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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 1149/2000

R.A/C.P No.

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SECTION OFFICER (Judl.)

Kalish
18.12.17

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 159/2000

OF 199

Applicant(s)

Biswa Debnath Gupta

Respondent(s)

Union of India and ors.

Advocate for Applicant(s)

Mr. G. Sarma.
Mr. G. Sarmah.

Advocate for Respondent(s)

C. G. S.

Notes of the Registry

Date

Order of the Tribunal

25.4.2000

Application is admitted. Issue notice on the respondents.

Mr. G. Sarma, learned counsel for the applicant prays for an interim order and submits that the applicant may be allowed to draw an advance for travelling by air and for treatment.

The applicant may submit representation within two days from today and the respondents shall consider the prayer of the applicant within three days from the date of receipt of the representation from the applicant.

List on 5.5.00 for orders.

Member

By Order

Note:- Mem from Case
Copy of this order be
furnished to the counsel
for the parties.

25/4/2000

Notes of the Registry	Date	Order of the Tribunal
<p>27 - 4 - 2000</p> <p>Service of notices prepared and sent to D. Section for Issuing to the same to the respondents through Regd. post with A.D. vide D.Ns. 1264 1272 Dfd. 1.5.2000.</p> <p>4-5-2000</p> <p>W/S has not been filed by.</p>	5.5.00	<p>Learned counsel Mr G. Sarma for the applicant and Mr B.C. Pathak, learned Addl. C.G.S.C. for the respondents.</p> <p>Learned counsel for the applicant submits that as per direction of the Tribunal dated 25.4.00 the respondents have disposed of the representation of the applicant vide order dated 28.4.2000 (Photocopy of which has been produced before me today). The learned counsel for the applicant submits that the case of the applicant has not been examined by the concerned authority in the right perspective and have rejected the claim of the applicant by strictly following the rules and showing disregard to the immediate requirement of the treatment to save human life. He further submits that the applicant is a permanent employee of the department and is not a stranger. Consequently, if by bypassing the rules some money is granted to the applicant for emergent treatment of his wife even then the Government is not estopped from enquiring into the matter subsequently, after treatment. Therefore, the respondents be directed to release the amount for treatment of the applicant's wife including money necessary for her travel by air to Chennai alongwith two escorts for her assistance as per the requirement of her ailment. Opposing the submission of the learned counsel for the applicant, the learned Standing Counsel submits that while examining the case of the applicant for grant of advance as per the direction, the</p>

Steps of the Registry	Date	Order of the Tribunal
	5.5.00	<p>3</p> <p>department was duty bound, to keep in consideration the relevant rules and after such consideration the order has been communicated to the applicant which is as per the rules. He further argues that the requirement of rule of furnishing essentiality certificate of treating Doctor of a Government Hospital or Central Government Medical Scheme was necessarily required by submitted by the applicant for money for treatment and for But, the applicant has not any such certificate and has submitted is a certificate of private Doctor and a certificate of Doctor of Medical College that the patient is fit for air. Both these certificates are sufficient to (wife of the patient) in critical condition immediate surgery emergent treatment the application for advance for an</p> <p>I have reviewed the submissions. At present I like to go into the matter. No doubt, present certificate is complete in form but the patient is in all what the danger. Then we can consider permanent respondent members in consideration</p> <p>2</p>

Note) of the Registry	Date	Order of the Tribunal
	5.5.00	<p>the department in which the applicant is presently serving. At this stage I would not like to go into the merits of the case regarding essentiality certificate, and need of the applicant to take his wife by air to Chennai, for treatment because any debate on this point might be causing prejudice to the case which could be argued at length at the appropriate time. Considering the urgency in the matter and in order to save human life, not strictly following the compliance of the rules, I would like to direct the department to grant the applicant Rs.30,000/- for treatment of his wife and money appropriate to allow him to travel with his wife by plane from Guwahati to Chennai and back and the question of entitlement of the applicant's travel by air could be looked into subsequently. As per the submission of the learned counsel for the applicant, it may be observed that in case the applicant is not able to satisfy the Court regarding his claim as per Rules, he would refund the money with interest. We may consider that this submission is made keeping in view the bonafide immediate necessity of treatment of the applicant's wife. Further, it may be observed that the applicant being in permanent Government employment with the respondents, the money could always be recovered from him if he is subsequently found not entitled to the same. One thing which should be kept in mind is that the applicant as per his status in the department and looking to his pay scale is entitled to travel by appropriate</p>

Notes of the Registry	Date	Order of the Tribunal
	5.5.00	<p>class in the train and therefore, ultimately, if the question of excess payment or payment over and above his entitlement comes for debate then only the excess part of the amount paid could be debated upon.</p> <p>Keeping in view of the above discussion, it is ordered and the respondents are directed to pay Rs.30,000 for treatment of the applicant's wife and also release appropriate amount of money to the applicant for travel by air alongwith his wife to and fro Guwahati-Chennai. The applicant's prayer regarding granting air travel fare for a second escort is refused. It is made clear that the compliance of this order would neither affect the rights of the respondents from disputing the claim of the applicants on merits as per Rules and claiming protection of their action as per Rules nor would entitle the applicant to claim any extra benefits on the basis of this order.</p> <p>It is further ordered that the applicant shall also at no point of time in future would be able to claim to retain the money so sanctioned on the ground that the same has since been spent by him and cannot be paid back, in case he is ultimately found/held not entitled to the amount so disbursed to him. He shall also be liable to pay interest on the said amount @ 12% per annum for the entire period of the retention of money.</p> <p style="text-align: right;">2mm</p>

No. of the Registry	Date	Order of the Tribunal
<p>8-5-2000</p> <p>Copy of the order Dtd. 5-5-2000 issued to the respondents No 3 and learned counsel for the parties. vide D.O.</p> <p>24</p> <p>7-6-00</p> <p>no W/S has been filed.</p> <p>13/6/00</p> <p>Notice duly served on respondent No. 1 & 4.</p> <p>17-7-00</p> <p>no W/S has been filed.</p>	<p>5.5.00</p> <p>nkm</p> <p>5/5/2000</p> <p>7.6.00</p> <p>mk</p> <p>10.7.00</p> <p>nkm</p>	<p>6</p> <p>Compliance of the order should be done within a period of seven days.</p> <p>List the case for written statement and further orders on 7.6.00.</p> <p>Copy of this order be delivered to the learned counsel for the parties for necessary compliance.</p> <p>24 Member</p> <p>Present : Hon'ble Mr.D.C. Verma, Judicial Member.</p> <p>None for the applicant Pathak, learned Addl.C.G. that the order dated 5.5.00 of the Tribunal has been complied with and the applicant is still in Apollo Hospital, Madras. The learned counsel however, seeks time to obtain instructions and the latest position to file written statement. Four weeks further time is granted.</p> <p>List on 10.7.00 for further orders.</p> <p>Member (G.J.)</p> <p>Present: Hon'ble Mr S. Biswas, Administrative Member</p> <p>None for the applicant. At request of Mr B.C. Pathak, learned Addl.C.G.S.C. the case is adjourned posted on 26.7.00 for written statement.</p> <p>Me</p>

(9)

Notes of the Registry	Date	Order of the Tribunal
<i>N</i>	26.7.00	There is no Bench. Adj. 15.14.8.00 18/0
	14.8.00	Jan. C. no. Bench. Adj. 18.9.00 18/0
	8.9.00	No Bench. To be kept in view. 23.9.00 18/0
	25.9.00	Present : Hon'ble Mr. Justice D.N.Choudhury, Vice-Chairman. On the prayer of Mr. B.C.Pathak, learned Addl.C.G.S.C. two weeks further time is allowed to enable him to file written statement. List on 27.10.2000 for written statement and further orders. Vice-Chairman
<i>Amendment of</i> <i>for the liberty</i> <i>of applicant</i> <i>plead.</i>	26.9.00	In view of the order passed in M.P. 209/2000 the prayer for amendment of this application is allowed. Applicant is accordingly ordered to file a consolidated amended application incorporating the amendment as prayed for within 7 days. List on 8.11.2000 for order. Respondents may file written statement on the amended application. Vice-Chairman
<i>Steps are received today</i> <i>to/oo</i> <i>the</i> <i>dl.</i> <i>and</i> <i>ment</i> <i>244</i> <i>did 2/11/2000</i> <i>No. wfs has been kept</i> <i>24.11.00</i>	27.10.00	On the prayer of Mr. B.C.Pathak, Addl. C.G.S.C. four weeks time is allowed for filing of written statement. List on 28.11.00 for filing of written statement and further orders. Vice-Chairman

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Notes of the Registry	Date	Order of the Tribunal
	28.11.00	Four weeks time is granted to file written statement on the prayer of Mr. B.C. Pathak, learned Addl. C.G.S.C for the respondents. List on 1.1.2001 for order, along with O.A. 329/2000. Vice-Chairman
No. written statement has been filed. 23.1.2001	1.1.2001	Let the case be listed along with O.A. 329/200 on 19.1.01 for further orders. Vice-Chairman
No. written statement has been filed. 13.2.01	19.1.2001	No S.B. Adjourned to 24.1.2001. 19.1.2001
	24.1.01	List it again on 14.2.2001. In the meantime the respondents may file written statement. Vice-Chairman
No. written statement has been filed. 5.3.01	14.2.01	None appears for the applicant. Three weeks time is allowed for filing of written statement. List 7.3.01 for orders. Vice-Chairman
No. written statement has been filed. 20.3.01	7.3.01	List on 21.3.01 along with connected cases. In the meantime respondents may file written statement. Vice-Chairman
No. written statement has been filed. 27.3.01	21.3.01	List on 28.3.01 along with O.A. No. 369 of 2000 (M.P. No. 57 of 2000) for hearing. Member

Notes of the Registry	Date	Order of the Tribunal
	29.3.01	Mr.B.C.Pathak, learned Addl.C.G.J.C prays for adjournment on the ground that the order in O.A.No.298 of 99 is awaited. List on 4.4.01 for hearing.
<u>2.4.2001</u> w/s has been submitted by the Respondent No. 1 to 9.	lm	<i>(Signature)</i> Member
	4.4.2001	None appears for the applicant. List again on 25.4.01 for hearing.
	...	
<i>(Signature)</i>	nkm	<i>(Signature)</i> Vice-Chairman
	25.4.01	Mr. H.K.Das, appearing on behalf of Mrs. B.Dutta, Advocate, Govt. of Meghalaya, and Mr. G.Sarma, prays for one month time to file rejoinder to the written statement. Prayer allowed. List on 1.6.2001 for hearing.
	trd	<i>(Signature)</i> Vice-Chairman
<u>8.5.2001</u> joinder has been made by the applicant. of the written statement by the Respondents.	1.6.2001	None appears for pressing the application. List the case for hearing on 13-6-2001.
<i>(Signature)</i>	bb	By order <i>(Signature)</i>

Notes of the Registry

Date

Order of the Tribunal

13.6.01

The matter was called for hearing. After 3 calls given ^{earlier on} none appears for the applicant. It is seen that 4.4.01, 25.4.01 and 1.6.01 there was no representation on behalf of the applicant. It appears that the applicant is not interested in pursuing this application. Application is dismissed for default.

CC Sharma
Member

lm

12.7.01

List on 17.8.01 alongwith M.P.No. 162 of 2001.

Member

lm
5.9.01

List on 5/10/01 alongwith M.P.NO. 162/2001 for order.

CC Sharma
Member

mb

5.10.01

List on 16.11.01 alongwith O.A. No.311/ 2001 for Admission.

CC Sharma
Member

lm
21.11.01

In view of the order passed in M.P.152/2001 this case is ~~removed~~ restored to file.

List the case for hearing on 5.12.2001 alongwith O.A.329/2000, 369/2000 and M.P.57/2000.

CC Sharma
Member

bb
5.12.2001

At the request made by Mr.H.K.Das, learned counsel appearing for the applicant, the case is adjourned.

List the case again for hearing on 2.1.2002.

CC Sharma
Member (J)

bb

CC Sharma
Member (A)

*Restored application
BGP/149
20/6/2001*

*21.6.2001
Copy of the order
has been sent to the
Office for scrutiny
and to the Adm. Officer
for the Record*

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Notes of the Registry	Date	Order of the Tribunal
	2.1.02	Mr. A. Deb Roy, Sr. C.G.S.C. prays for adjournment on behalf of Mr. B.C. Pathak, Addl. C.G.S.C. on the ground of his absence to-day. Prayer is allowed. List on 25.1.02 for hearing.
	1m	<i>K. C. Sharma</i> Member
	25.1.2002	Heard the applicant as well as Mr B.C. Pathak, learned Addl. C.G.S.C. Hearing concluded. Judgment reserved.
	nkm	<i>K. C. Sharma</i> Member
22.2.2002 Copy of the Judgment handed over to the applicant as well as to the Ld. Adv. for the Respondent	8.2.02	Judgment delivered in open Court. Kept in separate sheets. Application is disposed of. No costs.
	1m	<i>K. C. Sharma</i> Member

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 149 of 2000
329 of 2000
369 of 2000 and
479 of 2001

Date of Decision... 8-2-2002

Sri Bimalendu Gupta

Petitioner(S)

Sri H.K.Das (O.A. 369/2000)

Applicant appeared in person also.

Advocate for the
Petitioner(s)

..Versus-

Union of India & Ors.

Respondent(s)

Sri B.C.Pathak, Adml. C.G.S.C.

Advocate for the
Respondent(s)

THE HON'BLE MR. K.K. SHARMA, ADMINISTRATIVE MEMBER.

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble : Administrative Member.

11/11/02

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Applications No. 149 of 2000,
329 of 2000,
369 of 2000 and
479 of 2001.

Date of Order : This the 8th Day of February, 2002

The Hon'ble Mr K.K.Sharma, Administrative Member.

Sri Bimalendu Gupta
Senior Accountant,
Office of the Accountant General(A&E)
Assam, Beltola,
Guwahati-29.

... Applicant.

By Advocate H.K.Das (O.A.149/2000, 329/2000)
Sri H.K.Das (O.A. 369/2000)
Applicant appeared in person in 479/2001.

- Versus -

Union of India & Ors.

. . . Respondents.

By Advocate Sri B.C.Pathak, Addl.C.G.S.C.

O R D E R

K.K.SHARMA, ADMN.MEMBER.

All these applications filed by the applicant are taken up together as the issues raised in these applications are common and mainly pertain to the reimbursement of air travel expenses for the treatment of the applicant's wife and also reimbursement of medical expenses. The applicant's case has been argued by Mr H.K.Das, learned counsel for the applicant and the applicant also elaborated the arguments in person.

2. The facts relevant for the purpose of disposal of these applications are that the applicant's wife is a State Government employee. The applicant's wife gave a declaration dated 10.7.90 to claim the medical reimbursement facilities under CCSA Rules, as applicable to the applicant for her treatment and stated therein that she

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would not avail of medical allowance facilities from the Government of Assam. The applicant's wife is suffering from different ailments. As per recommendation of the treating physician of GMCH the applicant's wife was treated in All India Institute of Medical Sciences, New Delhi. The applicant's wife was being treated by physician of GMCH Dr Robin Medhi who advised that she should be treated at Apollo Hospital, Chennai. She was treated at Apollo Hospital Chennai from 2.2.98 to 9.2.98 and from 19.9.99 to 29.9.99. While she was under treatment at Apollo Hospital, an amount of Rs.30,000/- was sanctioned by the respondent No.3 which was not sufficient for the treatment and a fax message dated 24.9.99 was sent by G.M.Finance, Apollo Hospital to the respondent No.3. It is stated that review treatment of the applicant's wife was approved by the Joint Director, CGHS vide his letter dated 14.9.99 and air travel for 2 escorts was also approved. The applicant's wife was released from Apollo Hospital on 29.9.99. The respondents refused to provide medical treatment at Apollo Hospital. The applicant had to file an application before the Central Administrative Tribunal being O.A. 149/2000 and vide interim order dated 5.5.2000 the respondents were directed to release the funds to enable the applicant to travel by air for review treatment. It is stated that the Director General of Health Services by order dated 25.7.2000 conveyed approval of the Government for air travel of the applicant and his wife from Guwahati to Chennai. The applicant's wife received review treatment at Apollo Hospital, Chennai from 23.5.2000 to 6.6.2000. The respondent No.3 had

16/11/2000

contd..3

sanctioned Rs.30,000/- as medical advance and Rs.32,324/- as air fare. The attending physician Dr D...Das and Dr R. Sridharan of Apollo Hospital Chennai advised on 31.5.2000, 1.6.2000 and 7.6.2000 to take the patient for second opinion and treatment and also gave air travel certificate. The applicant and his wife travelled by air to Delhi and the treatment continued from 8.6.2000 to 12.6.2000. The patient was advised to report after 3 months for review. The approval for travel to Chennai to Delhi and back is still awaited. After treatment at Delhi the applicant submitted the claim for medical advance and air fare for review treatment. The respondents did not allow the claim and the applicant moved another application being O.A.369/2000 on 31.10.2000. By interim order dated 31.10.2000 the respondents were directed to sanction T.A advance and also directed to not to recover Rs.19,742/-. The medical advance of Rs.48,000/- was sent to Indraprastha Apollo Hospital, Delhi by bank draft on 16.9.2000. The applicant's wife received necessary treatment from 7.11.2000 to 13.11.2000 and the treating physician Dr R.C.Arcora advised the patient on 13.11.2000 to report after 3 months for review treatment. The applicant again applied for advance for review treatment which was due on 13.2.2001. The applicant sent reminders dated 15.3.2001 and 3.9.2001 alongwith the advice of Apollo Hospital Delhi. The respondents have not acted on the applicant's request. Finding no other alternative the applicant's wife moved a Writ Petition being numbered as W.P.(C) 3660/2001 on 24.5.2001 before the Gauhati High Court and the High Court was pleased to grant interim order with a direction to the

CC 14/11/01

respondents to sanction necessary advance within a week from the date of receipt of the order. The respondents filed a Misc. Case No. 816/2001 before the High Court stating therein that the applicant had already filed series of applications before the Central Administrative Tribunal ^{on this matter}. Because of the misrepresentation before the High Court the interim order dated 24.5.2001 was vacated. The respondent No. 3 directed the applicant to approach the Joint Director, CGHS, Guwahati to obtain essentiality certificate for travel by air. Accordingly the applicant approached the Joint Director, CGHS by fax on 27.4.2001 requesting him to examine the patient at her residence. Finding no response to the application dated 3.9.2001 the applicant submitted certificates from Dr Dilip Kr. Ghosal, DHMS dated 30.8.2001 and Dr J.K. Baruah, RMP dated 28.8.2001 who recommended that the patient should travel by air alongwith the attendant doctor. The applicant submitted that the advice of Homoeo practitioner was legally valid and the same should be accepted by the respondents. The respondents by order dated 25.4.2001 (Annexure-Y to O.A. 479/2001) had started recovery at the rate of Rs. 2500/- per month. The action of the respondents has been challenged on numerous grounds. It is stated that the applicant has a legitimate right for treatment. The impugned orders not sanctioning the claim of the applicant on the ground of not producing essentiality certificate is contrary to the provisions of law and that the respondents have abused their powers in not providing the applicant of legitimate right of medical treatment. The arguments advanced on behalf of the applicant are :

- (1) That certificate from RMP and Homoeo practitioner

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are acceptable. For this purpose reference was made to circulars dated 15.6.2001 and 17.8.2001. However on perusal to these circulars it is revealed that these pertain to sanction of leave and also related to the Non-Gazetted employees. Certificates issued by recognised medical practitioners may be accepted for sanctioning medical leave.

(ii) If the respondents are not competent to sanction the claim of the applicant the same may be referred to the Government.

(iii) The applicant has a fundamental right to be treated by any medical attendant.

2. The respondents have filed written statement. It is stated that on 15.9.99 the applicant was sanctioned Rs. 32000/- as medical advance and not Rs.30,000/- as mentioned by the applicant. The advance was sanctioned on the basis of an estimate of Dr R.Medhi, Assistant Professor, O & G, Gauhati Medical College, Hospital. A bank draft of Rs.32000/- was sent to Medical Superintendent, Apollo Hospital, Chennai and it was stated in the forwarding letter that a certificate should be given whether the patient can travel by rail or air and that the certificate was absolutely necessary. By fax dated 24.9.99 the Apollo Hospital informed the Accountant General (A&E), Assam that an additional amount of Rs.30000/- was required for continuing the treatment. Accordingly another bank draft of Rs.24,000/- being 80% of the estimate was sanctioned. However the said draft was held up on account of telephonic message from the applicant. The Hospital authorities ^{as were} ~~are~~ also asked to verify the facts and however no message was received from the Hospital. Meanwhile the applicant's wife was released from Hospital with advice to report back after 3 months. In no documents it has been stated by Hospital authorities that the treatment of the applicant's wife was suspended

16/11/99

contd..6

due to non receipt of additional amount of Rs.30,000/-.

The respondents have filed Annexure-7 being advice dated 28.9.99 of the Consultant, Apollo Hospital. With regard to the representation dated 16.12.99 for follow up treatment. The applicant did not submit any fresh estimate for medical advance and essentiality certificate for air travel neither from Apollo Hospital nor from treating physician of GMCH. As the applicant is an employee covered by CGHS facilities he is required to take permission for air travel in terms of O.M. dated 7.4.99. The applicant was asked to submit estimate for medical advance and essentiality certificate to the effect that air travel was absolutely necessary. This was done by a letter dated 23.12.99 (Annexure-9). The applicant submitted an advice slip from Apollo Hospital (Annexure-10) which mentioned as "medically fit to travel by air". This was not treated as an essentiality certificate. The applicant did not obtain the approval of CGHS. The wife of the applicant^{had}/_{all} along being treated as an outdoor patient. The patient undergoing OPD treatment is required to procure medicine from CGHS Dispensary. The applicant and his wife are not entitled to travel by air as per their entitlements. For air travel special approval of Government of India, Ministry Of Health and Family Welfare is required. The applicant does not fulfil the essential requirements. When a reference was made to the Joint Director, CGHS the Joint Director, CGHS by his letter dated 21.1.2000 replied as under :

.....
In the present context the certificate as given by Dr Medhi of GMCH that the patient is medically fit to travel by air and that two escorts are required for the patient is not sufficient. The referring doctor has to state that the patients present condition is not such that she can travel

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by any other means of transport and air travel is absolutely essential in her case and also that two escorts are essential. Without the "absolute necessity" clause in the doctors advise slip the case for approval of air travel cannot be recommended to the Director CGHS for obtaining permission from the Ministry. Your office may therefore request Dr.R. Medhi to incorporate this in his advise slip - which we shall need to forward to the Ministry while recommending the case"

The respondents also accordingly made reference to the treating physician Dr R.Medhi, who by his letter dated 24.2.2000 replied as under :-

With reference to your above mentioned letter I would like to say that air travel to Chennai is not absolutely necessary for Mrs Ajanta Gupta for her Gynaecological problems.

However, Mrs Gupta is having Neurological, Orthopaedic and Haematological problems and she is under treatment of Apollo Hospital, Chennai.

As I am not an expert in these fields of medicines, it is not possible for me to give an opinion regarding absolute necessity for air travel for her other diseases. Opinion may kindly be taken from Apollo Hospital, Chennai where she is treated."

The applicant had also produced a certificate dated 21.4.2000 from Dr R.N.Pathak who had recommended shifting of applicant's wife to Apollo Hospital, Chennai. The said advice was not certified by competent authority. The necessary expert doctors for treatment of applicant's wife was not available at Guwahati or nearby places like Calcutta. It is stated that this certificate was not filed by the applicant before the respondents. On the representation dated 26.4.2000 the applicant was asked to furnish tentative date of outward journey for follow up treatment so that the T.A advance by admissible railway class could be drawn. As per rules the applicant is supposed to obtain certificate from CGHS or the treating doctor of GMCH to permit air travel. By

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a letter dated 28.4.2000 the applicant was informed about the reasons why air travel could not be sanctioned. On the basis of interim order dated 5.5.2000 in O.A.149/2000 an advance of Rs. 30,000/- was paid to Apollo Hospital through Bank draft for follow up treatment and Rs.33,324/- was paid to the applicant for air travel from Guwahati to Chennai and back. The above amount was sanctioned subject to the condition that in case the applicant was not able to satisfy the admissibility, as per rules he would have to refund the amount with interest. Regarding the applicant's claim of examination by Dr Dilip Ghosal on 19.5.2000 it is stated that Dr Ghosal is a Homoeo doctor and as per his certificate he found the patient in a serious condition on the night of 28.4.2000 and advised to consult with the doctor of Apollo Hospital and to avoid long journey. The doctor found the patient in a serious condition on 28.4.2000 and the applicant intimated on 9.5.2000 that ~~he~~ the patient was in a serious condition. If the patient was in a serious condition she should have been hospitalised but no such thing happened. It is stated that the applicant was more interested in getting air travel and less concerned about the ailment of his wife. Moreover, if the patient was in a serious condition nobody ^{would} go to a Homoeopath. The illness of the applicant's wife is a fabricated one and not based on facts. The certificate of Dr Ghosal cannot be treated as an essential certificate for grant of air fare. The treatment of the applicant's wife was over at Apollo Hospital on 31.5.2000. She was prescribed medicines on 31.5.2000 and 1.6.2000. However, there was no reference on those dates for referring the case to Indraprastha Apollo Hospital, Delhi. On 2.6.2000 the applicant sent a fax to the respondent No.3 in connection with treatment at

10/1/01

contd..9

Indraprastha Apollo Hospital, New Delhi. The patient was referred to Apollo Hospital on 7.6.2000 with the advice that she is fit to travel by air. The applicant produced a letter dated 6.6.2000 of the treating physician of Apollo Hospital, Delhi where nothing is mentioned about second medical opinion or air travel. The advice that she is fit to travel by air does not meet the essentiality criteria of air travel. Dr Mukul Verma of Indraprastha Apollo Hospital, New Delhi treated the applicant's wife from 8.6.2000 to 12.6.2000. He advised the patient to avoid long journey, travel by air (Annexure-N to the written statement of O.A.479/2001). This also does not meet the essentiality criteria as prescribed by Ministry of Health and Family Welfare O.M. dated 7.4.99. The certificates given by doctors are in ambiguous term. It is stated that the applicant was not authorised to collect unutilized amount of Rs.25,178/- out of medical advance of Rs.30,000/- for Apollo Hospital to meet his air travel expenses from Chennai to New Delhi and New Delhi to Guwahati. The applicant was required to refund the balance amount of Rs.19,472/- out of refund of Rs.25,178/- after adjusting Rs.5456/- as medical expenses at Indraprastha Apollo Hospital, New Delhi. The certificate dated 7.6.2000 of treating physician of Apollo Hospital, Chennai did not mention that the condition of the patient was deteriorating and she was in need of shifting to Indraprastha Apollo Hospital, New Delhi and she could not be treated at Chennai. The wife of the applicant had never been an indoor patient while at Chennai or Apollo, New Delhi. Had the condition of the patient been serious she would have been hospitalised. Thus the statement of deteriorating condition of the patient was a hoax to justify the grant of air travel

K. V. Shan

advance. In the written statement it is stated that the applicant's bills should be examined and paid as per law and rules as admissible. The applicant has failed to follow the rules and had not complied with the requirements of the rules. It was also pointed out that sanction for air travel issued by Ministry of Health and Family Welfare dated 25.7.2000 was revised by a letter dated 28.9.2000 as under :

-
- (i) Payment of amount of air travel to Shri Gupta to and fro Guwahati-Chennai only as per the Hon'ble CAT's Order instead of Guwahati-Chennai New Delhi-Guwahati.
 - (ii) Submission of specific certification of the treating physician of Apollo Hospital, Chennai to the effect that the "air travel for the patient is absolutely necessary."
-"

3. The matter has been extensively heard and as mentioned above the learned counsel for the applicant as well as the applicant in person argued the case. The case was argued mainly on facts. Mr B.C.Pathak, learned Addl. C.G.S.C supporting the written statement specifically referred to the rules. He referred to CGHS rules and O.M. No.S-12012/4/97-CGHS(P) dated 7.4.99. He admitted that air travel is permitted in respect of non eligible persons and such permission is given by Ministry of Health and Family Welfare on the basis of recommendation of Director, CGHS. He also admitted that ex post facto approval can also be given. According to the learned Addl.C.G.S.C the applicant had misrepresented the facts before the Tribunal as well as the applicant's wife also misrepresented the facts in the Writ Petition filed before the High Court. While getting the interim order dated 5.5.2000 it had been stated on behalf of the applicant that the applicant's wife was

(Signature)

in very serious condition and that in the absence of treatment she was in danger of her life. In the Writ Petition filed before the High Court the applicant's wife had suppressed the fact that similar issue was pending before the Central Administrative Tribunal by way of numerous applications. He further argued that the respondents have no objection in making the payment for legitimate claims of the applicant subject to the observation of the relevant rules. The applicant has deliberately not complied with the rules and the applicant's case deserves to be dismissed. Medical benefits are provided to Central Government employees as per Medical Attendance Rules as applicable. Rules are statutory in nature and are made to overrule arbitrariness and ambiguity. When rules are there rights and responsibilities of persons to whom rules are applicable ^{are known.} The exercise of discretionary power is reduced to a great extent when rules are framed. In the context of medical benefits, due to the existence of rules one knows it as to what facilities/benefits one is likely to get. The rules also provide for certain requirements which are to be observed by the beneficiaries to claim those benefits. There is no dispute that the applicant is a CGHS beneficiary. In a place where CGHS scheme is applicable, no option is given to the employee to opt out of the scheme. The applicant's wife had given an undertaking to claim the medical benefits as per Central Government rules applicable to the applicant. Having perused the record and having heard the counsel for the parties at length as well as the applicant there is no doubt in my mind that the nature of the treatment of the wife of the applicant was domiciliary. There was no

11/11/11

case of any emergency. The patient required consultation and not hospitalisation. The record also shows that the patient had ^{been} ~~not~~ given only consultation. The patient's life was not at stake. The rules provided for dealing with such cases as well as cases requiring emergency treatment. Chapter 6 of the Compilation of CGHS Orders and Case Laws deals with the procedure for referral cases 'to recognised hospital'. The applicant's wife was referred to Apollo Hospital, Chennai. It is a case of referral treatment. Relevant portion of Chapter VI Para 2 (i), (v) and (vi) and para 4 are reproduced below :

"2 (i) In case of SERVING GOVERNMENT SERVANTS, after the Specialist advises a procedure in writing, the permission letter for, taking such treatment in a CGHS recognised private hospital/referral hospital of choice in the same city, would be given by the parent department/Office of the employee.

(v) In case the beneficiary, inspite of the facility being available in the another city, permission may be given, but in such cases TA/DA would have to be borne by the beneficiary himself/herself.

(vi) For availing treatment outside the city of residence of a beneficiary, the permission of Director/Addl. Directors/Joint Director of the City would have to be obtained.

4. In case of beneficiary, inspite of facility being available in the city still chooses to get treatment in CGHS recognised Hospital in another city.

The power for grant of such permission are delegated to the Heads of CGHS covered cities both in respect of pensioners and serving employees, but without grant of TA/DA."

As per applicable TA rules the applicant is entitled to travel by train and not entitled to travel by air. However, air travel for medical purposes is admissible as per Chapter VI of the Compilation of CGHS Orders. The relevant part of the rule is reproduced below :

"Air Travel - Permission may be given by the Ministry of Health and Family Welfare on the basis of the recommendation of Director, CGHS."

V. C. Shan

Even there is a provision for ex-post-facto approval. Under normal T.A. Rules air travel is admissible to employees drawing a basic pay of more than Rs. 16,400/- per month. Admittedly the applicant is drawing less than Rs. 16,400/- per month. Special provision is made for non entitled persons. The relevant instruction is re-produced below :-

"Government may consider refund of air fare paid in individual cases on merits, provided they are satisfied that air travel was absolutely essential and that travel by any other means, i.e. by rail or road, etc. would have definitely endangered the life of the patient or involved a risk of serious aggravation of his/her conditions."

"Certificate required to claim T.A."

it is certified in writing by the authorised medical attendant or by the specialist to whom the patient was referred by the authorised medical attendant or by a competent medical officer attached to the hospital to which the patient was referred by the authorised medical attendant for medical attendance and treatment, that the journey was unavoidably necessary to obtain appropriate medical attendance and treatment under the relevant Medical Attendance Rules and Orders."

Under the relevant medical attendance rules simultaneous treatment in two or more systems of medicine is not permitted. The relevant rule is re-produced below :

"Instances have come to notice where persons covered under the CS(MA) Rules, have received treatment simultaneously in more than one system of medicine. It has been decided that treatment for the same ailment should not be taken simultaneously in more than one system of medicine under the CS(MA) Rules, 1944. There is, however, no objection to treatment being received simultaneously in different systems of medicine for different ailments. If however, such treatment is being taken for other diseases, this should be done with the knowledge of the attending doctors of the other systems concerned."

There is a provision for advance T.A. also. The advance T.A. rules is reproduced below :

"Advance of travelling allowance to the extent admissible under these orders may be granted to Government servants at the discretion of the authority competent to sanction advance of T.A."

11/11/54

on tour on production of a certificate in writing from the medical authorities mentioned in these orders to the effect that the Government servant or a member of his/her family has been advised medical attendance and treatment outside the station (name of the station at which the patient has been recommended medical attendance and treatment to be specified) in accordance with the relevant Medical Attendance Rules and orders."

Appendix X of Medical R Attendance Rules gives instructions for Government servant. Para 5 of the relevant instruction is reproduced below :

"At the time of leaving the hospital after treatment, please get the hospital bill and receipts, vouchers, essentiality certificate, etc., duly signed or countersigned by the authorised medical attendant or the medical officer in charge of the patient in the hospital, as the case may be, for the purpose of claiming refund of expenses incurred."

Appendix XIV gives the form of essentiality certificate to be produced for claiming reimbursement. Certificate B is applicable in case of patients who are not admitted to Hospital. The rules have been reproduced above to have a better understanding of the issue. The relevant rules shows that essentiality certificate by the authorised medical attendant is necessary. The "authorised medical attendant" has been defined in the rules and means a Medical Officer under the employ~~ee~~ of Central Government. Thus it includes CGHS Doctors. Similarly ^{for} the travel by other than the entitled mode of transport, essentiality certificate is required to that extent that it was absolutely necessary for the patient to travel by other than the entitled class. The certificates produced by the applicant do not show that the travel by air was essential. The doctors have simply certified that the "patient is fit to travel by air." The type of certificates produced by the applicant do not meet the requirement of the rules applicable to the applicant.

11/11/2011

No infirmity can be found in the order of the respondents in not accepting the certificates regarding air travel produced by the applicant. The applicant has not been able to satisfy me in the proceeding before me that the travel of ~~by~~ the patient by air was essential and that she could not ~~be~~ travelled by the entitled mode of transport as per her entitlement.

4. I have given a patient hearing to the submissions made by the applicant and on his behalf. The applicant filed O.A.149/2000 on 25.4.2000. On 5.5.2000 the applicant prayed for an interim order. It was submitted at that time that there was an emergency and the life of the applicant's wife was in danger. On consideration of the submission of the applicant, the respondents were directed to give an advance of Rs. 30,000/-. It was made clear in the interim order dated 5.5.2000 that if the applicant was not able to satisfy the claim under the rules he would refund the money with interest at the rate of ⁸%12%. He was also not permitted to spend the unutilized amount. The discussion above shows ^{for} that the applicant had misrepresented the facts ~~for~~ obtaining the interim order dated 5.5.2000. Not only that the applicant's ^{wife} ~~wife~~ also misrepresented the facts in the writ petition filed before the Hon'ble Gauhati High Court on 24.5.2001 and also ^{when} obtained interim order. However, on 25.5.2001/~~the~~ correct facts were pointed out before the Hon'ble Gauhati High Court, the interim order was vacated. The respondents have been intimated the applicant the requirement of relevant rules by letter dated 23.12.99 (Annexure-9 to the written statement in O.A.149/2000). The applicant was informed about the requirement of the relevant rules. The letter is reproduced below for convenience :

"With reference to his representation dated 16.12.99 (received on 20.12.99), Sri Bimalendu Gupta, Sr.Acttt, is hereby asked to submit immediately a fresh estimate of Apollo Hospital, Chennai, required for the

purpose of sanctioning of medical advance regarding follow up treatment of his wife Smt Ajanta Gupta.

As regards grant of TA for undertaking journey by air for the aforesaid purpose. it may be stated that it would not be possible to release the air travel advance without the specific certification of the treating physician of Apollo Hospital,

Chennai to the effect that "Air Travel for the patient is absolutely necessary". The certificate referred to in your representation that the patient is "medically fit to travel by air", is only a certificate of fitness and cannot be treated a certificate of essentiality. Moreover, the approval of the Director, CGHS is also required for the said purpose.

In view of the above, he is asked to submit a fresh TA advance application for entitled Railway class for the proposed journey within 2(two) days from the date of receipt of this letter, for grant of TA advance. Further, in this connection, it may be mentioned that considering the gravity of the case and on the basis of Medical Certificate of the treating physician of GMCH, Air fare was granted provisionally subject to the approval of the competent authority. However, the matter has been taken up with the Joint Director, CGHS who in his letter dated 22.11.99 stated that the Air fare for the journey undertaken on the earlier occasion may not be reimbursed if the approval for the same is not received from the Director, CGHS New Delhi. As such his above mentioned air fare claim cannot be reimbursed until the receipt of the approval of the Director CGHS, New Delhi.

The release of Medical Advance of Rs.30000/- on an earlier occasion related to a different instance and cannot be automatically treated as having a bearing with the present proposal."

Again by letter dated 21.1.2000 of Joint Director, CGHS addressed to Senior Accounts Officer, office of the Accountant General the relevant rules were clarified to the applicant.

U The letter is reproduced above. *U* The applicant produced a certificate issued by Dr Ghosal dated 19.5.2000 (Annexure-20 to O.A.149/2000). The recommendation of Dr D.Ghosal is reproduced below :

"This is to certify that Mrs Ajanta Gupta W/o Mr B.Gupta was serious on 28th April, 2000 and on call at 10 P.M. attend at her residence.

K. U. Khan

After examine she was advise to consult the Apollo doctors from whom she was taking treatment and also advised to avoid train journey which may fatal her life."

It may be noted that Dr Ghosal is a homoeo path. The certificate shows that he had examined the patient on 28.4.2000 at 10 P.M. and issued a certificate on 19.5.2000 that she should avoid train journey. The certificate given by Dr Ghosal is vague. It does not mention the nature of illness. It does not explain if he found the condition of the patient serious on 28.4.2000 why he recommended treatment at Apollo hospital on 19.5.2000. The discussion above shows that the attitude of the applicant was not cooperative. He wants to get benefit outside the rules. He does not want to follow the rules. During the course of proceeding the applicant filed a copy of letter dated 27.4.2001 addressed by him to the Accountant General. The letter is reproduced below :

"With reference to your i/c DAG(A) Memo No. Admn-II/BG-MDL/Pt.II/2001-2002/18 dated 20.4.2001 on the subject, I am to state that as per C&AG's letter you have made compulsory CGHS treatment and deducting contribution and and funding to CGHS Guwahati without my concent. Hence it is your duty and responsibility to get any information in regard to treatment as required from CGHS directly. It is further stated that in many occasions it is noticed that Shri R.I.Sen Gupta Welfare Officer initiate to do the needful, which is covered under duty and responsibility of the Welfare Officer, but in my case he is not acted accordingly. Kindly do the needful in this regard, to provide or depute specialist doctor of CGHS related to illness "Osteoporosia" and your required certification, without any lapse.

In regard to CAT order dated 29.3.2001 of O.A.No.298/1999 and 177/1998, the decision will be intimated to you."

10/1/2001

A reading of this letter shows the non cooperative nature of the applicant. He was writing to the Accountant General to get the information regarding treatment from CGHS directly. The applicant has requested the Accountant General to depute a specialist doctor of CGHS to examine his wife. The reasons ^{such} for writing/letter addressed to Accountant General were known to the applicant himself. The applicant wants reimbursement of medical expenses incurred by him. The rules required reference to CGHS. It is open to the applicant to follow the procedure or not. It is not understood how the Accountant General will arrange for examination of applicant's wife by CGHS specialist. Instead of approaching the CGHS authorities the applicant has addressed this letter to the Accountant General. A copy of this letter had also been endorsed to Joint Director, CGHS. The applicant has also requested the Joint Director, CGHS to depute a CGHS doctor to his residence. It is not understood as to how ^{when} the applicant can take his wife to hospital in Chennai/Delhi. ~~he~~ was not in a position to take her to the CGHS Dispensary. The applicant has not been able to support his case for relief ^{is} under the rules. No infirmity/~~found~~ in the orders issued by the respondents regarding the applicant's claim for re-imbusement. The respondents are directed to dispose of the applicant's claim for medical reimbursement as per rules. As discussed above the applicant has not been able to satisfy in this proceeding why applicant's wife was entitled to travel ^{as a mode} by/other than the entitled class. The applicant has not obtained necessary authorisation from competent authority. I am unable to give any relief to the applicant. The application is disposed of as above. The claim of the applicant will be settled as per applicable rules. All ^{to} interim orders contradictory/~~to~~ this order stand vacated.

10/11/2019

contd..19

The applicant will be ^{✓ required to} ~~entitled~~ to refund the inadmissible amount with interest at the rate of 12%.

All the above applications are disposed of as above. There shall however be no order as to costs,

K. K. Sharma
(K.K. SHARMA)
ADMINISTRATIVE MEMBER

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No.149/2000

Shri Bimalendu Gupta ... Applicant.
-Versus-
Union of India & Ors. ... Respondents.

PARTICULARS OF THE APPLICANT

- i) Name of the applicant : Sri Bimalendu Gupta.
- ii) Name of father : Late Biswanath Gupta.
- iii) Designation & office in which employed. : Senior Accountant,
Office of the AG(A&E),
Assam,
Beltola, Moidamgaon,
Guwahati - 781029.
- iv) Office address : Office of the AG(A&E),
Assam,
Beltola, Moidamgaon,
Guwahati-781029.
- v) Address for service notice. : Office of the AG(A&E),
Assam,
Beltola, Moidamgaon,
Guwahati-781029.

Contd...2/-

PARTICULARS OF THE RESPONDENTS

1. Union of India
Represented by the Secretary to the
Govt. of India,
Ministry of Health & Family Welfare,
(Department of Health),
Nirman Bhawan,
New Delhi.
2. Controller of Auditor General of India
Bahadur Shah Zaffar Marg,
Indraprastha Head Post Office,
Post Box No.7,
New Delhi-2.
3. Accountant General(A&E), Assam,
Maidamgaon, Beltola, Guwahati-781029.
4. Director General of Health Services,
Central Govt. Health Scheme,
Nirman Bhawan,
New Delhi-1.
5. Deputy Accountant General (Admn)
Office of the AG(A&E), Assam,
Maidamgaon, Beltola, Guwahati-29.
6. Shri Lengjam Sidhartha Singh
Deputy Accountant General(Admn),
Office of the AG(A&E), Assam,
Beltola, Maidamgaon, Guwahati-29.
7. Joint Director,
Central Govt. Health Scheme,
Ministry of Health & Family Welfare,
Ananda Kutir Path,
Zoo Tiniali, Guwahati-3.
8. Sr. Accounts Officer(Estt & Bills),
Office of the AG (A&E), Assam,
Maidamgaon, Beltola, Guwahati-29.
9. Shri Bijit Kumar Das Purkayastha,
Sr. Accounts Officer (Estt & Bills),
office of the AG(A&E),
Assam,
Maidamgaon, Beltola,
Guwahati-29.

... Respondents.

Contd.....

Bimalendu Gupta

DETAILS OF APPLICATION

I. PARTICULARS OF THE ORDER/ORDERS AGAINST WHICH THE APPLICATION IS MADE.

A. This application is made against order dated 23.12.99 vide Memo No. Adm-11/BG-MDL/TA/99-2000/567 and inaction by the respondents for sanctioning medical ^{as well as} *Air travel* advance for treatment of wife of the applicant Mrs Ajanta Gupta.

1. JURISDICTION OF THE TRIBUNAL :

The applicant declare that the subject matter of the instant application is within the jurisdiction of this Hon'ble Tribunal.

2. LIMITATION :

The applicant declare that the application is within the limitation period prescribed under Section 21 of the Administrative Tribunal's Act, 1985.

3. FACTS OF THE CASE :

1. That your humble applicant is a citizen of India and as such he is entitled to all the rights and privileges guaranteed in the Constitution of India and presently he is the employee under Respondent No.3 and at present he is a Senior Accountant stationed at Guwahati.

Bimalendu Gupta

Contd....

2. That your humble applicant is a married one and has got wife and one daughter. Under the CCS(MA) Rules, 1944, the wife of the applicant is entitled for treatment.

3. That your humble applicant's wife is suffering from different ailments including Menonhagia low grade fever and weight loss, back pain etc. On recommendation of the physician Dr. Robin Medhi, Asstt. Professor Otg Department of GMCH, Guwahati the applicant's wife was treated at Apollo Hospital at Chennai. An amount of Rs.30,000/- was sanctioned vide letter dated 13.9.99. She was treated at Apollo Hospital Chennai from 19.9.99 to 29.9.99 and the attending Doctors opined that a further period would be required for the treatment and accordingly the Hospital authority (Finance Deptt) sent a fax message to the Respondent No.3 to remit immediately a sum of Rs.30,000/- for more investigation of the patient.

A copy of the Fax message as referred is enclosed herewith and marked as Annexure-1.

4. That your humble petitioner begs to state that there being no response from Respondent No.3 the Hospital authority suspended investigation and advised her to report to the Hospital after 3 months.

A copy of the said document dated 28.9.99 enclosed herewith and marked as Annexure-2.

Contd.....

Bimalendu Gupta

5. That your humble applicant begs to state that by this time, the condition of the applicant's wife is deteriorating day by day and approached the Respondents requesting them to sanction amount for medical expense as well as travel allowances. In the mean time she was treated by local doctor at Guwahati and even today she is under medical treatment.

A copy of the letter to respondent No.3 written by the applicant dated 16.12.99 is enclosed hereto and marked as Annexure-3.

6. That your humble applicant begs to state that he was cut to the quick when he received the letter of the Respondent No.8 where it was written that a fresh certificate was to be obtained from Apollo Hospital regarding air travel though already certificate has been filed, copy of which is annexed again.

A copy of the letter dated 23.12.99 written by Respondent No.8 and a medical certificate from Apollo Hospital is annexed as Annexure-4.

7. That your humble applicant begs to state that he got another letter from Respondent No.8 who wrote to him to furnish a fresh recommendation of the treating physician of the Guwahati Medical College Hospital, Guwahati regarding the necessary of air travel for follow-up treatment.

A copy.....

Bimalendu Gupta

A copy of the said letter dated 29.12.99 is disclosed hereto and marked as

Annexure-6.

8. That your humble applicant begs to state that his wife who is under medical treatment under Dr.R.Medhi, attending physician and Asstt.Professor of O & G of Guwahati Medical College Hospital, Guwahati has opined that the wife of the applicant can be shifted to Chennai by air only.

A certificate dated 10.1.2000 by Dr.R.Medhi is enclosed herewith and marked as Annexure-7.

9. That your humble applicant begs to state that the condition of his wife is deteriorating day by day and on 21.4.2000 she was advised immediately to shift to Chennai.

A copy of medical document is enclosed herewith and marked as Annexure-8.

10. That your humble applicant begs to state that delay may bring danger to the wife of the applicant and something unexpected may happen.

11. That in pursuance of this Hon'ble Tribunal's order dated 5.5.2000, your humble applicant got an amount of Rs.30,000/- as medical advance and Rs.32,324/- as air fare advance and proceeded to Chennai to escort his ailing wife for treatment at Apollo Hospital, Chennai

and

Bimalendu Gupta

and their minor daughter Anoopriya Gupta was taken along with. The said amount of air fare was paid on 12.05.2000 by cheque which took three days time for collection and the medical advance was paid by demand draft payable at Chennai in favour of Apollo Hospital. On 19.5.2000 the wife of the applicant was further examined by the Homeeo Physician Dr. D.Ghosal and advised to avoid train journey. A document in this connection is enclosed herewith and same is marked as Annexure-9.

12. That your humble applicant arrived at Chennai with his ailing wife on 22.5.2000 and attended Apollo Hospital, Chennai on 23.5.2000. The applicant begs to state that his wife was treated in the Apollo Hospital, Chennai from 23.5.2000 to 6.6.2000 and on that date i.e. on 6.6.2000 she was referred to be treated in the Indraprastha Apollo Hospital, New Delhi and accordingly the patient was shifted to Indraprastha Apollo Hospital, New Delhi on 8.6.2000 and on the same day she attended the Indraprastha Apollo Hospital New Delhi and her treatment continued till 16.6.2000 and she was discharged on that day. Dr. Mukul Verma, Sr. Neuro Consultant, Dr. Mittal & Dr. M. Roy are the attending doctors who advised your applicant's wife to report again after 3(three) months for review. The applicant had to shift his wife from Chennai to New Delhi by air as per advice of the Doctors of Apollo Hospital, Chennai. In this connection, two documents are enclosed herewith and both are part and parcel of this petition and marked as Annexure-10, 10-A, 10B and Annexure-11.

Contd....

Bimalendu Gupta

13. That your humble applicant left New Delhi on 18.6.2000 for Guwahati by Indian Airlines as per advice of the attending doctor of Indraprastha Apollo Hospital. A document in this connection is enclosed herewith and same is marked as Annexure-123. She is further advised to report at Indraprastha Apollo Hospital after three months for review. A document in this connection is enclosed and marked as Annexure- 41.

14. That your humble applicant begs to state that an expenditure to the tune of Rs. 31,240/- (Rupees Thirty one thousand two hundred forty) for air fare was incurred from Guwahati-Chennai, Chennai-New Delhi-Guwahati out of scheduled programme as the patient was referred to Indraprastha Apollo Hospital by Apollo Hospital, Chennai. This air fare expenditure of Rs. 31,240/- was adjusted from the balance amount of medical advance refunded to the applicant by Apollo Hospital, Chennai i.e. Rs. 24,000/- was refunded to the applicant by Apollo Hospital, Chennai for medical treatment at New Delhi from the amount of Rs. 30,000/- sanctioned by Respondent No.3.

15. That the applicant begs to state that this amount/being incurred and same being spent from the balance amount in hand Rs. 16,624/- (Rs. 32,324 - 15700/-) i.e Air Travel Advance Rs. 32,324 + 16,806/- (being refunded money of Medical Advance of Rs. 30,000/-). This total amount may kindly be treated as Air travel Advance. Contd.....

Bimalendu Gupta

16. That your humble applicant begs to state that the amount spent as stated above in route Chennai-New Delhi Guwahati due to necessity which was unforeseen, as his wife was to be treated at Indraprastha Apollo Hospital, New Delhi after being treated at Apollo Hospital, Chennai. The matter was brought to the notice of Respondent No.2&3 and Respondent No.3 by Fax on 2.6.2000 and on 13.6.2000 and also talked over phone. Respondents were requested to sanction air fare for air travel as advance from Chennai-Delhi and Guwahati it was further ^{requested} to pay said advance through AG(A&E) Tamilnadu, Chennai and the applicant waited till 7.6.2000 with hope that respondents will ^{send} spend the amount as per request made by Fax on 2.6.2000. Money being not sent and the applicant's wife condition being deteriorating he was compelled to spend the balance amount in hand in purchasing air tickets for shifting the patient to New Delhi.

Copies of the fax message is annexed and marked as Annexure-14 and 15.

17. That your humble applicant is submitting the final air travel bill and medical claims to the Respondent No.3 at the earliest.

GROUND FOR RELIEF WITH LEGAL PROVISION :

1. For that the impugned order i.e. Annexure-4 is violative of Article 14,16 and 21 of the Constitution of India.....

(17)

Bimalendu Gupta

India affecting the legitimate rights and right to life of the applicant.

2. For that the impugned order is liable to be set aside in view of Annexure-1.

3. For that in view of Annexure-2,7 & 8 the Respondent No.3 is requesting to sanction the entire medical and air travel allowance as per the existing rules to the applicant.

4. For that the inaction on the part of Respondent No.3 has led the case of the applicant to despire and it is obligatory on the part of Respondent No.3 to grant immediately medical as well as air travell allowance.

5. For that the impugned order is liable to be set aside in view of Annexure 7 & 8.

6. For that it is a fit case where this Hon'ble Tribunal can invoice his jurisdiction to m interfere with the matter.

7. For that the equity and good conneience need interference by this Hon'ble Tribunal.

8. For that it is a fit case where this Hon'ble Tribunal can intervene in the interest of justice.

Bimalendu Gupta

Contd.....

6. DETAILS OF REMEDIES EXHAUSTED :

The applicant declare that he has no other alternative or efficacious remedy except by way of filing this application before this Hon'ble Tribunal.

7. MATTER NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT/TRIBUNAL :

The applicant further declare that he has not filed any application, Writ Petition or Suit regarding the matter in respect of which this application has been made before any Court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or Suit is pending before any of them.

8. RELIEFS SOUGHT FOR :

Under the facts and circumstances stated above the applicant most respectfully pray that the Hon'ble Tribunal may be pleased to grant the following reliefs to the applicant.

8.1. Order may kindly be passed directing the respondents No.3 & 5 to cancel/withdraw/review or any appropriate order dated 23.12.99 i.e. Annexure-4 with a further direction to sanction grant as medical advance including air travel expenditure *Covering Indraprastha Apollo Hospital New-Delhi*

8.2. To direct the respondents so that the applicant is getting complete justice.

Contd....

Bimalendu Gupta

9. INTERIM RELIEF IF ANY SOUGHT FOR :

Under the facts and circumstances stated above the applicant prays to stay the impugned order dated 23.12.99 and with direction to respondent No.3 & 5 to pay the applicant the medical advance of Rs.20,000/- and air travel expenditure of the applicant's wife including attendant ^{Covering} ~~for both ways~~. Indraprastha Apollo Hospital New Delhi.

10. The application is filed through Advocate.

11. PARTICULARS OF THE I.P.O.

- (i) IPO No.
- (ii) Date of Issue :
- (iii) Issued from :
- (iv) Payable at :

12. LIST OF ENCLOSURES :

As stated in the INDEX.

Bimalendu Gupta

Verification.....

I cert. from R.M.P. Accettable
as on 15.6.2001, 17.8.2001 —
for leave hardship
competent to sanction — they
to Govt

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Mutual views

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 WP - HC - 3660/2001 - by wife
 - DCA - Gutkin order - sanctioned
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23 \$⁰⁰ - sent Fax to A.G.
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25 \$⁰⁰ - coming to me
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24.5.00 - 27.5.00 -
26.00. sent Fax to A.G. - No
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to A.G. - going to release money
by air to Guatemala
to A.G. - to release money
to A.G. - to release money
to A.G. - to release money

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A 369 - Advice or mutual Ver
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in Nov -

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V E R I F I C A T I O N

I, Shri Bimalendu Gupta, son of late Biswanath Gupta, aged about 44 years, presently working as Senior Accountant in the office of the Accountant General (A&E), Assam, Moidamgaon, Beltola, Guwahati-781029 do hereby verify that the contents made from paragraph 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, are true to my knowledge and those made in paragraph are derived from records which I believe to be true and those made in paragraphs *after* paragraph 17, of the application are true to my legal advice and rest are humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts in this case.

AND I sign this Verification on this 28th day of September, 2000 at Guwahati.

Dec. 98 - Aholo Hostel. not allowed to convert Aholo

(17) Cert. of Dr. Medha

(27) - OA 365 - 25.7.00 DCMS allowed to travel to & from Guu to Chennai

Bimalendu Gupta
DEPONENT.

16.9.99 - went to Chennai - there was shortage of money

(14) 24.9.99 - Aholo Hostel Chennai - for additional of 22000 - A G did not send money

(17) Medically fit to travel by air

5.5.00 - Cat order - 30000 allowed

Para 5 of MP

14

Annexure - 1

Dt. 24.09.99

FAX NO 0361 303142

TO

THE ACCOUNTANT GENERAL
(A & E) ASSAM
GUWAHATI - 29

Sub: Requisition for remittance of Thirty Thousand
for treatment of Mrs. Ajanta Gupta Hospital token
NO 353658.

Sir,

With reference to your letter No. Admn.2/BG-MDLADV/99-2000/362
Dated 15.09.99 enclosing B/D No. 980281 dated 15.9.99 for Rs. 32000/-
received by this Hospital for the investigation / treatment of
Mrs. Ajanta Gupta w/o B Gupta of your office, we require an
additional amount of Rs. 30,000/- for further treatment of the
patient.

Please confirm the remittance in two days. We will send you the
statement of account on completion of treatment.

Yours faithfully
for APOLLO HOSPITALS ENTERPRISE LTD

V. VENUGOPAL
GENERAL MANAGER - FINANCE

Our Fax No. 91 44 8234429
Email. abel @ vsnl.com.

15

Annexure -2

DR. R. VARADARAJAN, MD., DCH
Consultant Haematologist

28/9/99

Ref by Dr. Archana Aravind MD

1/1/99 Asmita Gupta 34 y Fe

Suggest:

(1) Tab: Folic acid 5mg (1)

once daily after
breakfast X 6 months

(2) Tab: Methylcobalamin (1) once daily
after dinner X 6 months

Apollo Hospitals

21, Greams Lane, Off. Greams Road, Chennai-600 006 Ph. 8277447

Regd. Office: 19, Bishop Garden, Chennai-600 028

E-MAIL: ahol.apollo@gems.vsnl.net.in

INTERNET: <http://www.apollohospitals.com>

15

Annexure - 3

To

The Accountant General (A&E) Assam,
Maidamgaon, Guwahati-29.

Subject: Payment of Medical Advance and
Travelling Advance.

Sir,

I beg to invite your kind attention to my representation dated 5.11.99 regarding payment of Re-imbursment cost of the medical treatment cost and Air fare amounting to Rs.10,000 (Rupees ten thousand approx.) only. But till date Establishment & Mills fails to intimate nor made payment, as a result the interim check up ^{with} ^{is not} of the patient is badly disturbed due to paucity of money.

Further I like to mention that as per Medical advice of Apollo Hospital Ent. Ltd. Chennai it is time to attend Apollo Hospital for follow up treatment.

That sir as per telephonic information it was confirm that an amount of Rs.30,000/- (Rupees thirty thousand) only was sanction as per Apollo FAX dated 24.09.99 but the same was not paid to Apollo due to deferred the treatment till last part of December, 1999. Necessary arrangement may kindly be made to payment of the said amount to Apollo Hospital for follow up treatment of my wife Mrs. Ajanta Gupta as per medical advice. The medical advices are already submitted to Establishment-2. in time.

That sir, in addition to Medical advance the travelling advance by Air as per medical advice for to and fro Chennai may also kindly be released soon so that the patient with attendant can able to avail the treatment without any further delay.

In this regard a fresh approval of the Joint Director CGHS neednot required as it is within the time limit of the original sanction order dated 14.09.99.

Under the circumstances necessary action and order may kindly be passed to release the above payment and enable me to seek the treatment at Apollo Hospital Chennai ^{by 29.12.99} as per medical advice of Apollo Hospital without any further lapses.

For this act of your kindness I shall remain ever grateful.

Dated, Guwahati
the 16th Dec. '99

Yours faithfully


(Bimalendu Gupta)
Senior Asstt/Reg-(C)

...

OFFICE OF THE ACCOUNTANT GENERAL (A&E), ASSAM,
BELTOLA, GUWAHATI-29.

No. Admn-II/BG-MDL/TA/99-2000/567

Dated: 23/12/99.

With reference to his representation dated 16/12/99 (received on 20/12/99), Sri Bimalendu Gupta, Sr. Acctt., is hereby asked to submit immediately a fresh estimate of Apollo Hospital, Chennai, required for the purpose of sanctioning of medical advance regarding follow up treatment of his wife Smt. Ajanta Gupta.

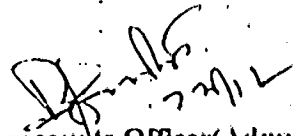
As regards grant of TA for undertaking journey by Air for the aforesaid purpose, it may be stated that it would not be possible to release the air travel Advance without the specific certification of the treating physician of Apollo Hospital, Chennai to the effect that "Air Travel for the patient is absolutely necessary". The certificate referred to in your representation, that the patient is "medically fit to travel by air", is only a certificate of fitness and can not be treated a certificate of essentiality. Moreover, the approval of the Director, CGHS is also required for the said purpose.

In view of the above, he is asked to submit a fresh TA advance application for entered Railway class for the proposed journey within 2(two) days from the date of receipt of this letter, for grant of TA advance. Further, in this connection, it may be mentioned that considering the gravity of the case and, on the basis of the Medical Certificate of the treating physician of GMCH, Air fare was granted provisionally subject to the approval of the competent authority. However, the matter has been taken up with the Joint Director, CGHS who in his letter dt. 22.11.99 stated that the Air fare for the journey undertaken on the earlier occasion may not be reimbursed if the approval for the same is not received from the Director, CGHS, New-Delhi. As such his above mentioned air fare claim can not be reimbursed until the receipt of the approval of the Director, CGHS, New-Delhi.

The release of Medical Advance of Rs. 30,000/- on an earlier occasion related to a different instance and can not be automatically treated as having a bearing with the present proposal.

[Authority: DAG(ADMIN) order dated: 22/12/99 at page-29(n) in file No. Admn-II/BG-MDL/TA/99-2000]

To,
Shri Bimalendu Gupta, Sr. Acctt.
Record Section,
Office A.G.(A & E), Assam, Guwahati-29.


Sr. Accounts Officer (Admn).
वरिष्ठ लेखा अधिकारी,
Sr. Accounts Officer,
अकाउन्ट्स ऑफिसर (ले. एवं ह.) का कार्यालय
C/O The Accountant General (A&E)
असम, गुवाहाटी
Assam, Guwahati,



**Apollo
Hospitals
Chennai**

1980

Annexure - 5

Dr. DEEPAK ARJUNDAS
M.D. (Med), D.M. (NEURO) Dp. Neuro (Lon) F.R.S.H. (Lon) FAIMS
CONSULTANT NEUROLOGIST & NEUROINTENSIVIST

CONSULTATION HOURS:
4.00 - 6.00 P.M. - MONDAY to FRIDAY

Myelogram

Sumo 1-2-1 X-rays L
Tizzen 4-2-1 X-rays L
Ossipian 1-1 X-rays
Alfred 1-2-0 X-rays

Ray Decubusulm
in case in (L) X-rays
Directions X-rays

Endure 4-1-1 X-rays
for Green

Urology

ADU MRD Car/Mou. sm

Medically fit to travel
by Air

1/2/81

1/2/81

19

Annexure - 6

OFFICE OF THE ACCOUNTANT GENERAL (A & E), ASSAM,
MAIBAMGAON :: BELTOLA :: GUWAHATI-29.

No. Admn-II/BG-MBL/TA/99-2000/579

Dated 29-12-99.

With reference to his representation dt. 16-12-99 and dt. 28-12-99 and in continuation to this office letter No. Admn-II/BG-MBL/TA/99-2000/567 dt. 23-12-99, Sri Bimalendu Gupta, Sr.Acett. is hereby once again asked to submit immediately a fresh estimate of Apollo Hospital, Chennai required for the purpose of sanction of Medical Advance for follow-up treatment of his wife Smti Ajanta Gupta as advised on the prescription dt. 28-12-99 by the attending physician on completion of treatment (OPD) of Smti Ajanta Gupta.

As regards, reimbursement of Air travel both ways for follow-up treatment of his wife, Sri Bimalendu Gupta, Sr.Acett. is hereby asked to furnish a fresh recommendation of the treating physician of the Guwahati Medical College Hospital, Guwahati regarding the necessity of Air travel for follow-up treatment duly approved by the competent authority as per The Joint Director, CEMS, Guwahati letter No.D.12016/1/99(2)/3533 dt.24-12-99 (copy enclosed) for initiating follow up action in this regard.

AUTHORITY :- DAG (Admn)'s orders at Page 32^N of file
No. Admn-II/BG-MBL/TA/99-2000

To,
Shri Bimalendu Gupta,
Sr. Accountant,
O/e The A.E. (A & E), Assam,
Guwahati-29.

[Signature]
12/12/99
Sr. Accounts Officer (A)
Sr. Accounts Officer,
O/e The Accountant General (A & E),
Assam, Guwahati

[Handwritten]
21/12/2000

Govt. of India,
Ministry of Health & F.W.,
Dte. General of Health Services,
Central Govt. Health Scheme,
Zoo Narengi, Tiniali,
Guwahati- 3.

No.D.12016/1/99(2)/3533

Dt. 24/12/99

To,
The Sr. Accounts Officer,
O/O the Accountant General(A&E),
Assam, Beltola, Guwahati.

Sub : Clarification on air travel for
medical treatment - regarding.

Sir,

Reference your letter No.Admn.2/Ghy/Bills/1-18/TA/99-2000
/584 dated 21.12.99 the undermentioned points are forwarded
for your clarification on the above subject:-

1. Smt. Ajanta Gupta W/O Shri Bimalendu Gupta was permitted
to attend Apollo Hospital, Chennai with two escorts only vide
our letter No.D.12016/1/99(1)/2015-1018 dated 14.9.99 wherein no
mention of air travel has been made.

As permission for air travel can only be granted by the
Min. of H & FW on recommendation of Director, CGHS, we requested
the latter to grant air travel permission on the basis of the
advise of Guwahati Medical College Hospital(Vide GMCH letter
No. NIL dated 9.9.99).

2. The suitable mode of journey can only be judged by the
treating physician/hospital for a patient. Therefore, regarding
return journey, the Apollo Hospital, Chennai has to advise about
the absolute necessity of air travel by the patient.

For the follow up treatment, we are at this stage unable
to comment as there is no record of treatment by CGHS/the refe-
rring doctor of GMCH. It is also stated that for a second air
travel by the patient for review at Apollo Chennai, a fresh re-
commendation regarding two escorts and absolute necessity of air
travel from the specialist of GMCH who initially referred the
patient to Apollo Hospital is necessary.

Therefore, on the basis of our earlier permission letter
No.D.12016/1/99(2)/2017 dated 14.9.99, to and fro air travel
to Shri Bimalendu Gupta can not be treated admissible, unless
the above conditions are fulfilled.

Yours faithfully,

(Dr. B. Saikia)
Joint Director.

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Annexure - 1

GUWAHATI MEDICAL COLLEGE & HOSPITAL
OBSTETRICS & GYNAECOLOGY DEPARTMENT

Hospital Regn No. 7352/99 dated 16.08.99

Hospital No. B 14107 dated 16.08.99

Date :- 10.01.2000

TO WHOM IT MAY CONCERN

This is to certify that Mrs Ajanta Gupta, age 34 years, wife of Sri Bimalendu Gupta, was referred to Apollo Hospital, Chennai, on 09.09.99. As per advice of Apollo Hospital, she is advised to go to Apollo Hospital, Chennai, for follow up.

She is medically fit to travel by air both ways.

2 (Two) escorts are allowed.

Approximate estimated cost of investigation / treatment is Rs 30,000/- (Rupees Thirty Thousands) only. The cost will not be borne by the Government of Assam.

Dr R Medhi
16/01/2000

(Dr. R Medhi, MD)

Asst. Professor
Dept. of Obs. & Gynaecology
Guwahati Medical College

(21)

Ankeshore - 8

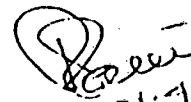
Dr. R. N. Pathak, M. D.
Professor of Medicine III
Guwahati Medical College

Residence & Chamber
Bajpath Link Road
Guwahati - 781 007
Phone - 540422

Date 21.7.2000

Mrs. Ajanta Gupta 35 yrs

as per advice of Dr. R. N. Pathak
Admitted Hospital, Chennai she should
Report there at the earliest.


21.7.2000

Dr. Dilip Ghosal D.H.M.S

GUWAHATI, ASSAM

Regd. No. : 388 (A)

(22)

Annexure 9

To whom it may concern

This is to certify that Mrs.
- Ajanta Gupta w/o Mr. B. Gupta
was serious on 28th April
2000 and on call at 10 P.M.
attend at her residence.

After examine she was
advise to consult the Apollo
doctor's from whom she
was taking treatment
and also advised to avoid
her in journey which
may fatal her life.

Dy. P. Ghosal
19/5/2000
Dr. Dilip Ghosal
Regd. No. : 388 (A)

You're
Not
Grown

For Appointments Contact
0293333 / 0290200, Ext 2449
0553434 / 0553117 / 0553127
For Emergencies Contact
0411772 / 0411657

2A

Annexure-10A

Dr. R. SRIDHARAN, M.D., D.M. (Neuro), MRANIS
Consultant Neurologist

553658

Mrs. Ajayalakshmi 34 F

31/5/2000

- Somewhat anxious

Headache, nausea, dizziness, tremor, spine - morning
At Endocrine opinion.

&
Zovirax 25mg daily 1 — x 3 months

1) Tablet 1mg at bedtime — 1 x 1 month
2) Tablet 1mg at bedtime — 17 1 month
3) Tablet 1mg at bedtime x 1 month

Regulation with

2) sup. Folic 1 daily 1 — x 3 months
1) Tablet 5mg 1 daily 1 — x 3 months
3) Neurobion 1 daily 1 — x 3 months

Neurologically fit for discharge

Apollo Hospitals

21, Greams Lane, Off. Greams Road, Chennai - 600 008
Tel : 8293333 / 8290200 Fax : 91-44-8266761 / 8234429
Regd. Office : 19, Bishop Garden, Chennai - 600 028
E-mail: ahel@vsnl.com



Smt. Ajanta Gupta,

? ? Chronic fatigue syndrome

R. Good protein diet

Tob. Tryptomer (10)

1 tab at bedtime

Mibama

Apr 1 month
ESR ↑
improved
↓
30mm/hr

Tob. Proactin (4mg)

1/2 tab TDS

Syp Haem γ

1 by TDS

x 1 month

If no relief, add.

Tob. Naproxen (250)

x 1 week

1 x 13) (o) after meals.

Avoid long journeys.

Travel by air.

Mibama

Mibama

% Body aches - since '93

Fatigue - "

Insomniac + bad

ESR ↑ for long

Other tests - Normal

(AKL)

7E HMF

Speech

Language / N

No neck rigidity

Motor

Surgery / N

Reflexes / N

Lost

ESR → 40 mm in 1 hr

10B. 9.3 up %

Consultant:
Apollo Hospital
Neurological Society of India
Indian Epilepsy Association
Indian Academy of Neurology

Dr. MUKUL VARMA
M.D., D.M.
Neurophysician

Indraprastha Apollo Hospital
Mathura Road, Sarita Vihar
New Delhi 110 044
Phone: 6925050, 0925001, Extn 1000
Fax 91-11-6823829
Consultation daily 9.00AM to 1:00PM

Apollo Clinic
13 New Rajdhani Enclave, Vikas Marg
Delhi 110 092
Consultation: Thurs only 7:00 - 8:00 PM
For appointment call 2222146, 2212125

Residence
1376, Sector 37, NOIDA, 201 303
Phone from Delhi: 91-4575440
From outstation: 0118-4575440
E-mail: mvarma@vsnl.com
By appointment only

12-6-00

Mrs. Ajanta Gupta,

A - Chronic fatigue syndrome
B - Osteopenia.

Bone densitometry

MV

R

Prochlor (4mg)

1/2 x 7-8-5

Have up 1st 7-8-5

x 3mlt

MV

Red on ed. by 6-7-00 / 6-7-00

Review after 3 wks.

MV

Pain in back.
↑ by walking

27

Annexure-12

From: Bimalendu Gupta
Sr Accountant
A.G. (X+5) Assam Gy. 28
on leave at Shennu
for wife's Treatment.

02-06-2000

To

The Accountant General
(A.G.) Assam, Guwahati 29.

Sir,

With reference to your letter dated
W-05-2000, my wife was examined by Apollo
Hospital Madras and referred to Indraprastha
Apollo for ^{second} operation. Kindly sanction
my journey with wife to New Delhi by Air. Expecting your
kind confirmation by 4th day 2-06-2000 to
A.G. (A.G.E) Tamlukam Fax No. 044-4320562.

Thanking you.

Yours faithfully

B Gupta

(Bimalendu Gupta)

The Accountant General (A.G.) Assam
Guwahati-29.

Sir,

I beg to invite your attention to the following for necessary action and your kind information to HQ for doing the needful.

(1) Investigation of Mrs. Ajanta Gupta as per medical advice of Apollo Chennai is over at Indraprastha Apollo New Delhi on 15-06-2000 & suggested treatment. Details for Air travel to Guwahati submitted to HQ for releasing Airfare including me. and to the Min. of H&F.W. Your kind intimation to HQ for releasing fund for Air travel to Ghy on 17-06-2000 please be made today to avoid any delay.

(2) HBA for purchasing a plot of Land released by HQ on 8/6/2000 for budget 2000-01. kindly arrange to release the amount Rs. 3.00 (approx) in one time payment as stated in my application dated 24-03-2000 to HQ. If any clarification is needed the matter kindly be taken up with HQ (Bgt) to release the fund. Leave Ext. Solicited.
Dated, New Delhi,
16-06-2000

Yours faithfully,
Bajmal S.
incharge 15/6

29

OFFICE OF THE ACCOUNTANT GENERAL (A&E), ASSAM, BELTOLA, GUWAHATI-29.

Memo No. Admn-II/BG Mdl/99-2000/25

dt.28.04.2000

With reference to his representation dated 26.4.2000 & a photo copy of directive dt. 25.4.2000 issued by the Hon'ble C.A.T. Ghy Bench OA No.149/2000 regarding grant of both ways Air fare and Mdl. Advance in connection with the follow up treatment of his wife Smti. Ajanta Gupta at Apollo Hospital, Chennai, Shri Bimalendu Gupta, Sr. Accountant of this office is hereby informed that his above said representation has been thoroughly examined in the light of the existing CS (MA) Rules 1944 and it is found that in the absence of any essentiality certificate from the concerned Medical Authority, his prayer for grant of Air fare both ways cannot be entertained.

However, he is once again asked to submit a fresh T.A. Advance proposal for entitled Railway class for the said purpose. In this regard Para-3 of this office earlier communication No. Admn-II/BG-Mdl/99-2000/567 dated 23.12.99 to him may also be referred to.

In this connection Appendix-VII (1) to CS(MA) Rules 1944 and a medical certificate dated 24.2.2000 issued by Smti. A. Gupta's treating physician of G.M.C.H., Ghy., a copy of which was already endorsed to him vide this office letter No. Admn-II/BG-Mdl/TA/99-2000/818 dt. 6.3.2000 may be referred to.

As regards grant of Medical advance, he is asked to furnish the tentative date of his outward journey to Apollo Hospital, Chennai, so that the admissible amount of Medical advance as prayed for, could be drawn and sent to the concerned Hospital well in time.

This disposes of his representation dated 26.4.2000.

Shri Bimalendu Gupta, Sr. Acctt.
Record © Section.
O/o the A.G. (A&E), Assam, Guwahati.

R Singh
Dy. Accountant General (Admn.)
उप महालेखाकार (प्र.)
Dy. Accountant General (Admn.)
महालेखाकार का कार्यालय (ले. एवं प्र. ह.)
O/O the Accountant General (A&E)
असम, गुवाहाटी
Assam, Guwahati

Received at
1-50 PM on 4/5/2000
Bgm/GA
11/5/2000



**Apollo
Hospitals
Chennai**

30

Annexure - 5.

Dr. DEEPAK ARJUNDAS
M.D. (Med), D.M. (NEURO) Dip. Neuro (Lon) F.R.S.H. (Lon) FAIMS
CONSULTANT NEUROLOGIST & NEUROINTENSIVIST

CONSULTATION HOURS:
4.00 - 6.00 P.M. - MONDAY to FRIDAY

Hypercalcaemia

Sumo

1-2-1

Relays L

from - Subsequent care

Tylenol

4-6-1

Relays J-shin

from - 1 day

Observed

1-1-1

Relays

Alcohol

1-2-1

Relays

J-shin

from

Ref

Decadron

from

1M

One

in

Relays J-shin

7/5/00

Enxer L-shin Relays J-shin

from - 1 day

Unwarranted

ADU MNT Centrous

Medically fit to travel

1-2-1

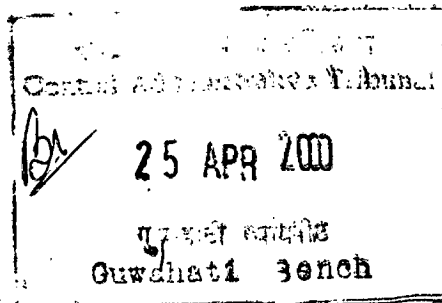
1-2-1

[Signature]

21, Grems Lane, Off. Grems Road,
Chennai - 600 006.
Tel : 8293333, 8290200 Fax : 01-44-8291761.
Grams : Apollo Hosp Tlx : 41-6419 AHIL IN
Regd. Office : 19, Bishop Garden, Chennai - 600 020.

For Appointment's Contact :
8293333, 8290200, Extn. : 2449
8553434 / 8553117 / 8553122
For Emergencies Contact :
6411772 / 6411657

1-2-1



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

(An Application under Section 19 of the Administrative
Tribunal's Act, 1985)

O.A.No. 199/2000.

Sri Banalendu Gupta ...

Applicant.

-Versus-

Union of India & Ors. ...

Respondents.

I N D E X

<u>Sl.No.</u>	<u>Annexure</u>	<u>Particulars of the documents</u>	<u>Page No.</u>
1.		Application	
2.		Verification	
3.	Annexure-1		
4.	Annexure-2		
5.	Annexure-3		
6..	Annexure-4		
7.	Annexure-5		
8.	Annexure-6		
9.	Annexure-7		
10.	Annexure-8		

For use in Tribunal's Office :

Date of filing :

Registration No. :

Registrar.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

O.A. No. _____/2000

Sri Bimalendu Gupta ... Applicant.

- Versus -

Union of India & Ors. ... Respondents.

PARTICULARS OF THE APPLICANT

- i) Name of the Applicant :- Sri Bimalendu Gupta.
- ii) Name of Father :- Late Biswanath Gupta
- iii) Designation and Office in :- Senior Accountant
which employed. Office of the A.G. (A&E)
Assam, Beltola, Maidamgaon,
Guwahati-781 029.
- iv) Office Address :- Office of the A.G. (A&E)
Assam, Beltola, Maidamgaon,
Guwahati-781 029.
- v) Address for service of :- Office of the A.G. (A&E)
Notice. Assam, Beltola, Maidamgaon,
Guwahati-781 029.

Bimalendu Gupta

Filed by —
Moushumi Deka,
Advocate
on 25.4.2000

1/ Union of India

Represented by the Secretary to the
Govt. of India,
Ministry of Health & Family Welfare
(Department of Health) Nirman Bhawan,
New Delhi.

2. Comptroller of Audit or General

of India, Bahadur Shah Zafar Marg,
Indraprastha Head Post Office,
Post Box No.-7, New Delhi-2.

3. Accountant General (A&E), Assam,

Maidamgaon, Beltola, Guwahati-781 029.

4/ Director General of Health Services,

Central Govt. Health Scheme,
Nirman Bhawan, New Delhi-1

5. Deputy Accountant General (Admn),

Office of the A.G.(A&E), Assam,
Maidamgaon, Beltola, Guwahati-29

6. Sri Tongjam Sidhartha Singh,

Deputy Accountant General (Admn)
Office of the A.G.(A&E), Assam,
Beltola, Maidamgaon, Guwahati-29

7. Joint Director,

Central Govt. Health Scheme
Ministry of Health & Family Welfare,
Ananda Kutir Path,
Zoo Tiniali, Guwahati-3.

8. Sr. Accounts Officer (Estt.& Bills)

Office of the A.G.(A&E), Assam,
Maidamgaon, Beltola, Guwahati-29.

9. Sri Bijit Kumar Das Purkhyastha,

Sr. Accounts Officer (Estt.& Bills)

Bimalendu Gupta

Office of the A.G. (A&E), Assam,
Meidamgaon, Beltola, Guwahati-29.

... Respondents.

DETAILS OF APPLICATION

I. PARTICULARS OF THE ORDER/ORDERS AGAINST WHICH THE APPLICATION IS MADE :

A. This application is made against order date

23.12.99 vide Memo No. Admn.-11/BG-MDL/TA/99-2000/

567 and inaction by the respondents for sanctioning

Medical advance for treatment of wife of the applicant

Mrs. Ajanta Gupta.

1. JURISDICTION OF THE TRIBUNAL :

The applicant declare that the subject matter of the instant application is within the jurisdiction of this Hon'ble Tribunal.

2. LIMITATION :

The applicant declare that the application is within the limitation period prescribed under Section 21 of the Administrative Tribunal's Act, 1985.

3. FACTS OF THE CASE :

1. That your humble applicant in the citizen of India and as such he is entitled to all the rights and privileges guaranteed in the constitution of India

Bimaladevi Gupta

and presently he is the employee under Respondents No. 3 and at present he is senior Accountant Stationed at Guwahati.

2. That you humble applicant is a married one and has got wife and one daughter. Under the CCS(MA) Rule 1944, the wife of the applicant is entitled for treatment.

3. That you applicants wife is suffering from different ailment including Menonhagia low grade fever and weight loss, back pain etc. On recommendation of the physician Dr, Sri Robin Medhi, Asstt. Professor O/G, Dept. of GMCH, Guwahati. The applicants wife was treated at Appollo Hospital at Chennai. An amount of Rs. 30,000/- was sanctioned vide letter dated 15.9.99. She was treated at Appollo Hospital Chennai, from 19.9.99 to 28.9.99, and the attending Doctors opined that a further period of would be required for the treatment and accordingly the Hospital authority (Finance Dept) sent a fax message to Respondent No. 3 to remit immediately a sum of 30,000/- for more investigation of the patient.

A copy of the Fax message as ~~xxx~~ referred in enclosed herewith and marked as Annexure -I

Bimalendu Gupta

Contd...

4. That you humble petitioner begs to state that there being no response from Respondent No. 3 the Hospital authority suspended investigation and advised her to report to the Hospital after 3 months.

A copy of the said document
dated 28.9.99 enclosed herewith
and marked as Annexure -2

5. That you humble applicant begs to state that by this time, the condition of the applicant wife is deteriorating day by day and approached the Respondents requesting there to sanction amount for medical expense as well as travel allowances. In the mean time she was treated by local doctor at Guwahati and ever today she is under medical treatment.

A letter to respondent No. 3
written by the applicant
dated 16.12.99 is enclosed
hereto and marked as Annexure -3.

6. That you humble applicant begs to state that he was cut to the quick when he received the letter of the Respondent No. 8 where it was written that a fresh certificate was to be obtained from Appalaw Hospital regarding Air-travel though already certificate has been

Bimal Chandra Gupta

Contd...

filed copy of which is annexed again.

A copy of the letter dated
23.12.99 written by Respondent
No. 8 and a medical certificate

~~xxxxxx~~ ~~xxxxxx~~ ~~xxxxxx~~ from Apollo Hospital is

Annexed as Annexure 4 & 5.

7. That you humble applicant begs to state that
he got another ^{letter} ~~common letter~~ from Respondent No. 8 who
wrote to him to ~~xxxxxx~~ furnish a fresh recommendation
of the ~~xxx~~ treating physician of the Guwahati Medical
College Hospital, Guwahati regarding the necessary of
Air-travel for follow-up treatment.

A copy of the said letter
date 29.12.99 is disclosed
hereto and marked as Annexure-6.

8. That your humble applicant begs to state that
his wife who is under medical treatment under Dr. R. Medhi
attending physician and Asst. Professor of O & G of
GMCH, Guwahati has opined that the wife of applicant
an be shifted to Chennai by air only.

Bimalendu Gupta

Contd....

A certificate dated 10.1.2000
Dr. R. Medhi is enclosed herewith
and marked as Annexure -7.

9. That your humble applicant begs to state that
the condition of his wife is deteriorating day by day and
on 21.4.2000 she was advised immediately to shift to
Chennai.

A copy of medical document is
enclosed herewith and marked
as Annexure -8.

10. That your humble applicant beg to state that
delay may bring danger to the wife of the applicant and
~~sansit~~ something unexpected may happen.

GROUND FOR RELIEF WITH LEGAL PROVISIONS:

1. For that the impugned order i.e. Annexure 4
is violative of Article 14, 16 and 21 of the Constitution
of India affecting the legitimate rights and right to life
of the applicant.

2. For that the impugned order is liable to be set
aside in view of Annexure -1.

Bimalendu Gupta

Contd...

3. For that in view of Annexure 2, 7 & 8 the Respondent No. 3 is requested to sanction the retain the medical and air travel allowance as as per the existing rules to the applicant.

4. For that inaction on the part of Respondent No. 3 has led the case of the applicant to despair and it is obligatory on the part of Respondent No. 3 to ~~dis~~ grant immediately medical as well as air travel allowance.

5. For that the impugned order is liable to be set aside in view of Annexure 7 & 8.

6. For that it is a fit case where this Hon'ble Tribunal can exercise his jurisdiction to interfere with the matter.

7. For that the equity and good conscience need interference by this Hon'ble Tribunal.

8. For that it is a fit case where this Hon'ble Tribunal can intervene in the interest of Justice.

6. DETAILS OF REMEDIES EXHAUSTED :

The applicant declare that he has no other alternative or efficacious remedy except by way of filing this application before this Hon'ble Tribunal.

Contd....

Bimal Chandra Gupta

7. MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT/TRIBUNAL :

The applicant further declares that he has not filed any application, writ petition or Suit regarding the matter in respect of which this application has been made before any court or any other authority or any other Bench of the Tribunal nor any such application, Writ petition or Suit is pending before any of them.

8. RELIEFS SOUGHT FOR :

Under the facts and circumstances stated above the applicant most respectfully pray that the Hon'ble Tribunal may be pleased to grant the following reliefs to the applicant :

8.1. Order may kindly be passed directing the respondents^{No. 345} to cancel/withdraw/review or any appropriate order dated 23.12.99 i.e. Annexure-4 with a further direction to sanction grant as Medical advance including Air Travel expenditure.

8.2. To direct the respondents so that the applicant is getting complete justice.

9. INTERIM RELIEF IF ANY SOUGHT FOR :

Under the facts and circumstances stated above the applicant prays to stay the impugned order dated 23.12.99 and with direction^{to Respondent No. 345} to pay the applicant the Medical advance Rs.30,000/- and Air Travel Expenditure of the applicants wife including attendants for both ways.

Bimal Indul

10. The application is filed through Advocate.

11. PARTICULARS OF THE I.P.O.

(i) I.P.O. NO.	: OG 494795
(ii) Date of Issue	: 22.4.2000
(iii) Issued from	: Guwahati G.P.O.
(iv) Payable at	: Guwahati G.P.O.

12. LIST OF ENCLOSURES :

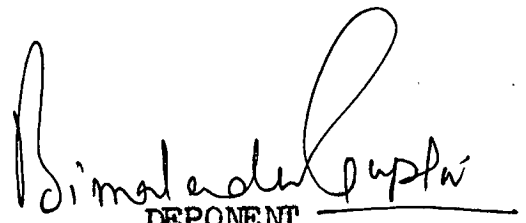
As stated in the INDEX.

Verification....

VERIFICATION

I, Shri Bimalendu Gupta, son of Late Biswanath Gupta, aged about 44 years, presently working as Senior Accountant in the office of the Accountant General (A&E), Assam, Moidamgaon, Beltola, Guwahati-781 029 do hereby verify that the contents made from para 1, 2, 3, 3², 4, 5, 3⁷, 8, 9 are true to my knowledge and those made in paragraphs 10 are derived from records which I believe to be true and those made in paragraphs 6, 7, 8, 9, 10 of the application are true to my legal advice and rest are humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts in this case.

And I sign the verification on this 25th day of April, 2000 at Guwahati.


DEPONENT

Dt. 24.09.99

FAX NO 9361 303142

TO :

THE ACCOUNTANT GENERAL
(A & E) ASSAM
GUWAHATI - 29

Sub: Requisition for Remittance of Thirty Thousand
for treatment of Mrs. Ajanta Gupta Hospital token
NO 353658.

Sir,

With reference to your letter No. Admn. 2/BB-MDLADV/99-2000/362
Dated 15.09.99 enclosing B/D No. 980201 dated 15.9.99 for Rs. 32000,
received by this Hospital for the investigation / treatment of
Mrs. Ajanta Gupta w/o B Gupta of your office, we require an
additional amount of Rs. 30,000/- for further treatment of the
patient.

Please confirm the remittance in two days. We will send you the
statement of account on completion of treatment.

yours faithfully
for APOLLO HOSPITALS ENTERPRISE LTD

V. VENUGOPAL
GENERAL MANAGER - FINANCE

Our Fax No. 91 44 8234429
Email ahel @ vsnl.com.

DR. R. VARADARAJAN, MD., DCH
Consultant Haematologist

28/9/99

Ref by Dr. Richard Arvel MD

1/1s Ajanta Gupta 34 yr Fe

Suggestion:

① Tab. Folate 5mg ①

once daily after
breakfast X 6 months

② Tab. Alendronate ① once daily
after dinner X 6 months

21, Greaves Lane, Off. Greaves Road, Chennai-600 006 Ph. 8277447

Regd. Office: 19, Bishop Garden, Chennai-600 028

E-MAIL: ahol.apollo@genis.vsnl.net.in

INTERNET: <http://www.apollohospitals.com>



To

The Accountant General (A&E) Assam,
Maidamgaon, Guwahati-29.

Subject: Payment of Medical Advance and
Travelling Advance .

Sir,

I beg to invite your kind attention to my representation dated 5.11.99 regarding payment of Re-imbursement cost of the medical treatment cost and Air fare amounting to Rs.10,000 (Rupees ten thousand approx.) only. But till date Establishment & Mills fails to intimate nor made payment, as a result the interia check up ^{now} of the patient is badly disturbed due to paucity of money.

Further I like to mention that as per Medical advice of Apelle Hospital Ent. Ltd. Chennai it is time to attend Apelle Hospital for follow up treatment.

That sir as per telephonic information it was confirm that an amount of Rs.30,000/- (Rupees thirty thousand) only was sanction as per Apelle FAX dated 24.09.99 but the same was not paid to Apellow due to deferred the treatment till last part of December, 1999. Necessary arrangement may kindly be made to payment of the said amount to Apelle Hospital for follow up treatment of my wife Mrs. Ajanta Gupta as per medical advice. The medical advices are already submitted to Establishment-2. in time.

That sir, in addition to Medical advance the travelling advance by Air as per medical advice for to and fro Chennai may also kindly be released soon so that the patient with attendant can able to avail the treatment without any further delay.

In this regard a fresh approval of the Joint Director CGHS neednot required as it is within the time limit of its original sanction order dated 14.09.99.

Under the circumstances necessary action and order may kindly be passed to release the above payment and enable me to meet the treatment at apelle Hospital chennai ^{by 23-12-99} as per medical advice of Apelle Hospital without any further lapse.

For this act of your kindness I shall remain ever grateful.

Dated, Guwahati
the 16th Dec. '99

Yours faithfully


(Bimalendu Gupta)
Senior Asstt/Rec-(C)

OFFICE OF THE ACCOUNTANT GENERAL (A&E), ASSAM,
BELTOLA, GUWAHATI-29.

No. Admn-ILBG-MDL/TA/99-2000/567

Dated: 23/12/99.

With reference to his representation dated 16/12/99 (received on 20/12/99), Sri Bimalendu Gupta, Sr. Acctt., is hereby asked to submit immediately a fresh estimate of Apollo Hospital, Chennai, required for the purpose of sanctioning of medical advance regarding follow up treatment of his wife Smt. Aruna Gupta.

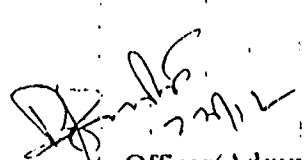
As regards grant of TA for undertaking journey by Air for the aforesaid purpose, it may be stated that it would not be possible to release the air travel Advance without the specific certification of the treating physician of Apollo Hospital, Chennai to the effect that "Air Travel for the patient is absolutely necessary". The certificate referred to in your representation, that the patient is "medically fit to travel by air", is only a certificate of fitness and can not be treated a certificate of essentiality. Moreover, the approval of the Director, CGHS is also required for the said purpose.

In view of the above, he is asked to submit a fresh TA advance application for entitled Railway class for the proposed journey within 2(two) days from the date of receipt of this letter, for grant of TA advance. Further, in this connection, it may be mentioned that considering the gravity of the case and, on the basis of the Medical Certificate of the treating physician of GMCH, Air fare was granted provisionally subject to the approval of the competent authority. However, the matter has been taken up with the Joint Director, CGHS who in his letter dt. 22.11.99 stated that the Air fare for the journey undertaken on the earlier occasion may not be reimbursed if the approval for the same is not received from the Director, CGHS, New-Delhi. As such his above mentioned air fare claim can not be reimbursed until the receipt of the approval of the Director, CGHS, New-Delhi.

The release of Medical Advance of Rs. 30,000/- on an earlier occasion related to a different instance and can not be automatically treated as having a bearing with the present proposal.

[Authority: DAG(ADMIN) order dated: 22/12/99 at page-29(n) in file No. Admn-ILBG-MDL/TA/99-2000]

To,
Shri Bimalendu Gupta, Sr. Acctt.
Record Section,
O/o the A.G. (A & E), Assam, Guwahati-29.


Sr. Accounts Officer (Admn).
वरिष्ठ लेखा अधिकारी,
Accounts Officer,
न्यायशास्त्र (ले. एवं ह.) का कार्यालय
O/o the Accountant General (A&E)
जलम, गुवाहाटी
Assam, Guwahati,

Annexure - 6

OFFICE OF THE ACCOUNTANT GENERAL (A & E), ASSAM,
MAIDAMGAON :: BELTOLA :: GUWAHATI-29.

No. Admn-II/BG-MDL/TA/99-2000/579

Dated 29-12-99.

With reference to his representation dt. 16-12-99 and dt. 28-12-99 and in continuation to this office letter No. Admn-II/BG-MDL/TA/99-2000/567 dt. 23-12-99, Sri Bimalendu Gupta, Sr. Acctt. is hereby once again asked to submit immediately a fresh estimate of Apollo Hospital, Chennai required for the purpose of sanction of Medical Advance for follow-up treatment of his wife Smti Ajanta Gupta as advised on the prescription dt. 28-12-99 by the attending physician on completion of treatment (OPD) of Smti Ajanta Gupta.

✓ As regards, reimbursement of Air travel both ways for follow-up treatment of his wife, Sri Bimalendu Gupta, Sr. Acctt. is hereby asked to furnish a fresh recommendation of the treating physician of the Guwahati Medical College Hospital, Guwahati regarding the necessity of Air travel for follow-up treatment duly approved by the competent authority as per The Joint Director, CEMS, Guwahati letter No. D.12016/1/99(2)/3533 dt. 24-12-99 (copy enclosed) for initiating follow up action in this regard.

AUTHORITY :- BAC (Admn)'s orders at Page 32^N of file
No. Admn-II/BG-MDL/TA/99-2000

To,
Sri Bimalendu Gupta,
Sr. Accountant,
O/e The A.G. (A & E), Assam,
Guwahati-29.

[Signature]
29/12/99
Sr. Accounts Officer (A)
O/e The Accountant General (A & E)
Assam, Guwahati

[Signature]
21/12/2000

Annexure - 7

GUWAHATI MEDICAL COLLEGE & HOSPITAL
OBSTETRICS & GYNAECOLOGY DEPARTMENT

Hospital Regn No. 7352/99 dated 16.08.99

Hospital No. B 14107 dated 16.08.99

Date :- 10.01.2000

TO WHOM IT MAY CONCERN

This is to certify that Mrs Ajanta Gupta, age 34 years, wife of Sri Bimalendu Gupta, was referred to Apollo Hospital, Chennai, on 09.09.99. As per advice of Apollo Hospital, she is advised to go to Apollo Hospital, Chennai, for follow up.

She is medically fit to travel by air both ways.

2 (Two) escorts are allowed.

Approximate estimated cost of investigation / treatment is Rs 30,000/- (Rupees Thirty Thousands) only. The cost will not be borne by the Government of Assam.

Dr R Medhi
16/01/2000

(Dr R Medhi, MD)

Asst. Professor
Dept. of Obs. & Gynaecology
Guwahati Medical College

A

Dr. R. N. Pathak, M. D.
Professor of Medicine Rtd.
Guwahati Medical College


Residence & Chamber
Rajgarh Link Road
Guwahati - 781 007
Phone - 540422

Date 21.7.2000

Mrs. Ajanta Ghosh

35th

as per advice of doctor
Apollo Hospital, Chennai she should
report there at the earliest.


21.7.2000.

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
2 APR 2001
GUWAHATI BENCH
GUWAHATI

Filed by
Prasanna
18.4.2001
Addl. Central Govt. Standing Counsel
Central Administrative Tribunal
Guwahati Bench : Guwahati

15.9.99 - 32000 IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
28.9.99 - 24000 GUWAHATI BENCH
25.4.2000 - 30000 Guwahati Bench
32,324 - for auto OA NO. 149 OF 2000
to Akhola Hospital
follow up treatment
travel to Chauran

SHRI BIMALENDU GUPTA

C.G.H.S. Rules - applicable.

.... Applicant

Eligibility -
Domiciliary visit
Para 10 - referral case.
Para 9 - permission - d-air Vs
travel.

UNION OF INDIA & OTHERS

by Min. of health &
treating physician
ex-hort for referral
mentality cert. - (g)
unavoidably necessary

Attachment - SR 164

... Respondents

(Written Statements filed by Respondents No.1 to 9)

Obtaining OPD treatment

The written statements of the above noted respondents are as follows:-

1. That the copy of the O A No 149/2000 (referred to as 'application') has been served on the respondents. The respondents have gone through the same and understood the contents thereof. The interest and the subject matter being

counsel 38A
about 16/17000
Sillharding Medical

25.1.2002

New points made by 'A'

M A Rules - C GHS -
Nothing to show that

only not declared ultra vires
not applicable

treatment under 2 system

- M A R -

Rule 22 Simultaneous
not permitted

ON 298/99 - 29.3.01 -

employee

C GHS covered

must be guided by C GHS scheme - to the School
admissible & M A Rules

cost of medicines + treatment paid

- excepting T A

- excepting T A

FR/SA Class of Travel
FR-48 B - 19300 - 164500 may travel by air

- 'A' not coming within this zone.
circular. On 5.12.2001/4/99 -

Referral case - 29.9.99 circular. On 5.12.2001/4/99 -
C GHS (T) - treating physician & Director C GHS +
cell - C GHS Doctor

- ~~Post facto~~ essentiality cert - she provision - absolutely
207 M A Rules - 29.9.99 circular. On 5.12.2001/4/99 -
essentiality cert - she provision - absolutely
208 (5) certified by A M A - that journey
was unavoidable that they have
not shown compliance with their
provisions - ex- similar conditions

common, the respondents have filed this common, written statements for all of them.

2. That the statements made in the application which are not specifically admitted, are hereby denied by the respondents.
3. That with regard to the statements made in para 1 & 2 of the application, the respondents have no comments to offer.
4. That with regard to the statements made in para 3 & 4 of the application, the answering respondents state that for the treatment of Smt. Ajanta Gupta, W / O of the applicant, the respondents initially sanctioned Rs. 32, 000/- (80 percent of the estimated amount of Rs. 40,000/-) (Annexure 1) and not Rs. 30,000/- as mentioned in the said para as medical advance on the basis of the estimate of Dr. R. Medhi, Asstt. Prof. O &G of Guwahati Medical College & Hospital, Guwahati (Annexure 2). Essential certificate for Air travel has not been issued as demanded by the respondents.

Secondly, on receipt of fax dated 24.9.1999 (Annexure 3) from the Apollo Hospital authority, Chennai intimating the further estimate of treatment, the Apollo Hospital authority agreed on telephone to extend the time limit by another two days (that is up to 28 Sept. 1999) to confirm the remittance of additional amount Rs. 30,000/- and they also agreed to continue with the treatment. A fax message in this regard was also sent on 28.9.1999 (Annexure 4) to the Hospital authority and accordingly a Bank Draft of Rs. 24,000 /- (80% of Rs. 30,000/- as per estimate of the Apollo Hospital, Chennai) was obtained on 29.9.99. But the despatch of the Bank draft was held up on receipt of a telephone call on 29.9.1999

(Annexure -5) from the applicant from Chennai to the respondents that the amount of Rs. 30,000/- as asked for need not be sent now.

Further, on that day itself over telephone the General Manager (GM) of the Apollo Hospital, Chennai was asked by the respondents to verify the facts from Shri Gupta and let them know the actual position regarding remittance of the above said draft. Though the Apollo Hospital authority assured respondents that after verification of the facts they would get back to us, but the Apollo Hospital did not do so. Also no reply from the Hospital Authority was received to the FAX dated 28.9.99 and 30.9.99 (Annexure 4 & 6) in this regard. Mean while, Smt. Gupta was released from the Hospital with an advice to report back after three months (Annexure _ & 7) but no where it was stated in any document of the hospital authority that the treatment was suspended due to non receipt of additional amount of Rs. 30,000/- as Shri Gupta has stated in his petition to the Hon'ble Tribunal.

5. That with regard to the statements made in Para 5 and 6 of the application, the respondents state that as regards sanction of Medical Advance as well as Travelling Allowance Advance as stated by the applicant in his representation dated 16.12.99 (annexed with O.A. marked as Annexure - 3) for follow up treatment of the applicant's wife, it may be mentioned that the applicant has not submitted any fresh estimate for medical advance and essentiality certificate for

air travel neither from Apollo Hospital nor from the treating physician of Guwahati Medical College Hospital as required under Govt. of India, O.M. dated 7.4.1999 and 1. 9.1999(Annexure 8, 8A& 8B). He is a CGHS beneficiary. For Air travel, permission of Govt. of India, Ministry of Health and Family Welfare is required in term of O.M. dated 7.4.1999. Accordingly, the applicant was asked to submit estimate for medical advance and essentiality certificate to the effect that Air Travel for the patient is absolutely necessary for grant of T.A. for Air Travel (vide Annexure – 9). Shri Gupta, however, submitted an advice slip of Apollo Hospital, Chennai (Annexure 10) wherein it was simply noted that the patient as “Medically fit to travel by Air”, which could not be treated as an essentiality certificate for Air Fare. Also he did not obtain the approval of CGHS and Govt. of India, Ministry of Health and Family Welfare in this regard. Further, regarding her treatment by the local Doctor at Guwahati he did not furnish any information to this office or to the CGHS dispensary.

Smt. Gupta was all along treated in an Out Patient Department during the period under report. In this connection as per Rule, a patient treated in O.P. Department of any Hospital is required to procure medicine from the concerned CGHS Dispensary (Annexure – 2). The treatment in Private Hospital or by Doctor requires prior approval of CGHS also. But there is no such record ever submitted by Sri Gupta that prior approval of CGHS was obtained nor did he apply for ex-post facto approval of CGHS after completion or for continuance of treatment of his wife at Guwahati.

The applicant has referred to two certificates (Annexure 7 & 10) issued to the patient in September '99 for grant of additional advances. These cannot be treated as one for follow up treatment after three months. The said additional advance is related to initial treatment only. The applicant in his reply to the respondents vide communication dated 23.12.99 again mentioned about additional amount of Rs. 30,000/- as advised by the Apollo Hospital, Chennai but did not submit any fresh estimate as called for by this office. The applicant's wife was obtaining O P D treatment only for which no medical advance is admissible under O M dated 1.9.1999.

6. That with regard to the statements made in para 7 and 8 the respondents state that the applicant and his wife are not entitled to Air travel as per their entitlement. For Air travel, special relaxation /approval of Govt. of India, Ministry of Health and Family Welfare is required. The applicant has not fulfilled the essential requirement. Also when referred to CGHS vide this office letter dated 21.1.2000 (Annexure – 12) it was stated that “without the absolute necessity clause in the Doctor's advice slip, the case for approval of Air Travel cannot be recommended to the Director CGHS for obtaining permission from the Ministry” (Annexure 13 and 14). And as per CGHS instruction, Dr.R. Medhi of GMCH was asked vide this office letter dated 27.1.2000 (Annexure 15) to furnish the essentiality certificate for grant of Air Fare and Shri Gupta was also asked to obtain the same. Dr. R. Medhi in his reply dated 24.2.2000 (Annexure 16) to this office letter dated

27.1.2000 categorically stated that Air Travel to Chennai is not absolutely necessary for Mrs. Ajanta Gupta for her Gyneocological problem; a copy of which was also endorsed to the applicant vide respondents letter dated 6.3.2000 (Annexure 17). But this respondents neither heard from the applicant nor he produced the same to the Hon'ble Tribunal while filing his petition. Instead he furnished an earlier certificate dated 10.1.2000 (Annexed with his petition, as Annexure No. 7) issued by Dr.R. Medhi to the effect that the patient is "Medically fit to travel by Air". Evidently the Doctor had found that the patient would not have any medical problem in travelling by Air.

Therefore, keeping in view the rule position and facts stated above, T.A. Advance for Air Travel could not be sanctioned to the applicant.

Meanwhile, by not producing the certificate dated 24.2.2000 (Annexure 16) issued by Dr. R. Medhi, the applicant had misled the Hon'ble Tribunal; which amounts to suppression of material facts related to the case and appears to have negated the statement made in his verification statement that he had not suppressed any material facts in this case.

Therefore, since the applicant did not furnish the essentiality certificate as called for repeatedly by the respondents, his prayer for grant of T.A. Advance for Air Travel for follow up treatment of his wife could not be sanctioned.

Earlier the wife of the applicant was under treatment of Dr. R. Medhi, Guwahati Medical College Hospital. Now as para 9, a medical certificate dated 21.4.2000 from one Dr.R.N. Pathak in his personal pad and not GMCH stamped pad/paper had been produced wherein the Doctor had advised to shift her to the Apollo Hospital, Chennai at the earliest. It has not been certified by the competent medical authority that necessary facility for the treatment of applicant's wife is not available at Guwahati or nearby like Calcutta (Kolkata).

Also the respondents had no knowledge about the said certificate dated 21.4.2000 till the receipt of O.A. No. 149 / 2000 as the same was not submitted by the applicant to the respondents till date.

7. That with regard to the statement made in para 9 of the application, the respondents state that on receipt of the representation dated 26.4.2000, the applicant was asked to furnish the tentative date of his outward journey to the Apollo Hospital, Chennai for follow up treatment of his wife so that T.A. Advance for entitled railway class and admissible Medical Advance as prayed for could be drawn and remitted to him and to the Apollo Hospital, Chennai respectively well in time (Annexure 18)
- 8 That with regard to the statement made in para 10 of the application, the respondents state that the statement made by the applicant about the deteriorating condition of his wife was not authenticated by any Doctor, as required under

Rules. Also, the applicant, so far as records of this office is concerned never approached the CGHS Authority Guwahati for their approval for following treatment at the Apollo Hospital, Chennai except the permission letter dated 14.9.99 (Annexure 11) obtained for initial treatment of his wife at the Apollo Hospital, Chennai during September '99.

In addition, the applicant is required as per rules to obtain an essentiality certificate from CGHS or the treating Doctor of GMCH to enable this office to permit him to travel by Air. As regards Medical Advance, Shri Gupta's claim for Rs. 30,000/- relates to initial treatment of his wife during September 99 only and not the follow up treatment.

The respondents have no objection in sanctioning the Medical Advance for indoor treatment on the strength of the prescribed certificate, if obtained by the applicant from a Govt. Hospital or Private Hospital duly recognised by CGHS. Now the onus lies on him to do the needful accordingly.

Meanwhile, after thorough examination of his representation dated 26.4.2000 the applicant had been intimated of the reasons for which the Air Fare could not be sanctioned to him vide this office letter dated 28.4.2000 (Annexure 18) as directed by the Hon'ble Tribunal.

9. That with regard to the statement made in para 11 of the application, the respondents state that as per Interim order dated 5.5.2000 on O A No. 149/2000 dated 25.4.2000 of Hon'ble CAT, Guwahati Bench, Medical Advance of Rs. 30,000/- was paid by Bank Draft favouring Apollo Hospital, Chennai for follow up treatment of the applicant's wife Smt. Ajanta Gupta and appropriate Air Fare of Rs. 32,324/- was paid to Shri B. Gupta (Applicant) for travel by Air along-with his wife from Guwahati to Chennai and back subject to the condition that in case the applicant (Shri Gupta) was not able to satisfy the court regarding his claim as per Rules, he would refund the money with interest.

Further, the allegation of the applicant regarding payment of Air Fare on 12.05.2000 by cheque is not correct. Initially T.A. advance for Air Fare was drawn for payment to the applicant in cash but he himself had opted for payment of TA advance by cheque vide his representation dated 12.5.2000 (Annexure 19). Therefore, his statement is found to be totally false and baseless and tantamount to suppression of facts.

Further, the applicant's statement regarding examination of his wife on 19.5.2000 by one Dr. Dilip Ghosal is not correct. As per certificate dated 19.5.2000 (Annexure 20), Dr. Dilip Ghosal, DHMS (pvt. Homeopath), Guwahati had examined Smt. Ajanta Gupta stated to be in a serious condition at 10 p.m. on the night of 28.4.2000 and not on 19.5.2000 and advised to consult with the Doctors of Apollo Hospital, Chennai and to avoid long journey etc. The Hon'ble

CAT may find it surprising to note that the certificate was signed by the Doctor and submitted by the applicant on 19.5.2000. But the reasons for 20 days delay in intimating the seriousness of his wife was not given by Shri Gupta as he intimated this on 19.5.2000 instead of on 29.4.2000, the day following the day she was stated to have been found in a state of serious condition. The reason for Smt. Ajanta Gupta not being hospitalised in such an extreme serious condition prior to her departure to Chennai on 21.5.2000 was not known. It appears from the above facts that the applicant is more interested in getting Air Fare and less concerned about the ailment of his wife. Otherwise, she should have been hospitalised immediately on 28.4.2000 or on the following day itself. Further, no one would reasonably go for Homeopathic treatment in such an extreme situation if the patient is really in serious condition. But the applicant waited for long 22 days w.e.f. 28.4.2000 to 19.5.2000 without providing adequate treatment to his wife during the said period and it is amply clear from the fact that the statement of the applicant regarding seriousness of his wife, is a fabricated one and not based on facts and as such the certificate of Dr.Ghosal cannot be treated as an essential certificate for grant of Air fare.

10. That with regard to the statement made in para 12 of the application, the respondents state that it appears from the advice slip of Dr. R. Shridharan and Dr. Deepak ArjunDas of Apollo Hospital, Chennai, (Annexure 21 & 22) that Smt. Ajanta Gupta was treated at the said hospital w.e.f. 23.05.2000 to 01.06.2000 in the Out Patient Department and investigation / review treatment of her was over

on 31.5.2000 itself. Therefore, Shri Gupta's statement that she was treated w.e.f. 23.5.2000 to 6.6.2000 is not correct. She was duly prescribed with medicines and other instructions by Dr. D.A. Das on 31.5.2000 and again on 01.06.2000. The Doctor advised that he should be informed about her condition by 1st July 2000 and review treatment would be done if her family physician so decided. But in the above said certificate dated 31.5.2000 (Annexure 21) or 1.6.2000 (Annexure 22) there was no mention of referring the case to Indraprastha Apollo Hospital, New Delhi for obtaining second medical opinion. Meanwhile, the applicant sent a Fax message to this office on 2.6.2000 (Annexure 23) asking for grant of Air fare for his journey to Delhi for obtaining second medical opinion in connection with his wife's treatment in Indraprastha Apollo Hospital, New Delhi. But in fact, the case was referred to Indraprastha Apollo Hospital, New Delhi on 7.6.2000 by Dr. D. A. Das (Annexure 24) with an advice that "she is fit to travel by Air". The applicant however, did not produce the said advice slip to the Hon'ble CAT, which again tantamounts to suppression of facts by him. The applicant however, produced a copy of the personal letter dated 6.6.2000 of Dr.D.A. Das (Annexure 25) of Apollo Hospital, Chennai to one Dr. Ahuja of Indraprastha Apollo Hospital, New Delhi to see Mrs.Ajanta Gupta etc. where nothing has been mentioned about second medical opinion or Air travel.

However, the advice slip of Dr. D.A. Das dated 7.6.2000 (Annexure 24) that "She is fit to travel by Air" does not meet the essentiality criteria of air travel as provided by GOI, Ministry of Health and Family Welfare OM dated 7.4.99 and

the directive of Hon'ble CAT, Guwahati Bench in its interim order dated 5.5.2000 and as such the applicant is not entitled to travel by Air from Chennai to New Delhi otherwise than the entitled Railway Class. As the applicant's wife obtained OPD treatment at Chennai, she is not entitled for any medical advance for the purpose.

11. That with regard to the statement made in Para 13 of the application, the respondents state that it appears from the record that Dr. Mukul Varma of Indraprastha Apollo Hospital, New Delhi treated Smt. Gupta w.e.f. 8.6.2000 to 12.6.2000 and not from 8.6.2000 to 16.6.2000 as stated by the applicant.

On 12.6.2000 (Annexure 27) Smt. Gupta was advised to "avoid long journey, travel by Air" also failed to meet the essentiality criteria as prescribed under GOI Ministry of Health and Family Welfare OM dated 7.4.99 and hence Air fare is not admissible to Shri Gupta. In this context two instances may be cited to justify the above contention.

In two separate cases of officials of this office Doctors of Indraprastha Apollo Hospital, New Delhi and Apollo Hospital Chennai/ DHS, Assam & Meghalaya etc. specifically stated that air travel is essential for the patient leaving no chance of ambiguity in their advice slips. But in Shri Gupta's case, Dr. Varma of the same Indraprastha Apollo Hospital, New Delhi advised Smt. Gupta "avoid

long journey, to travel by Air” in an ambiguous term and as such Air fare is not admissible to the applicant. Also government of India, Ministry of Health & Family Welfare, New Delhi in its instruction dated 28.9.2000 (Annexure 28) wants a specific certification of essentiality for Air travel as per rule for reimbursement of Air fare to Shri Gupta, which Shri Gupta failed to produce as yet in this regard.

12. That with regard to the statement made in para 14 of the application, the respondents state that the applicant was not authorised to collect the un-utilised amount of Rs. 25,178/- out of Medical Advance of Rs. 30,000/- from Apollo Hospital, Chennai to meet his Air travel expense from Chennai –New Delhi – Guwahati. The applicant cannot divert the fund from Medical head to Travelling allowance head on his own without the proper sanction of the competent authority and as such he should have refunded the balance amount of Rs. 19,742/- (after adjusting Rs. 5436/- as medical expenditure at Indraprastha Apollo Hospital, New Delhi) to the Govt. account immediately on his return. These acts of the applicant tantamount to financial irregularity.
13. That with regard to the statement made in para 15, the respondents state that in view of the facts stated at para 12 above, Shri Gupta’s prayer for conversion of Medical advance to Air travel advance is untenable as he did not seek for prior permission of the concerned authority for such diversion of fund; instead he asked for sanction of Air fare and payment order etc. in his fax dated 2.6.2000 (Annexure 23) but not for conversion of fund. This is a clear case of financial

irregularities on his part. Hence, the balance of medical advance is required to be refunded forthwith to govt. account.

14. That with regard to the statement made in para 16 of the application, the respondents state that on the basis of the advice slip dated 07.06.2000 of Dr. D. A. Das (Annexure -24) of Apollo Hospital, Chennai that "she is fit for travel by Air" does not meet the requirement of Rules, CAT's directive dated 05.05.2000 and ministry's instructions dated 28.09.2000, the applicant is not entitled to travel by Air and as such question of grant of Air fare or reimbursement thereof to the applicant does not arise at all.

Further, Shri Gupta's statement to the fact that he waited for receipt of TA advance (Air Fare) at Chennai w.e.f. 02.06.2000 to 07.06.2000 is not correct.

31.5

In fact, Smti Gupta's treatment was over by ~~13.01.2000~~ 01.06.2000 as is evident from the advice report slip of Dr. R Shridharan and Dr. D A Das of Apollo Hospital, Chennai (Annexure 21 & 22). She was discharged from the hospital's out patient department with the prescription of medicines and advice to inform her condition by 1st July 2000 and review treatment, if at all required, will be decide by her family physician. The case was not referred to the Indraprastha Apollo Hospital, New Delhi on 31.05.2000 or 01.06.2000 for obtaining second medical opinion by Dr. D A Das. The case was actually referred to the Indraprastha Apollo Hospital, New Delhi on 07.06.2000 by Dr. D A Das. But Shri Gupta sent his fax message on 02.06.2000 for sanction of Air Fare for his journey

from Chennai to New Delhi for obtaining second medical opinion for Indraprastha Apollo Hospital, New Delhi.

In this context, it may be noted that on the basis of advice slip dated 31.05.2000/ 01.06.2000 where, there was no mention of referring the case to Indraprastha Apollo Hospital, New Delhi. Shri Gupta could not ask for grant of Air fare on 02.06.2000 while the case was referred in fact, on 07.06.2000.

To confirm the fact of the fax dated 02.06.2000 the matter was taken up with Apollo Hospital authority over fax by this office on 02.06.2000 (Annexure 29) itself. The hospital authority did not give any reply thereto and as such no action could be initiated at that time by the respondents.

Also Dr. D.A Das in his referred letter dated 07.06.2000 (Annexure 24) did not mention that the condition of the patient was deteriorating and she was in need of immediate shifting to Indraprastha Apollo Hospital, New Delhi and could not be treated at Chennai at that moment. It may further be noted that Smt. Ajanta Gupta has never been an Indoor Patient neither at Chennai nor at New Delhi Apollo Hospital. All along, she was treated in Out Patient Department. Even at Indraprastha Apollo Hospital, New Delhi she was treated in Out Patient Deptt. on 08.06.2000 (Annexure 30) by Dr. M. Varma. Had she been in a state of seriousness she would have been admitted as an Indoor Patient at Indraprastha Apollo Hospital, New Delhi on 08.06.2000 itself. All these facts did not indicate

that she was ever in serious condition. Hence, his statement regarding deteriorating conditions of the patient is a hoax to justify his demand for grant of Air fare and is devoid of any facts. From the application of Shri Gupta, it appears that almost in every para, facts are either distorted, concocted or suppressed. The applicant must furnish essentiality certificate in terms of provision of GOI, Ministry of Health & Family Welfare OM dated 7.4.99, Directive of Hon'ble CAT, Guwahati dated 05.05.2000 and Ministry of Health and Family Welfare's instruction dated 28.09.2000 for reimbursement of Air fare to Shri Bimalendu Gupta. So far, whatever documents produced by him either to Hon'ble CAT or to this office does not meet the requirement of Rules and as such Air fare is not admissible to the applicant as prayed for.

15. That with regard to the statements made in para 17 of the application, the answering respondents state that the Medical and T.A. Bills of the applicant shall be examined and paid as per law and rules as admissible.
16. That with regard to the statements made in para 1 to 8 of grounds, the respondents state that the applicant has failed to follow the rules and could not comply with the requirements of rules and as such he is not entitled to get the bills re-imbursed, therefore, the application being devoid of any merit is liable to be dismissed. The grounds as shown are not sustainable in the eye of law.
17. That the answering respondents have no comments to the statements made in para 6 and 7 of the application

18. That with regard to the statements made in 8.1 and 8.2 and 9 of the application, the respondents state that the facts and circumstances of the case and also the provisions of law, the applicant is not entitled to get any relief as prayed for and the application is liable to be dismissed with cost.

In the premises aforesaid, it is therefore prayed that Your Lordship would be pleased to hear the parties peruse the records and after hearing the parties and perusing the records shall further be pleased to dismiss the application with cost.

VERIFICATION

I, Shri Longjam Siddhartha Singh presently working as Dy. Accountant-General in the Office of the Accountant General (A&E) Assam, Maidamgaon, Beltola, Guwahati being competent and duly authorised to sign this verification, do hereby solemnly affirm and state that the statements made in para ^{1, 2, 3, 8, 12, 13, 15 to 18} ^..... are true to my knowledge and belief those made in para ^{4 to 7, 9 to 11 and 14} ^... being matter of records, are true to my information derived therefrom and the rest are my humble submission before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this ^{20th} day of March, 2001 at Guwahati.

Longjam Siddhartha Singh
Deponent

ANNEXURE-1

OF THE ACCOUNTANT GENERAL (A & E), ASSAM,
MAIDAM GAON :: BELTOLA :: GUWAHATI-29.

Admn. 2/MG-MDL.ADV./99-2000/362

Dated 15.09.99.

(18)

To,
Medical Superintendent,
Apello Hospitals Enterprises Ltd;
Greens Lane,
Off. Greens Road,
Chennai - 600 006.

Sub:- Medical Advance for treatment of Smti Ajanta Gupta wife of
Sri Bimalendu Gupta, Sr.Acctt.

Sir,

Please find herewith a A/c. Payee Bank Draft No. 980281
Dated 15-09-99 for Rs. 32,000/- (Rupees Thirty two thousand) only
on S.B.I, Chennai favouring " Apello Hospitals Enterprises Ltd;
Chennai" being the Medical Advance sanctioned to Sri Bimalendu
Gupta, Sr.Acctt. for treatment of his wife Smti Ajanta Gupta at
your hospital referred by the Joint Director, CGHS, Guwahati. The
amount of advance sanctioned being 80% on the basis of estimate
furnished by the treating physician Dr. R.Medhi, Deptt. of Obst. &
Gynae., Guwahati Medical College Hospital, Guwahati.

The un-utilised/excess amount in this connection, if any,
may kindly be intimated to this office for doing the needful, on
receipt of which the final adjustment will be carried out.

The refund of Medical Advance, if any, may kindly be sent
by A/c. Payee Bank Draft on S.B.I, Dispur Branch, Guwahati favouring
"Pay & Accounts Officer, O/o The A.G. (A & E), Assam, Guwahati in
the whole rupee.

Further, it may be noted that the rates for various
specialised treatment/diagnostic procedure as approved by the
Government of India, Ministry of Health & Family Welfare (Deptt. of
Health) may be charged.

You are also requested to issue a certificate to the fact
that whether the patient can travel by Rail or Air travel by the
patient is absolutely necessary on her return journey after
completion of her treatment/recovery of illness.

Meanwhile, please acknowledge receipt of the Draft.

o:- Bank Draft No. 980281
dt 15.09-99

Yours faithfully,
SR. ACCOUNTS OFFICER

19

19

Memorandum No. Admn-2/BG-MDL Adv./99-2000/363 Dated: 15-09-99

Copy to:-

Sri Bimalendu Gupta, Sr. Acctt.
Record (C)
Office of the A.G. (A&E), Assam,
Guwahati-29.

Handwritten signature: Bimalendu Gupta

He is advised to submit the relevant Medical Reimbursement claim within one month from the date of discharge from the hospital failing which the amount of Advance sanctioned may be recovered from the Salary in lump and also to collect the necessary certificate to travel by Air in her return journey after completion of treatment/ recovery of illness.

Yours faithfully,

Handwritten signature: B. S. 199
Sr. Accounts Officer (Admn.)
Sr. Accounts Officer

महालेखाकार का कार्यालय (ले. एवं ह.) असम
Office of the Accountant General (A&E) Assam
मैदानगोद, पैलोल्ला, गुवाहाटी-29
Maidan Gaud, Pellola, Guwahati-29

Handwritten notes on left margin:
141/1500-1 (A&E)
141/1500-1 (A&E)

Handwritten signature: B. S. 199

~~ANNEXURE 2~~ (20)



~~ANNEXURE-2~~

GUWAHATI MEDICAL COLLEGE HOSPITAL

OBS & GY DEPTT.

Dated Guwahati, the 9th Sept/99.

WHOM IT MAY CONCERN

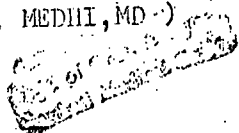
This is to certify that Mrs Ajanta Gupta, wife of Shri B. Gupta age 34 years has been under medical investigation and treatment since 16.8.99. She has been suffering from Menorrhagia & low grade fever and weight loss. She was treated for the same at Apollo Hospital, Chennai from 2.2.98 to 9.2.98. As her condition is deteriorating again due to Menorrhagia epiridaxic, low grade fever with general weight loss. She is advised and referred again for further check up and treatment at Apollo Hospital, Chennai.

2(two) escorts are allowed to and from journey by Air is absolutely essential for the condition of the patient.

Estimated cost of Rs. 40,000/- (Rupees forty thousand) approx. is required for investigation and treatment. The cost will not be born by Govt. of Assam.

Hospital Regn. No. 7352/99 dtd. 16.8.99
Hospital No. P. 14107 dtd. 16.8.99.

P. Medhi
9/9/99
(Dr. R. MEDHI, MD)



Central Government Employee.

APOLLO HOSPITALS
Apollo Hospitals Enterprise Limited

GENERAL OFFICE: All Towers, No.22, Greams Road, Chennai - 600 006
Tel.No.8266956,8277447 Telex No.:41-6419 AHEN IN Fax: 91-44-8266679
E-mail:apollo.ahel@gems.vsnl.net.in Int:044/8266679 www.apollohospitals.com

Dt. 24.09.99

TO

THE ACCOUNTANT GENERAL
(A & E) ASSAM
GUWAHATI - 781 001

FAX NO 8361 303142

File No. of GM
041-8292026

041-8237128
↳ another
working no.

Sub: Requisition for remittance of Thirty Thousand
for treatment of Mrs. Ajanta Gupta Hospital token
NO 553658.

With reference to your letter No. Admn.2/BG-MDLADV/99-2600/362
Dated 15.09.99 enclosing D/O No.980281 dated 15.9.99 for Rs.32000/-
received by this Hospital for the investigation / treatment of
Mrs. Ajanta Gupta w/o B Gupta of your office, we require an
additional amount of Rs.30,000/- for further treatment of the
patient.

Please confirm the remittance in two days. We will send you the
statement of account on completion of treatment.

yours faithfully
for APOLLO HOSPITALS ENTERPRISE LTD

V. VENUGOPAL
GENERAL MANAGER - FINANCE

Our Fax No. 91 44 8234429
Email ahel@vsnl.com.

Executive Chairman:
Dr. Prathap C Reddy
Managing Director
Smt. Preetha Reddy

Directors:
Shri P Obul Reddy
Shri S R Jiwarajka
Shri Raj Kumar Menon

Shri T M Joseph
Shri Brij Mohan Reddy
Sri Rafeeqe Ahmed

Shri N J Yasaswy
Shri B Natarajan
Shri K X M John

Regd. Off: 19, Bishop Garden, Raja Annamalaipuram, Chennai - 600 028.

time by another 2 days. Will proceed with
treatment. No problems on this. Pl. process
S. Ag. (A)

Spoke to GM at
3.25 PM
of 24/9/99

He has agreed to extend
Will proceed with
Pl. process
S. Ag. (A)

(22)

ANNEXURE-4

OFFICE OF THE ACCOUNTANT GENERAL (A & E), ASSAM,
MAIDANGAON :: BELTOLA :: GUWAHATI-29.

No. Admn-2/Med. Adv./BG/99-2000/380

Dt. 28.09.99.

FAX

To,

The General Manager-Finance,
Apollo Hospitals Enterprises Ltd;,
21, Greams Lane,
Off. Greams Road,
Chennai - 600 006.

Please ref. your Fax message dt, 24.09.99 in connection with the treatment of Smti Ajanta Gupta. The additional amount as required is being sent by Bank Draft. Meanwhile, you are requested to continue with her treatment. However, 80% of the required amount is being paid u. Rs 24000/- subject to final adjustment of final bill in this regard.

A. S. S. S.
Deputy Accountant General (Admn.)

Dy. Accountant General (Admn.)

महालेखाकार का कार्यालय (ले. ए. व. ह.)

O/O the Accountant General (A&E)

असम, गुवाहाटी

Assam. Guwahati

of Rs. 24,000/- being 80% as required is being sent by Bank Draft subject to adjustment of final bills in this regard.

Contd →

P. A. (A)

*Estimated amount
Rs 30000/-*

(23)

~~ANNEXURE 4~~

*** ACTIVITY REPORT ***

NAME : AG-(A&E)-ASSAM
ID : 0361303142
TIME/DATE : 17:05 09/28 1999

NO	REMOTE ID	DATE	START	DURATION	PAGE	T/R	RESULT
01	3234014	09/27	17:08:10	00:00:58	01	TX	OK
02		09/28	10:14:47	00:00:38	00	TX	STOP PRESSED
03		09/28	10:23:39	00:00:45	00	TX	NO RESPONSE
04		09/28	10:25:58	00:00:45	00	TX	NO RESPONSE
05	91 11 30 7059	09/28	14:58:56	00:00:54	01	TX	OK
06		09/28	15:45:40	00:00:45	00	TX	NO RESPONSE
07		09/28	15:46:57	00:00:45	00	TX	NO RESPONSE
08		09/28	15:49:40	00:00:45	00	TX	NO RESPONSE
09	91 11 3233175	09/28	16:39:54	00:01:22	01	TX	OK
10	91 44 8234429	09/28	17:04:54	00:00:50	01	TX	OK

cells no - 380 alt 28.9.99

✓ Fax to Apollo Hospital

lsc

ng

34

18.09.99
S. Ag. (A)

(24)

(23)

ANNEXURE-5

Contents of telephonic discussion with
GM - of Apollo Hospital - on 29.9.99

I had spoken to the
GM. Shri. V. Venugopal at
4.45 P.M. of 29/09/99 to
confirm whether to send
draft or not. Draft for
Rs 29,000/- was ready today.
This was in view of the
fact that Shri. Gupta rang
up the AG to inform that
draft would not be required.
The GM. said he will
confirm from Shri. B. Gupta
and get back to us.

Pl. hold the draft
till then.

L.S. High
29/9/99

AG (A)

Sr AG (A)



Dt. 30.09.99.

No. Admn-2/Med. Adv- BG/99-2000/383

FAX

To,

The General Manager-Finance,
Apelle Hospitals Enterprises Ltd;
21, Greens Lane,
Off. Greens Road,
Chennai - 600 006.

Subj:- Remittance of Medical Advance - Regarding.

Ref:- 1. Our Fax No. Admn-2/Med. Adv-BG/99-2000/380 dt. 28.09.99.

2. Telephone Call at 3.25 P.M. of 24.09.99.

3. Telephone Call at 4.45 P.M. of 29.09.99.

Sir,

Please refer your Fax message dt. 24.09.99 regarding remittance of Rs.30,000/- in connection with the treatment of ~~Sati~~ Ajanta Gupta W/o Sri Bimalendu Gupta an employee of this office.

Accordingly, Bank Draft for Rs.24,000/- (being 80% of Rs.30,000/-) has been obtained and ready for despatch. In the meantime, a phone call has been received from Sri Bimalendu Gupta stating that the above said Advance need not be sent to you.

You are, therefore, requested to clarify & confirm the position by return Fax to clear the confusion which has been arise out of Sri Gupta's phone call.

Siddhartha Dyl
उप महालेखाकार (प्र.)
Dy. Accountant General (Admn.)
महालेखाकार का कार्यालय (ले. एवं प्र.)
O/O the Accountant General (A & E)
असम, गुवाहाटी
Assam, Guwahati

WAG (A)

Contd

*** ACTIVITY REPORT ***

NAME : 03-0025-0550M
ID : 0361303142
TIME/DATE : 13:30 09/30 1999

NO	REMOTE ID	DATE	START	DURATION	PAGE	T/R	RESULT
01		09/30	12:03:59	00:00:45	00	IX	NO RESPONSE
02		09/30	12:36:54	00:00:36	00	IX	NO RESPONSE
03		09/30	12:33:24	00:00:37	00	IX	NO RESPONSE
04		09/30	12:39:32	00:00:36	00	IX	NO RESPONSE
05		09/30	12:41:53	00:00:05	00	IX	STOP PRESSED
06		09/30	12:42:52	00:00:36	00	IX	NO RESPONSE
07		09/30	12:43:58	00:00:36	00	IX	NO RESPONSE
08	3234014	09/30	12:44:51	00:02:35	03	IX	OK
09		09/30	13:27:10	00:00:36	00	IX	NO RESPONSE
10	+91448234428	09/30	13:28:26	00:01:16	01	IX	OK

Failed Contacts
28 8/329

Apollo 11
Ground

(27)

13

(27)

(27)

(27)

ANNEXURE-7

Annexure 7

DR. R. VARADARAJAN, MD., DCL
Consultant Haematologist

28/9/99

Ref by Dr. Arshad Azeel MD

1 is Asmita Gupta 34 y. Fe

Suggest:

(1) Tab folate 5mg (1)

once daily after dinner X 6 months

(2) Tab Neurobion (1) once daily after dinner X 6 months

21, Greams Lane, Off. Greams Road, Chennai-600 006 Ph. 8277447
Regd. Office: 19, Bishop Garden, Chennai-600 028.

E-MAIL: ahol.apollo@gnms.vsnl.net.in
INTERNET: <http://www.apollohospitals.com>

Contd. Overleaf

(29)

ANNEXURE - 8

No.S-12012/4/97-CGHS(P)
Government of India
Ministry of Health & Family Welfare
(Department of Health)

Nirman Bhavan,
New Delhi,
Dated the 7th April, 1999.

OFFICE MEMORANDUM

Subject :- Delegation of Powers under CGHS relating to referral system, permission cases and ex-post-facto approval - regarding.

The undersigned is directed to say that the matter regarding delegation of powers under CGHS has been under consideration of the Government for some time past so as to reduce the delay in obtaining facilities under CGHS including ex-post-facto approval of medical claims preferred by CGHS beneficiaries and it has now been decided to delegate the powers for referral system, permission cases and ex-post-facto approval as indicated below :-

REFERRAL SYSTEM

1. Procedure/investigations for which there is no prescribed CGHS rate for CGHS recognised private hospital/diagnostic centre.
Permission for tests/procedures, the estimates of which are not more than Rs.20,000/-, may be granted by HOD (for serving employees) and by Head of CGHS covered cities (for pensioners) provided the tests/procedures have been recommended by Govt. Specialist.
Reimbursement may be limited to AIIMS rate in the case of Delhi and outside Delhi. In case rates have not been fixed by AIIMS for any particular procedure/investigation/test, reimbursement may be made as per actuals.
2. In case of medical emergency beneficiary may go directly to private recognised/Government referral hospital and submit an MRC after discharge from the hospital.
Powers are delegated to the Head of the CGHS organisations in various CGHS covered cities in respect of both pensioners and serving employees for deciding which cases fall under the "emergency" category.
3. In pregnancy cases
Once the pregnancy is diagnosed/confirmed by the Government/CGHS doctors including the Medical Officer working at the dispensary level, the HOD of concerned Department/Ministry may permit admission for confinement purpose in the private hospitals recognised under CGHS.
4. In case of beneficiary, inspite of facility being available in the city still chooses to get treatment in CGHS recognised hospital in another city
The powers for grant of such permission are delegated to the Heads of CGHS organisations in various CGHS covered cities both in respect of pensioners and serving employees but without grant of TA/DA.

(30)

5. In case of pensioners if permission is granted for treatment in another city for such procedures/tests that are advised by the Govt./CGHS specialists and are not available in the same city.

Permission may be granted to pensioner beneficiaries by Head of the CGHS Organisation in CGHS covered cities on the basis of specific advice from treating Govt. specialist.

TA may be limited to the nearest hospitals available in the nearest city by the shortest route. In case of evacuation, prior permission of Director, CGHS, may be obtained.

6. In case of emergency in respect of pensioners/serving employees.

Since it is not always possible to obtain prior permission in emergency, treatment taken by CGHS beneficiaries in emergency will be considered on merits even if the treatment is taken from a non-recognised private hospital. For granting ex-post-facto approval in emergency cases, both for serving/pensioner beneficiaries, the power is delegated to the Head of the concerned CGHS covered city.

7. Treatment in Private recognised hospital

Referral may be made on the recommendation of the treatment procedure by the Govt. specialist for indoor treatment in private hospitals recognised under CGHS.

*Superseded
Vidya circular
dt. 1/9/99
P/36 and P/42
noted*

The permission both for pensioners and serving employees for a period of six months for follow-up treatment may be given by the Head of CGHS covered city from the date of discharge of the beneficiary from the hospital.

PERMISSION CASES

1. Cases where permission is to be given for items with ceiling rates

When treatment is taken with prior permission and where the ceiling rates have been fixed for purchase of implants such as pacemakers, Rotablator total joint replacement etc. the procedure of calling 3 quotations is not required and the Head of the CGHS organisation of the concerned CGHS covered city may grant permission in such cases.

2. Permission for items for which standing Committee exist and the standing committee has recommended the case

Permission may be given by the Ministry of Health and Family Welfare for items which have been notified by the CGHS.

3. Supply of Oxygen cylinder, Leucocyte filter, Infusion pump etc.

Permission may be given by the Ministry of Health & Family Welfare on the recommendations of the Standing Committee for items which have been notified by the CGHS.

Approval

Permission may be given by the Ministry of Health and Family Welfare on the basis of the recommendation of the Director, CGHS.

5. Permission for highly expensive procedures like B.M.T., Cardiac defibrillator, carotid stents, etc. as per Govt. ceiling rates as the cost involved are very high or where there is no policy decision.

For highly expensive procedures like BMT, Cardiac Defibrillator, Carotid Stenting etc. M/o HFW notifies the equipments/instruments/implants for domiciliary use with specific ceiling rates. Hence, permission for any instrument/equipment/implant outside the notified list will be dealt by the M/o HFW on a case to case basis in consultation with CGHS/Finance Division.

EX-POST-FACTO APPROVAL

1. Treatment taken without recommendation of CGHS/Govt. specialist, but with permission of CMO in-charge of CGHS dispensary in a recognised private hospital within approved ceiling rates

Powers are delegated to the Heads of CGHS organisations in the CGHS covered cities both in respect of pensioners and serving employees to decide such type of cases.

2. Treatment taken in Private hospitals recognised under CGHS without prior permission

Powers are Delegated to the HEADS of CGHS organisations in the CGHS covered cities both in respect of pensioners and serving employees to decide such type of cases.

3. Emergency cases within approved ceiling rates in respect of treatment taken in private hospitals recognised under CGHS.

Powers are delegated to the Heads of CGHS organisations in the CGHS covered cities both in respect of pensioners and serving employees to decide such type of cases.

4. Emergency cases within ceiling approved rate in respect of treatment taken in private unrecognised hospitals.

Powers are delegated to the Heads of CGHS organisations in the CGHS covered cities both in respect of pensioners and serving employees to decide such type of cases.

5. Cases where prior permission for treatment in CGHS recognised Government referral hospital was granted for a particular procedure and at the time of actual operation, some device/artificial appliance/additional treatment/procedure/diagnostic procedure has been used/undertaken for which no prior permission was taken.

Powers are delegated to the Heads of CGHS organisations in the CGHS organisations in the CGHS covered cities both in respect of pensioners and serving employees to decide such type of cases.

6. Ex-post-facto permission for treatment in Govt. referral hospitals like AIIMS, PGI Chandigarh, etc.

For serving employees

HOD of the concerned Ministry/Department/office may decide such type of cases.

For Pensioners :

Head of the CGHS Organisation of the concerned CGHS covered city may decide such type of cases.

7. Treatment under emergency in private hospitals recognised under CGHS and approval to be given as per approved rates for approved procedures/Appiances/devices. Powers are delegated to the Heads of CGHS organisations in the CGHS covered cities both in respect of pensioners and serving employees to decide such type of cases.
8. Treatment taken under emergency but approval to be given above the approved rates Ministry of Health & Family Welfare may decide such type of cases in special circumstances, depending upon the merits of each case.
9. Relaxation of CGHS Rules Ministry of Health and Family welfare will decide such type of cases.
10. Air travel permission/Ex-post-facto approval for air travel undertaken for medical treatment. Ministry of Health and Family welfare will decide such type of cases.
11. Reimbursement of treatment/test for which there is no prescribed rates under CGHS. Powers are delegated to the Heads of CGHS organisations in the CGHS covered cities both in respect of pensioners and serving employees and serving employees and reimbursement may be made as per AIIMS rate/actual, whichever may be less, or as per actual in case there is no AIIMS rate, both in the case pertaining to CGHS, Delhi and CGHS outside Delhi.

12. Monetary limit to issue sanction for settlement of individual Medical Reimbursement claims/to accord permission/grant of medical advance.

Subject to the approval of Head of the CGHS organisation of the concerned CGHS covered city/Ministry of Health & F.W., where prescribed in the preceding paras, the monetary limit for issuing sanction has been raised as under -

- (a) Rs.2 lakhs : By the Head of Department.
(in case of serving employees beneficiaries)
- (b) Rs.2 lakhs : By the Head of the concerned CGHS-covered city.
(in case of pensioner CGHS beneficiaries)
- (c) Rs.2 to 5 lakhs : Director, CGHS
- (d) Above Rs.5 lakhs : Min. of H. & F.W.

2. These orders will come into effect from the date of issue.
3. The above orders are issued with the approval of Secretary(Health) and concurrence of JS & FA vide Dy. No.1766/99-JS & FA dated 23.3.99.

Sd/-
(BRAHAM DEV)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA.

(32) (32)
No. S-12020/4/97-CGHS(P)
Government of India.
Ministry of Health & Family Welfare
(Department of Health)

Nirman Bhavan, New Delhi
Dated the 1st September, 1999.

OFFICE MEMORANDUM

Subject:- Delegation of Powers under CGHS relating to referral system, permission cases and ex-post-facto approval - Regarding.

The undersigned is directed to refer to this Ministry's Office Memorandum of even No. dated the 7th April, 1999 on the above subject and to say that to obviate the hardships being faced by the CGHS beneficiaries, it has been decided to amend item No.7 of the above said Office Memorandum relating to "treatment in private recognised hospitals" at page 2 and item No.12 of the above said Office Memorandum relating to "Monetary limit to issue sanction for settlement of individual medical reimbursement claims/to accord permission/grant of medical advance" at page 5 of the above mentioned Office Memorandum as follows:-

AMENDED REFERRAL SYSTEM

7. Treatment in private recognised hospital.

Referral may be made on the recommendation of the treatment procedure by the Government Specialist for indoor treatment in private hospitals, recognized under CGHS, by the Head of CGHS covered city in respect of pensioners and by the Head of the Ministry/Department/Office in respect of working employees.

The permission for follow-up treatment may be given for a period of 6 months from the date of discharge of the beneficiary from the hospital by the Head of CGHS covered city in respect of pensioners, and by the Head of the Ministry/Department/Office in respect of serving employees.

....2/-

*Superseded
vide circular
dt. 7/3/2000
AT P/A2 (Cust/col)*

33 34

AMENDED EX-POST-FACTO
APPROVAL

12. Monetary limit to issues sanction for settlement of individual medical reimbursement claim/ to accord permission/ grant of medical advance.

Head of the CGHS organisation of the concerned CGHS covered city in respect of pensioners and Head of the Ministry/ Department/Office in respect of serving employees, where prescribed in the preceding paras, the monetary limit for issuing sanction will be as under:-

a) Rs. 2 Lakhs (in case of serving employees beneficiaries). By the Head of Ministry/ Deptt/ Office.

b) Rs. 2 lakhs (in case of pensioner CGHS beneficiaries). By the Head of the concerned CGHS covered city.

2. These orders will come into effect from the date of issue.

3. The above orders are issued with the approval of Secretary (Health) and concurrence of JS(FA) vide Dy. No. 3791/99-JS(FA) dated 4.8.99.

Braham Dev
(BRAHAM DEV)

--- UNDER SECRETARY TO THE GOVERNMENT OF INDIA

- To
1. All Ministries/Departments of Government of India.
 2. Director General of Health Services.
 3. Director, CGHS.
 4. All Additional/Deputy Directors of CGHS.
 5. All Officers/Sections/Desks in the Ministry of Health & Family Welfare.
 6. C & A.G. of India, 10, Bahadur Shah Zafar Marg, New Delhi-2, with the request that these orders may be made applicable to the persons serving under him.
 7. Copy for folder.

(25)

7A

ANNEXURE-86

APPENDIX 4

[See S.R. 162]

**T.A. UNDER THE MEDICAL ATTENDANCE RULES
AND THE C.G.H.S. SCHEME**

1. The question of rationalization of the admissibility of travelling allowance under the Central Service (Medical Attendance) Rules, 1944 and the Central Government Health Scheme, had been under consideration of the Government of India. It has been decided in supersession of all previous orders and the provisions made in the Supplementary Rules or Orders issued thereunder that Central Government servants and members of their families will be entitled to travelling allowance at the rates and under the conditions specified below for journeys undertaken by them to obtain appropriate medical attendance and treatment to which they are entitled under the aforesaid rules and orders issued thereunder—

1. Journey by rail/road/sea/air

The patient (whether Government or a member of his family dependent on him) and also his attendant (wherever recommended by the attending doctor) should be entitled to travelling allowance *plus* daily allowance for the period of journey undertaken by rail as per the entitled class or the lower class by which the journey is actually performed, road, sea (ship, steamer, etc.) and air (within the country) for obtaining appropriate medical attendance or treatment.

Special provision.—Government may consider refund of air fare paid in individual cases on merits, provided they are satisfied that air travel was absolutely essential and that travel by any other means, i.e., by rail or road, etc., would have definitely endangered the life of the patient or involved a risk of serious aggravation of his/her conditions. for
any
journey

It is clarified that the above decision is also applicable to the Central Government employees and/or their family members in Manipur, Nagaland, Mizoram and Meghalaya who are referred for treatment to Calcutta.

2. Journey by other means of conveyance

If the patient travels by means of conveyance, other than those specified in these orders or by his/her private conveyance, travelling allowance would be admissible to the extent otherwise admissible under these orders.

3. Certificate required to claim T.A.

Travelling allowance at the rates specified in these orders will be admissible only when—

- (37)
- (a) the journey undertaken is outside the limits of the same city—Municipal or Corporation area, Military Station, Cantonment Board area, etc., and exceeds 8 kilometres each way; and
 - (b) it is certified in writing by the authorized medical attendant or by the Specialist to whom the patient was referred by the authorized medical attendant or by a competent medical officer attached to the hospital to which the patient was referred by the authorized medical attendant for medical attendance and treatment, that the journey was unavoidably necessary to obtain appropriate medical attendance and treatment under the relevant Medical Attendance Rules and Orders.

4. Conveyance charges:

Where the journey is undertaken within the same city—Municipal or Corporation area, Military Station and Cantonment Board area, etc.,—and the distance travelled is more than 8 kilometres each way, Central Government servants and members of their families will be entitled to conveyance allowance only at the following rates, provided it is certified by the medical authorities mentioned in the preceding para. in writing that it was necessary for the Government servant or members of his/her family to travel by a conveyance:—

- (a) *For the Government servants*.—Actual conveyance charges limited to mileage allowance at tour rates under the rules in force (without daily allowance).
- (b) *For the members of their families*.—Actual conveyance charges limited to half the mileage allowance at tour rates (without daily allowance) admissible to Government servants themselves under the rules in force.

NOTE.—The above concession will not be admissible to CGHS beneficiaries for the present when they are referred to Specialists/Hospitals for medical attendance and treatment by doctors in CGHS Dispensaries.

5. Ambulance charges:

Central Government servants will be entitled to reimbursement of charges paid for an ambulance used for their conveyance or the conveyance of members of their families subject to the following conditions:—

- (i) if it is certified in writing by the medical authorities mentioned in these orders that conveyance of the patient by any other means of conveyance would definitely endanger the life of the patient or grossly aggravate the conditions of his/her health;
- (ii) if the ambulance is used to convey a patient to a place of treatment or to convey a patient from one hospital to another for purposes of certain medical examinations, etc.;
- (iii) if the ambulance used belonged to Government or local fund, or a social service organization such as the Red Cross Society, etc.; and

TRAVELLING ALLOWANCE FOR MEDICAL ATTENDANCE AND/OR TREATMENT

1. General Instructions

The question of rationalization of the admissibility of travelling allowance under the Central Service (Medical Attendance) Rules, 1944 and the Central Government Health Scheme, had been under consideration of the Government of India. It has been decided in supersession of all previous orders and the provisions made in the Supplementary Rules or orders issued thereunder that Central Government servants and members of their families will be entitled to travelling allowance at the rates and under the conditions specified below for journeys undertaken by them to obtain appropriate medical attendance and treatment to which they are entitled under the aforesaid rules and orders issued thereunder—

1. Journey by rail/road/sea/air

The patient (whether Government servant or a member of his family dependent on him) and also his attendant (wherever recommended by the attending doctor) should be entitled to travelling allowance *plus* daily allowance for the period of journey undertaken by rail as per the entitled class or the lower class by which the journey is actually performed, road, sea (ship, steamer, etc.) and air (within the country) for obtaining appropriate medical attendance or treatment.

Special provision:—Government may consider refund of air fare paid in individual cases on merits, provided they are satisfied that air travel was absolutely essential and that travel by any other means, i.e., by rail or road, etc., would have definitely endangered the life of the patient or involved a risk of serious aggravation of his/her conditions.

CS (MA) Rules - 1944

~~ANNEXURE~~ ~~ANNEXURE~~
(38) (33) (38)

OFFICE OF THE ACCOUNTANT GENERAL (A&E), ASSAM,
BELTOLA, GUWAHATI-29.

ANNEXURE-9

No. Admn-II/BG-MDL/TA/99-2000/567

Dated: 23/12/99.

With reference to his representation dated 16/12/99 (received on 20/12/99), Sri Bimalendu Gupta, Sr. Acctt., is hereby asked to submit immediately a fresh estimate of Apollo Hospital, Chennai, required for the purpose of sanctioning of medical advance regarding follow up treatment of his wife Smt. Ajanta Gupta.

As regards grant of TA for undertaking journey by Air for the aforesaid purpose, it may be stated that it would not be possible to release the air travel Advance without the specific certification of the treating physician of Apollo Hospital, Chennai to the effect that "Air Travel for the patient is absolutely necessary". The certificate referred to in your representation, that the patient is "medically fit to travel by air", is only a certificate of fitness and can not be treated a certificate of essentiality. Moreover, the approval of the Director, CGHS is also required for the said purpose.

In view of the above, he is asked to submit a fresh TA advance application for entitled Railway class for the proposed journey within two days from the date of receipt of this letter, for grant of TA advance. Further, in this connection, it may be mentioned that considering the gravity of the case and on the basis of the Medical Certificate of the treating physician of GMCH, Air fare was granted provisionally subject to the approval of the competent authority. However, the matter has been taken up with the Joint Director, CGHS who in his letter dt. 22.11.99 stated that the Air fare for the journey undertaken on the earlier occasion may not be reimbursed if the approval for the same is not received from the Director, CGHS, New-Delhi. As such his above mentioned air fare claim can not be reimbursed until the receipt of the approval of the Director, CGHS, New-Delhi.

The release of Medical Advance of Rs.30,000/- on an earlier occasion related to a different instance and can not be automatically treated as having a bearing with the present proposal.

[Authority:: DAG(ADMN) order dated: 22/12/99 at page-29(n) in file No. Admn-II/BG-MDL/TA/99-2000]

Sr. Accounts Officer (Admn).

वरिष्ठ लेखा अधिकारी,

Sr. Accounts Officer.

कायस्थ

कार्यकारी

O/o the Accountant General (A&E)

आ. गुवाहाटी

Assam, Guwahati.

To,
Shri Bimalendu Gupta, Sr. Acctt.
Record Section,
O/o the A.G. (A & E), Assam, Guwahati-29.

Myself, Cont.

⑦ ~~ANNEXURE~~ ~~10~~

(39)

ANNEXURE -10

Summ

1-2-4: Delay L

Given - $\frac{1}{2} \times 100 = 50$

T-200

2-2-1 Nuclear Data

0.5-1.5 m/s

Ölçüm.

1-7-1 121004

Answer:

1-7-65 [Udemy] 3-21-65

Reg. Beschneidung

Verfahren des Vertriebs

21. $\frac{1}{2} \log_2 \frac{1}{2}$

Environ. Lit. 2011, 2

Give Credit.

Universität

ADU: MMT Coal/Biofuel

Ansprechbar: Et. 10.11.19

103

21, Greaves Lane, Oil, Greaves Road,
Chennai - 600 006.
Tel: 8293333, 3290203 Fax: 01-44-8291761.
Greaves Apollo Hosp Tlx: 41-6419 AHEI, III
Hqdt. Office : 19, Bishop Garden, Chennai - 600 020.

For Appointments Contact :
0293333, 0290200, Ext. : 2449
0553434 / 0553117 / 0553122
For Emergencies Contact :
6411772 / 6411657

For Cph. 1814d 75

Nirman Bhawan, New Delhi-11.

(Dr. N. Saikia)
Joint Director.

(40)
ANNEXURE-11

Govt. of India,
Dte. General of Health Services,
Central Govt. Health Scheme,
Ananda Kutir Path,
Zoo-Narengi Tiniali,
Guwahati - 781003.

No. S. 1216/1/99 (1)/2015 — 2018

Dated : 14.9.99

To,
The Medical Supdt./Director,
Apelle Hospital Enterprises Ltd.
Chennai - 60.

Sub : Permission for treatment/investigation/hospitalisation of
Shri/Smt. Aganta Gupta w/o Sh. B. Gupta

Sir/Madam,

Shri/Smt. Aganta Gupta May

please be provided with necessary treatment facilities and accommodation in accordance with the status of the government servant servant/pensioner/M.P. whose particulars are given below

1. Entitlement : General ward
2. Contribution of Basic Pay/ Last pay drawn/Pension : Rs. 5,700.00
3. C.G.H.S. Token Card No. : 4518
4. Validity of CGHS Token card : _____
in case of serving employee/
Pensioner.
5. Dispensary to which attached:

Validity of this letter is 6 (six) months from the date of issue/ _____ .! Two escort is recommended as recommended by the specialist - G.M.C., Guwahati.

UNDERTAKING

I hereby undertake to bear the expenditure in excess of package rate/ceiling fixed by the Govt. for treatment of Shri/Smt./Self

Aganta Gupta
at Chennai

1. Name R. Gupta

2. Token Card No. 4578

3. Address A.S. (RDS) Assam
Gupta Guwahati.

Yours faithfully,

Dr. B. Saikia
(Dr. B. Saikia)
Joint Director.

B. Gupta

Copy to :-

1. The Medical Officer Incharge, CGHS Dispensary No. 1 for information and necessary action.

2. To, Mr. A/G (A.E.) Assan Maidanagar Bellah,
Gyawa Lal - 2A,
for information & necessary action.

3. Shri/Smt./Dr. B. Gupta with the information and the advice that the necessary medicines may please be procured from the CGHS Dispensary concerned. In case of emergency/odd hours, medicines should be purchased from the Authorised Local Chemist, if Authorised Local Chemist is also unable to supply the medicines, a non-availability certificate from the Authorised Local Chemist may please be obtained and medicines can be procured from Local Market.

(a) Cost of O.P.D. treatment is not reimbursable under CGHS. For patients referred to private recognised hospitals outside Guwahati, if the treatment is taken at the referral hospital as an OPD patient a certificate from the treating hospital/doctor will be required to the effect that "the patient did not require admission and was advised treatment as an OPD patient". This certificate will be required to be submitted alongwith the bill.

(b) Claim papers for re-imbursement of Medical expenses should be submitted within three months from the date of discharge.

(Dr. B. Saikia)
Joint Director

1. Claimants are advised to keep photostate copies of Essentiality certificate and voucher while submitting original alongwith claim papers.
2. Employees and pensioners of certain Semi-Govt./Autonomous organisations are entitled at par with Central Govt. Employees.
3. PAYMENT FROM SERVICE HEAD OF BENEFICIARIES OFFICE.

42

ANNEXURE 12

12

12

12

OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029.

No. Admn.II/BG.MDL/TA/99-2000/627

Date: 22.01.2000

To

The Joint Director,
C.G.H.S, Guwahati,
Pinaki Path (7th Bye Lane)
Zoo-Narengi, Tin-all,
Guwahati - 781 003.

Sub: Approval for Air Travel for follow up treatment at Apollo Hospital, Chennai.

Sir,

I am to state that Shri. Bimalendu Gupta, Sr. Acctt. of this office had applied vide application dt. 16.12.99 for to and fro Air fare to Chennai with 2 (two) escorts for follow up treatment of his wife as advised by the attending physician of Apollo Hospital, Chennai without any recommendation by the attending physician/referral physician of GMCH regarding the absolute necessity of Air travel for follow-up treatment and the matter was taken-up with you vide this office letter No. Admn-2/Ghy/Bills/1-18/TA/99-2000/554 dt. 21.12.99.

Now, accordingly, as advised vide your letter No. D 12016/1/99(2)/3533 dt. 24.12.99, Shri. Bimalendu Gupta submitted a fresh application for to and fro Air fare to Chennai along with recommendation of the treating physician of GMCH who initially referred the patient to the effect that "patient is medically fit to travel by Air both ways" which apparently does not mean that Air travel is an absolutely necessity.

In view of the above, you are, therefore, requested to kindly clarify

Whether to and fro Air fare to Chennai with 2(two) escorts may be reimbursed to Shri. Bimalendu Gupta for follow-up treatment of his wife on the basis of certificate furnished by the referral physician of GMCH who initially referred the patient to the effect that "patient is medically fit to travel by Air both way" which does not apparently mean that the Air Travel is absolutely necessary.

2. Whether to and fro Air Travel with 2(two) escorts requires approval of Ministry of Health & Family Welfare in terms of circular No. S. 12012/4/97 -CGHS(P) dt. 7-4-99 in addition to the recommendation of the referral physician. If yes, you are, requested to obtain necessary sanction from the competent authority for Air travel with 2(two) escorts for return journey too. It may also be considered whether recommendation of referral Board of GMCH is required for the said purpose. If so, necessary action may be taken at your end.

An immediate action/reply in this regard is requested so that necessary T.A. advance could be paid in time to Shri. Bimalendu Gupta to attend Apollo Hospital, Chennai for follow up treatment of his wife.

Recommendation of Physician.

Yours faithfully

Sr. Stenographer/Secretary (A).

हल्लाकार (ले. एवं अ.) का कार्यालय
To the Accountant General (A&E)

असम, गुवाहाटी

Assam, Guwahati

(43)

~~ANNEXURE~~

(43)

D.12016/1/99(2)/3725

Date : 21.1.2000

~~ANNEXURE - 13.~~

1-2000

To,
The Sr. Accts Officer (A),
A.G.(A&E) ASSAM,
Maidamgaon, Beltola,
Guwahati - 781 029.

Sub : Approval for air travel for followup treatment.

Sir,

Refer your letter No.Admn.II/BGMDL/TA/99-2000/627 dated 21.1.2000 along with the enclosed certificate from Dr.R.Medhi of GMCH on the subject of granting air travel for followup treatment at Apollo Hospital, Chennai.

In this context the conditions are stated as in our letter of even number dated 24.12.99 are reiterated.

In the present context the certificate as given by Dr.Medhi of GMCH that the patient is medically fit to travel by air and that two escorts are required for the patient is not sufficient. The referring doctor has to state that the patients present condition is not such that she can travel by any other means of transport and air travel is absolutely essential in her case and also that two escorts are essential. Without the "absolute necessity" clause in the doctors advise slip the case for approval of air travel cannot be recommended to the Director CGHS for obtaining permission from the Ministry. Your office may therefore request Dr.R.Medhi to incorporate this in his advise slip - which we shall need to forward to the Ministry while recommending the case.

As regards your query regarding the State Referral Board, I may state that CGHS does not insist on this - but you can directly take up the matter with State Referral Board.

Yours faithfully,

Dr. B. Salkia
(Dr. B. Salkia)
Joint Director.

Accountant General (A&E)
आम, गुवाहाटी
Asst. Commr. Guwahati.

*For Dr. Medhi -
Dr. B. Salkia
Joint Director
CGHS
21/1/2000*

ANNEXURE - 14

DATE. 24/12/99

Contd--2/-

P/O the Accountant General (A.G.)
 वसम, गुवाहाटी
 भारत, Guwahati

(45)

~~ANNEXURE 14~~

(46)

(47)

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Therefore, on the basis of our earlier permission letter No.D.12016/1/99(1)/2017 dated 14.9.99, to and fro air travel to Shri Bimalendu Gupta can not be treated admissible, unless the above conditions are fulfilled.

Yours faithfully,

Dr. B. Saikia

(Dr. B: Saikia)
Joint Director.

Officer, Officer(A)
S/O the Accountant General (A&B)
वसंत, गुवाहाटी
Guwahati

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0000

(46) ~~ANNEXURE-15~~ 15
(42) (78)
ANNEXURE - 15

**OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029.**

No. Admn-2/BG-MDL/TA/99-2000/ 637

Date: 27.01.2000

To

Dr. R. Medhi, MD,
Asstt. Professor,
Department of Obsts & Gynaecology,
Guwahati Medical College Hospital,
Guwahati.

Sub: Air-Travel to Chennai for both way with 2(two) escorts in respect of Smti. Ajanta Gupta W/o Shri. Bimalendu Gupta.

Sir,

I am directed to refer to your letter dt. 10.01.2000(copy enclosed) regarding recommendation of both ways Air travel to chennai with 2(two) escorts for follow up treatment of Smti Ajanta Gupta W/o Shri. Bimalendu Gupta of this office stating that "She is medically fit to travel by Air" and to state that the same is not sufficient for recommendation to the Director, CGHS for obtaining permission from the Ministry.

In this context, it may be mentioned that Shri. Gupta is not entitled to travel by Air unless the condition of the patient so warrants.

You are therefore, requested to furnish a certificate to the effect that the patients present condition does not permit her to travel by train and air travel is absolutely essential in her case and also that two escorts are essential. The essentiality certificate is required by the Director, CGHS for obtaining permission from Government of India, Ministry of Health & Family Welfare.

An early action/reply is awaited.

Encl: As state above

Yours faithfully

Sr. Accounts Officer (Admn)
Sr. Accounts Officer

Date: 27.01.2000

Accountant General (A&E)

To

The Sr Accounts Officer
O/o the Accountant General (A&E)
Assam
Guwahati

ANNEXURE-16

Dated Guwahati
24th Feb 2000

Ref :- Your letter no. Admn-2/BG-MDL/TA/99-
2000/637 dated 27th January 2000

Sub :- Air Travel to Chennai in respect of
Mrs Ajanta Gupta, wife of Mr Bimalen
-du Gupta

Sir,

With reference to your above mentioned letter I would
like to say that Air Travel to Chennai is not absolutely
necessary for Mrs Ajanta Gupta for her Gynaecological
problems.

However, Mrs Gupta is having Neurological, Orthopae-
dic and Haematological problems and she is under treatment
of Appollo Hospital, Chennai.

As I am not an expert in these fields of medicines,
it is not possible for me to give an opinion regarding
absolute necessity of air travel for her other diseases.
Opinion may kindly be taken from Appollo Hospital, Chennai,
where she is treated.

Thanking you,

Yours faithfully

R Medhi
24/2/2000
(Dr R Medhi)

Asstt. Professor
Deptt. of Obs. & Gynaecology
Guwahati Medical College

~~ANNEXURE-17~~ ANNEXURE-17
(48)
OFFICE OF THE ACCOUNTANT GENERAL (A&E), ASSAM
BELTOLA: GUWAHATI-29

No. Admn-HBG-MDLTA-99-2000/818

DL 06-03-2000

M,

7.01.2000

9/60
In inviting a reference to this office Memo No. Admn-HBG-MDLTA-99-2000-567 dt. 21.12.99, Shri Bimalendu Gupta, Sr. Acctt. of this office is hereby asked to expedite reply thereto, for initiating necessary action in this regard.

In this connection, a copy of Dt. R. Medhi's (of GMCH) letter dt. 24.2.2000 is enclosed herewith for his information and necessary action.

Authority: [DAG(A)'s order dt. 6.3.2000]

Encls:- As stated above.

Shri Bimalendu Gupta, Sr. Accountant,
Record & Section
Of the A.G. (A&E), Assam,
Beltola, Guwahati-29.

Sr. Accounts Officer (A)

সিনিয়র অ্যাকাউন্ট অফিসার,

Sr. Accounts Officer,

আসম গণপরিষদ (সং-স্ব-স্ব) এর কার্যালয়

Of the Accountant General (A&E)

গুৱাহাটী

Assam, Guwahati-29

Ajanta

ording
ment
is
for

Air

Contd.

(49)

ANNEXURE-18

(88)

OFFICE OF THE ACCOUNTANT GENERAL (A&E), ASSAM, BELTOLA, GUWAHATI-29.

Memo No. Admu-II/BG MdI/99-2000/25

dt. 28.04.2000

With reference to his representation dated 26.4.2000 & a photo copy of directive dt. 25.4.2000 issued by the Hon'ble C.A.T. Ghy Bench OA No. 149/2000 regarding grant of both ways Air fare and MdI. Advance in connection with the follow up treatment of his wife Smti. Ajanta Gupta at Apollo Hospital, Chennai, Shri Bimalendu Gupta, Sr. Accountant of this office is hereby informed that his above said representation has been thoroughly examined in the light of the existing CS (MA) Rules 1944 and it is found that in the absence of any essentiality certificate from the concerned Medical Authority, his prayer for grant of Air fare both ways cannot be entertained.

However, he is once again asked to submit a fresh T.A. Advance proposal for entitled Railway class for the said purpose. In this regard Para-3 of this office earlier communication No. Admu-II/BG-MdI/99-2000/567 dated 23.12.99 to him may also be referred to.

In this connection Appendix-VII (1) to CS(MA) Rules 1944 and a medical certificate dated 24.2.2000 issued by Smti. A. Gupta's treating physician of G.M.C.H., Ghy., a copy of which was already endorsed to him vide this office letter No. Admu-II/BG-MdI/TA/99-2000/818 dt. 6.3.2000 may be referred to.

As regards grant of Medical advance, he is asked to furnish the tentative date of his outward journey to Apollo Hospital, Chennai, so that the admissible amount of Medical advance as prayed for, could be drawn and sent to the concerned Hospital well in time.

This disposes of his representation dated 26.4.2000.

Shri Bimalendu Gupta, Sr. Acctt.
Record © Section.
O/o the A.G. (A&E), Assam, Guwahati.

R. Singh
Dy. Accountant General (Admu)
उप महालेखाकार (प्र.)
Dy. Accountant General (Admu.)
महालेखाकार का कार्यालय (ले. एम. ह.)
O/O the Accountant General (A&E)
असम, गुवाहाटी
Assam. Guwahati

(50)
ANNEXURE-19

To

The Sr. Accounts officer
PAO, O/o the A.G. (A&E) Assam,
Beltola, Guwahati-29.

Payment of T.A. advance by Cheque

Sir,

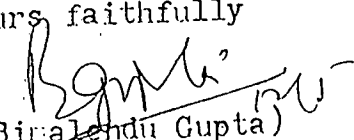
With reference to Admn. Letter No. ADmn-2/BG-1 DL/TA/
2000-2001/51, dated 9.5.2000 received on 10.5.2000 I beg to state
that it is ascertained from Cash Branch that the T.A. Advance Rs. 32,324/-
was drawn in Cash for disbursement. It is surprise to mention here
that ~~it~~ is very much risky to carry huge amount from office to my
residence during late hours of the day from the place like Beltola.
for purchasing Air tickets.

So, you are therefore requested to issue a Cheque
in my favour in lieu of Cash so that I can able to carry easily the
amount to purchase the air tickets by to morrow i.e. on 13.5.2000 posi

Your eaaly action is highly solicited.

Dated, Guwahati
the 12.05.2000

Yours faithfully


(Biralendu Gupta)
Sr. Accountant

AMG/AM

12/5/20
(3 P.M.)...

A.D. 12/5

(51)

Phone : 543200 (R)

(52)

Dr. Dilip Ghosal D.H.M.S
GUWAHATI, ASSAM
Regd. No. : 300 (A)
ANNEXURE-20

To whom it may concern

This is to certify that Mrs.
- Ajanta Gupta w/o Mr. B. Gupta
was serious on 28th April
2000 and on call at 10 P.M.
attended at her residence.

After examine she was
advise to consult the Apollo
doctor's from whom she
was taking treatment
and also advised to avoid
further journey which
may fatal her life.

Dy. P. Ghosal
19/5/2000
Dr. Dilip Ghosal
Regd. No. : 300 (A)

(52)
ANNEXURE-2

Dr. R. SHIDHARAN, M.D., D.M. (Neuro), MHAAS
Consultant Neurologist

553658

31/5/2000

His Medical History 34 F.

- Somatoform anxiety

Wet brain, cerebellar, dorsal, fronto-parietal - memory

At Endocrine system.

25mg Zovant 25mg daily 1 — x 3 months

1mg at bedtime — x 1 month
0.5mg at bedtime — x 1 month
0.25mg at bedtime — x 1 month

Regular walking

25mg Fexof 1 daily 1 — x 3 months

1mg Fexof 1 daily 1 — x 3 months

1mg Fexof 1 daily 1 — x 3 months

Neurologically fit for admission

Apollo Hospitals

21, Greenway Lane, Off, Greenway Road, Chennai - 600 006
Tel : 0293333 / 0290200 Fax : 91-44-0266761 / 0234429
Regd. Office : 19, Bishop Garden, Chennai - 600 020
E-mail: info@apollohospitals.com



**Apollo
Hospitals
Chennai**

(S3)

ANNEXURE 22

Dr. DEEPAK ARJUNDAS

M.D. (Med), D.M. (NEURO), Dip. Neuro (Post F.R.S.N.), F.N.C.S. (UK)
CONSULTANT NEUROLOGIST

CONSULTATION HOURS:

4.00 - 6.00 P.M. - MONDAY TO FRIDAY

(S4)

Mrs. Arundha Gupta

Nimulex MD 1-1-1 3 days
1-2-1 7 days

Cerezyme 410 1-2-1 31 days
100mg

Mendel forte 1-1-1 31 days

Sup Keron 10ml x 3 31 days

Try Nefarcehal 1mg 4 weeks
Twice a day

no int restriction
↑ intake in diet

Δ lactacidosis
analysis

To inform condition on
11 July this post
Review as family doctor
decides

[Signature]
Date

Apollo, Land, Oil, Grease Road,
Chennai - 600 006
Phone: 022 290200 Fax: 022 29234429
Apollo Hosp Tel: 41-6419 AMEL IN
998 0019, Bishop Garden, Chennai - 600 020.

For Appointments Contact :
022 3333, 0220200, Extn.: 2449
0553434 / 0553117 / 0553122
For Emergencies Contact :
0411772 / 0411657

(54)

ANNEXURE 25

(27)

Annexure - 12

(35)

Mrs. Bimalendu Gupta
Sr Accountant
A.G. (X-45) Assam Gy. 21
on leave at Chennai
for wife's Treatment.

02-06-2000

To

The Accountant General
(A.G.) Assam, Guwahati 29.

Sir,

With reference to your letter dated
16-05-2000, my wife was examined by Apollo
Hospital Madras and referred to Indraprastha
Apollo for ^{second} opinion. Immediately, kindly sanction
my ^{wife's} journey to New Delhi by Air. Expecting your
kind confirmation by 4 P.M. today 2-06-2000 to
A.G. (A.G.) Tamil Nadu Fax No. 044-4320562.

Thanking you,

Yours faithfully

B Gupta

(Bimalendu Gupta)

08/08 '00 13:53

ANNEXURE - 24

2002



Apollo
Hospitals
Chennai

55

Dr. DEEPAK ARJUNDAS
M.D., (Med), D.M. (NEURO) Dip. Neuro (Lon) FR.S.M. (Lon) FAIMS
CONSULTANT NEUROLOGIST & NEUROINTENSIVIST

CONSULTATION HOURS:
4.00 - 6.00 P.M. - MONDAY TO FRIDAY

Mrs. Arpita Gupta also extreme weakness her
leg before operation are having she may have
a neurological disease. She is not to
allow Apollo for any opinion with histopathology
& electron microscope studies may be available
She is fit to travel by air

7/6/00

Hospitals
Chennai

(56)
(22)

M.D. (Med. Sci. (NEURO) Dip. Neuro (Lon) F.R.S.J. (Lon) F.A.N.S.
CONSULTANT NEUROLOGIST & NEUROINTENSIVIST
Annexure - 10
CONSULTATION HOURS:
4.00 - 6.00 P.M. - MONDAY TO FRIDAY

(57)

ANNEXURE - 25

Dear Dr. Arora

I would like Mrs. Aravinda Gupta
with 1 baby 2-11 months for
Cerebral assessment
with videos

Yours truly
Neil
Gill

Dr. Aravinda
Apollo Hospital
New Delhi

(56)

ANNEXURE-26 (26)

APPENDIX VII

TRAVELLING ALLOWANCE FOR MEDICAL ATTENDANCE AND/OR TREATMENT

1. General Instructions

The question of rationalization of the admissibility of travelling allowance under the Central Service (Medical Attendance) Rules, 1944 and the Central Government Health Scheme, had been under consideration of the Government of India. It has been decided in supersession of all previous orders and the provisions made in the Supplementary Rules or orders issued thereunder that Central Government servants and members of their families will be entitled to travelling allowance at the rates and under the conditions specified below for journeys undertaken by them to obtain appropriate medical attendance and treatment to which they are entitled under the aforesaid rules and orders issued thereunder—

* 1. Journey by rail/road/sea/air

The patient (whether Government servant or a member of his family dependent on him) and also his attendant (wherever recommended by the attending doctor) should be entitled to travelling allowance plus daily allowance for the period of journey undertaken by rail as per the entitled class or the lower class by which the journey is actually performed, road, sea (ship, steamer, etc.) and air (within the country) for obtaining appropriate medical attendance or treatment.

** Special provision.*—Government may consider refund of air fare paid in individual cases on merits, provided they are satisfied that air travel was absolutely essential and that travel by any other means, i.e., by rail or road, etc., would have definitely endangered the life of the patient or involved a risk of serious aggravation of his/her conditions.

It is clarified that the above decision is also applicable to the Central Government employees and/or their family members in Manipur, Nagaland, Mizoram and Meghalaya who are referred for treatment to Calcutta.

To and fro air fare for treatment abroad.—See Decision below Rule 11 in Section I.

* 2. Journey by other means of conveyance

If the patient travels by means of conveyance, other than those specified in these orders or by his/her private conveyance, travelling allowance would be admissible to the extent otherwise admissible under these orders.

* 3. Certificate required to claim T.A.

Travelling allowance at the rates specified in these orders will be admissible only when—

POM dated 2.4.99
8, 8(2) & 8(3)

Neurologist
Apollo Hospital

(58)

Dr. MUKUL VARMA
M.D., D.M.
Neurophysician

Indraprastha Apollo Hospital
Mathura Road, Sarita Vihar
New Delhi 110 044
Phone: 6925050, 6925001, Extn 1060
91-11 6923629
Consultation daily 9:00AM to 1:00PM

(10/13)

(59)

ANNEXURE - 27

Apollo Clinic
13 New Rajdhani Enclave, Vikas Marg
Delhi 110 092
Consultations: Thurs only 7:00 - 8:00 PM
For appointment call 2222146, 2212025

Residence
1376, Sector 37, NOIDA, 201 303
Phone from Delhi: 91-4575440
From outstation: 0118-4575440
E-mail: mvarma@vsnl.com
By appointment only

8.6.00

Smt. Ajanta Gupta,

? ? Chronic fatigue syndrome

R. Good protein diet

Tab Tryptomer (10)

1 tab at bedtime

Mibrona

Tab Procton (4mg)

1/2 tab TDS

Syp Haem 4

1 tbf TDS

1 month

If no relief, add.

Tab Naproxen (250) 1-2-1-2

x 1 week

1 x 30 (10 of 10 meals)

And long journeys.

Travel by air.

Mibrona

17.6.00

1/2 Body ache - since '93

Fatigue -

Insomniac & bad

ESR ↑ for long

Ally diet - No

(PCR)

1/2 HMF

Speech

Grasp Ns

No neck rigidity

Motor

Swing

Reflex

Last

ESR → 10 mm in 1 hr

186 7.3 1/2

59
ANNEXURE-28

MOST IMMEDIATE

COURT CASE
BY SPEED POST

NO. C. 14012/14/2000-CGHS/D.I
Directorate General of Health Services

Nirman Bhavan, New Delhi
dated the 28th Sept., 2000

To

The Deputy Accountant General (Admn.)
Office of the Accountant General (A&E) Assam
Maidamgaon, Beltola
Guwahati-29.

Subj-Approval for grant of Air fare-etc in connection with
the follow up treatment of Smt. Ajanta Gupta wife of
Shri Himalendu Gupta.

Sir,

Please refer to your letter No. Admn. II/BG-MIL/
TA/2000-01/437 dated 6.9.2000 on the above subject.

2. The case was examined in consultation with the
Ministry of Health and Family Welfare and you are requested
to take the following action as approved by the Ministry
of Health:-

- (i) Payment of amount of air travel to Shri Gupta
to and fro Guwahati-Chennai only as per the
Hon'ble CAT's Order instead of Guwahati-Chennai
New Delhi-Guwahati.
- (ii) Submission of specific certification of the
treating physician of Apollo Hospital Chennai
to the effect that the "air travel for the
patient is absolutely necessary".

You are also requested to contact the CGHS Authorities
in Guwahati so that they could request the Standing Govt.
Counsel to keep in view the above two points while preparing
the draft written statement to be filed in the case before
the next date of hearing.

Yours faithfully,

(M. Y. ANSARI)
DEPUTY DIRECTOR ADMN (D.I)

Copy to:-

The Joint Director, CGHS, with the request to please
approach the Standing Govt. Counsel to keep in view the
above two points while preparing the draft written
statement to be filed in the case before the next date
of hearing.

DDA (CGHS (D.I))

ANNEXURE - 29

OFFICE OF THE ACCOUNTANT GENERAL (A & E), ASSAM,
MAIDAMGAON :: GUWAHATI-29.

(60)

No. Admn-2/BG-MDL/TA/2000-2001/91

Dated 02.6.2000.

FAX

To,
The General Manager-Finance,
Apollo Hospitals Enterprises Ltd;
21, Greaves Lane, Off. Greaves Road,
Chennai - 600 006.

A fax message received today (02.6.2000) at 4.20 P.M. from Shri Bimalendu Gupta stating that his wife Smti Ajanta Gupta who is presently undergoing treatment at your hospital at Chennai has been referred to Indraprastha Apollo Hospital, New-Delhi for second Medical opinion and allowed to travel by Air to Delhi.

Kindly confirm the fact by return Fax to The Deputy Accountant General (Admn) on Fax No. 0361 303142.

R Singh 2.6.2000
Deputy Accountant General (Admn).

उप महालेखाकार (प्र.)

Dy. Accountant General (Admn.)

महालेखाकार का कार्यालय (ले. ए. व. ह.)

O/O the Accountant General (A&E)

असम, गुवाहाटी

Assam. Guwahati

61 Dr. MUKUL VARMA
M.D., D.M.
Neurophysician

ANNEXURE - 30

Smt. Ajanta Gupta,

Indraprastha Apollo Hospital
Mathura Road, Sarita Vihar
New Delhi 110 044
Phone: 6925050, 6925801, Extn 1050
Fax 91-11-6923679
Consultation daily 9.00AM to 1.00PM

Apollo Clinic
13 New Rajdhani Enclave, Vikas Marg
Delhi 110 092
Consultation: Thurs only 7:00 - 8:00 PM
For appointment call 2222146, 2212025

Residence
1376, Sector 37, NOIDA, 201 303
Phone from Delhi: 91-4575440
From outstation: 0110-4575440
E-mail: mivarma@vsnl.com
By appointment only

8.6.00

2 ? Chronic fatigue syndrome

Rp Good protein diet

Tab Tryptomer (10)

1 lot at bedtime

Mibama

Tab Procton (10)

1/2 tab TDS

Syp Haemof 1 by TDS

1 month

If no relief, add:

Tab Naproxen (250) 1-2-1-2

x 1 week

1 x 30 min after meals

Avoid long journeys.

Insured by axis.

Mibama

Mibama

% Body ache - Sep '93

Fatigue

Insomnia & loss of

ESR ↑ for long time

Other tests - Normal

(AKI)

Speech - /N

Gait - /N

No neck rigidity

Motor

Sensory /N

Reflex

Last

ESR → 110 mm in 1 hr

18.9.3 - 1%

of outstanding claim amounting to Rs. 81,127'00 related to treatment and air fare for the treatment of the applicant's wife and also for sanction of Air fare Advance of Rs. 48,000/- and Medical Advance Rs. 30,000/- for review of treatment at Indraprastha Apollo's Hospital of the wife of the applicant. The same is also pending with the Hon'ble Tribunal.

d) Dy. Director Admn (D.I.) Mr. M.Y. Ansari vide his letter No. C.14012/14/2000-CGHS/D.I. dated New Delhi 26.9.2000 requested the Respondent No. 5 (the Deputy Accountant General (Admn) of the office of the A.G.(A&E) Assam, Guwahati to contact the CGHS Authorities in Guwahati so that they could request the standing Govt. counsel to keep in view of the two points mentioned in above letter (Annexure-A). P/11

In the replies to the statements which are not specifically admitted by the applicant may be treated as denied.

The replies to the written statements in O.A. No. 149/2000 and O.A. No. 369/2000 are clubbed together and are furnished below:

1. After perusal of events made in O.A. No. 149/2000, the Hon'ble Tribunal considered the urgency and need in the matter and in order to save the life of the patient directed the Respondent No. 3 to grant the applicant Rs. 40,000/- of the wife of the amount to Rs. 11

by Plane from Guwahati to Chennai and back. The question of applicant's travel by Air could be looked into subsequently. The air travel of the patient, the applicant's wife, alongwith escorts to and fro Guwahati/Chennai was also approved by the Govt. of India vide No. C-14012/14/2000-CGHS/D1 dated New Delhi-25.7.2000 addressed to Joint Director, CGHS Guwahati which was communicated to Respondent No. 3 and 5 is not mentioned in the written statement of the Respondent. They have suppressed these facts deliberately (Annexure-4).
P/12

1.1. So far as the question of entitlement of the applicant's travel by air is concerned, it may be stated here that the applicant has applied to the Respondents to grant him the advance air fare to the patient with two escorts as recommended by the treating physician Dr. K. Medhi of CACH on 9.9.99 to the effect that air travel with two escorts is absolutely essential considering the deteriorating condition of the patient and the same was approved by the Respondent No. 4 vide his letter No. D-1206/1/99/(1)/2021 dated 14.9.99 P/13-14 (Annexure-B & C) respectively. The treatment of the patient (wife of the applicant) is a prolonged one and continues to recur every 3 (three) months. Accordingly approached made to Respondent No. 3.

1.2. In this connection Rule 1 Appendix VII of CG(MA) Rules, 1944 (Swagya compilation) is reproduced below:-

*The patient (whether Government servant or a member of his family dependent on him) and also

Contd... 4

his attendant (whether recommended by the attending doctor) should be entitled to travelling allowance plus daily allowances for the period of journey undertaken by rail as per the entitled class or the lower class by which the journey is actually performed, road, sea (ship, steamer etc) and air (within the Country) for obtaining appropriate medical attendance or treatment".

The patient is entitled to Air journey for the treatment as per above rule.

1.3. It may be pertinent to mention here that after preliminary check up at Apollo Hospital, Chennai, the attending doctor Dr. Deepak Arjundas, Neuro referred the patient Mrs. Ajayee Gupta, the wife of the applicant, to Indraprastha Apollo Hospital, New

Delhi for 2nd opinion and diagnosis on 6.6.2000 (Annexure-13) P/15
The fact of referring the patient to New-Delhi was intimated to The Respondent No. 3 by FAX on 2.6.2000 for arranging

air fare and treatment money required at New Delhi.

The applicant waited till 7.6.2000 for consent

the Respondents, the respondent No. 3 and 4.

act accordingly to provide the air fare and medical

treatment cost. The Apollo Hospital, Chennai voluntarily

gave the fund of Rs. 24,000/- for treatment at Indraprastha

Apollo Hospital, New Delhi. The said amount spent

the applicant route Chennai-New Delhi on 8.6.2

Delhi-Guwahati due to necessity which was urgent

and this fact has already been mentioned in

M.P. No. 209/2000 (in G.O. No. 149/2000). Annexure

the Respondent No.3 collected Medical certificate from the treating physician of the patient by FAX on 8.6.2000, issued by the treating doctor Dr. Deepak Arjundas of Apollo Hospital Chennai on 7.6.2000 recommending the air travel to the patient stating that the ("patient is fit to travel by Air") (Annexure-E) P/16. The treating physician of the patient suggested/decided to admit the patient to the Apollo Hospital Chennai (Annexure-F) P/17 advice Slip dated 29.5.2000) but due to shortage of money the patient was not admitted.

2. With regard to written statements made by the Respondents in the O.A. No.369/2000, the applicant ~~states~~ ^{states} that as per advice of the treating physician Dr. Mukul Verma the condition of the patient was to be reviewed after 3(three) months and also recommended the air travel with advice "avoid long journeys but to travel by Air.". Accordingly, the patient ^{ought} ~~was~~ to report to the Indraprastha Apollo Hospital, New Delhi in September, 2000 (Annexure-G & H) P/18,19. The applicant, accordingly, applied to the respondent for sanction of medical advance and air fare as per certificate issued by the treating physician Dr. Mukul Verma on 11.09.2000 (Annexure-I) P/20. The clarification on the above certificate was called for by the Respondent on 14.09.2000 and the said clarification was ^{given} by Dr. Mukul Verma on 18.9.2000. The certificate of Dr. Verma dated 11.9.2000 states that the patient was advised to avoid long distance travel by Road or train, preferably travel by air with two escorts. The respondent No.5 vide order dated 22.9.2000 rejected the prayer of the

applicant for advance of Medical advance and air travel advances related to treatment to the wife of the applicant.

2.1. It would be appropriate to mention here that the wife of the applicant is entitled to travel by air alongwith two escorts as per medical advice dated 31.5.2000, 7.6.2000, 12.6.2000 and 11.9.2000 for medical treatment (Copies of the medical advice are at Annexures ^{J.E.G. 1 P/21,16,18,20} In the aforesaid advices of the doctors of the Apollo Hospital, the patient ought to go to the Apollo Hospital New Delhi for review of treatment after 3(three) months. The respondent No.4 rejected the claim of the applicant for grant of air fare and medical advances. As such, this O.A. No.369/2000 was filed by the applicant. The Hon'ble Tribunal considering the facts and circumstances mentioned in the application was pleased to order on 31.10.2000 and directed the Respondent No.3 to grant the Medical advances and air fare to and fro Guwahati and Delhi. Accordingly, the patient reported to Apollo Hospital New Delhi in November, 2000 for review of her treatment. The attending physician of Apollo even Delhi advised the patient to report after 3(three) months for review of treatment which was due in February, 2001 (Medical advice dated 13.11.2000 is at Annexure ^{P/22} ~~10~~). The application of the applicant dated 12.2.2001 was kept with respondent. Accordingly, an MP. No.57/2001 was filed on 19.2.2001. The application of the applicant was rejected by the Respondent No.5

vindictively vide his letter dated 8.3.2001 (copy of letter dated 8.3.2001 of Respondent No.5 and application dated 12.2.001 are annexed as Annexure- 'L' and 'M' respectively). P/23,24

3. As per advice of Respondent No.5 dated 20.4.2001 the matter was taken up with the Respondent No.6 by FAX dated 27.4.2001 (Annexure-L1) ^{P/25-26} for issue of essentiality certificate as desired by the Respondent No.3 and 5 which was denied.

4. The Deputy Director, Admn (D.I.) of Directorate General of Health Services, New Delhi's order dated 28.9.2000 which was collected by Respondent No.5 by his letter No.Admn. II/BG-MDL/TA/2000-01/437 dated 6.9.2000 stating para (ii) in the aforesaid letter is not correct. An application was made by the applicant against this order to the Respondent No.1 on 7.12.2000 through Respondent No.3 (Annexures-~~(A)-(C)~~) ^{(A)-(D)} P/11,27

5. The applicant further states that the patient is an employee under State Govt. of Assam. She opted for medical treatment facilities/ ^{under} CS(MA) Rule, 1944 applicable to Central Govt. employees from the Respondent No.3 where her husband (the applicant) is employed and opted out the medical allowances admissible to the State Govt. employees. She has been suffering from Osteopenia/Osteoporosis, a disease of which weakens bones making them brittle. It is a silent disease and if not prevented or left untreated the same continues until a bone breaks. The period of review expired in

- 8 -

the month of February, 2001 and the patient failed to report for review due to delay, negligence of Respondent No. 5 and 3 for non-sanctioning of required medical advances and air fare to and fro journey by air with escorts (as per Annexure-~~R~~^{P/27}). The health condition of the patient is deteriorating and being helpless the patient was examined and treated by Doctor Dilip Ghosal DMMS who on 12.3.2001 who advised the patient to report immediately at Indraprastha Apollo Hospital, New Delhi. The doctor attending the patient also suggested that she should travel by air with two escorts. (Copy of medical advice is at Annexure-~~R~~^{P/28} which was not accepted and rejected by the Respondent No. 4. (Application dated 15-3-01 annex - Q1) P/29

5.1. It may be stated that the applicant also approached the Joint Director, CGHS, Guwahati and requested him to examine the patient in her residence. But the Joint Director, CGHS, refused to examine the patient saying that as the patient is under the treatment of Indraprastha Apollo Hospital he cannot examine and treat the patient.

6. The applicant begs to state that as per Govt. circular dated 26.6.2000 respondent No. 3 and 5 are bound to sanction advance enabling the patient to report in the Indraprastha Apollo Hospital positively on the recommended time, but the respondents have ignored the said circular (Annexure-~~R~~^{P/30}

7. The applicant begs to state that inaction of the respondents has deprived the petitioner of the

fundamental rights to life and medical treatment guaranteed by the constitution as well as ^{other} ~~her~~ legal rights and a violation of Rule 4 Concession for families of CS(MA) Rule, 1944 (Swamy's compilation).

The applicant therefore respectfully submits before the Hon'ble Tribunal to consider this matter in the interest of treatment of the patient and allow air travel with two escorts for review of her treatment on medical advice, treatment cost and the payment of outstanding amount Rs.81,147/- which includes air fare and treatment cost.

Verification

V E R I F I C A T I O N

I, Shri Bimalendu Gupta presently working as a Senior Accountant in the office of the A.G.(A&E) Assam, Guwahati -29 do hereby verify that the statements made in paragraphs 5.1, 7, are true to my knowledge and those made in paragraphs 1.1, 1.2, 1.3, 2, 2.1, 3, 4, 5, 6, being matter of records which I believe to be true and rest of my humble submission before the Hon'ble Tribunal.

AND I sign this verification 31st day of May, 2001 at Guwahati.

Bimalendu Gupta
Signature 31/05/2001

Annexure A

11

MOST IMMEDIATE

COURT CASE
BY SPEED POST

NO. C. 14012/14/2000-CGIS/D.I
Directorate General of Health Services

Nirman Bhavan, New Delhi
dated the 28th Sept., 2000

To

The Deputy Accountant General (Admn.)
Office of the Accountant General (A&E) Assam
Maidamgaon, Daltola
Guwahati-29.

RECEIVED
19/10/2000
BY
THE OFFICE

Subj:- Approval for grant of Air fare-etc in connection with
the follow up treatment of Smt. Ajanta Gupta wife of
Shri. Elmelendu Gupta.

Sir,

Please refer to your letter No. Admn. II/BG-MIL/
TA/2000-01/437 dated 6.9.2000 on the above subject.

2. The case was examined in consultation with the
Ministry of Health and Family Welfare and you are requested
to take the following action as approved by the Ministry
of Health:-

- (i) Payment of amount of air travel to Shri Gupta
to and fro Guwahati-Chennai only as per the
Hon'ble CAT's Order instead of Guwahati-Chennai
New Delhi-Guwahati.
- (ii) Submission of specific certification of the
treating physician of Apollo Hospital Chennai
to the effect that the "air travel for the
patient is absolutely necessary".

You are also requested to contact the CGHS Authorities
in Guwahati so that they could request the Standing Govt.
Counsel to keep in view the above two points while preparing
the draft written statement to be filed in the case before
the next date of hearing.

Yours faithfully,

(M. Y. ANSARI)
DEPUTY DIRECTOR ADMN (D.I)

Copy to:-

The Joint Director, CGHS, with the request to please
approach the Standing Govt. Counsel to keep in view the
above two points while preparing the draft written
statement to be filed in the case before the next date
of hearing.

O/C DDA (CGHS (D.I))

Annexure 'A'

12

MOST IMMEDIATE
COURT CASE

NO.C.14012/14/2000-CGHS/D.I
Directorate General of Health Services

Nirman Bhavan, New Delhi

dated the 25th July, 2000

To

✓
The Joint Director,
CGHS, Anandakuteer, Path, Zoo,
Narangitenale, R.G. Barua Road,
Guwahati-781 003.



Sub:- O.A. NO. 140/2000, CAT Guwahati Bench Sh. Bimalendu Gupta
V/s Union of India and others.

Sir,

Please refer to your letter No.C.18018/1/97-98/832 dated 16th June, 2000 on the above subject. I am to convey the approval of the Govt. to the air travel by Sh. Bimalendu Gupta along with his wife Smt. Ajanta Gupta to and fro Guwahati-Chennai for the follow up treatment of his wife.

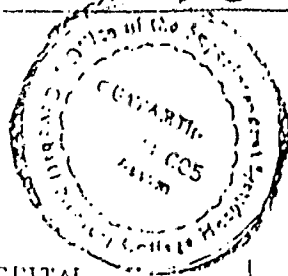
2. This issues with the approval of JS(FA) vide Dy. No.94-Court Case dated 14.7.2000.

Yours faithfully,

L. Nongpiur 25/7/2000

(DR(MRS) L. NONGPIUR)
ADDL. DEPUTY DIRECTOR GENERAL (HQ)

ANNEXURE - B



GUWAHATI MEDICAL COLLEGE HOSPITAL

OBST. & GY. DEPTT.

Dated Guwahati, the 9th Sept/99.

WHOM IT MAY CONCERN

This is to certify that Mrs Ajanta Gupta, wife of Shri B. Gupta age 34 years has been under medical investigation and treatment since 16.8.99. She has been suffering from Menorrhagia & low grade fever and weight loss. She was treated for the same at Apollo Hospital, Chennai from 2.2.98 to 9.2.98. As her condition is deteriorating again due to Menorrhagia, epistaxis, low grade fever with general weight loss. She is advised and referred again for further check up and treatment at Apollo Hospital, Chennai.

2(two) escorts are allowed to and from journey by Air is absolutely essential for the condition of the patient.

Estimated cost of Rs. 40,000/- (Rupees forty thousand) approx. is required for investigation and treatment. The cost will not be born by Govt. of Assam.

Hospital Regn. No. 7352/99 dtd. 16.2.99.
Hospital No. B.14107 dtd. 16.8.99.

(Dr. R. MEHRA, MD)

Central Government Employees

ANNEXURE-1

14

Govt. of India,
Ministry of Health & F.W.,
Dte. General of Health Services,
Central Govt. Health Scheme,
Pinaki Path (7th Bye Lane),
Zoo-Barangi Tinali,
Guwahati - 781 003.

No.D.12016/1/99/(1)/ 2021

Dt. 14.9.99

To,
The Director,
Central Govt. Health Scheme,
Dte. General of Health Services,
Nirman Bhawan, New Delhi-110011.

Sub : Approval for Air travel on emergency.

Sir,

Enclosed please find herewith copy of a medical report alongwith our permission letter to Smt. Ajanta Gupta W/O Shri Bimalendu Gupta, Sr. Accto. O/O the A.G (A & E), Guwahati for Apollo Hospital, Chennai.

As Dr. H. Medhi MD, Guwahati Medical College Hospital certified, the patient requires to attend Apollo Hospital, Chennai - 6 immediately with two escorts by Air which is absolutely essential for the condition of the patient. Accordingly the incumbent has been permitted by us to attend the said hospital on 14-9.99 (vide enclosed letter).

Permission for Air Travel may be granted considering the deteriorating condition of the patient-as a special case.

Approval for air travel is strongly recommended.

Yours faithfully,

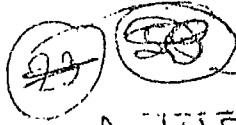
(Dr. D. Saikia)
Joint Director.

Copy to :-

1. The Accountant General, (A&E),
Assam, Maidamgaon, Bolisala, Guwahati-29,
2. Shri Bimalendu Gupta,
O/O the AG(A&E), Assam, Guwahati-29.

(D. D. Saikia)
Joint Director.

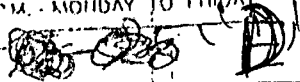
Hospitals
Chennai



MR. DR. M. K. MURUGAN, M.D. (M.B.B.S.)
CONSULTANT NEUROLOGIST & NEUROPHYSIOLOGIST

CONSULTATION HOURS:
4.00 - 8.00 P.M. - MONDAY TO FRIDAY

ANNEXURE



From Dr. Arun

Letter to Mrs. Aruntha Ceylan
with Plaque 7-11 New York for

Further treatment

with notes

Handwritten

Nil
Glau

Dr. Aruntha
Apollo Hospital
New Delhi

Chennai Long, Oil, Chennai Road,
Post - 600 005
Tel: 024 1111, 9200200 Fax: 01-44 9234129
Apollo Hosp. Bldg: 41-6410 AIEEE B1
C.A. Office: 19, Bishop Garden, Chennai - 600 020

For Apollo Hospitals Chennai
0223333 / 0220200, Fax: 2111
0522434 / 0523112 / 0523113
For Emergency Center
0411712 / 0411713

~~ANNEXURE 24~~ Annexure E

**Apollo
Hospitals
Chennai**



Dr. DEEPAK ARJUNDAS
M.D., (Med), D.M. (NEURO) Dip. Neuro (Lon) FR.S.M. (Lon) FAIMS
CONSULTANT NEUROLOGIST & NEUROINTENSIVIST

CONSULTATION HOURS:
4.00 - 6.00 P.M. - MONDAY TO FRIDAY

16

Mrs. Arundha Gupta also extreme weakness her
for bilateral spastic are high sk. may have
a functional chorea. It is not to
Nella Apollo for and opinion with histology
& electron microscope studies may be available
sk is to travel by air

[Signature]
7/6/00

PLEASE MAKE YOUR BOOKING AT ADMISSION COUNTER No 3

ADMISSION SLIP

Apollo Hospitals

Date of Admission		Visit Doctor	Dr. <i>[Signature]</i>
-------------------	--	--------------	------------------------

Name of Patient	Regn. No.
<i>Manthi Guph</i>	

Type of Accomodation	<i>Gen Ward</i>
Probable Stay	<i>20 days</i>
Purpose of Admission	<i>workup for cancer</i>

SPECIAL INSTRUCTION (if any)

To Nurse

To Duty Doctor

Diet *Normal*

[Signature]

Signature of Consultant

AM OFFICE (Stamp)
790217

[Handwritten Signature]


S. Vince.

Tel 8222930

8222930
8222930
8222930

KINDLY CALL AT 11 am ON 29/5/2000

Phone Nos. 8223868 [Direct Number] Tel. 8222930
8277447 8271268 8272062 Ext. 2507

SIGNATURE  017011

(18)

Annexure

Sr. Consultant Neurologist
Indraprastha Apollo Hospital
New Delhi
Visiting Consultant:
Siddhartha Apollo Hospital,
Kathmandu
Member:
Neurological Society of India
Indian Epilepsy Association
Indian Academy of Neurology

Dr. MUKUL VARMA
M.D., D.M.
Neurophysician

Indraprastha Apollo Hospital
Mathura Road, Sarita Vihar
New Delhi 110 044
Phone: 6925858, 6925801, Extn 1060
Fax 91-11-6823629
Consultation daily 9:00AM to 1:00PM

Apollo Clinic
13 New Rajdhani Enclave, Vikas Marg
Delhi 110 092
Consultation: Thurs only 7:00 - 8:00 PM
For appointment call 2222146, 2212825

Residence
1376, Sector 37, NOIDA, 201 303
Phone from Delhi : 91-4575440
From outstation : 0118-4575440
E-mail mvarma@vsnl.com
By appointment only

Smt Ajanta Gupta,

? ? Chronic fatigue syndrome

R. Good protein diet
Tob. Tryptomer (10)

1 tab at bedtime

Milormin

After 1 month
ESR is
improved
↓
30 mm/hr

Tob Proctin (4mg)

1/2 tab TDS

Syp Haem V

1 by TDS

x 1 month

If no relief, add.

Tob Naproxen (250)

x 1 week

1 x BD after meals

Avoid long journeys.
Travel by air.

Milormin

% Body ache - since '93
Fatigue - "
Insomnia & loss of concentration
ESR ↑ for long
Other tests - Normal
(AKL)

ME HMF
Speech / N
Grip Ns / N
No neck rigidity
Motor
Swing / N
Reflex / N

Last
ESR → 40 mm/hr (4L)
Hb. 9.3 mg %

19

Annexure 2/1

9311017829 Mobile

Sr. Consultant Neurologist
Indraprastha Apollo Hospital
New Delhi
Visiting Consultant:
Siddhanta Apollo Hospital,
Kathmandu
Member:
Neurological Society of India
Indian Epilepsy Association
Indian Academy of Neurology

Dr. MUKUL VARMA
M.D., D.M.
Neurophysician

Indraprastha Apollo Hospital
Medina Road, Sector 15
New Delhi 110 044
Phone: 011-2555555, 011-2555556, Extn. 1060
Fax 21-11-0523023
Consultation daily 9:00AM to 1:00PM

Apollo Clinic
13 New Rajendra Endave, Vikas Puri
Delhi 110 032
Consultation Thurs only 7:00 - 8:00 PM
For appointment call 2222145, 2212525

Residence
137E, Sector 37, NOIDA-201 303
Phone from Delhi: 011-4578410
From outside: 011-4578440
E-mail: mukul@apollo.net
By appointment only

Mrs. Aganta Gupta,

A. ? Chronic fatigue syndrome
+ Osteopenia.

12-6-00

to

Prochin (4x)

1/2 x TDS

Uranip 12x TDS.

3 units

1ml

1ml on side in 1st / 2nd / 3rd

1ml on side 3 times

1ml

Pain in back
↑ by walking

see a neurologist

MV

Ameyan 71

INDRAPRASTHA
APOLLO
HOSPITALS



11 September 2000

TO WHOM IT MAY CONCERN

Re: Mrs Ajanta Gupta, Hospital ID No. M0029221

This is to state that Mrs Ajanta Gupta is suffering from ? Osteopenia and is required to come to this hospital for investigations and review.

An amount of approximately Rs.60,000/- (Rupees Sixty Thousand only) would be needed for the investigations and hospital stay. She is also advised to avoid long distance travel by road or train ; it is preferable that she travels by air along with two escorts.

Raj Chandra

for

DR MUKUL VERMA
Senior Consultant - Neurology

WORLD CLASS HEALTHCARE

Address : Sarita Vihar, Delhi-Mathura Road, New Delhi-110044. Ph. :6925858, 6925801 Fax : 91-11-6823629.

SEP 12 2000 4:11PM P 1
PHONE NO. : 011 6823629

FROM : APOLLO HOSP DELHI

Dr. R. SRIDHARAN, M.D., D.M. (Neuro), MHAAS
 Consultant Neurologist

553658
 31/5/2000

Mrs. Ajayalakshmi 34 F

- Somewhat anxious
 Neck stiffness, headache, dizziness - none
 No Endocrine symptoms.

&
 1) Zovirax 25mg daily 1 - - - x 3 months

2) Trilevel 1mg at bedtime - - - 1 x 1 month
 c. 5 mg at bedtime - - - 1 x 1 month
 c. 15 mg at bedtime - - - 1 month

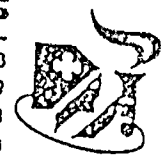
3) Logonol, weekly

- 4) cap. Fenofibrate 1 daily 1 - - - x 3 months
- 5) Polite 5mg 1 daily 1 - - - x 3 months
- 6) Naloxone 1 daily 1 - - - x 3 months

Neurologically fit for discharge

Apollo Hospitals

21, Greaves Lane, Off. Greaves Road, Chennai - 600 008
 Tel : 8293333 / 8290200 Fax : 91-44-8266761 / 8234429
 Regd. Office : 19, Bishop Garden, Chennai - 600 028
 E-mail: ahot@vsnl.com



Dr. R.C. Arora

PHYSICIAN
MBBS (Gold Medalist), M.D. (PGI)
MRCP (U.K.), Dip. Cardiology (London)
Fellow Rheumatology (U.K. & U.S.A.)
SPECIALIST: RHEUMATOLOGY / IMMUNOLOGY / HIV

Annexure
INDRAPRASTHA
APOLLO
HOSPITAL

22

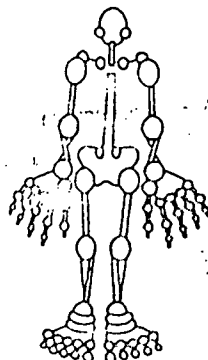
Ajanta Gupta

1/6/01.M0029221

Connective tissue disorder → Undifferentiated

(1) S.S. like illness

low C₃ & C₄



(2) High Hypermobility Syndrome

(3) Osteopenia

(4) Fibromyalgia

Bed Rest 1mth

AVOID SUNLIGHT

Impaired Prothrombin

Tab Plaquenil 2mg

Tab Acid 2mg

Shilcal 500mg
Osteo for 5mg CS 335

Tab Typtam 100mg

Tab Prednisolone 10mg

Follow up 3mth

NOT VALID FOR MEDIO LEGAL PURPOSES

APOLLO HOSPITAL :

Sarita Vihar, Mathura Road, New Delhi-110044.

Tel. : 6925858, 6925801 Extn. 1271.

Resd. : 2450723, 7019281, 7021608

Website : <http://rheumatology.8m.com>

BY FAX

To

OPD Timing :

Mon, Thurs, Sat, Sun. 10.00 - 12.00 Noon.

Tue, Fri. 3.00 - 5.00 p.m.

Wed. 8.00 - 10.00 a.m.

E-mail : drc2000@satyam.net.in

Date = 24-04-2001

Dr. Mukul Verma/Dr. RC Arora, Treating physician, Care/Malini/ Rajh, Execu-Corp.

As per above prescription the condition of patient informed. Till date no further reply received from your end, resulting A.G. (A&E) Assam not yet sanction fund and treatment. related air fare and delay. Apart from, medicine stopped as advised over phone. severe back pain, unable to sit & move due sudden bone locking, dizziness, weakness. She is in complete bed rest. As per family doctor D. Ghosal she is to report Apollo immediately and also advised to avoid long distance travel by Road or Rail. Kindly do the needful for protection of life and treatment. Estimate cost of treatment and fit to travel by air please certify to report immediate. My fax No. 0361-459105 and phone No. 0361-515223 (Resd). Journey date 25/4/2001 deferred again.

Yours

Ajanta Gupta
(Mrs. Ajanta Gupta)

CONFIRM. REPORT

PHONE NUMBER : 0116823629
PAGES : 01
START TIME : 24-04 08:39
ELAPSED TIME : 01'00"
MODE : STANDARD
RESULTS : OK

24-04-2001 08:40

(23)
Annexure. ~~23~~ 21

OFFICE OF THE ACCOUNTANT GENERAL (A&E),
ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI-29.

No. Admn-2/BG-MDL/TA/Part-II/2000-01/ 1000

Dated 08-03-2001.

With reference to his application dated 26-02-2001 endorsing a copy of the representation for forwarding it to the Hon'ble Union Minister, Ministry of Health & Family Welfare, New-Delhi regarding non-settlement of TA/Medical Claims in connection with his wife's treatment, Shri Bimalendu Gupta, Sr. Accountant, is hereby informed that as per Interim Order of the Hon'ble CAT, Guwahati Bench, TA Advance, Medical Advance have been duly sanctioned and paid to him and pending decision / final verdict of the Hon'ble CAT, Guwahati Bench with which he has filed a suit in this regard, his claim cannot be settled.

Medical claims, received so far in this office in connection with his wife's treatment at Apollo Hospital, Chennai / New-Delhi have already been settled.

Further, Sri Gupta's claim/ contention is not clear as regards grants of Air fare for his next visit to New-Delhi on 20-02-2001 in connection with his wife's treatment, as this section has not received any formal T.A. Advance proposal alongwith supporting documents/Certificates etc. from him till date.

Keeping in view of facts above, forwarding of his representation to the Hon'ble Union Minister, Ministry of Health & Family Welfare, New-Delhi cannot be considered.

Also, his another representation dt. 26-02-2001 addressed to the Accountant General regarding settlement of his Medical claims cannot be entertained on the grounds stated above.

This also disposes of his representation ddt. 26-02-2001.

S. Siddhartha Singh
DEPUTY ACCOUNTANT GENERAL (ADMIN.)
সহ মহালিখাকার (প্র.)
Dy. Accountant General (Admin.)
মহালিখাকার বা মহালিখাকার (ডি.এ.জি. হ.)
O/O the Accountant General (A&B)
অসম, গুৱাহাটী
Assam. Guwahati

08/03/2001

Shri Bimalendu Gupta, Sr. Accountant,
Record (C) Section

To

The Comptroller & Auditor General of India
10, Bahadur Shah Zafar Marg,
Indraprastha Head Post Office
Post Bag No. 7
New Delhi-2

Annexure - M-

24

Through proper channel submitted to Accountant General(A&E)Assam.

Subject : Delay and refusal of payment of air fare to attend medical treatment, medical advance to Mrs. Ajanta Gupta.

Sir,

I like to invite your kind attention again to the subject on my complaint dated 24-3-2000 and to the Hon'ble Minister of Health & F.W., New Delhi on 25-8-2000 for approval and sanction of air fare to attending medical treatment at outside state in time as a special case. The mis use of Appendix-VII a special provision of air fare of CS(MA)Rule, 1944, mis use of official capacity is liable for present deteriorating condition and damage is concern.

Central Govt. is under constitutional obligation to provide health facilities to its serving employees/dependant and retire employee and its also the duty of the Govt. To bear re-imburse expenses incurred for specialist treatment in approved hospital for protection of life, right to health is an integral part of a citizen right to life. But in a order No 235-NGE(Int.)8-98(I) dated 29-4-98 and dated 9-10-98 the Allopathic treatment declared compulsory and its monthly contribution from salary without option where as Govt. Of India not yet declared medical treatment is compulsory. Denying the right to treatment the A.G.(A&E)Assam was violating the woman right to life. Hon'ble Prime Ministry of India in his message to the nation on 1-1-2001 on women empowerment year 2001, to upholding the dignity and protecting the right of the women and girls child, health care too. Ministry of Health and F.W. initiate and enquiry on delay of treatment, payment of air fare, decision is awaited. In the meantime Ministry of Health and F.W. vide his letter No.C14012/14/2000-CGHS/D.1 dated 25-7-2000 convey approval of air journey to and fro Chennai on CAT order dated 5-5-2000 of OA No.149/2000 which files against Shri L.Siddhartha Singh, D.A.G. and Shri B.K.Das Purkayastha, Sr.A.O.(Estt.&Bills). The order was ignored


Mutilated use of medical advises dated 9-9-99, 10-1-2000, 24-2-2000 of Guwahati Medical College and 8-6-2000, 12-6-2000, 11-9-2000, 13-11-2000, 31-11-2000 may kindly examined. Air journey with two escorts are absolutely essential was strongly recommended by Joint Director, CGHS, Guwahati vide No.D12016/1/99/(1)/2021 dated 14-9-99 on medical advise dated 9-9-99 followed by follow up treatment was not mentioned in your letter. In regard to review of treatment, CGHS order para 4 of A60011/1/98/CGHS(Ghy)/40 dated 26-6-2000 not followed by A.G.(A&E)Assam. Despite reminders compelled to file applications to CAT under No.MP No.209/2000, OA No.369/2000 needed for life of the patient. All the details of treatment, air travel well intimated to Head Quarter on 13-6-2000 but no positive steps has been received from your end.

In regard to outstanding claim amounting to Rs.90,000/- (Rupees Ninety thousand) only including treatment cost, air travel and holtage D.A. in various spell are kept pending with A.G.Assam without assigning any reason. The treatment claim of Apollo Delhi during Nov.2000 was not submitted to A.G. due to instruction of Sr.A.O.(Estt. & Bills) dated 24-10-2000. A part from that A.G. Assam initiate for creation of delay and damage of treatment vide his letter (1) Letter to Dr. Deepak Arjundas on 19-5-2000 (2) A.G.(A&E)Famildadu reply to A.G.(A&E)Assam in regard to air journey to Delhi on 8-6-2000, (3) Admn No.474 of 14-9-2000 (5) Admn. No.437 dated 6-9-2000 and No. 24-10-2000 may please be examined.

In view of the above kindly examine the facts and review your earlier statement and kindly furnish the correct statement to the Ministry of Finance, Ministry of Health and F.W. New Delhi for taking appropriate steps for delay, payment of air fare for attending hospital on 20-2-2001 as per medical advise and payment of all outstanding claims of Rs.90,000/- only and a compensation in this regard so that the patient may not deprive from justice.

Yours faithfully,

Dated the 12th. Feb. 2001


(BIMALENDU GUPTA)
Sr. Accountant.
O/o the A.G.(A&E)Assam
Maidangaon, Beltola,
Guwahati-29

Annexure - 1 (25)

***** COMMUNICATION REPORT *****

DATE/TIME : 01.04.27 12:00

TEL NO. : 0361309198

NAME : PEGUNPCOHGHY

IDENTIFICATION START TIME DURATION MODE PAGE(S) RESULTS

0361 4577-12

04.27 11:58

01'29"

TX

02

OK

To

The Accountant General (A&E) Assam,
Guwahati-29.

Subject: Required Medical advance and treatment
related Air journey fare (both ways) to Delhi
for review of treatment as per advise was due on
12.2.2001

Sir,

With reference to your i/c DAG(A) memo No. Admn-II/
BG-MDL/Pt. II/2001-2002/18. dated 20.4.2001 on the subject, I am
to state that as per C&AG's letter you have made compulsory
CGHS treatment and deducting contribution and funding to CGHS
Guwahati without my consent. Hence it is your duty and responsa-
bility to get any information in regard to treatment as
required from CGHS directly. It is further stated that in many
occassion it is noticed that Shri R.L. Sen Gupta Welfare officer
initiate to do the needful, which is covered under duty and
responsibility of the Welfare officer, but in my case he is not
acted accordingly. Kindly do the needful in this regard, to
provide or depute specialist doctor of CGHS related to illness
"Osteoporosis" and your required certification, without any
lapse.

In regard to CAT order dated 29.3.2001 of OA No.
298/1999 and 177/1998, the decision will be intimated to you.
~~according to order.~~

Dated, Guwahati
27.04.2001

Yours faithfully

Bimalendu Gupta
(Bimalendu Gupta)
Sr. Accountant

✓ BY FAX.

Copy to Dr. B. Saikia, Jt. Director, CGHS, Zootiniali, Ghy-3. with
reference to DAG(A) letter No. Admn-II/BG-MDL/Pt-II/2001-2002/
18 dated 20.4.2001, you are informing that the treatment of GMCH
is over on the date of referring the patient to Apollo Chennai
on 9.9.99 and she is now under treatment under Indraprastha
Apollo Hospital Delhi, all details available with A.G. (A&E) Assam
Ghy. AG(A&E) Assam ~~requesting you to~~ directed to collect Medical
estimate cost of treatment and essentiality certificate for Air
journey with escorts and deputation of CGHS doctor to my
residence in this regard. Your instruction to AG, Assam dated
25.10.2000 alongwith letter dtd 26.6.2000 and Govt. OM dt 7.3.2000
not followed accordingly. Kindly send you decision to AG(A&E)
Assam, by Fax by to-day (27.4.2000) positively so that I can
get the justice. Family doctor advises to avoid long distance travel by
Rail or Road. This to be treated "Urgent".
Bimalendu Gupta
(Bimalendu Gupta)

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OFFICE OF THE ACCOUNTANT GENERAL (A&E), ASSAM
MAIDAMGAON::BELTOLA :: GUWAHATI-29

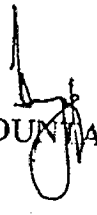
NO Admn-II/ 17

Dated-20-04-2001

With reference to his reply dated 16-04-2001 in response to this office memo dated 16-04-2001, regarding grant of T.A. advance (Air Fare) and Medical Advance in connection with his wife treatment at Indraprastha Apollo Hospital New Delhi Shri Bimalendu Gupta, Sr. Acctt., is hereby once again informed that, since he is a CGHS beneficiary, he should obtain the essentiality certificate for Air Fare from the CGHS Authority or from Guwahati Medical College Hospital, Guwahati and an estimate for Medical Advance from the Competent Authority and submit the same to this office for grant of T.A. advance (Air Fare) and Medical Advance as prayed for.

He is further directed to contact and consult CGHS Doctors as and when needed and in case of any exigency he should approach the CGHS Authority for deputation of Doctor to his residence to examine the patient as required under CGHS Rules.

In this connection his attention may be drawn to the CAT Orders dated 29th March 2001 in disposing the OA No. 298/ 1999 and 177/ 1998.


SR. DEPUTY ACCOUNTANT GENERAL (A)

Memo No. Admn-II/BG-MDL/Pt.II/ 2001-2002/18

dated 20-04-2001

Copy to Shri Bimalendu Gupta, Sr. Acctt.,
Record (C) Section.

To

The Secretary to the Govt. Of India
Ministry of Health and Family Welfare (Deptt. Of Health)
Nirman Bhawan, New Delhi -11

Annexure (D) (27)

(Through proper channel submitted to Accountant General (A&E) Assam)
Subject : Approval for grant of Air fare etc. In connection with treatment/followup
treatment of Smti Ajanta Gupta W/o Bimalendu Gupta.

Sir,

I beg to invite your attention to the Director General of Health Service (CGHS) New Delhi letter No.C/14012/14/2000-CGHS/D.1 dated 28-9-2000 address to Deputy Accountant General(Admn.) of A.G.(A&E)Assam, Guwahati-29 on the subject in response to his letter No. Admn.II/BG-MDL/TA/2000-01/437 dated 06-9-2000 in connection with Court case, which is communicated to the undersigned by Dy. Accountant General(Admn.) of A.G.Assam vide No.Admn.II/BG-MDL/TA/Part-II/2000-01/546 dated 20-10-2000 for rejecting the Air fare on medical advise of Apollo Hospital New Delhi to Mrs. Ajanta Gupta for follow up treatment for severe illness as a result an application filed in CAT, Guwahati Bench and order dated 31-10-2000 to avail Air journey and medical advance for treatment. The A.G.Assam misinterpreted the provision of CS(MA) Rules, 1944 Appendix-VII, special provision for Air travel which is specifically mentioned for the use to the department as indicated in the OA No.OA/369/2000.

Hence the para (ii) of DGHS Delhi letter dated 28-9-2000 not tallied with the rule so this may kindly be correct for the interest of the treatment and life of the patient.

It is further mentioned that Smti Ajanta Gupta availed Air travel alongwith two escorts on medical advise of Dr. R. Medhi of GMCH, Guwahati considering serious illness and deteriorating condition approved by Joint Director CGHS, Guwahati vide letter No.D 12016/1/99(1)/2021 dated 14-9-2000 for to and fro Air journey Guwahati and Chennai and also certified by Apollo Hospital Chennai. She was accompanied by her minor child below 12 years

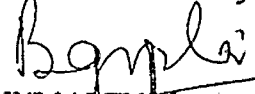
Mrs. Ajanta Gupta availed Air Travel alongwith two escorts for review of treatment on medical advise of Apollo Hospital Chennai which was denied by A.G.(A&E)Assam and with directives of CAT Guwahati Bench order dated 5-5-2000 under OA No.149/2000 allowed to and fro Air journey Guwahati and Chennai. Accordingly on 21-5-2000 alongwith a minor child and escorts she performed Air journey to Chennai. After review she was advised to move Indraprastha Apollo New Delhi for follow up treatment with medical advise to avail Air journey by Dr. R. Sridharan, accordingly she moved to New Delhi by Air on 8-6-2000 alongwith escorts and minor child. The facts and circumstances well informed to A.G.Assam. After completion of investigation returned to Guwahati on Medical directives.

As per medical advise dated 11-9-2000 of Apollo Hospital, New Delhi, the Accountant General requested to release the required medical advance and Air fare with two escorts on the direction of attending doctor that "She is advised to avoid train and road journey and travel by Air". Due to misinterpretation of provision of CS(MA) Rules, 1944 Appendix-VII special provision for Air journey on merit on medical advise, the Accountant General(A&E)Assam compelled to take shelter under OA No.369/2000 for protection of life of the patient and availed to and fro Air journey Guwahati - Delhi on 6-11-2000 and 15-11-2000.

In view of the facts kindly consider the circumstances and allow the Air journey with two escorts on medical advise and a minor child accompanied with patient and payment thereof at the earliest so the payment of the claim to be paid by Accountant General without any further delay for the interest of the treatment. All the details in regard to above journeys already received by Health Ministry & Director CGHS New Delhi. In this regard my representation to the Hon'ble Health Minister dated 25-8-2000 acknowledged vide letter dated 12-9-2000 may kindly be referred to. For this act of your kindness I shall ever pray.

Dated Guwahati,
the 7th Dec., 2000

Yours faithfully,


(BIMALENDU GUPTA)
01/11/2000 A.G.(A&E) Assam
Guwahati-29.

Dr. Dilip Ghosal, D.H.M.S.

GUWAHATI, ASSAM
Regd. No. : 393 (A)

Date 12.03.2001

To Whom It May Concern

This is to state that Mrs. Ajanta Gupta age 35 years who is suffering from Osteopenia, connective tissue disorder with other ailments since 02.02.98 is under treatment of Apollo Hospital Chennai & Delhi, she is not improving, she is examine at her residence on call, considering the seriousness she is advice to attend Apollo Hospital, Delhi soon for review/investigation. She is also advice to avoid long distance travel by Road or train, Travel by air both ways alongwith two escorts is needed.

Dilip Ghosal
12-03-2001
Dr. Dilip Ghosal
Regd. No.-338-A

Annexure - ①

29

To

The Accountant General(A&E) Assam
Maidamgaon, Belolla, Guwahati-29

Subject : Air fare and medical advance for review / investigation as per medical advise of
Indraprastha Apollo, New Delhi.

Sir,

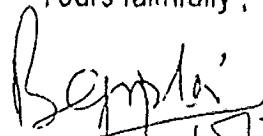
I beg to invite your kind attention to DAG(A) letter No.Admn.2 / BG-Mdl./TA/Part-II / 2000-01/1000 dated 08-03-2001 and Letter No.Admn-2/BG-Mdl./TA/Part-II/2000-01/887 dated 22-02-2001 on the subject the facts stated in the above letters is not correct and fabricated. I like to mention that in regard to review of treatment as per medical advise of Indraprastha Apollo, New Delhi in February 2001 received by Administration-2 Section in November 2000 which is related to OA No.369/2000 and intentionally delayed review which was fixed on 20-02-2001 was cancelled. As per medical advise Mrs. Ajanta Gupta was examined by House Physician Dr. Dilip Ghosal on 12-03-2001 on call and advise to report to attending Physician of Indraprastha Hospital soon. It is further requested to expedite the outstanding claims and to release the amount.

In view of the above, necessary sanction amounting to Rs.48,000/- for air fare and approximate amount of Rs.30,000/- may be required for review kindly be sanctioned and release by 20th March 2001 so that I can able to proceed soon.

Dated 15-03-2001

Encl. : Medical certificate dated 12-03-2001

Yours faithfully,


(BIMALENDU GUPTA)
Sr. Accountant.

Submitted to
1 kmh P.A.

Annexure - K (30)

Govt. of India,
Ministry of Health & F.W.,
Dir. General of Health Services,
Central Govt. Health Scheme,
Pinaki Path (7th By-Lane),
Zoo-Road, Guwahati,
Guwahati - 3.

No.A.60011/1/98-CCHS(Ghy)/40

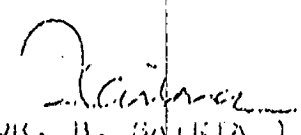
DE.26-06-2000

C I R C U L A R

Sub : Delegation of power under CCHS reg. referral system, permission cases and ex-post facto approval - regarding.

Some Central Govt. Offices of Guwahati covered under CCHS queried certain points on the above matter. Clarifications of the same are given below :-

1. The Head of Department may grant permission to CCHS beneficiaries for treatment in any CCHS recognised Pvt. Hospital within & outside Guwahati. For permission for treatment within Guwahati referral slips of CCHS doctors referring the patient to the specialist is required and for permission for treatment outside Guwahati the opinion of the specialist to whom cases are referred the patient is essential.
2. Ex-Post-facto permission for treatment in emergency at Pvt. Hospital/Pvt. Nursing Home/Pvt. Clinic can be decided by the HOD for referring a patient outside the state, referral by a govt. specialist or specialist of a recognised hospital is must.
3. The HOD can revalidate the permission granted earlier by him on expiry of stipulated period of six months.
4. As per rule, a beneficiary should go for a review positively on the recommended time. If the period exceeds much beyond the stipulated time, the beneficiary may be asked for a review through CCHS doctor/govt. specialist for necessary opinion.
5. Number of attendant should not be more than what is recommended by the treating physician.


(DR. B. SARMA)
JOINT DIRECTOR.