

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

FNJPC – Acceptance of recommendations of the Commission by the Hon'ble Supreme Court of India in W.P.No. 1022/89 – Implementation of the recommendation of various Allowances w.e.f. 1.11.1999 as recommended by the First National Judicial Pay Commission – Medical Facilities and Medical Allowance - ORDERS – Issued

LAW (LA & J- SC.F) DEPARTMENT

G.O.Ms.No.107

Dated;14-07-2006

Read the following:-

1. Main Judgment of Hon'ble Supreme Court of India dated 13.11.1991 in WP NO.1022/1989(All India Judges Association vs Union of India and others, reported in AIR 1992 SC 165= (1992) 1 SCC 119)
2. Review Judgment of Hon'ble Supreme Court dated 24.08.1993 in Review Petition NO 249/1992 (All India Judges Association vs Union of India and others, reported in AIR 1993 4 SCC 2 = AIR (1993) 1 SC 2493)
3. Directions of the Hon'ble Supreme Court of India, in IA No. 103 and other IA's in WP No. (CIVIL) 1022/89 dated 6.12.2005.
4. From Registrar (Administration) High Court of Andhra Pradesh D.O.Lr. NO.4665/97-B-1 dated 26.5.2002 and 10.11.2005
5. Andhra Pradesh Integrated Medical Attendance Rules 1972, amended from time to time
6. Memo.No. 525/S.C.F./99-3 dated 24.1.2000, Government of Andhra Pradesh Law (LA & J SCF) Department
7. G.O.Ms.No.74 Health Medical and Family Welfare Department (K1) Department dated 15.3.2005

ORDER:

After careful consideration of the Judgments of the Hon'ble Supreme Court of India in the references first and second read above and also the directions of the Hon'ble Supreme Court in the reference third read above, and in obedience thereof, the Government, in partial modification of the existing rules in Andhra Pradesh Integrated Medical Attendance Rules 1972 as amended from time to time and the orders in the reference seventh read above, the Government hereby issues the following orders to be effective from 1-11-1999:

1. The Judicial Officers shall be entitled to claim expenses incurred by them for the medical attendance and the treatment as out-patient or in-patient obtained by them and their family members in hospitals and dispensaries maintained by the Government or notified Hospitals/dispensaries. The expenses shall be inclusive of the charges of accommodation in the place where such treatment is taken.
2. The Judicial Officers shall be entitled to reimbursement of the expenses incurred by them or for their family members for the medical attendance and treatment obtained by them both as out-patient or in-patient in any hospital or dispensary or Registered Medical Practitioner other than the hospitals or dispensaries maintained by the State Govt. or notified by the Government. Expenses shall be inclusive of charges for accommodation.

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3. There should not be any restriction on reimbursement except to the extent of inpatient room entitlement. Further, there should not be any ceiling on reimbursement of expenditure on expensive treatments like kidney transplant, open heart surgery etc., Full reimbursement of actual expenses should be allowed.
4. Powers are delegated to the Principal District Judges of the Districts/Head of the Units in twin cities of Hyderabad and Secunderabad and other places to sanction the reimbursement of the expenses incurred by the Judicial Officers working in his District for the Medical Attendance and treatment obtained by them and their family members. In the case of medical claims of the Principal District Judges/Unit Heads of the twin cities of Hyderabad and Secunderabad and other places they shall be sanctioned by the officers themselves as per the existing rules. The reimbursement shall be sanctioned after due scrutiny as per the existing rules.
5. Judicial Officers shall be entitled to advances to meet the medical expenses for treatment upto 80% of the estimate and the balance be paid after approving the bill when it is produced. Powers are delegated to the Principal District Judges of the Districts/Heads of Units to sanction the advance to the Judicial Officers working in the District. In the case of Principal District Judges/Heads of Units powers are delegated to the High Court to sanction such advances.
6. The Government hereby sanctions rupees one hundred per month with effect from 1-11-99 to all the Judicial Officers as medical allowance, not with standing any thing contained the above paras.
7. The orders in Paras in 1,2 &3 above shall apply mutatis mutandis to the retired Judicial Officers and family pensioners.
8. Retired Judicial Officers and family pensioners shall be entitled to advances to meet the medical expenses for treatment upto 80% of the estimate and the balance be paid after approving the bill when it is produced. Powers are delegated to the Principal District Judge of the District where the retired Judicial Officers or the family pensioners have settled, to sanction such advance to them. In the case pensioners who settled in the twin cities of Hyderabad and Secunderabad powers are delegated to the Chief Judge, City Small Causes Court, Hyderabad to sanction such advance to them.
9. Powers have been delegated to the Principal District Judges of the Districts and the Chief Judge, City Small Causes Court, Hyderabad to sanction reimbursement of Medical expenses incurred by the pensioners for treatment as out-patients in certain hospitals in the reference sixth read above. Further powers are hereby delegated to the Principal District Judges of the Districts and the Chief Judge, City Small Causes Court, Hyderabad to sanction the reimbursement of expenses incurred by the retired Judicial Officers or family pensioners who settled in the Districts or in the twin cities of Hyderabad and Secunderabad as the case may be, for in-patient treatment as well as out-patient treatment as provided in paras 1&2 read with para No.7 above. The reimbursement shall be sanctioned after due scrutiny as per the existing rules

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10. An amount of Rs. 100 per month is sanctioned with effect from 1.11.1999 to all the retired Judicial Officers. The pension disbursement officers shall draw and pay this allowance to the pensioners along with their pensions.
 11. In respect of past claims relating to the period from 1-11-99 onwards, where partial reimbursement was sanctioned to the Judicial Officers (serving or retired) or family pensioners concerned, claims shall be submitted, for the difference of amounts representing the actual expenditure minus reimbursement already sanctioned, with proof, to the officers empowered to sanction the reimbursement and they shall scrutinize and reimburse the amounts due to the claimants.
 12. In respect of past claims relating to the period from 1-11-99 onwards, where expenses were incurred by the Judicial Officers (serving or retired) or family pensioners for the medical attendance and the treatment obtained by them and their family members in any hospital or dispensary or registered medical practitioner other than the hospitals and dispensaries maintained by state government or hospitals and dispensaries notified by the Government, the claims representing the actual expenditure minus any amount that may have been sanctioned to them, with proof shall be submitted to the officers empowered to sanction the reimbursement who shall scrutinize and reimburse the amounts to the claimants.
 13. In respect of the claims of the Judicial Officers who are in service on 1.11.99 and who retired or died while in service or after retirement relating to medical allowance sanctioned in para 6 above for the period in service subsequent to 1.11.99 shall be submitted to Principal District Judges of the Districts/ Heads of Units in twin cities of Hyderabad and Secunderabad and other places where they last worked or died while in service and the Principal District Judges of the Districts/ Head of Units shall draw and pay the arrears after scrutiny. In respect of the claims relating to deceased officers the claims shall be preferred by the Family Pensioners of such deceased officers and the arrears shall be paid to them.
 14. In respect of claims relating to retired Judicial Officers who died subsequent to 1.11.99, the pension-disbursing Officers shall draw and pay the arrears of medical allowances to the Family pensioner of the deceased retired Judicial Officer.
2. The Registrar General, High Court of A.P. shall provide Budget provision in the Revised estimates 2006-07.

3. This order issued with the concurrence of the Finance (PC I) Department vide their U.O.No.232/427/ A1/PC.I/2006, dated:14 -07-2006.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.MADAN MOHAN REDDY
SECRETARY TO GOVERNMENT

To

The Registrar General, High Court of Andhra Pradesh.

The Registrar (ADMN), High Court of Andhra Pradesh.

The Assistant Registrar, Supreme Court of India, New Delhi with a covering letter

The Advocate on Record, Supreme Court of India, O/o the Resident Commissioner, A.P.Bhavan, New Delhi

The Registrar, High Court of A.P., Hyderabad

The Registrar, A.P.Administrative Tribunal, Hyderabad

The Principal Secretary to Govt., GAD & Resident Commissioner to Government, Government of A.P., A.P.Bhavan, New Delhi

The Accountant General, A.P. Hyderabad

The Pay & Accounts Officer, Hyderabad

The Secretary to Government of India, Ministry of Law, Justice & C.A., New Delhi

Copy to:

The Finance (EBS Home) Department

The Law (OP) Department

The Law (Courts) Department

The General Administration (Cabinet/Claims/OP/Spl.A) Departments

The Director of Treasuries and Accounts, Hyderabad

The Joint Director, : Pension Payment Office, M.J.Road, Hyderabad

All District Treasury Officers.

//FORWARDED BY ORDER //


SECTION OFFICER (S.C.)

