

THE AZAD KASHMIR GOVERNMENT SERVANTS (MEDICAL ATTENDANCE)

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RULES, 1971.

(1) Short title: These rules may be called the Azad Kashmir

Government servants (Medical Attendance) Rules 1971.

Extent of Application: These rules shall apply to all Civil

Government servants under the administrative control of President, Azad Government of the State of Jammu and Kashmir, unless in any case otherwise expressly provided.

(3) Commencement: These rules shall have effect from the 20th July

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1971:

In these rules, unless there is anything repugnant in the subject or context: -

(a) "Authorised Medical Attendant" means: -

(i) in respect of a Gazetted Government servant the

Principal/Medical Officer of the district appointed by Government to attend Officer in the district.

(ii) in respect of a non-gazetted Government servant a Medical Officer appointed by Government to attend its Officers in the station.

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

(c) "Family" means wife/husband, legitimate sons and daughters and step-children of a Government servant, residing with and wholly dependent upon him.

(d) "Government" means the Government of Azad Kashmir.

(e) "Hospital" means a Government Hospital, A Government dispensary, a hospital maintained by a local authority and any other hospital with which arrangements have been made by Government for the treatment of its employees.

(f) "Medical Attendance" means:-

(i) in respect of a Government servant specified in sub-clause (a), attendance in hospital or at the residences of the Government servant, including such pathological, bacteriological, or Other methods of examination for the purposes of diagnosis as are available in any Government hospital in the district, and are considered necessary by the authorised medical attendant, and such consultation with a specialist or other medical officer to the service of Government stationed in the Azad Kashmir as the authorised medical attendant may determine;

(ii) in respect of any other Government servant, attendance at a hospital or in case of illness which compels 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 authorised medical attendant certifies to be necessary to such extent and in such manner as the specialist or medical officer may in consultation with the authorised medical attendant determine.

(g) "Patient" means a Government servant to whom these rules apply and who has fallen ill.

(h) "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 authorised medical attendant;

(ii) the supply of 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 authorised medical attendant may certify in writing to be essential for the recovery or for the prevention of serious deterioration in the condition of the Government servant;

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(iv) such accommodation as is ordinarily provided in the hospital and is suited to his status;

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

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

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

Where a Government servant is entitled under sub-rule (1) free of charge, to receive medical attendance, any amount paid by him on account of such medical attendant shall on production of a certificate in writing by the authorised medical attendant in this behalf, be re-imbursed to him by Government.

Note- All authorised Medical Attendants in Azad Kashmir shall ensure that the commercial substitutes of medicines supplied to them under P.V.M.S. from C.M.S-D are not prescribed,

(J) when the place at which a patient falls ill is not the headquarters of the authorised medical attendant:

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

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

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

(1) If the authorised medical attendant is of opinion that case of a patient is of such a serious or special nature, as to require medical attendance by some person other than himself, he may:-

send the patient to the nearest C.I.\*H., or a Government Hospital

in Azad Kashmir;

(2) If the O/C, C-M.H. is of the opinion that the facilities available in the hospital are inadequate for treatment -of a patient, he may refer the patient to any other C.M.H. in Azad Kashmir, where such facilities are available, and if such facilities are not available in any hospital within Azad Kashmir, refer the case to Director Health Services;

(3) Director Health Services may refer such a patient to a hospital, where required facilities are available, and which has been specifically approved by the Government for Treatment of its employees.

Note- The approved hospitals for this purpose would be limited to central/Provincial Government Hospitals in Pakistan.

(1) A Government servant shall be entitled free of charge. (i) to treatment.

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

(2) Where a Government servant is entitled under sub-rule (1) free of charge, to treatment in a hospital, any amount paid by him on account of such treatment shall, on production of a certificate in writing by the authorised medical attendant in this behalf, be re-imbursed to him by Government. The charges for diet, if levied in a Government hospital for patients, shall be borne by the Government servant himself.

(3) The Head of the Department/Attached Department or such Officers to whom he may delegate his powers in this behalf, shall be competent to order re-imbursement under the last preceding sub-rule and sub-rule (2) of rule 3 (not exceeding Rs. 200 in each case).

(4) If a Government servant is treated in a, hospital maintained by Government, the free treatment will constitute an ordinary function of the hospital.

(5) If a Government servant is treated in a hospital maintained by Central/Provincial Government of Pakistan 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-imbursement, he should obtain from the hospital authority a copy, if possible of the primed tariff of the hospital, a bill in full detail and also a duly signed receipt in token of having made the payment, and present them to the head of his office. The head of the office shall check the bill with the tariff and after obtaining the sanction of the competent authority, if necessary, draw the amount payable on a contingent bill form for which the hospital bit and the receipt will form the vouchers. The amount shall then be disbursed to the Government servant. Such charges are debitable to the primary unit of appropriation "Contingencies" of the account head appertaining to the Department to which the Government servant belongs.

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

(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 he had not been treated at his residence.

(3) Claims for sums admissible under sub-rule (2) shall be accompanied by a certificate in writing by the authorised, -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).

(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

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these rules, shall be determined by the authorised medical attendant and paid by the patient.

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

The Controlling Officer of a patient may require that any certificate required by these rules to be given by T"-authorised medical attendant for travelling allow J-nce purposes shall be countersigned:-

(a) in the case of a certificate given by the principal Medical Officer of a district, by the Director of Health Services; and

(b) in the case of a certificate given by any other medical officer, by the principal medical officer of the district.

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, at a hospital at which the Government servant is entitled to receive treatment free of charge or at hospitals specially recognised 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.

These rules shall also apply to retired Government servant's subject to the following modifications:-

(i) Relief shall be admissible only for treatment in hospital and not otherwise. In other words treatment at residence and reimbursement of expenditure on purchase of medicine is not covered.

(ii) The medical relief in hospital is restricted to a retired Government servant, his wife/her husband and minor-children, and other dependents are not covered.

Class IV Government servants and their families are entitled free of charge to medical, surgical and nursing treatment as in patients in the general wards of a Government

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hospital and they are entitled to re-imburement of medical expenses incurred by them on their treatment in the general wards in a Government hospital, provided they produce a certificate to this effect given in writing by the authorised medical attendant. The Medical Officer appointed by Government Co attend its Government servants in the Station will be the authorised medical attendant in the case of these Government servants.

Government may relax provisions of these rules in cases of special bard-ships.