

**Central Administrative Tribunal
Principal Bench New Delhi**

OA No. 2472/2016

New Delhi, this the 6th day of October, 2016

Hon'ble Shri V. Ajay Kumar, Member (J)

Sudha Bharti, Ex-TGT (English) KVS (RTD)

Aged 61 years, Group 'C',

C-25/26, Sainik Nagar,

Uttam Nagar, New Delhi-110059

- Applicant

(By Advocate: Mr. E.J. Varghese)

Versus

1. Union of India through
The Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Dehi-110011
2. The Director General,
Central Government Health Services (CGHS)
Nirman Bhawan, New Delhi-110011
3. The Commissioner,
Kendriya Vidhyalaya Sangathan,
18, Institutional Area, Shaheed Jeet Singh Marg,
New Dehi-110016 - Respondents

(By Advoates: Mr. S. Rajappa with Ms. Rashmi Bansal and Mr. Gyanendra Singh)

O R D E R (Oral)

Heard both sides.

2. The applicant is a retired Trained Graduate Teacher (English) of the 3rd respondent - Kendra Vidhyalaya Sangathan. He retired from service on attaining the age of superannuation on 30.04.2015. The applicant was all through the resident of Delhi. However, she was availing the benefits of CSMA Rules, 1944. After retirement, the applicant sought for granting of CGHS benefits in place of CSMA Rules. However, the respondents, vide impugned Annexure A/1 dated 30.05.2016, rejected the said request by stating that serving as

well as retired teaching staff of KVS residing in Delhi/NCR had not been extended the medical facilities under CGHS and they have been getting the medical facilities under CSMA Rules 1944 while in service and Rs.500/- as fixed medical allowance for pensioners, as per the said Rules.

3. When the matter is taken up for hearing, my attention was drawn to Annexure A/5 Office Memorandum dated 29.05.2015 of the respondent – Union of India, Ministry of Health and Family Welfare, CGHS (P) Section wherunder the Ministry, in receipt of a request from KVS to extend the CGHS facilities to its retired employees, has decided to extend the CGHS facilities to them, subject to the conditions mentioned therein. In pursuance of the said Office Memorandum, the KVS issued Office Memorandum dated 21.08.2015 whereunder the retired employees of KVS have been extended the CGHS facilities as per the terms and conditions therein.

4. In view of the Office Memorandum dated 21.08.2015 extending the CGHS facilities to the retired employees of KVS, who are residing in Dehi/NCR, the OA is disposed of by directing the respondents to extend the CGHS benefits to the applicant in terms of the aforesaid OM dated 21.08.2015, by passing a speaking order, within 30 days from the date of receipt of a copy of this order. If the applicant is required to pay any amount towards subscription fee etc., the respondents shall intimate the same to him and the applicant may pay the same within the time specified by the respondents. No costs.

**(V. Ajay Kumar)
Member (J)**

lg