

# **Rajasthan Legislative Assembly Ex-Members and Family Pensioners (Medical Facilities) Rules, 2010**

RAJASTHAN

India

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### **Rule**

### **RAJASTHAN-LEGISLATIVE-ASSEMBLY-EX-MEMBERS-AND-FAMILY-PENSIONERS (MEDICAL FACILITIES) RULES, 2010**

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Rajasthan Legislative Assembly Ex-Members and Family Pensioners (Medical Facilities) Rules, 2010 Published vide Notification No. F7(1) Sansad/2010, dated 9.11.2010 Last Updated 5th October, 2019 No. F7(1) Sansad/2010. - In exercise of the powers conferred by section 11 read with sub-section (2) of section 4-A of the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) Act, 1956 (Act No. 6 of 1957), the State Government hereby makes the following rules, namely : -

### **1. Short title and commencement.**

(1) These rules may be called Rajasthan Legislative Assembly [Ex-Members] [Substituted by Notification No. F7 (1) Sansad/2012 dated June 14, 2012 w.e.f 1st April, 2012] and Family Pensioners (Medical Facilities) Rules, 2010. (2) They shall be deemed to have come into force on and from the 1st day of April, 2010.

### **2. Definitions.**

- In these rules, unless the subject or context otherwise requires, -(a) "Act" means the Rajasthan Legislative Assembly (Officers Members Emoluments and Pension) Act, 1956 (Act No. 6 of 1957); (b) "Assembly" means the Rajasthan Legislative Assembly; (c) "Authorised Shops" means shops recognized under the 10 for the purpose of supplying medicines to the Ex-Members; (d) "Ex-Member" means a person who is entitled to pension under section 4-A of the Act; (e) [ "Family" means ex-member's wife/husband if wholly dependent upon the ex-member, and

his dependent children Wife/husband will be regarded as wholly depended upon the ex-member if she/he normally resides with the ex-member unmarried son upto the age of 25 years, and unmarried, till she gets married, will be registered as dependent children. In case the ex-member has a son or unmarried daughter suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living, he or she will be regarded as a member of family for the purposes of medical facility available under these rules; and] [Substituted by Notification No. G.S.R. 89, dated 2.11.2018 (w.e.f. 9.11.2010).](f) [ "Family Pensioner" means ex-members wife/husband and who is entitled to Family pension under Section 4-e of the Act [; and] [Substituted by Notification No. F7(1) Sansad/2012 dated June 14, 2012 w.e.f. 1st April, 2012.]](g) [ [Renumbered by Notification No. F7(1) Sansad/2012 dated June 14, 2012 w.e.f. 1st April, 2012.] "Secretary" means the Secretary, Rajasthan Legislative Assembly and includes any officer of the said Assembly, specially empowered by the Speaker to perform the functions of the Secretary under these rules.

### 3. Medical Attendance and Treatment.

- An ex-member and his family members shall be provided free medical attendance and treatment as admissible to State Government servant under rules [6, 7, 8, 9 (1), 10, 11, 14, 17 and 19 of the Rajasthan Civil Services (Medical Attendance) Rules, 2013, as amended from time to time] [Substituted '6, 7, 8 and 10 of Rajasthan Civil Services (Medical Attendance) Rules, 2008' by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).], subject to the following conditions, namely: -(a) Allopathic drugs, medicines, vaccines, sera, other therapeutic substances not ordinarily available in Government Hospitals free of charge can be taken from the authorised shop in case of outdoor treatment up to the cost ceiling given below : -

- |  |  |
|--|--|
| (i) Ex-Members below the age of 75 years                       | -[Rs. 10000 per annum] [Substituted 'Rs. 5000 per annum' by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).]. |
| (ii) Ex-Members who have attained the age of 75 years or above | -[Rs. 20000 per annum] [Substituted 'Rs. 10000 per annum' by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).] |

Provided that medicines to the indoor patient shall be made available irrespective of the cost ceiling,(b)The Secretary is authorised to reimburse the test charges (Pathological, Bacteriological, Radiological and other tests) up to Rs. 5000/- per annum in each case. The Test charges shall be reimbursable if Non Available Certificate from the Government hospital has been obtained or charges paid in the Government hospital, if any.(c)[ In case of Indoor treatment in approved hospitals, the cost of medicines purchased from private shops (other than cooperative shops/ with authorised shops) shall be reimbursable.] [Substituted No. F7(2) Sansad/2009 dated Feb. 1, 2012 w.e.f 1st October, 2011.]

### 4. Relaxation in cost ceiling under rule 3.

(1)Secretary may extend the cost ceiling of medicines under rule 3 up to Rs. [50000/- per annum]

[Substituted '35000/- per annum' by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).] in all deserving cases and in respect of treatment of cancer kidney failure and Renal disease up to limit of [Rs. 1,00,000/- per annum] [Substituted 'Rs. 50,000/- per annum' by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).]. Subject to proposals being approved by a Committee, consisting of the following, namely : -

- |   |                  |
|---|------------------|
| 1. Secretary  | President        |
| 2. Medical Officer of the Government Hospital of the Rajasthan Vidhan Sabha | Member           |
| 3. Chief/Senior Accounts Officer  | Member Secretary |

Note : - The Secretary may obtain second medical opinion after scrutiny of the case where felt necessary. (2) The State Government may grant further relaxation in cases of severe and persistent diseases upon recommendation of the committee mentioned in sub-rule (1) along with medical opinion of Principal, Government Medical College, Jaipur/Jodhpur/Bikaner/Ajmer/Kota/ Udaipur, Director, Ayurved, as the case may be.

## 5. Maintenance of Ex-Member's Medical Diary.

(1) Every Ex-member shall have a medical diary, which shall contain his particulars with a joint photograph of self and spouse in Form-1. The Joint photograph of ex-member and his spouse shall be affixed on the medical diary and attested by the Secretary. [\*\*\*] [Deleted 'Sub-rule (2)' by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).] (3) The authorised medical attendant shall, after identification of the ex-member on the basis of medical diary, record prescription in the medical diary of the ex-member itself and ensure that he does not prescribe those medicines for ex-member which have been incorporated in the 'negative list medicines' applicable to the Government servants. The prescription recorded by the authorised medical attendant in the medical diary shall bear number and date of concerned dispensary or hospital and also full signature of the authorized medical attendant with his official seal. The official seal in rubber stamp shall also indicate the name of the authorised medical attendant. (4) The ex-member shall present the medical diary along with photocopy of the prescription, which shall be kept by the authorised shopkeeper who shall supply medicines free of cost. The authorised shopkeeper shall be required to record legibly the names of the medicines supplied to the ex-member against the prescription of the authorized medical attendant. He shall record the bill number, date and the amount of the bill in the relevant column of the medical diary. The authorized shopkeeper shall issue bill in respect of medicines sold to the ex-member on the basis of the prescription of the authorized medical attendant. He may require the ex-member to produce medical diary at the time of purchase. If the ex-member himself is unable to visit the shop for purchase of medicines then same can be purchased by his/her spouse, who may be identified on the basis of photo available in the medical diary or through his/her representative from the authorised shop. The recipient shall be required to sign the bill legibly. (5) The authorised shop-keeper shall issue bill in triplicate in the prescribed Form-2. The signature of the recipient in full shall be taken on the bill. The original copy of the bill shall given to the recipient and second copy shall be sent to the Secretary along with the statement of claims in Form-3, the third copy will be retained by the shop-keeper for his record. (6) The authorised shopkeeper shall send a statement of claim in respect of medicines supplied to the

ex-member in Form-3 accompanied by the second copy of the bill to the Secretary for getting payment. Provided that expenditure incurred by an ex-member on treatment of himself or his family member during the period from 1st April, 2010 to the date of publication of these rules or on the date of issue of Medical Diary under these rules, whichever is earlier, shall be reimbursed on the basis of prescription of authorised medical attendant and the cash memo issued by the authorised shops or licensed medical shops and the such amount shall be counted for the purpose of ceiling specified in rule 3 and any amount above the ceiling specified in rule 3 shall be reimbursed subject to the approval of the Committee specified in rule 4 up to a maximum amount of Rs. 35000/-.

## **6. [ Ex-member's Medical Diary. [Substituted by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).]**

- Every ex-member shall be issued medical diary for whole life by the Secretary which shall be provided free of cost. In case of loss of original Medical Dairy, the Secretary shall issue a duplicate medical diary on payment of Rs. 100/- (Rupees one hundred only) after taking an undertaking from the ex-member concerned giving details of the amount up to which he/she has already taken medicines free of cost till the date of the undertaking. He/She shall also give an undertaking to the effect that in. case it is found that he/she has utilized both the original and duplicate medical diaries for the purpose of taking medicines free of cost, he/she shall be permanently debarred from the medical facilities admissible under these rules.]

## **7. Procedure for claiming medical reimbursement.**

- [(1) For claiming medical reimbursement, the original receipts and vouchers of medicines issued by the hospital and Essentiality Certificate as prescribed in the case of Government Servants with the modification that the words "Government Servant" shall be substituted as "Ex-Member", shall be countersigned by the hospital authorities where treatment has been taken.] [Substituted by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).](2)ex-member, getting treatment in Government hospitals/ approved hospital/referred hospital within the State or outside the State, as the case may be, shall be required to submit his/her medical claim after obtaining treatment in accordance with these rules to the Secretary along with the following papers for sanctioning the medical claims, -(i)Attested Photostat copy of the page of medical diary containing the entry of renewal medical diary containing joint/ single photograph, as the case may be;(ii)Attested Photostat copy of the page of Medical diary containing the entry renewal of medical diary for that year in which facility is availed;(iii)Essentiality Certificate with vouchers duly countersigned by the hospital authorities, where treatment has been taken; and(iv)Attested Photostat copy of the admission-discharge card containing the details of admission, operation and discharge from the hospital.

## **8. Fixed Medical Allowance to Ex-members.**

- [(1) Where an ex-member does not want to avail the medical facility under these rules and opt to take a fix medical allowance, a fix medical allowance amounting to Rs. 300/- per month shall be

payable to him/her. An ex-member may give option either for medical diary or fix medical allowance on the commencement of the every financial year but not later than 25th April of the year. In case in ex-member does not give any revised option within the above time limit, the existing option shall prevail.] [Substituted by Notification No. F7(2) Sansad/ 2009 dated Feb, 2012 w.e.f. 1st Oct, 2011.] Note. - For the Financial year 2011-12 option shall be exercised for the remaining period of the financial year.(2)The amount of fixed medical allowance shall be disbursed by the Secretary to the ex-member every three months. He shall ensure receipt of amount of earlier payment before disbursing the next payment and shall maintain a separate register of payment of fixed medical allowance.(3)In case an ex-member is residing in a remote area where adequate medical facility of free medicines is not available, such ex-member shall have an option either to continue to avail medical facility on the basis of medical diary or in lieu of, if he may get fixed medical allowance of Rs. 300/- per month for outdoor treatment. The payment shall be made by the Secretary by making entry in the ex-member's medical diary.(4)An ex-member shall submit an application for reimbursement of fixed medical allowance in the Form 4 or Form 5, as the case may be, to the Secretary.

## **9. [Procedure for furnishing Life Certificate. [Substituted by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).]**

- Every ex-member shall furnish his/her life certificate once in the month of April of every financial year duly verified by the Gazetted Officer. A life certificate issued online by a Government Agency as a result of Aadhar Biometric Authentication shall also be accepted as a valid certificate.]

## **10. Recognition of Authorised shops for supply of medicines.**

(1)All Cooperative Medical Stores organised and run by Rajasthan Sahakari. Upbhokta Bhandar shall be authorised shops for supply of medicines to the ex-members on the basis of prescription by authorized medical attendant under these rules.(2)At such places, where there is no Cooperative Medical Stores referred to in sub-rule (1), the Secretary shall recognise certain medical stores/shops already authorised by the District Authority for supply of medicines to the ex-members under these rules.(3)[ Medicines prescribed by the Authorised Medical Attendant can also be purchased from the shops run by the Rajasthan Medicare Relief Society.] [Added by Rajasthan Notification No. G.S.R. 155, dated 22.2.2016 (w.e.f. 9.11.2010).]

## **11. Issuance of Non-availability Certificate to the ex-members in respect of medicines not available at authorized shops and its reimbursement.**

(1)In case the medicines prescribed by the Authorized Medial Attendant in the medical diary of the ex-member are not available with the authorized shops, the in-charge of the shop shall issue a Non-availability Certificate (N.A.C.) to the ex-member.(2)An ex-member shall purchase the medicines from the licensed medicinal shop.(3)An ex-member shall submit the claims of medicines purchased on the basis of N.A.C. to the Secretary alongwith Medical Diary.(4)The Secretary shall ensure that reimbursement of claim submitted by the ex-member is made as early as possible, but in

no case later than three months.

## 12. Availability of medical facility.

(1)An ex-member and his spouse may avail medical facility under allopathic, Ayurvedica, Unani and Homeopathic system of treatment under these rules and no option shall be necessary.(2)In case the ex-member and his spouse take medical attendance and treatment in a hospital other than Government hospital/approved hospital, reimbursement of medical claim shall not be admissible.

## 13. Misuse of Medical Diary.

(1)In case where it is found that an ex-member has abused or misused any of the concessions allowed under these rules, he/she be permanently debarred from availing of the concessions under these rules.(2)If the Speaker of Rajasthan Legislative Assembly is satisfied that an ex-member has abused the concession under these rules then he shall be competent to pass an order under sub-rule (1).

## 14. [ Medical Facilities to the Family Pensioners. [Notification No. 7(1) Sensad/ 2012 dated 14th June, 2012 w.e.f 1.4.2012]

- Every family Pensioner shall be provided free medical attendance and treatment as admissible to ex-member. All other provisions of these rules shall mutatis mutaindies apply for the purpose to grant free medical attendance and treatment facility to the family pensioner (w.e.f. from 1st April, 2012).]

## 15. [ Savings. [Notification No. F7(1) Sensad/ 2012 dated 14th June 2012 w.e.f 9 November 2010]

- Nothing in these rules shall be deemed to prevent the Government from granting to a ex-member of Rajasthan Legislative Assembly any concession relating to medical treatment and attendance and traveling allowance for any journey preferred by him which is not authorized by these rules. (w.e.f. 9th November, 2010).]Form-1(See rule 5)Rajasthan Legislative Assembly Ex-Members Medical Concession DiaryDiary NumberIndex

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3.	Prescription of Medicines and Cash Memo	3
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Medical Card

RLASR.....Dated.....

1. P.P.O./I.D. Number.....

2. (a) Name of ex-member.....

Date of Birth.....

(b) Name of

husband/wife.....

(if dependent on ex-member)

Date of Birth.....

(c) Name of dependent handicapped son/daughter,

Not capable to earn.....

(if he/she is authorised for medical facility)

3. Date of starting of

pension.....

4. Specimen signature

1.

Ex-member.....

2. Wife/husband.....

5. Full Address

.....

.....

.....

6. Validity of Medical Diary

annual

whole life

#### Valid Period of Medical Diary

S. No.	Whole life/ Annual	Amount (Rs.)	Receipt Number and Date	Signature of Secretary/Chief Account Officer.
1	Whole life			
2	2009-10			
3	2010-11			
4	2011-12			
5	2012-13			
6	2013-14			
7	2014-15			
8	2015-16			

Name of

Hospital/Dispensary.....

Name of Patient.....

Age.....

Detail of  
disease.....

Number and date of Outdoor/Indoor.....

Details of prescribed medicines by Medical Attendant

Name of Medicines

Quantity

1 -

2 -

3 -

4 -

5 -

6 -

7 -

8 -

Name of authorised

shop.....Bill Number.....

Signature of Authorised Medical Attendant with seal

Signature of Salesman with seal of Shop

Details of Financial limit Year Original Limit Amount Rupees 5000/- The age of 75 years or above

Amount Rupees 10000/- Signature of Salesman

S. No.	Sanction order	Increased Amount of Financial Limit	Total Financial Limit	Signature of Secretary/ Chief/ Senior Accounts Officer	In case the Financial limit is not available, details of medicines provided as a	Name of Shop	Bill Number	Amount
No.	date of Rajasthan Legislative Assembly				Indoor patient			

Life Certificate of Ex-member It is certified that Shri/Shrimati.....Ex-member, P.P.O./I.D.

Number.....is alive and today date..... I saw him. Dated.....Signature of

Authorised Medical Attendant/Gazetted Officer with seal Form-2(See rule 5) Bill of Medicine For

Ex-Members Name of Medical Shop/Store .....(Authorised

Medical Shop) S. No.....Shri/Smt.....P.P.O./I.D. No.

.....Medical Diary No .....O.P. Ticket No. &

Date.....Name of Hospital/Dispensary .....

S. No. Name of Medicine Batch No. Qty. Rate Cost



Total :

Signature of Ex-member or his spouse or his authorised representative  
Signature of Shopkeeper  
Form-3 (See rule 5) Statement of Claim  
Name of Medical Shop/Store  
.....(Authorised Medical Shop) No..... Date..... for the  
month ending..... 20.....  
S. No. Bill No. Amount

Total :

Signature of Shopkeeper with seal  
Form-4 (See rule 8) Form of Application for grant of fixed Medical  
Allowance to the Ex-member/his spouse drawing pension in other State

To The Secretary, Rajasthan Legislative  
Assembly, Jaipur, Sub: Application for grant of fixed medical allowance  
of Rs. [300/- per month] [Substituted by Notification No. F(7)(2)  
Sansad/2009 dated Feb 1, 2012 w.e.f. 1st October, 2011.] to  
ex-member/his spouse of the State of Rajasthan drawing pension in  
other State.

Photograph duly  
attested By the C .  
A . O . , R L A ( Joint  
Photograph  
of  
the ex-member &  
spouse, if the  
spouse is alive)

- 1. Ex-member's/his spouse's name (in capital letters)**
- 2. Father's/Husband's name**
- 3. Date of birth**
- 4. Date of death of ex-member in case the applicant is spouse**
- 5. Name of the Area and District from where he/she elected**
- 6. P.P.O/F.P.P.O/I. Card. Number (Rajasthan State).....(Present State).....(Attach Attested copy/and I.D. No.)**
- 7. Amount of Pension**
- 8. Name of Spouse (if living)**

## **9. Source from which pension is being drawn**

(Give name of the Branch of the Bank & A/c No.)

## **10. Enclose Bank Draft on one time fee of Medical Diary**

(i) All Ex-members 5000/-

## **11. Give details of the Bank Draft.....**

I declare that the above information is correct. Dated : (Signature of the ex-member) Full Address Form -5 (See rule 8) Form of Application for grant of fixed Medical Allowance to the Ex-member/his spouse residing in the remote area and drawing pensions within the State

To The Secretary, Rajasthan Legislative Assembly..... Sub: Application for grant of fixed medical allowance of Rs. [300/- per month] [Notification No. F7(2) Sansad/2009 dated Feb. 1, 2012 w.e.f. 1st October, 2011] to ex-member/his spouse residing in the remote area and drawing pension within the State.

Joint Photograph of the ex-member & spouse, if the spouse is alive)

### **1. Ex-member's/his spouse's name (in capital letters)**

### **2. Father's/Husband's name**

### **3. Date of birth**

### **4. Date of death of ex-member in case the applicant is spouse**

### **5. Name of the Area and District from where he/she elected**

### **6. P.P.O./I. Card Number (Rajasthan State)..... (Present State)..... (Attach Attested copy of PPO/I.D.)**

### **7. Amount of Pension**

### **8. Name of Spouse (if living)**

## **9. Source from which pension is being drawn**

(Give name of the Branch of the Bank & A/c No.)

**10. Renewal fee of Medical Diary deposited vide receipt**

**No.....dated..... (Copy to be enclosed)**

I declare that the above information is correct. Dated : (Signature of the ex-member/his spouse) Full Address For use in the Office of the Secretary, Rajasthan Legislative Assembly, .....

**1. The Renewal fee of Rs.....has been credited on.....**

**2. The above application has been enrolled in the Register at S. No.....**

**3. The Fixed medical allowance of Rs...../- p.m. is being allowed w.e.f.....**