

**Central Administrative Tribunal
Madras Bench**

OA/310/00856/2019

Dated the 15th day of July Two Thousand Nineteen

P R E S E N T

**Hon'ble Mr. P.Madhavan, Member(J)
&
Hon'ble Mr.T.Jacob, Member(A)**

D.Thiruvateeswaran
L 13 A, Sarvamangala Colony,
Ashoknagar, Chennai 600083. .. Applicant
Party-in-person

Vs.

TheUnion of India, rep by
The Secretary,
M/o Health & Family Welfare,
Nirman Bhavan,
New Delhi. .. Respondents

ORDER

[Pronounced by Hon'ble Mr.P.Madhavan, Member(J)]

This is an OA filed seeking the following relief:-

“The respondent may be directed to keep at least one doctor with skeleton support staff in all the Wcs in Chennai after working hours, on Sundays and Govt. Holidays, to meet the medical needs of CGHS beneficiaries in emergencies. Like fire tenders and ambulances on call for any emergencies, medical personnel should also be on duty at CGHSC. The facility now available in Delhi should be extended without discrimination to all cities where CGHS is in operation.

He may also be directed to ensure that all specialists are available for consultation on all the six days of the week in both KK Nagar and Annanagat Polyclinics in Chennai. If required, more specialists may be appointed on contract basis

He may be asked to find a method by which a beneficiary can know the absence of a specialist on designated days.”

2. According to the applicant, as per CGHS Scheme there are Wellness Centre (WC) and WCs are open round the clock in NCR Delhi and other places. But as far as Chennai is concerned, these WCs are not available on Sundays and on Government holidays. The working hours of the WCs are from 7.30 am to 2.00 p.m. According to him, when an emergency arises, there is nobody to attend the telephone and nobody to attend medical treatment in these WCs in Chennai. So, he seeks a direction for starting WCs through out the day for immediate consultation and medical treatment. He prays for issuing a direction to keep at least 1 Doctor with skeleton support staff in all the WCs in Chennai after working hours and on Sundays and Government holidays for meeting urgent medical needs of CGHS beneficiaries.

3. We heard the applicant. It seems that the applicant is aggrieved by the non-availability of doctors in the WCs during holidays and night for medical consultation. It is for the CGHS and Ministry of Health & Family Welfare to take a policy decision in this regard and the Administrative Tribunal has no jurisdiction in these matters. It does not come within the jurisdiction as contemplated under Section 14 read with Section 19 of the AT Act. Hence, there is no *prima facie* case made out and the OA is liable to be dismissed.

4. Accordingly, OA will stand dismissed for want of jurisdiction at the admission stage.

(T.Jacob)
Member(A)

(P.Madhavan)
Member(J)

15.07.2019

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