

THE BALOCHISTAN CIVIL SERVANTS
(MEDICAL ATTENDANCE)
RULES, 2005

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RULES

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NOTIFICATION

[3 February, 2006]

No S.O. (Admn:) H/1-12/2002/2051-2192. In exercise of the powers conferred by section 25 of the Balochistan Civil Servants Act, 1974* (IX of 1974), the Government of Balochistan is pleased to make the following rules: —

1. (1) These rules may be called the Balochistan Civil Servants (Medical Attendance)

Rules, 2005.

(2) They shall apply to all civil servants whose conditions of services are governed

under the Balochistan Civil Servants Act, 1974? and shall also apply to all retired Government servants, their families and families of deceased Government servants for all such facilities as are admissible to serving Government servants.

2. In these rules, unless there is anything repugnant in the subject or context,

(a) "Authorized Medical Attendant" means.

i. In the case of a Government servant posted at Provincial HQs the medical consultant of the rank of Specialist/ Assistant or Associate Professor or the Head of the Department concerned of the Government hospital.

ii. In case of a Government servant posted in a District, the medical attendant will be a Specialist/ Medical Officer/ Lady Medical Officer/ Medical Superintendent of DHQ Hospital concerned.

iii. In case of a Government servant posted in Tehsil, the Medical Officer/ Lady Medical Officer/ Dental Surgeon of the Government Health Institute concerned.

(b) "District" means the district in which the Government servant falls ill.

(c) "Family" means parents, husband, wife/wives, legitimate children and step children, sister and minor brothers each wholly dependent upon the Government servant.

Explanation— I. Wife of Government servant shall be deemed to be wholly dependent upon him so long as she is not judicially separated and where the wife herself's is a government servant (Central or Provincial) the husband shall be

1 These rules have been issued by the Health Department, Government of Balochistan, vide its Notification No. S.O. (Admn:) H/1-12/2002/2051-2192, dated 3" February, 2006.

2 That is Balochistan Act IX of 1974; passed by the Provincial Assembly of Balochistan on 19" June, 1974; assented to by the Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 41 dated 20" July, 1974.

entitled to claim any benefit admissible to him in respect of the wife if she does not claim the benefit in her own right as a government servant.

Explanation— II. Sons and step sons of government servant shall be deemed to be wholly dependent on him till they complete the age of twenty five years and shall thereafter be deemed to be so dependent only if he certifies that they are wholly dependent upon him.

Explanation—_III. Daughters, step-daughters or dependent sisters of a Government servant shall be deemed to be wholly dependent upon him till they are unmarried and thereafter shall normally be assumed to have ceased to be so dependents unless he certifies that they are wholly dependent upon him.

(d) “Civil servant”/ “Government servant” means a person who is a member of the civil service of the Province or holds a civil post in connection with affairs of the Province but does not include;

(i) a person who is on deputation to the Province from the Federal Government or any other Province or Authority, or

(ii) a person who is employed on contract or on work charged basis or who is paid from contingencies or engaged in some office on part-time basis.

(e) “Government” means the Government of Balochistan.

(f) “Government Hospital” means a Government hospital, a government health center, a government dental hospital, a hospital maintained by a local authority and any other government hospital including a military hospital with which arrangements have been made by the Government for treatment of its employees;

(g) “Medical attendance” means:—

(i) In respect of a Government servant specified in sub clause (i) of clause (a) of rule 2, an attendance in hospital or at the residence of the Government servant, including such pathological, bacteriological, radiological or other methods of examination for the purpose of diagnosis as are available in any Government hospital and are considered necessary by the authorized medical attendant, and such consultation with a specialist or other medical officer in the service of Government stationed in the province as the authorized medical attendant may determine;

(ii) in respect of any other Government Servant, attendance at a hospital or in case of illness which compel the patient to be confined to his residence, at the residence of the Government servant including such methods of examination for purposes of diagnosis as are available in the nearest Government hospital and such consultation with a specialist or other medical officer of Government stationed in the district as the authorized medical attendant certifies to be necessary to such extent and in such

manner as the specialist or medical officer may in consultation with the authorized medical attendant determine.

(h) "Patient" means a Government servant or his/ her/ dependent to whom these rules apply and who has fallen ill.

(i) "Treatment" means the use of all medical and surgical facilities available at the Government hospital in which a Government servant is treated, and includes:—

(i) the employment of such pathological, bacteriological, radiological or other methods as are considered necessary by the medical attendant;

(ii) the supply or such medicines, vaccines, sera or other therapeutic substances as are ordinarily available in the Hospital;

(iii) ~~ the supply of such medicines, vaccines, sera or other therapeutic substances not ordinarily so available as the authorized medical attendant may certify in writing to be essential for recovery or for the prevention of serious deterioration in the condition of government servant;

(iv) — such accommodation as is ordinary provided in the hospital and is suited to his/ her status;

(v) such nursing as is ordinarily provided to in-door patients by the hospital;

(vi) the specialist consultation described in clause (g); but does not include diet or provision (at the request of the Government servant) of accommodation superior to that described in sub-clause (iv).

(vii) "Dental treatment" which includes treatment of alveolar (gum and jaw bone) disease extraction of teeth; treatment for dental caries, gingivitis pyorrhea and filling (temporary or permanent) of dental cavities including root canal treatment sealing but does not include dental implants, Orthodontic appliances, bridging, crowning and provision of dentures;

(viii) the provision of artificial limbs, joints and implants.

(ix) the facility of circumcision.

3. (1) A Government servant shall be entitled, free of charge medical attendance by the authorized medical attendant.

(2) Where a Government servant is entitled under sub- rules (1), free of charge, to receive medical attendance, any amount paid by him/ her on account of such medical attendance shall, on production of a certificate in writing by the authorized medical attendant in this behalf and after necessary verification be re-imbursed to him by the Government.

4. (1) When the place at which a patient falls ill is not the headquarter of the authorized medical attendant;

(a) the patient shall be entitled to traveling allowance at the rates for the journey to and from such headquarter; or

(b) if the patient is too ill to travel, the authorized medical attendant shall be entitled to traveling allowance at tour rates for the journey to and from

the place where the patient is.

(2) Applications for traveling allowance under clause (a) of sub-rule (1) shall be accompanied by a certificate in writing by the authorized medical attendant stating that medical attendance was necessary and if the application is under clause (b) of sub-rule (1), that the patient was too ill to travel.

5. (1) If the authorized medical attendant is of the opinion that the case of a patient is of such a serious or the special nature as to require medical attendance by some person other than himself or that the patient requires anti-rabic treatment, he may:—

(a) refer the patient to the nearest specialist or other medical officer as provided in clause (g) of rule 2, by whom, in his opinion, medical attendance is required for the patient, or in the case of anti-rabic treatment to the place in the province or in other provinces where such treatment is available;

(b) if the patient is too ill to travel, summon such specialist or other medical officer to attend upon the patient provided that such referring a patient to or summoning a specialist/ medical officer from outside the province, shall be with panel hospitals on approved list of Government in both public and private sector.

(2) A patient sent under clause (a) of sub-rule (1) shall on production of a certificate, in writing by the authorized medical attendant in this behalf, be entitled to traveling allowance at tour rates for the journeys to and from the headquarters of the specialist or other medical officer or the place where he is sent for anti-rabic treatment.

(3) A specialist or other medical officer called under clause (b) of sub-rule (1) shall on production of a certificate in writing by the authorized medical attendant in this behalf, be entitled to traveling allowance at tour rates for the journey to and from the place where the patient is.

(4) A Government servant or his/ her dependent family member can be referred to a foreign health institute for heart transplantation and liver transplantation only on recommendation of a special medical board comprising the Director General Health Services, Medical Superintendent of Government hospital and medical attendant/ specialist concerned.

6. (1) A Government Servant shall be entitled, free of charge to treatment;

(a) In such Government hospital at or near the place where he falls ill as may in the opinion of the authorized medical attendant, provide necessary and suitable treatment; or

(b) If there is no such hospital as is referred to in sub-clause (a), in such hospital other than a government hospital at or near that place as can, in the opinion of the authorized medical attendant provide necessary and suitable treatment: Provided that such hospital is on Government panel;

(2) Where a civil servant is entitled under sub-rule (1) free of charge, to treatment on anti-rabic treatment in a hospital any amount paid by him on account of such treatment shall on production of a certificate in writing by the authorized medical attendant in the behalf be reimbursed to him by Government provided that prior referral of the competent authority was issued in case of clause (b) of sub-rule (1). The charges for diet, if levied in a Government

hospital from patients, shall be borne by the Government servant himself.

(3) The Head of department/attached department or such officers to whom the Government may delegate its powers in this behalf, shall be competent to order re-imburement under sub-rule (2) of rule 3, upto the limit empowered by the Government from time to time.

(4) If a civil servant is treated in a hospital mentioned by Government, the free treatment will constitute ordinary function of the hospital and the Health Department will bear the charges under relevant Codes of accounts.

(5) If a civil servant is treated in a hospital mentioned by a local body or in any other hospital where he is to pay for his treatment, he shall himself make the payment in the first instance and recover the amount from Government afterwards. Before claiming re-imburement he shall obtain from the hospital authority a copy of printed tariff, summary of treatment vouchers and also a duly signed receipt in token of having made the payment and duly verified by the Medical Attendant and Management of the hospital and present those to the head of the office. The head of the office shall check the bills through Health authorities and after obtaining the sanction of the competent authority draw the amount and disburse it to the Government servant. Such charge are debit able to the Head 03400- Medical Charges of the account of the Department to which the Government servant belongs.

7. (1) If the authorized medical attendant is of the opinion that owing to the absence or remoteness of a suitable hospital or the nature of the illness, a Government servant cannot be given treatment as provided in sub-rule (1) of rule 6, the Government servant may receive treatment at his residence, provided that prior concurrence of Health Department is obtained.

(2) A Government servant receiving treatment at his residence under sub-rule (1) shall be entitled to receive towards the cost of such treatment incurred by him a sum equivalent to the cost of such treatment he would have been entitled, free of charge, to receive under these rules if had not been treated at his residence.

(3) The claims for sums admissible under sub-rule (2) shall be accompanied by a certificate in writing by the authorized medical attendant stating: —

- (a) his reasons for the opinion referred to in sub-rule (1);
- (b) the cost of similar treatment referred to in sub-rule (2).

8. (1) Charges for services rendered in connection with, but not included in, medical

attendance on or treatment of a patient entitled, free of charge, to medical attendance or treatment under these rules, shall be determined by the authorized medical attendant and paid by the patient as user charges.

(2) If any question arises as to whether any service included in medical attendance or treatment, it shall be referred to Government and the decision of the Government shall be final.

9. The controlling Officer of a patient may require that any certificate required by these rules to be given by the authorized medical attendant for traveling allowance purposes shall be countersigned.

- (a) In the case of certificate given by a specialist/ consultant of a Government hospital by the Medical Superintendent of that hospital.

(b) In the case of certificate given by a Medical Officer/ Lady Medical Officer of any other hospital in a district, by the Medical Superintendent DHQ Hospital concerned.

(c) In the case of certificate given by a Medical Attendant of a private hospital, by the medical head of that hospital.

10. The family of a Government servant shall be entitled, free of charge to medical attendance and treatment, on the scale and under the conditions allowed to the Government servant himself, in a hospital at which the Government servant is entitled to receive treatment free of charge or in hospitals specially recognized for the treatment of families of Government servants. This shall include confinement of a Government servant's wife in a hospital, but not pre-natal or post-natal treatment at a Government servant's residence.

11. Non- gazetted Government servants in BPS- 1 to 15 and their families are entitled free of charge to medical, surgical and nursing treatment as in-door patients in the general wards of a Government hospital (and also outdoor patients in such hospitals) and they are entitled to reimbursement of medical expenses incurred by them on such treatment in the general wards in a Government hospital, provided that they produce a certificate to this effect given in writing by the authorized medical attendant duly verified by the Medical Superintendent of that hospital. The authorized medical attendant appointed for gazetted Government servants in the station will also be the authorized medical attendant in case of non-gazetted Government servants.

12. Government servants who are sent abroad on duty by Government shall be allowed the following facilities for purpose of medical treatment during the period they are on duty abroad:

(a) Reasonable costs of treatment will be met by Government, if a Government servant actually falls ill while he is on duty abroad.

(b) No routine check-up will be permitted at Government expenses nor would Government accept liability for treatment or any disease from which a Government servant may have been suffering while in Pakistan and for which he may take the opportunity of his visit to a foreign country to receive treatment. Cases in which a disease from which a Government may have been suffering while in Pakistan, takes a turn for the worse and requires urgent treatment, may be considered on merits;

(c) The treatment would be limited to the country and the place to which the Government servant has been sent on duty.

13. Government may relax provisions of these rules in case of special hardships.

14. The West Pakistan Government Servants (Medical Attendance) Rules, 1959³, is hereby repealed.

3 Rules issued by the Government of West Pakistan, Health Department vide its Notification No. 4/III-S.O. (V).57, dated 24" July, 1959, 1979; published in the West Pakistan Gazette, dated 31" July, 1959; repealed by R. 14.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
GOVERNMENT OF BALOCHISTAN

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