India)
Retired Supdt.of Customs & Central Excise
(General & Official Language)
Parents Care Treatment,
Door No.24-29(N),Vishnupuri Colony,
Malkajgiri (Own residence & Ph.No.7051904)
(Tarnaka CGHS XIII Dispensary's CGHS Card No.84987
in force upto 30-6-1998)
Hyderabad-500 047.

To:
The Commissioner of Central Excise & Customs,
C.E.Commissionerate by name & in person,
HYDERABAD-500 029.

Through : The C.M.O/Addl.Director,CGHS,Tarnaka.

Sir,

Sub: The CGHS Dispensary XIII Card No.84987 - Fugality of "Parents Care Treatment" Expenditure under M.A. Rules 1944 or so in force and funds to Pensioners of the G.O.I. whichever is applicable in respect of T.A.etc.,from time to time as per M.A.Rules,1944 with A to Z relaxations of the G.O.I.etc.,from CGHS operations to the intended entire members of the dependent family of Sri D.V.S.Sastry for further of A to Z Medical claims including Foreign treatment out of India mentioned in CE Collectorate proceedings with copies in the office of the Addl.Director, CGHS, Hyderabad-16 in respect of all the required references on file - Exemption from CGHS Operation and A to Z advances for posing funds covering continuous funds adequately vide CGHS 'No objection Certificate' dt:08-03-1976 etc. by the Commissionerate of Customs & Central Excise, Hyderabad without any more audits - for posing advances at 6 months rests for not less than Rs.five lakhs in addition to claims in these costly (hard)days in the light of latest verdict of CAT Hyderabad Bench in O.A.No.805/88 dt:27-10-1997 studded with(1) A.P.State Council for Child Welfare Hyderabad dt:10-7-1977(Relaxations covering the ENTIRE expenditure) (2) A & D.370/79 dt:19-9-79 of the Supdt.,Hospital for Mental Care,Hyderabad (3) NIMH,Hyderabad dt:22-6-1992 and 12-10-1993 (Alround Certificate of P.C.T) (4) CE Dy.Collector C.No.11/22/20/86 AS dt:13-8-91(with a conditional sanction of Rs.2 lks etc)(5) CE Collectorate Lr.No.8 11/22/29/93 AS dt:27-3-1995 forwarding Addl.Director,CGHS for foreign treatment etc.,in the light of above, vexed with multi-treatment of Indian Nature, where All India Institute for Medical Services, New Delhi in their Ref.No.F.IV/26/5/92 dt:21-10-92 also did express their inability and advised follow up action at Hyderabad(to be revised) Basic pay Rs.2000-3500 last basic pay is Rs.2525/- on 31-8-1993 as noted on the CGHS card Funds in the present scale please.

Dr. KRISHNA RAO VALLURI
B.A. LL.B.
M.P. (H)

(contd..2)

I submit that I am vexed with the mental patient Mr.D.Rama Murthy and Parents care at his age of more 3 decades and more than 2 full decades with multi treatments in India under ceaseless parents care at an at A-1 ward of a Govt. Hospital with relaxations A to Z under Parents' Care treatment. Now the original attention of CGHS 'No objection' dt:8-3-96 studied with Indian Redcross Association, A.P.,Hyd commendation as early as December,1976(World Mentally Retarded Day) with copies on CE Dept., & CGHS files. This multi treatment is intended till the boy is cured as ordered in his proceedings No.168939 dt:7-3-1975(prior to the introduction of CGHS on 16-2-1976 itself) of State Medical Authority for the ENTIRE expenditure (A to Z and of both Indian & Foreign nature) from time to time which NONE can shun except voting for the CE department with relaxations (A to Z) & under M.A.rules 1944 with exemption from Income Tax fully (vide Certificate of CE Dept.on NIMH&(Genl)11(65)/89 dt:18-7-1989 etc.in respect of costly treatment. "ON THE SPOT" orders both by CGHS and CE Dept.,with special appeal dt:20-11-1997 now to Finance Ministry on file. The Commissioner is requested to revise his anti-proceedings given previously and afford with ceaseless(once for all)orders with relaxation at every occasion from time to time and from Country to Country for which I will be chartered in future. Under Article 351 of Indian Constitution and Official Language I am recognised Sanskrit Scholar and exempted from Hindi qualifications for undergoing translation training in 1992 after 20 years of the 37 years total service in both Hindi Teaching Scheme and as Official Language Supdt., who has to further supervise the vocabulary of Vedic Texts and Upanishadic knowledge in many a Country like Germany and other Universities catered with Oriental Languages on Globe. The original intended members of the Parents Care are six in total vide (1)Mr.D.Rama Murthy, very mental retarded patient (33 years)(2) Myself and my wife, parents of the PCT (3) 1+1 Attendants intended for contingent services from time to time to be changed and demarcated mentioning the facts in every order (4) Dependent daughter aged 23. The photograph covering the members pasted to the card is now surrendered to the CGHS (through Dispensary No.XIII, Tarnaka). The stipulated time from claim to claim is not more than 6 months as usual. Adjustable advances and arrears of claims with most reasonable interests of GOI, that too for claims exceeding one year only for the past 23 years where payments were done partially under relaxations. Waiting for orders from each point of issue without waiting for orders arranging A to Z departmental provisions the concerned authorities with reference to the Commissioner of CE, Hyderabad in person, I request to cause the orders allied (alround) with intimation to other authorities and myself.

Yours faithfully,

D.V. Subrahmanya Sastry

Copies submitted to:

(D.V.SUBRAHMANYA SASTRY)

- 1) CGHS Dispensary, Tarnaka with CGHS Card No.84987 with pasted Photograph (all copies in Allied Offices are with photos) for cancellation losing the paid funds further upto 30-6-1998
- 2) Commissioner, CE, Hyd. with ref. to my application dt:27-11-97.
- 3) Addl. Director, CGHS, Hyd-16 thro' Tarnaka Dispensary.
- Direct copies through CE Commissionerate, Hyd. (1) the Commr.
- (2) The Secretary, Min. of Finance, New Delhi (3) The Finance Minister (all by names and in person). The same copies directly to (1) Finance Minister and Secretary with ref. to my application dt:27-11-97 without scope for further delay. (2) The Director of Adult Education, A.P., Hyd with ref. to my requirements on recognition as Resource Person in 1991 and recent application copy enumerated with the members under Article 351 having a bearing on both Adult Edn. and Official Language partially (inseparable).

[Signature]

[Signature]

KRISHNA P. VALLURI

TELEGRAM
DEPARTMENT OF TELECOMMUNICATIONS

Annex - 3

22

Telegram : Ordinary
Booked at : SD.MALKAJGIRI
Booked On : 26
Booked Time : 0915

Office : SD.MALKAJGIRI
Rel : DNDCCC 0001
Received On : 26 01
Received Time : 10:00

---DELIVERY INSTRUCTIONS---
RPPDORD

28.2.98

To,
RPPDORD
THE SECRETARY BY NAME AND IN PERSON
MINISTRY OF FINANCE
NEWDELHI

FINAL COMPREHENSIVE RESULT CUM MINISTRY'S DECISION ON CAT CHYD3
BENCH 1393 OF 20TH OCT 1997 CLUBBED WITH DA 805/88 ETC., MENTIONED
IN MY LETTERS 20TH NOV AND 1ST DEC 1997 AND AFTER IN REG. POST.
PLEASE WITH COPY TO MY SELF AND TO COMMISSIONERATE AS REASONABLE
TIME FOR FUNDS WITHOUT SCOPE FOR CONTEMPT OF COURT ON PARENTS CARE
A TO 1 [RELAXATIONS] ALROUND, TREATMENTS ON YOUR FILE NOW OVER
REASONABLE TIME REPLY PAID SASTRY P.C.T MALKAJGIRI VOTE/VETO.POST
COPY IN CONFIRMATION SUBMITTED TO THE SECRETARY MINISTRY OF FINANCE
NEW DELHI [BY REG. POST ACKDUE] WITH A REQUEST FOR ON SPOT
NECESSARY ACTION WITHIN FIFTEEN [15] DAYS.
COPY TO THE COMMISSIONER CUSTOMS AND CENTRAL EXCISE HYD-500029 [BY
REG.POST ACKDUE] TAKING NECESSARY ACTION WITHIN FIFTEEN [15] DAYS.
FAILING WHICH I MAY BE CONSTRAINED TO GO FOR MOVING CONCERN COURTS.

D V S SASTRY
PARENT AND NATURAL GUARDIAN
PARENT'S CARE TREATMENT
DOOR NO 24-29 [ND]
VISHALPURI COLONY
MALKAJGIRI, HYDERABAD - 500047.
COL 1393 20 1997 805 88 20 1 1997 15 15 500029 24 29 N

certified true copy
as per to party

Office Use Only :-
COMPUTER CODE : TCZC 0001 BBB DNDCCC
0 0915 A1 SD.MAL (AJGIRI 25 RPPDORD 168

TELEGRAPH MASTER
Telegraph Office Malkajgiri
SECUNDERABAD - 500011.

COL
NNNN

20/3

hms

Dr. KRISHNA RAO VALLURI
R.A.L.S.
P.P.
ADVOCATE & S.
HYD-500047
7030855

in respect of the continuous P.C.T. FOR MANOROGA (Ayurvedic name) Warranting Multi-treatment Globally and for which this reminder is chiefly intended on A to Z study of the case for the last (5) five months at every point of issue. This letter may be acknowledged waiting for orders and funds in desperate and Serious situation.

Yours faithfully,

D. D. V. S. Sastry
28/4/98

Hyderabad,

Dt. 28-4- 1998.

(.D.V.S. Sastry)
Parent and Natural
Guardian,
Parents Care Treatment,
Hyderabad. ~~28/4~~

FROM

SHRI D.V.S.SASTRY B.A. (Econ) & M A (Sanskrit)
Resource Person Adult Education and (Retired)
Superintendent Customs and Central Excise Department.

"PARENTS CARE TREATMENT" D No. 24-29 (N),

Vishnupuri Colony,

H/o Malkajgiri (PO) P NO. 7051904

Hyderabad - 500 047 (A.P.)

Dated: 28th April 1998

TO

- (1) The Minister of Finance I/C Union of India
Parliament House, New Delhi.
 - (2) The Secretary Union of India Ministry of Finance,
I/c Central Secretariat, New Delhi.
 - (3) The Commissioner I/C Customs and Central Excise,
Commissionate LB Stadium Road, Basheerbagh,
Hyderabad - 500029 A(P.)
 - (4) The Director I/C Adult Education
Hyderabad with Spl. to Copy of my letter dated 1.12.1997 etc.
- (All by names and in persons by Regd. post Ack due)

For their ON SPOT DECISIONS JOINTLY AND SEVERALLY with
copies to myself (Both Telegraphically and / or with post copies
and General, and each of them appropriately.

With references to my appeals (Regd. Ack) to the concerned
dated 20-11-1997 and 01-12-1997 studied with Telegraphic
reminder dt. 26-1-1998 with post copies etc. in time appropriately
(Fully on file).

I am hereby reminding you with a request to take immediate
decisive action in this regard. The C G H S card 84987 of
Arnaka has been surrendered for cancellation as they have no
facilities for any treatment and / or reimbursement The Central
Excise parent department in original and insperably seems to be
kept quiet.

Finally Entire Expenditure A to Z (Indian and foreign)
is to be met by parent department in respect of Master
D-Rama Murthy my son under parents care treatment as mentioned
(A Decision 1393 /97 etc. dt. 22-10-1997 of CAT, Hyderabad Bench
etc. on file. Appropriate ON SPOT ORDERS for the above parents
Care treatment A to Z specifically and comprehensively has to be
decided in the light of Verdicts etc. A to Z Warranting Specific
Instructions on my letter dated 1-12-1997 Exhaustively and with
Warranting funds in ooze ~~and~~ Ceaselessly from time to time and
place to place with the existing A to Z ~~and~~ RELAXATIONS (Alround)

KRISHNA RAO VALLURI
B.A. LL.B. F.A. F.C.S. & P.M.
OFFICE
... 2..

BY REGD. ACK. DUE

From

D.V. Subrahmanya Sastry
Parent & Natural Guardian
Parents Care Treatment (Phone 7051904)
Vishnupuri Colony Dno 24-29 (N)
Malkajgiri Post
Hyderabad - 500 047

To

The Secretary (By name, Inperson)
Central Board of Excise & Customs
Central Secretariat
North Block
New Delhi.

Sir,

Sub:- Establishment - Settlement of Medical Claims
& Continuation of (P.C.T.) Treatment for
Master D. Rama Murthy, S/o. DVS Sastry,
Retired Superintendent of Customs & Central
Excise, H.Qtrs. Office - Regarding.

Since no decision has been received from either you,
or Finance Ministry or Finance Minister, New Delhi with
reference to my application dt. 20-11-1997, I hereby
enclose another copy of the above said letter for "Early
Decision" as advised by the Central Administrative Tribunal
in their OA 1393/97 dt. 22-10-1997.

I request you for an early sympathetic decision to help
me to meet the medical expenses (A to Z) under "Parents Care
Treatment".

Yours faithfully,

D.V. Sastry

(D.V.S. SASTRY)
Parent & Natural
Guardian
P.C.T.
Hyderabad.

Encl:- Xerox copy of
my appln.
Dt. 20-11-1997 for
"ONSPOT" action
without any more
further delay.

Dr. Krishna Rao Valluri
Dr. KRISHNA RAO VALLURI
B.A., U.B., P.A., D.L.L. & P.M.,
DPR, P.M.P. (H)
ADVOCATE & STAMP
B-2, Srinilaya Ashram
Plot No. 31
Malkajgiri, Hyderabad-500 047.
(Tel. No. 7050865)

(25)
(28)

NO OBJECTION CERTIFICATE (Identity Card No. 13060)

Certified that **Bhutor D. Rama Muxhy** (aged 10 years)
S/o **D.V.S. Goolay**, Director of Central Railway, Hyderabad
has been examined as a member of the Government Servants

28/7/76
Annex. B

like this Central Govt. Health Scheme, the Andhra Pradesh
State Council for Child Welfare, Hyderabad may be considered
usually in the running reimbursement procedure on counter-
signatures of the allied Medical Officers for the purpose
of reimbursement with entire expenditure accepted in Para IV
of the Proceedings of the State Medical Authority (D.M.A.S.)
dated 7.5.75 studied with special attention and special
diet facilities mentioned as per South Central Railway
authorities, Secunderabad etc., and as per "Special
Disease - Cancer" - D.A. Rules (Central) 1944. The
ulti-treatment for this special case may be countersigned

by any of the allied Medical Officers. This
in addition to the Medical Authority of the patient
the member of the Government Party. This must
be done per se to be valid. This is also
"No objection certificate has been issued accordingly".
The concerned authorities are requested to
Hyderabad
dated: 3.7.76

Medical Officer

[Signature]

[Signature]
DEPUTY ASSISTANT DIRECTOR,
CENTRAL GOVERNMENT HEALTH SCHEME,
Directorate General of Health Services,
Government of India,
HYDERABAD - (A.P.)

[Signature]
DR. KRISHNA RAO VALLURI
B.A., LL.B., D.F.A., LL.B. & P.M.
D.P.P., D.F.A., R.M.P.
ADVOCATE & STANDING COUNSEL
R-2, Similava Apartments,
Plot No. 31, Visthapuri,
Malkajgiri, HYDERABAD-500 047.
Telephone No. 7050665

REHABILITATION CENTRE FOR THE MENTALLY HANDICAPPED

SERVICES RENDERED

1. Psychological Examination
2. Psychological Treatment to Children.
3. Speech Therapy.
4. Language Training.
5. Audiology
6. Occupational Therapy
7. Preparing Daily Life Activities.
8. Pre-Vocational Training.
9. Vocational Training.
10. Parent Counselling.

ANDHRA PRADESH STATE COUNCIL
FOR CHILD WELFARE.

6-3-1247, Somajiguda, Raj Bhava M
HYDERABAD-500 004.

(5) AM
28/12/92

ANDHRA PRADESH STATE COUNCIL FOR CHILD WELFARE: HYDERABAD

(SPECIAL MEDICAL AID: GOVERNMENT OF INDIA: TO MR. D. RAMAMURTHY
S/O D.V.S. SAstry: INSPECTOR OF CENTRAL EXCISE: HYDERABAD)

(CERTIFICATES: RELAXATIONS COVERING THE ENTIRE EXPENDITURE)

Certified that (1) the engagement of an Ayah/ Attendant under the Hospital rules forms part of the (multiple) treatment and the Ayah/Attendant was not engaged in view of special nursing (vide para 3 (ii) of the treatment for special diseases 1944 M.A. Rules) (ii) Regarding special diet supplied by Sri D.V. S. Sastry Parent and natural guardian of the patient in terms of M.A. Rules 1944, State Medical Authority orders/7-3-75, Recommendations of C.G.H.S. Hyderabad etc., we, have permitted Sri. D.V.S. Sastry to supply the frugalised and the specially prepared (costly) diet which is not a tall more than the rates quoted by the S.C.R., Secunderabad in their letters 9-11-75 and 28-11-75) and as a mark of frugality (iii) As far as possible medicines have been carefully used from the Institute of Mental health, Hyderabad etc., since 1974. The medicines used for the period from 1-7-75 to 15-2-76 have been bought with samely use and frugality under the advise of the Council even after the concerned prescriptions on 14-9-1974. (iv) Tuition fee at the rate of Rs.30/- p.m. on special receipts may be reimbursed in this special case. But no progress certificate is needed till such time the boy is completely cured for a further remarkable progress (vide certificate dt. 16-12-75).

Certified that every such special relaxation and sympathies to Sri D.V.S. Sastry parent and natural guardian of the patient to be eligible in aiding referring the patient to vellore and Bangalore medical opinions with additional escort etc.,

This certificate holds good till such time the boy is cured to P.C.C.W. etc.,

V.N. Nandur
C.V.O. NANDUR

Speech Therapist & Audiologist
A. P. State Council for Child Welfare
Rajbhavan Road, Hyderabad-500

Dr. KRISHNA RAO VALLURI

NEEDHAM & SONS
B-2, Somajiguda
Phone No. 311
HYDERABAD-500 047.
(3030365)

Annex-10 | (27)

~~Annex-10~~

No. ASD/ 570/79

Government Hospital for Mental Care
HYDERABAD
Office of the Superintendent,
Govt. Hospital for Mental Care,
Hyderabad : A.P.
12/3-1979.

CERTIFICATE

This is to certify that Master D. Rama Moorthy
S/o. Sri D.V.S. Sastri aged about (13) years father working
as Inspector of Central Excise Department, Hyderabad,
is a Mentally Retarded patient of this hospital from
30-7-1974. He is never an inpatient of this hospital.
As such no Form B certificate mentioned in C.E.C.No.II/2/3/74
A.4 Dt.2-3-1979 and other documents like A.I.N.I. of
Mental ~~State~~ ^{State} Medical College, Vellore etc.
in as much as the Certificate given by A.I.S.C.C.V. is
valid for the entire treatment. In addition to our certificate
of ~~being in~~ ^{being in} ~~care~~ ^{care} for ~~the~~ ^{the} ~~entire~~ ^{entire} ~~treatment~~ ^{treatment} relating
to certificate (in patient certificate) i.e. ~~the~~ ^{the} ~~entire~~ ^{entire} ~~treatment~~ ^{treatment}
"in parent's care".

Raghu Ram Reddy

Dr. P. Raghu Ram Reddy
M.D. (Psychiatry)

SUPERINTENDENT,
GOVT. HOSPITAL FOR MENTAL CARE,
HYDERABAD - A.P.

Attested
Shyam...

Dr. KRISHNA RAO VALLURI

B.A., LL.B.,
ADVOCATE
P. A. Srinivasulu Reddy
P. A. Srinivasulu Reddy
P. A. Srinivasulu Reddy
P. A. Srinivasulu Reddy



ANNEXURE NO. 11

Telex No. 0425 6478-NIMS-IN
Phone No. 228899

(Importance Code No. 0988009200/26-10-80)

NIZAM'S INSTITUTE OF MEDICAL SCIENCES
Panjagutta, HYDERABAD-500 482, A.P. INDIA.

4.10.90.

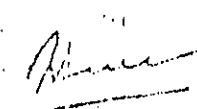
Date.....

JBH
28
y
On whole

MEDICAL CERTIFICATE FOR T.A.

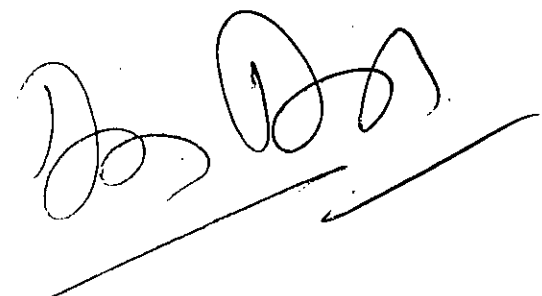
Master D.Rama Murthy S/o.D.V.S.Sastry, a
Customs & Central Excise Officer, Hyderabad
(under parents care treatment) has been
examined by Dr. J.M.K.Murthy, Head of the
Neurology Department of NIMS on 3.10.90.
The patient attended this Institute
(Hospital) on that date with parents
and two attendants.

They may be allowed permissible T.A. from
residence in Hyderabad to NIMS, Panjagutta
as per the orders of A.P.High Court, DCHS/
A.P.State Council for Child Welfare, Hyderabad
represented by the concerned authorities.


U.V.V.L. NARASIMHAM
Admin. Officer,
The Nizam's Institute of
Medical Sciences,
Panjagutta, Hyderabad

(PTO)


Dr. KRISHNA RAO VALLURI
B.A., LL.B., B.A., D.L.L. & P.M.,
D.P.P., F.L.E., R.M.P. (H)
ADVOCATE & LEGAL COUNSEL
B-2, Srinilaya Apartments,
Plot No. 31, Vistapuri,
Malkajgiri, HYDERABAD-500 047,
(Telephone No. 7050685)



NATIONAL INSTITUTE FOR THE MENTALLY HANDICAPPED
(Government of India Society, Ministry of Welfare)

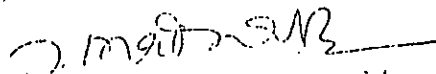
29


Dr. T. Madhavan
Asst. Prof. of Psychiatry

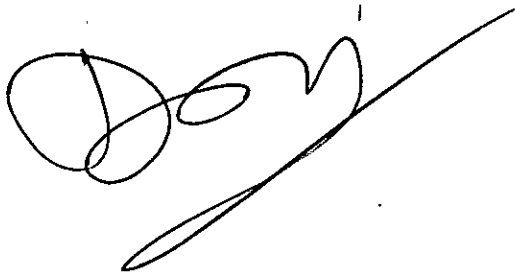
June 22, 1992

CERTIFICATE

This is to certify that Mr. D. Rama Murthy, aged 28 years son of Shri D.V.S. Sastry, Superintendent, Central Excise, Hyderabad residing at H.No. 24-29(N), Vishnupuri Colony, Malkajgiri, Hyderabad-47 was examined at NIMH by a multidisciplinary team comprising a psychiatrist, psychologist and a special educationist for complaints of spitting around, inability to take care of himself, restlessness, etc. After a detailed medical, psychological, and special educational assessment, a diagnosis of severe mental retardation with psychotic features was made. Mr. Rama Murthy was put on anti-psychotic drugs and he is being followed up at NIMH for medical management, the last following being in the month of June, 1992.


(T. Madhavan)


DR. KRISHNA RAO VALLURI
B.A., LL.B., D.F.A., D.P.M.,
D.P.P., D.P.E., D.P.P. (U)
ADVOCATE & LEGAL COUNSEL
B-2, Chinmaya Apartments,
Flat No. 31, Vengal Rao,
HYDERABAD-500 047.
(Telephone No. 7050665)



1-8-76 Cd



राष्ट्रीय मानसिक विकलांग संस्थान
(मानसिक विकलांगता के निवारण के लिए)

NATIONAL INSTITUTE FOR THE MENTALLY HANDICAPPED
(Government of India Society, Ministry of Welfare)

Dr. T. Madhavan

Asst. Prof. of Psychiatry

No. NIMH/Genl. 11 (5) / 92 8707

June 22, 1992

Dear Shri Sastry,

Enclosed please find certificate of mental retardation for your son which you had requested for in your letter dated 9.5.1992. Hope this will be of use to you for your official work.

With best wishes,

Yours sincerely,

T. Madhavan
(T. Madhavan)

Mr. D.V.S. Sastry

24-29 (N)

Vishnupuri Colony

Malkajgiri, Hyderabad 500047

मानविक नगर पोस्ट ऑफिस बोनपल्ली सिकंदराबाद-500 011 तार: मानविक नगर फोन: 841741 व 841745
Manovikas Nagar P.O. Bowenpally Secunderabad-500 011 Grain: Manovikas Phone: 842014, 841741 to 841745

Dr. Krishna Rao Valluri
B.A., LL.B., D.F.A., LL.M. & P.M.,
D.P.P., D.I.L.E., R.M.P. (H)
ADVOCATE & STANDING COUNSEL
B-2, Shrihari Apartments,
Plot No. 31, Valsarai,
Malkajgiri, HYDRABAD-500 047,
(Telephone No. 7050635)

Tele Address : "MEDINST"
Telephone : 661123

ALL INDIA INSTITUTE OF MEDICAL SCIENCES
ANSARI NAGAR

NEW DELHI-110029.....19



Ref No.F.IV.26.5/92

21.10.92

Amr. 14

Shri D.V S Sastru
Superintendent
Customs and Central Excise
D.No 24 29 (N)
Vishnu Puri Colony
Malkajgiri (Post)
Hyderabad 500 047

Sir

Refer your letter dated 25.9 92 addressed to
Chief Superintendent (Medical) AIIMS. As per records.
Mr.D.Ram Murthy was evaluated vide C 27/86 in January
1986. He was diagnosed as having Mental Retardation. He
was advised to follow up at Hyderabad.

Yours faithfully

(Dr. Pratap Sharan)

Sr. Resident
Psychiatry Dept.

MG

Dr. KRISHNA RAO VALLURI
M.A., M.P., D.A., D.L., A.P.M.,
D.P., D.F.L.C., R.M.P. (H)
ALUMINUM & STEEL COUNSEL
B-2, Shantivanam, Hyderabad,
Plot No. 24, Hyderabad-500 047,
K.M.H. Bldg., HYDERABAD-500 047,
(Telephone No. 7050855)

Dr. KRISHNA RAO VALLURI
M.A., D.L., A.P.M.,
R.M.P. (H)

ANNEXURE NO. 1

Annex. 15

32

D.Ram Murthy,
20 M
Illiterate

Informant Father, Mother

P/c. - Inability to look after himself since birth: Can't talk.

HOP1 Started standing at 1½ years
at 20 years - he could not dress properly, could not take a bath
cannot adjust to other people does not play

Fam.H/o Father had a major psychiatric illness requiring 13 ECTs

1st Episode 1960 2nd Episode 1940
Details not known to the *murder*.

Seen by Dr.Y.S. Sama

H/o MR

H/o suggestive of Autistic behaviour

- pronominal reversal
- Obsessive features
- resistance to change good note memory

All milestones delayed - can dress himself
feed himself

Pt is fearful not communicative

Imp. M R with Autistic behaviour

Seen by Dr. Khandelwal Imp. Same

Adv.: Follow up at Hyderabad

for post
Dr. KRISHNA RED VALLURI
B.A., LL.B., D.L.B., P.M.
H.D. (P.C.), M.P. (H)
ADVOCATE & LEGAL CONSULTANT
E-2, Sankar Building,
Plot No. 21, Hyderabad-500 047.
Nizams Road, Hyderabad-500 047.
(Telephone No. 2550555)

राष्ट्रीय मानसिक विकलांग संस्थान
 NATIONAL INSTITUTE FOR THE MENTALLY HANDICAPPED
 (Government of India Society, Ministry of Welfare)

ANNEXURE
 16
 33

CERTIFICATE OF MENTAL RETARDATION

This is to certify that D. Rama MURTHY
 o./D/o. Shri D.V.S. Sasthy aged 28 Sex Male
 residing at Pavankam Camp Trachem, D.No. 24-29
Sham Puri Colony, P.O. Malkajgiri - Hyderabad 500 047
 was examined
 Paediatrician/Psychiatrist, Psychologist and a Special
 Educationist at NIMH on 1-9-88 (NIMH. Regn.No. 431/88),
 and a diagnosis of Severe Mental Retardation
 was made. This certificate is issued for all purposes.

Date: 12-10-93

Secunderabad.

[Signature]
 Signature

डा. आर. के. मोरार. एम. बी. (बाळ विज्ञान)
 DR R.K. MORAR. M.D. (PEDIATRICS)
 बाळ विज्ञान म. प्र. अध्यापक आचार्य
 Asst. Prof. in Pediatrics
 राष्ट्रीय मानसिक विकलांग संस्थान
 National Institute for Mentally Handicapped
 म. प्र. अध्यापक, बाळ विज्ञान म. प्र. अध्यापक,
 M. Pr. Adhyapak, Bal Vigyan M. Pr. Adhyapak,
 Secunderabad-500 011

राष्ट्रीय मानसिक विकलांग संस्थान
 Institute for The Mentally Handicapped
 म. प्र. अध्यापक, बाळ विज्ञान म. प्र. अध्यापक,
 M. Pr. Adhyapak, Bal Vigyan M. Pr. Adhyapak,
 Secunderabad-500 011.

मनोविकास भार पोस्ट आश्रित संशोधन संस्थान-500 011 तार: मनोविकास दूरभाष: 842014, 841741 से 841745
 Manovikas Bhar Post Ashrit Sanshodhan Sansthan-500 011 Gram: Manovikas Phone: 842014, 841741 to 841745
 मनोविकास भार पोस्ट आश्रित संशोधन संस्थान-500 011 तार: मनोविकास दूरभाष: 842014, 841741 से 841745
 Manovikas Bhar Post Ashrit Sanshodhan Sansthan-500 011 Gram: Manovikas Phone: 842014, 841741 to 841745

Concerned Officer,

Medical Certificates are issued from this hospital
 only on official requisition from the office of the employee of
 patient or from Judicial officers of the Honourable Courts.

[Signature]
 Signature.

Institute of Mental Health
 HYDERABAD-500 038. (A.9)

[Signature]
[Signature]
[Signature]

1-8-96
 Dr. VALLABH
 O.L. & P.M.
 P.M.P. (H)
 M. Pr. Adhyapak, Bal Vigyan M. Pr. Adhyapak,
 Secunderabad-500 011
 Telephone No. 842014, 841741 to 841745

GOVERNMENT OF ANDHRA PRADESH

Annexure 18

(34)

Office of the Commissioner,
Indian Medicines & Homoeopathy
Department, A.P., Hyderabad.

12584/Ad.3/94.

Dated: 4-7-1994.

Sri D.V.S. Sastry,
D.No. 24-29 (N),
Vishnupuri Colony, Malakajigiri Post,
Hyderabad-47.

Sub:- Indian Medicines & Homoeopathy Department -
Medical Reimbursement - Ayurvedic Treatment for
Mentally retarded - Regarding.

- Ref:- 1. O.P. Ticket No. 7686, dt. 14.6.94 of
G.H.H, Hyderabad.
2. Application of Sri D.V.S. Sastry Retd.
Supdt., of Customs and Central Excise,
dated, 15.6.94.
3. From the Superintendent, G.A.H, Hyderabad
Lr.No. 440/GAH/94, dt. 22.6.94.

As it is stated in the reference 1st cited, that
the Government Ayurvedic Hospital, Hyderabad has no
inpatient treatment for mentally not sound persons,
and as the intention to have Ayurvedic treatment only
is indicated in your application 2nd cited, you may get
your son treated at any other nearby place and come-up
with proposal for reimbursement of charges as admissible
under Central Services (M.A) Rules 1944 subject to the
following conditions:-

1. A certificate in writing by the authorised
medical attendant is to be produced.
2. The bill relating to Ayurvedic medicines should
be got scrutinised by the Superintendent, Govt.
Ayurvedic Hospital, Hyderabad as regards admissi-
bility.

The claim in respect of treatment under Indian
Systems of Medicine shall be sanctioned by this office
after due scrutiny, by the concerned wherever such
claims are admissible under the relevant rules. Such
proposals should invariably be routed through the concerned
Department where from your retired as the expenditure is
to be met by them.

Yours faithfully,

ADDITIONAL DIRECTOR (AYUR).
Indian Medicines & Homoeopathy Deptt.,
A.P., Hyderabad.

Copy to:

- 1) The Superintendent,
Govt. Ayurvedic Hospital, Hyderabad.
- 2) The Collector, Central Excise & Customs,
L.B. Stadium Road, Hyderabad. 500 029

CONCESSION CERTIFICATE FOR MENTALLY RETARDED PERSONS

CONCESSION CERTIFICATE.

Form for the purpose of issue of Rail Concession of Mentally Retarded persons to be used by the Government Doctor/Hospital.

This is to certify that D. RAMA MURTHY whose particulars are furnished below, is a bonafied mentally retarded persons and cannot travel without an escort.

PARTICULARS OF MENTALLY RETARDED PERSONS

- A) Age : 26y.
b) Sex : Male.
c) Personal identification marks:

1. A mole on the lateral side of neck on the (L) side.
2. A mole on the (R) side of chin.

SIGNATURE OF LTI OF
MENTALLY RETARDED PERSONS

Place: Secunderabad

Date: 20/10/50

Psychiatrist,
मानसिक विकलता में प्रदयापक
L. (SIGNATURE) [Dr. Srinivas J]
N.G. GOVERNMENT DOCTOR/HOSPITAL.
Government of India, Secunderabad

(Seal)

SECUNDERABAD-500 0

* Personal marks of identification should be such as can be easily verified, if necessary by ticket checking staff.

1. The certificate is valid for three years from the date of issue and that a photostat copy of a copy thereof duly attested by a Gazetted Officer, a Magistrate or a Member of Parliament for grant of concession. Certificate in original may, however, be produced for inspection at the time of purchase of concessional tickets. This certificate should be produced for inspection during journey time also.
2. No alteration in the form is permitted unless attested by the Issuring Officer.
3. This certificate should be issued only to those mentally retarded persons, who cannot travel without any escort.

Dr. KRISHNA MALLURI
M.A. L.P.
D.P.P.
M. W. A. S. S.

(P. VIJAYA KUMAR)
Chief Clerk (J.A.G.)
South Central Railway,
Secunderabad.

GUIDELINES FOR CERTIFICATION OF ABILITY TO THE CIVIL SURGEON / ASST. CIVIL SURGEON

Note: The certifying authority is requested to see the conditions prescribed for certifying the disability of a person.

CONDITIONS:

1. Orthopaedically handicapped: Loss of Hands or Legs or having Polio stricken hands / legs which do not function.
2. Mentally retarded persons: With impaired brain or having abnormal behavioural tendencies.
3. Blind persons: to whom sight is totally absent (Total blind persons).
4. The deaf and dumb: to whom the sense of hearing is fully non-functional.
5. The photograph furnished in the Form shall be attested at the time of examination.
6. The need for an escort along with disabled is also to be certified.

I hereby certify that Sri D. N. Subrahmanya Sastri

S/o D. N. Subrahmanya Sastri Age 33 yrs

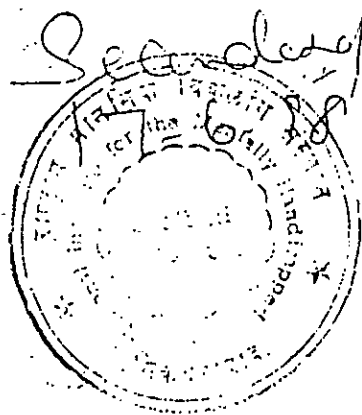
Address 24-25, VISHNUPUR, KALLATHUR, CHENNAI-600047

has been examined. The nature of disability is Severe Mental Retardation

_____ which is total/permanent/partial as per the conditions stipulated
by A.P.S.P.T.C. as shown vide items 1 to 4 of this Form. Further I hereby certify that there is need/~~no~~ need of an escort
alongwith the person.

Station:

Date:



SIGNATURE.

Psychiatrist (Office Seal)
M. S. S. Sastri
Lecturer in Psychiatry,
National Institute for Mentally Handicapped,
Government of Tamil Nadu, Chennai

[Handwritten signature]



Annex-19

36

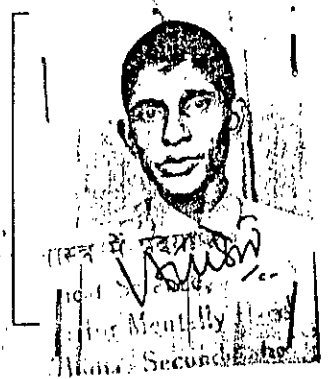
APSRTC

No 85248

RTC-91

APPLICATION FORM FOR CONCESSIONAL TRAVEL TO PHYSICALLY HANDICAPPED PERSONS

(To be filled in by the applicant)



1. Full Name (in capital letters) : DABHA KAMA MOORTHY
2. Fathers' Name : Mr. D. V. Subrahmanya Sastry
3. Date of birth and age : 05/06/1965, 33yrs
4. Present address : 1-29, VISIMCOW
5. Permanent address : MALKAJGIRI, HYDERABAD-500047
6. Profession : Mentally Retarded
7. Place of work and Designation (if any) :
8. Specimen Signature/Thumb impression :

I certify that the particulars furnished by me at items 1 to 7 are correct and I will abide by the conditions prescribed by the APSRTC from time to time.

Signature.

CONDITIONS :

- a) To submit the certification of the Govt. Doctor in the rank of Civil Surgeon/Asst. Civil Surgeon in the form prescribed overleaf.
- b) He/She should not be an employee of the State/Central Govt. Department and other Local Bodies. The eligibility is only for unemployed.
- c) He/She should not be in receipt of conveyance allowance by any source.
- d) In the event of obtaining employment subsequently, the card issued by the Corporation should be surrendered.
- e) If the card is lost the matter should be reported to the nearest Police Station and a receipt must be obtained. Application should be made for issue of a fresh card by referring the No. of the old card.
- f) In case any misuse is detected, action would be taken as per procedure.

[Handwritten signature]

[Handwritten signature]

DR. KRISHNA RAO VALLURI

(Please turn over)

AD. OFFICE
B.L. ...
PRT ...
M.R. ...
(M.R. ...)
(T. ...)

Annex-20

37

APPENDIX-1/48
RULE. 101. S. No. 29(1)

~~CONCESSION CERTIFICATE FOR MENTALLY RETARDED PERSONS~~

CONCESSION CERTIFICATE

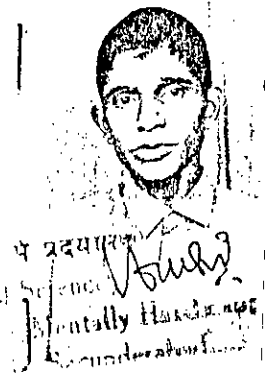
Form for the purpose of issue of Rail Concession of Mentally Retarded persons to be used by the Government Doctor/Hospital.

This is to certify that D. Rama Murthy whose particulars are furnished below, is a bonafied mentally retarded person and cannot travel without an escort.

PARTICULARS OF MENTALLY RETARDED PERSONS:-

- a) Age : 29 years
b) Sex : Male
c) Personal identification marks:-

1. A mole on the Left side of face
2. A mole on the (R) side of chin



SIGNATURE OR LTI OF
MENTALLY RETARDED PERSON

[Signature]

SIGNATURE
GOVERNMENT DOCTOR/HOSPITAL

मानसिक रोग शाला में प्रमुख
Lecturer in Mental Science,
National Institute for Mentally Handicapped
Government of India, Secunderabad




Personal marks of identification should be such as can be easily verified, If necessary by ticket checking staff.

1. The certificate is valid for three years from the date of issue and that a photostat copy of a copy thereof duly attested by a Gazetted Officer, a Magistrate or a Member of Parliament for grant of concession. Certificate in original may, however, be produced for inspection at the time of purchase of concessional tickets. This certificate should be produced for inspection during journey time also.
2. No alteration in the form is permitted unless attested by the Issuing Officer.
3. This certificate should be issued only to those mentally retarded persons, who cannot travel without any escort.

[Signature]

Dr. KRISHNA
B.A. LL.B.
D.F.
(H)



Annex 21

(38)

Dr. P. S. Rao *Chief*
 Asst. Professor/Gr. Medical Officer
 Regd No. 16769
 Dr. B.R.K.A. Govt. Ayurvedic *College*
 HYDERABAD

Annex 21
 Res. : 7052348
 22/40, 1st Road,
 R. K. Nagar, Malkajgiri
 Hyderabad - 47

171

9/7/97

Dr. D. Ramu *Meeting*

PC T

~~Handwritten text~~
 Handwritten text

① *Enacardiazole* :
 500mg Medicated 1/2 glass
 white twice a day
 after meals

② *Brahmi gurutam* :
 End spoon Thrice a day
 at bath time
 2 Hot water

1/5/97

Don

CHIEF
 Govt. Ayurvedic
 CHIEF
 HYDERABAD
 Dr. KRISHNA P. VALLURI
 8/4/97

ods

Central
 3.2.97.
 kind
 aims
 years.

How low MA is
maintainable in view
of the order made in
OA 1393/57

3/8/98

14 days later



Prayer amended for
interim mandamus in
a specific period.
Hence resubmitted

[Signature]
13/8/98



for directions

In the Court of CAT
Hyderabad

M.A. .../98 of OA 1393

Between

D.V. Subramany
Sany APM

And

Commr., Customs R.I.
& Central Excise & Ind.
And others

M.A. Petn. under
R. 8(3) & S. 17

of CAT Rules (Pro)
1987

Filed on 3-8-1998

Filed by: Krishna Rao V
Advocate

Rev. Mr. K. Ravi
on 8/8/98



Ret. U.A. 8(3) of CAT
(Pro) 1987
Affidavit

Address

Dr. Krishnam Rao Mallam
Advocate

B-2 Srinilaya Apt

Plot No. 31

Hyd. 57

Mrs. B. G. G.
27/8/98

IN THE HIGH COURT OF JUDICATURE: ANDHRA PRADESH: AT HYDERABAD

(Seal of the High Court on the original
carbon copy on reverse)

THURSDAY THE SIXTEENTH DAY OF MAY
ONE THOUSAND NINE HUNDRED AND EIGHTY FIVE

:PRESENT:

THE HON'BLE MR. JUSTICE JAGANNADHA RAO.
W.P. MISCELLANEOUS PETITION NO. 5701 OF 1985.

P. S. Mastry.

.. PETITIONER (petitioner
IN WP. 3982/85 on the file
of the High Court).

Petition/s. 151 of CPC praying that in the cir-
cumstances stated in the affidavit filed in the W.P. the
High Court will be pleased to direct the respondents herein
(Supt. 2 and 3 in WP) viz., 1. The Asst. Collector of Central
Excise, Secunderabad-4, 2. Chief Medical Officer, Central
Govt. Health Scheme, Bakaram, Hyderabad to accord sanction
of medical expenses to the petitioner for getting his
mentally retarded son Master D. Rama Murthy treated in
All India Institute of Medical Sciences, New Delhi or in
Mental Hospital, Srinagar with two personal Attendants of
the existing parents care treatment, as per the advice of
the A.P. State Council for child Welfare pending WP. 3982/85
presented to the High Court to issue writ of mandamus or
any other appropriate writ, order or direction declaring
that the petitioner is entitled to the grant of medical
expenses for the treatment of his mentally retarded son,
Master D. Rama Murthy, with two personal attendants, as per
Rules 6 and 7 of Central Services (Medical Attendance) Rules
1944 at Govt. Hospital.

ORDER:- The petition coming on for orders, upon perusing
the petition and the affidavit filed in the W.P. and upon
hearing the arguments of Mr. P. Venkata Ramana Sarma, Advocate
for the petitioner, this court while directing issue of
notice to the respondents herein to show cause why this
application should not be complied with, made the follow-
ing ORDER:-

The respondents are directed to "consider" the peti-
tioners request for according sanction of medical expenses
for getting the petitioner's son medically treated in the
All India Institute of Medical Science, New Delhi or in the
Mental Hospital, Srinagar with two personal attendants as
per the advice of the A.P. State Council for Children Welfare
The respondents will consider the petitioners request and
make a decision within fifteen days of the receipt of the
order notice.

NOTICE:- THE RECEIPT OF THIS ORDER IN THIS CASE SHALL BE
TAKEN AS THE RECEIPT OF NOTICE. THE PETITION SHALL BE TAKEN
UP FOR HEARING AFTER 4 WEEKS FROM THE DATE OF THIS ORDER.

Sd/-R.V.K. PANDURANGA VITAL
ASST. REGISTRAR

- To
1. The Asst. Collector of Central Excise, SECUNDERABAD-4 (BY APD)
 2. Chief Medical Officer, Central Govt. Health Scheme,
BAKARAM, HYDERABAD (GPAB).
 3. The Secretary, Union of India, Ministry of Finance,
Central Secretariat, NEW DELHI.
 4. The Collector of Central Excise, Janatha Bazar, Nampally
Station Road, HYDERABAD.
 5. One cc to Mr. P. Venkata Ramana Sarma, Advocate (On payment
of usual charges).
- Spere copy.

//True Copy//

Dr. KRISHNA RAO VALLURI
B.A., LL.B., D.F.A., D.L.L. & P.M.,
D.P.R. OF L.E., R.M.P. (H)
ADVOCATE & SENSING COUNSEL
B-2, Srinilaya Apartments,
Plot No. 31, Vistamburi,
Malakajiri, HYDERABAD-500 04
(Telephone No. 7050665)

10-9-98

HYDER

Mr. V. Krishna

Misc. Applicant and Mr. V. Rajeshwara Rao, Addl. CGSC for the respondents.

M.A.No. 713 of 1998

IN

It is seen that the Misc.Applicant (who was applicant in OA 1393/97) has submitted a representation to the Secretary, Ministry of Finance, New Delhi in pursuance of observations contained in the judgment in the said OA delivered on 22-10-1997.

O.A. No. 1393 of 1997

Secretary, Ministry of Finance, may have the case examined and communicate a decision to the applicant through Commissioner, Customs & Excise, Hyderabad, in four months.

Thus the MA is disposed of.

[Signature]
HHRP
M(A)

[Signature]
HDHN.J
VOD

MD

Discretion Petition

Mr. V. Krishna Rao
COUNSEL FOR THE APPLICANT.

AND

Mr. V. Rajeshwara Rao
Sr. ADDL. STANDING COUNSEL FOR C.G.S
C.G. RLY.