

# The Rajasthan Ministers (Medical Attendance) Rules, 1961

RAJASTHAN

India

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### Rule

### THE-RAJASTHAN-MINISTERS-MEDICAL-ATTENDANCE-RULES-1961 of 1961

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The Rajasthan Ministers (Medical Attendance) Rules, 1961 Published vide Notification No. F. 14(16) GA/C/57, dated 21-9-1961, Published in Rajasthan Government Gazette Part 4-C, dated 30-11-1961 In pursuance of Section 7 of the Rajasthan Ministers Salaries Act, 1956 (Act No. 43 of 1956) the Governor is pleased to make the following rules, namely :-

#### 1. Short title and commencement.

- These rules may be called the Rajasthan Ministers (Medical attendance) Rules, 1961.

#### 2. Definitions.

- In these rules, unless the context otherwise requires-(a)"authorised medical attendant" means the medical officer of the Rajasthan Medical Department nominated by the Government to attend Ministers in the Capital: Provided that if the Minister falls ill at a station other than the Capital of the State, the District Medical Officer of the District in which the station is situated shall be the authorised medical attendant.(b)[ "family" means,- [Substituted by G.S.R. 44, dated 2-8-1975. Published in Rajasthan Government Gazette part 4-C (Extraordinary), page 224 (2-8-1975).](i)Minister's wife or husband,(ii)Minister's parents and children who are wholly dependent on him,Explanation.-For the purpose of this clause, the parents shall be regarded as wholly dependent, on the Minister, if their monthly income does not exceed Rs. 250/- and, they ordinary reside with the Ministers],(c)"Government" means the Government of Rajasthan.(d)"Government hospital" means a medical institution maintained by the Government for purposes of medical treatment and includes a dispensary or hospital maintained by a local authority and any other hospital with which arrangements have been made by the Government of Rajasthan

for treatment of Ministers.(e)"Medical attendance" means attendance in a Government hospital or at the residence of a Minister or at the consulting room maintained by the authorised medical attendant by arrangement with him and includes-(i)such pathological, bacteriological, radiological or other methods of examination for the purposes of diagnosis as are available in any Government hospital or laboratory in the State and are considered necessary by the authorised medical attendant, and(ii)such consultation with any other medical officer or specialist in the service of the Government as the authorised medical attendant certifies to be necessary, to such extent and in such manner as the medical officer or the specialist may in consultation with the authorised medical attendant determine.(f)"Nurse" means a qualified nurse holding a certificate or a diploma recognised by the Director, Medical and Health Services, Rajasthan.(g)"Patient" means a Minister or [a member] [Substituted by Notification No. Dated 20-8-1964, Published in Rajasthan Government Gazette part 4-(c), dated [19-11-1964].] of his family who requires medical attendance and treatment.(h)"Treatment" means the use of all medical and surgical facilities available at the Government hospital in which a patient is treated, and includes-(i)the employment of such pathological, bacteriological, radiological or any other method as are considered necessary by the authorised medical attendant:(ii)dental treatment where the diagnosis of the physiological or other disability from which a patient is suffering indicates that the teeth are the real source of disturbance provided it is of a major kind such as treatment of a jaw bone, disease, wholesale removal of teeth: etc.Explanation - Surgical operations needed for the removal of odontomes and impacted wisdom-tooth also fall under the category of dental treatment of a major kind. Treatment of gum boils comes under oral surgery of the mouth and as such it is admissible under the rules. Treatment for pyorrhoea and gingivitis of teeth is however not covered:(iii)the supply of such medicines, vaccines, sera or other therapeutic substance as are ordinarily available in Government hospitals in the States:(iv)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 determination in the condition of the patient:(v)[highest class of accommodation available in the hospital] [Substituted by Notification Dated 20-8-1964, Published in Rajasthan Government Gazette part 4-(c), dated [19-11-1964].]:(vi)the services of such nurses as are ordinarily employed by the hospital to which the patient is admitted:(vii)Such special nursing as the authorised medical attendant may certify in writing to be essential for the recovery or for the prevention of serious determination in the patient having regard to the nature of the disease: and(viii)the medical attendance described in sub-clause (ii) of Clause (e) but does not include diet, or provision at the request of the patient of accommodation superior to that described in sub-clause (v).

### **3. Medical attendance by authorised medical attendant.**

(1)A Minister shall be entitled free of charge to medical attendance by the authorised attendant.(2)Where a Minister is entitled under sub-rule (1) free of charge, to medical attendance, any amount paid by him on account of such medical attendance shall on production of a certificate in writing by the authorised medical attendant in this behalf, be reimbursed to the Minister by the Government.

#### **4. Medical attendance and treatment of families of Ministers.**

(1) The members of the family of a Minister shall be entitled at Government cost to medical attendance and treatment at a Government hospital on the scale and conditions allowed to the Minister himself under these rules. This concession does not include medical attendance or treatment other than—(i) at a Government hospital, or (ii) at the consulting room maintained by the authorised medical attendant by arrangement with him: Provided that in serious cases where the authorised medical attendant considers removal of the members of the family to the hospital dangerous or injurious to life, medical attendance and treatment at the residence shall be allowed. (2) [xx] [Omitted by Notification Published in Rajasthan Government Gazette part 4-(c), dated [31-10-1968].] Travelling allowance shall be allowed to members of the families for any journey performed to consult the authorised medical attendant. Such travelling allowance shall, [also] [Substituted by Notification Published in Rajasthan Government Gazette part 4-(c), dated [31-10-1968].], be admissible in respect of a journey performed for consulting a Government specialist outside Jaipur or the State. (3) Medical attendance and treatment, referred to in sub-rule (1) shall include confinement in a hospital and prenatal and postnatal treatment of the wife of the Minister.

#### **5. Travelling allowances.**

(1) 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 for the journey to and from such headquarters: (b) if the patient is too ill to travel, the authorised medical attendant shall be entitled to travelling allowance for the journey to and from the place where the patient is: Provided that a patient shall not be entitled to travelling allowance for a journey for attendance by a dentist or an oculist. (2) An 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.

#### **6. Medical attendance by person other than authorised Medical attendant.**

(1) If the authorised medical attendant is of opinion that the 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, with the approval of the Director of medical and Health Services, Rajasthan (which shall be obtained before hand unless the delay involved entails danger to the health of the patient)—(a) send the patient to the nearest specialist or other medical officer as provided for in Clause (e) of rule 2, by whom, in his opinion, medical attendance is required for the patient, or (b) if the patient is too ill to travel, summons such specialist or other medical officer to attend upon the patient. (2) Where a patient is sent to a specialist or other medical officer under Clause (a) of sub-rule (1), he shall, on production of a certificate in writing by the authorised medical attendant in this behalf, be entitled to travelling allowance for the journey to and from the headquarters of the specialist or other medical officer. (3) A Specialist or other medical officer summoned under Clause (b) of sub-rule (1) shall on production of a certificate in writing by the authorised medical attendant in this behalf be entitled to travelling

allowance for the journey to and from the place where the patient is.

## **7. Hospitals at which treatment may be received & reimbursement thereof.**

(1) Every Minister shall be entitled free of charge to treatment-(a) in such Government hospital in the station or district, where he falls ill 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 Clause (a), in such hospital other than a Government hospital in that station or district as may, in the opinion of the authorised medical attendant, provide the necessary and suitable treatment, or (c) if there is no such hospital as is referred in Clauses (a) and (b) in such hospital in the State in the opinion of the authorised medical attendant, provide the necessary and suitable treatment. (2) Where a Minister 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 reimbursed to the Minister by the Government: Provided that where special nursing forms a part of such treatment, the amount to be reimbursed in respect of such special nursing shall be limited to the amount which is in excess of 25 per cent of the pay of the Minister for the period of special nursing. (3) If the patient has to proceed to a station other than at which he falls ill for purpose of treatment under sub-rule (1), he shall on production of a certificate in writing from the authorised medical attendant in this behalf, be entitled to, travelling allowance for the journey to and from the place at which such treatment is received. Such travelling allowance shall also be admissible for an attendant. If the authorised medical attendant certifies in writing that it is unsafe for the patient to travel unattended and that an attendant is necessary to accompany the patient to the place of treatment and back.

### **7A. [ [Added by Notification No. Dated 10-4-1965, Published in Rajasthan Government Gazette part 4-(c), dated 17-6-1965 [6-4-1967] and further by Notification Published in Rajasthan Government Gazette part 4-(c), dated 6-4-1967.]**

- Notwithstanding anything contained in these rules, the Governor may in appropriate cases, grant to a Minister of the State any concession or special facilities, including the re-imbursement thereof, outside the State for the items specified below-(i) medical treatment, (ii) medical attendance or travelling allowance for any such journey Performed by him, and (iii) accommodation, including diet, for the purposes of such treatment.]

## **8. Treatment at residence.**

(1) If the authorised medical attendant is on opinion that owing to the absence or remoteness of a suitable hospital or to the severity of the illness, a Minister cannot be given treatment as provided in sub-rule (1) of rule 7, he may receive treatment at his residence. (2) Where a Minister is receiving treatment at his residence under sub-rule (1), he shall be entitled to receive towards the cost of the treatment incurred by him a sum equivalent to the cost of such treatment as he would have been entitled to receive, free of charge under these rules if he had not been treated at his residence. (3) A

claim for any amount admissible under sub-rule (2) shall be accompanied by a certificate in writing by the authorised medical attendant, stating-(a) this reasons for the opinion referred to in sub-rule (1), (b) the amount of the cost of similar treatment referred to in sub-rule (2).

## **9. Charges for services other than medical attendance to be paid.**

(1) Any charge 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 authorised medical attendant and paid by the patient. (2) If any question arises as to whether any services is included in medical attendance or treatment, it shall be referred to the Government whose decision thereon shall be final.

## **10.**

[x x x] [Deleted by Notification Published in Rajasthan Government Gazette part 4-(c), dated [31-10-1968].]

## **11. Interpretation.**

- If any question arises relating to the interpretation of these rules, the decision of the Governor thereon shall be final.

## **12. Saving.**

- Nothing in these rules shall be deemed to-(i) entitle a Minister to reimbursement of any cost incurred in respect of medical services obtained by him, or to travelling allowance for any journey perforated by him otherwise than as expressly provided in these rules, or (ii) [ prevent the Governor from granting to a Minister or his family any concession relating to medical treatment or attendance or travelling allowance for any journey Performed by him which is not authorised by these rales.] [Inserted by G.S.R. 125, Dated 7-2-1976, Published in Rajasthan Government Gazette part 4-C (Extraordinary), page 674 [9-2-1976].]

## **13. Supersession**

- The Rajasthan Ministers (Medical Attendance) Rules, 1957 are superseded. Order Under the Rajasthan Ministers (Medical Attendance) Rules, 1961 [Notification No. F.14 (16) GA/C/57, dated 4th December, 1962, Published in Rajasthan Government Gazette Part 4-C, dated 3-1-1963] In view of rule 2(a) of the Rajasthan Ministers (Medical Attendance) Rules, 1961 published in the Rajasthan Gazette, Part 4-C, dated the 30th November, 1961, the Governor has been pleased to appoint the following as authorised medical attendants for the Ministers of Rajasthan : (1) All the Specialists, (Junior & Senior), at Jaipur. (2) All the Medical Officers Incharge of City Dispensaries and all Medical Officers of M.C.W. Centres at Jaipur, and (3) All Medical Institutions where separate out-door departments exist, the Medical Officer irrespective of his cadre, attending the patient in the

department.