

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT- FINANCE DEPARTMENT**

Notification

Srinagar, the 10th October, 2011

SRO 308 .-In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor directs amendment in the Jammu and Kashmir Civil Services (Medical Attendance cum Allowance) Rules, 1990 as under:-

1. In rule 3 the explanation below clause (e) shall be substituted by the following:-

"Parents in the definition of family will include only such parents whose monthly income does not exceed Rs.5000/-. The income certificate in this regard shall be issued by a Revenue officer of the area, being not below the rank of Tehsildar."

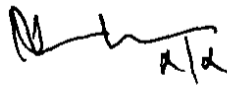
2. In rule 5.-

(i) Clause's (a) & (b) of sub-rule (2) shall be substituted by the following:-

(a) "Where it is recommended by the Principal, Government Medical College/SKIMS College or Director SKIMS/ Director Health Services that the treatment is not available in Government Hospital or Institute of the State."

OR

(b) "If the concerned authority (Principal, Government Medical College/SKIMS College or Director Health Services/SKIMS) is of the opinion that regardless of the availability of the treatment in a Government Hospital within the State, the nature of the surgery is such as would require sophisticated theatre and a congenial surgical atmosphere for the prevention of infection in respect of operations, of heart, lungs and brain and can be had in private hospital within the State."


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(ii) sub- rule (3) shall be substituted by the following:-

"Where in any case a Government servant or his beneficiary during hospitalization in any Government Hospital within the State including S. K Institute of Medical Sciences, Srinagar has to undergo replacement of a diseased heart valve or fitting of a heart pace maker, Intra Ocular Lenses, the reimbursement of the cost thereof shall be admissible as a part of the hospitalization expenses. The payment of the cost of appliances will, on the advice of Head of department of the concerned super specialty discipline of the Government/SKIMS Medical College/SKIMS, be made by the concerned Drawing and Disbursing Officer direct to the supplying agency and not to the Government servant or his beneficiary."

(iii) sub- rule (5) shall be substituted by the following:-

"In case a Government servant or any member of his family wholly dependent upon him is suffering from cancer, Tuberculosis, Leprosy, Mental illness, Renal failure or any other disease which is certified by the Director Health Services/ Principal Government Medical College/SKIMS College / Director SKIMS as life consuming disease, he/she shall be entitled to the reimbursement of the Medical expenses incurred by him/her for the treatment of the said disease even outside the Hospital/Institute. The reimbursement will be subject to the certificate of Competent Medical Authority that the beneficiary is suffering from any one of the said diseases and would be in need of home treatment for a long time and further subject to the verification of the connected vouchers by the Head of the Department of the concerned discipline of the concerned Hospital/Institute.

 2/12/2011

Note:- The Government in the Administrative Department may sanction an advance, not exceeding 75% of the estimated amount of expenses, in such a manner as it may deem proper on the certificate and recommendations of Director Health Services or Director SKIMS or Principal Medical College as the case may be, to a Government servant for treatment of any terminal or life consuming disease where a prolonged treatment is required under Rule 5(5) above, subject to the fulfillment of the conditions laid down in Rule 14.29-A of Financial Code Volume-I.

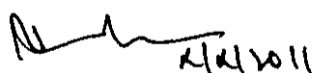
Pending cases as on the date of issue of this order shall be decided accordingly.

3. In rule 6.-

(i) Sub-rule (1) shall be substituted by the following:-

"Treatment outside the State may be authorized in respect of a beneficiary by the Administrative Department concerned on production of a certificate on the prescribed pro forma (Annexure 'D') by the Head of concerned Specialty not below the rank of Associate Professor. The references/ recommendations of the Head of the specialty outside the State should be countersigned by the Principal of Government Medical College/SKIMS College or Director SKIMS as the case may be.

Provided that Director General of Police J&K is delegated with the powers to allow Non-Gazetted Police Personnel who suffer injuries during actual operations, to proceed for treatment in recognized Hospitals outside the State after fulfilling other formalities under these rules viz non-availability of the treatment within Hospitals maintained by the State/under Private Sector of the State, duly certified by the Head of the Specialty not below the rank of Associate Professor of Government Medical College/ Director Health Services/Associate Professor, SKIMS of the relevant discipline as per Form D of these rules".


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(ii) Clause (h) of sub-rule (2) shall be substituted by the following:-

"The cost of Heart Pace Maker, replacement of diseased heart valves, wherever the supply of these appliances is recommended by the Competent Medical Authority i.e, Principal of the Government Medical College/SKIMS College or Director SKIMS or Head of the Department of the concerned discipline of the Medical College/Institute and necessary sanction thereof is accorded by the Administrative Department concerned, the payment for the cost thereof shall be made by the concerned Drawing and Disbursing Officer direct to the supplying agencies and not to the Government servant or his beneficiary."

Note:- Notwithstanding any thing contained in clause (h) of sub rule (2) of this rule, the cost of the appliances etc. prescribed by the concerned Head of Department of the Government Medical College/Hospital including Sher-I-Kashmir Medical Institute, Soura, Srinagar shall be made in advance to beneficiary if he requests for the same. This is, however, subject to the condition that after the equipment is fitted a certificate of the concerned Head of Department of the Medical Institute/Hospital that the equipment has been fitted to the beneficiary, will be furnished within one month, by the beneficiary to the Drawing and Disbursing Officer who has given an advance to him.

4. In rule 6-A.-

In Note 2 below rule 6-A, the following proviso shall be added:-

"Provided that Principal Government Medical College/ SKIMS Medical College & Hospital shall be competent for references outside the state in respect of the patients involving super specialty treatments or suffering from such diseases which are not treated in Primary Health Centers/ District Hospitals as such departments exist only in Government Medical College/ SKIMS Medical College & Hospital which are not running under the Administrative control of Director Health Services."



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5. *In supra of rule 6-A .-*

After Note 3 of rule 6-A, the following shall be inserted as Rule 6-B:-

"Rule 6-B In case where the medical claim has not been reimbursed to the beneficiary prior to his/her death and the claim is covered under rules, the legal heir(s) shall be entitled to the reimbursement of medical expenses. Further in case where the claim has not been processed and in the mean time beneficiary expires, legal heir(s) shall have a right to raise the claim and seek reimbursement of admissible amount of the claim within a period of six months from the date of death of the beneficiary."

By order of the Governor.

 12/10/2011

Sd/-

Commissioner/ Secretary to Government,
Finance Department

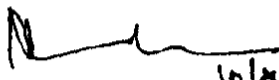
No. A/12(73)-D-I-1043

Dated. 10 . 10. 2011

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(Dr. M. Ishaq Wani) 10/12/2011
Director (Codes)
Finance Department