

# **Bihar Civil Servant (Treatment of Tuberculosis) Rules, 1954**

BIHAR

India

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### **Rule**

### **BIHAR-CIVIL-SERVANT-TREATMENT-OF-TUBERCULOSIS-RULES-1954 of 1954**

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Bihar Civil Servant (Treatment of Tuberculosis) Rules, 1954Published vide Notification No. 17364-2., dated 5th July, 1954Notification No. 17364-II., the 5th July, 1954. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Bihar is pleased to make the following Rules for the treatment of members of the Civil Services of the State or of any person holding any civil post under the State, who have been suffering from tuberculosis. These Rules have been made after consultation with the Speaker of the Legislative Assembly, the Chairman of the Legislative Council and with the concurrence of the Chief Justice of the High Court of Judicature at Patna, in so far as the said Rules apply to Government servants employed in the Secretariat, staff of the Legislative Assembly, the Legislative Council and the High Court of Judicature at Patna respectively.

#### **1.**

These Rules may be called the Bihar Civil Servant (Treatment of Tuberculosis) Rules, 1954.

#### **2.**

These Rules shall apply to every person who is a member of a Civil Service of the State of Bihar or holds any Civil post under the State (hereinafter referred to as "(Civil Service)") except-(a)persons for whose appointment and conditions of employment special provision is made by or under any law for the time being in force;(b)persons in respect of whose conditions of service special provision has been made by agreement entered into before or after these Rules are made; and(c)any class of persons in respect of whom the State Government makes a declaration that their conditions of service shall not be governed by these Rules.

### 3.

In these Rules unless there is anything repugnant to the subject or context-(a)"Civil Surgeon" means the Civil Surgeon or the Senior Executive Medical Officer of the district in which the Civil Surgeon suspected to be suffering from tuberculosis is serving;(b)"Controlling authority" means the head of the office or if the Civil Servant is himself the head of the office, the next superior authority over him, or such other person or authority as the State Government may, by general or special order specify in respect of a Civil Servant or a class of Civil Servants;(c)"Competent authority" means the authority empowered to grant leave to Civil Servants;(d)"Government Hospital" includes a hospital maintained by a local authority and any other hospital with which arrangements have been made by the State Government for the diagnosis and treatment of Civil Servant suffering or suspected to be suffering from tuberculosis; and(e)"Treatment" means the use of all medical and surgical facilities available at the Government hospital in which a Civil Servant is treated and includes-(i)the employment of such pathological and bacteriological, radiological and other methods as are considered necessary by the Civil Surgeon;(ii)the supply of such medicines, vaccines, sera or other therapeutic substances as are ordinarily available in Government hospitals in the State;(iii)the supply of such medicines, sera or other therapeutic substances as are not ordinarily available as may be certified in writing to the essential for the recovery of or for preventing serious deterioration in the condition of the Civil Servant, by the Civil Surgeon; or the Medical officer in charge of the hospital or other institution where he is undergoing treatment;(iv)such accommodation as is ordinarily provided in the hospital to which the Civil Servant is admitted and is suited to his status;(v)the services of such nurses as are ordinarily employed in the hospital to which the Government servant is admitted;(vi)such special nursing as may be certified in writing by the Civil Surgeon, or the Medical Officer in charge of the hospital or other institution where he is undergoing treatment to be essential for the recovery of, or for preventing serious deterioration in the condition of the Civil Servant:Provided that if such hospital or in cases referred to in sub-clauses (iii) and (iv) institution be privately owned and the treatment therein has not been arranged by the Civil Surgeon, the Government servant shall obtain the permission of the Inspector-General of Civil Hospitals, Bihar, to his undergoing treatment therein-

### 4.

No Civil Servant who is an active case of tuberculosis shall be permitted to discharge the duties of his office.

### 5.

The Controlling authority shall require a Civil Servant who is suspected to be suffering from tuberculosis to have himself examined by the Civil Surgeon or the nearest doctor in the employment of the State Government, who has been declared to be a medical specialist or specialist in diseases of the lungs. If the Civil Servant is too ill to undertake a journey to the district headquarters the medical officer in charge of the local or nearest hospital or dispensary, shall examine him if necessary at the residence of such Civil Servant and forward the result of his examination to the Civil Surgeon.

**6.**

If on examination the Civil Surgeon or a Medical Specialist or the Medical Officer as the case may be, considers it necessary he may send the Civil Servant to the Patna Medical College Hospital or the Itki Sanatorium or the Darbhanga Medical College Hospital or to the nearest Tuberculosis hospital in the State where proper facilities including those for X-ray and Laboratory examinations are available for further examination.

**7.**

(a) A Civil Servant suspected by the Civil Surgeon or the Specialist to be suffering from Tuberculosis will be examined by a Medical Board and if after examination by the Medical Board his case is reported to be closed and quiescent and the Civil Surgeon or the Medical Specialist certifies that the Civil Servant is fit to carry on his duties he may be permitted to work subject to all or any of the following conditions, namely:-(i) he remains under suitable medical supervision and treatment as arranged by the Civil Surgeon or the specialist; (ii) he undergoes periodical examination by the Government Medical officer by whom he is entitled to be treated and, if so required by the Civil Surgeon, by an authority on tuberculosis approved by the State Government. The Medical officer shall maintain a special register to record the progress of such cases. (b) The Medical Board shall not recommend the grant of leave in any case in which there appears to be no reasonable prospect of the Civil Servant being fit to return to his duties. (c) The Civil Servant who has been recommended leave by the Medical Board shall not be permitted to return to his duties unless the Medical Board constituted by the State Government or such person or authority as the State Government may by general or special order authorise in this behalf certifies that he is fit to return to duty. (d) Any examination or re-examination under Rules, 5, 6 and 7 shall be made free of charge.

**8.**

If on examination a Civil Servant is recorded to be suffering from open or of active tuberculosis by the Medical Board, then he will be, invalidated from service and all leave at his credit on full average pay may be, granted to him at the discretion of the competent authority provided that there is no reasonable prospect of the Civil Servant becoming fit to resume his duties.

**9.**

When a Civil Servant enters a Government hospital or a tuberculosis institution or a Sanatorium for treatment, the following charges will be recoverable from him:-(1) For a nursing home type of accommodation where diet is provided such as at the special wards at Itki cabins, in Patna Medical College Hospital and corresponding accommodation in other hospitals or Sanatoriums. All Civil Servants drawing a pay of Rs. 500/- a month or above shall be entitled to this type of accommodation-Rs. 150/- for accommodation and diet including  $\frac{1}{2}$  seer milk daily. (2) "A" Class-In family wards which are not dieted such as is "A" class ward at Itki Sanatorium, Civil Servants drawing a pay of Rs. 300/- a month and above will be entitled to admission to this class of

accommodation-Rs. 40/- for accommodation charges The patients shall make their own arrangement for diet or may obtain Hospital diet on payment. Half seer of milk will be provided free of charge.(3)"B" Class-In second grade non-family wards and cottages such as "B" class wards at the Itki Sanitoriurn. All Civil Servants drawing less than Rs. 300/- a month will be entitled to this accommodation-Rs. 25/- per month for accommodation. Patient will make their own arrangements for diet or may obtain hospital diet on payment. He will, however, get half seer milk free of charge.(4)General Ward (free). All Civil Servant drawing less than Rs. 100/- a month-All ordinary hospital service and diet will be provided free of charge:Provided that if the Civil Servants admitted to free bed, he will get free treatment without any charge.

## **10.**

When a Civil Servant is required by the Civil Surgeon or the Medical Officer, as the case may be, under Rule 6 to proceed to another station for X-ray, Laboratory or other examination, the Civil Servant shall be granted in respect of his journeys to and from the place of examination-(a)the single fare of the class to which he is entitled to travel while on duty; and(b)the actual cost of transit (not exceeding the travelling allowance admissible for such journeys under the ordinary Rules) for the journey by road or by river performed by him in connection with such examination.

## **11.**

When it is certified by the Tuberculosis Specialist that it is unsafe for a Civil Servant suffering from tuberculosis to travel unattended, the Civil Servant, may take an attendant with him and the travelling allowance for attendant will be paid to the Government servant.

## **12.**

These Rules will come into force from the date of their publication in the Bihar Gazette.