

The Kandla Port Trust Employees (Medical Attendance) Regulations, 2000

UNION OF INDIA

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Rule

THE-KANDLA-PORT-TRUST-EMPLOYEES-MEDICAL-ATTENDANCE-REGULATIONS, 2000

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The Kandla Port Trust Employees (Medical Attendance) Regulations, 2000 Published vide Notification No. G.S.R. 230(E), dated 7th March, 2000 Ministry of Surface Transport (Ports Wing) G.S.R. 230(E). - In exercise of the powers conferred by sub-section (i) of section 124, read with sub-section (i) of section 132 of the Major Ports Act, 1963 (38 of 1963), the Central Government hereby approves the Kandla Port Trust Employees (Medical Attendance) Regulations, 2000 made by the Board of Trustees for the Port of Kandla and set out in the Schedule annexed to this notification.

2. The said regulations shall come into force on the date of publication of this notification in the Official Gazette.

Kandla Port Trust In exercise of the powers conferred under Section-28 of the Major Port Trusts Act, 1963 (38 of 1963) the Kandla Port Trust Board hereby makes the following regulations.

1. Short Title.

- (i) These regulations may be called the Kandla Port Employees (Medical Attendance) Regulations, 2000.
- (ii) These Regulations shall come into force from the date of publication in the official gazette, the Central Government's approval thereto.

2. Eligibility.

- These regulations shall apply to: (i) All the employees borne on the Schedule of Staff of the Board. (ii) "A", "B" and "C" category Shore Workers. (iii) Daily Rated Workers engaged by the Board shall be eligible for OPD attendance only. (iv) Apprentices who are in the whole tune service of the Port Trust Board shall be eligible for OPD attendance only. (v) All employees on deputation to the Port Trust Board from the State/ Central Governments, other Port Trusts and Public Sector Undertakings subject to the provisions of their terms of deputation. (vi) The members of family of the employees of the Board listed at Clause-1 and 2 as defined in Regulation-9 below. (vii) In the case of retired employees of Port Trust Board, medical facilities from the Board will be made available in accordance with the Kandla Port Trust Retired Employees (Contributory Outdoor and Indoor Medical Benefits) Scheme, 1996, as amended from time to time.

3. Definitions.

- In these regulations unless the context otherwise requires:-(i) "Act" means the Major Port Trusts Act, 1963. (ii) "Approved Hospital" means the hospitals and dispensaries run by Kandla Port Trust, Central Government, Railways and hospitals run by Public Sector Undertakings, State Government, local authority viz. Municipal Committee or Corporation, District Board etc. or any other hospitals and institutions as may be recognised by the Kandla Port Trust Board from time to time. (iii) "Board" means the Board of Trustees of the Port of Kandla as constituted under the Major Port Trusts Act, 1963 as amended from time to time. (iv) "Chairman", "Deputy Chairman" and "Heads of Department" shall have the meaning assigned to them respectively in the Major Port Trusts Act, 1963. (v) "Chief Medical Officer" means the Chief Medical Officer of the Port Trust Board and Head of the Medical Department. (vi) "Medical Officer" means the doctor in employment in the Medical Department of Kandla Port Trust Board and Specialists engaged by the Port Trust on part-time basis as well as Medical Officers in-Charge of the patients of the Government/recognised hospitals when such reference is made by C.M.O. Note: (1) Part-time specialists outside port hospitals precincts are just like private medical practitioners and so cannot be regarded as authorised medical attendants, under these regulations. (2) No medical attendance/ treatment shall be rendered by a Medical Officer while he/ she is on leave. (vii) "Financial Adviser and Chief Accounts Officer" means the FA & CAO of the Port Trust Board and head of the Finance Department. (viii) "Employee" means temporary or permanent employee of the Board (also see sub-regulations (i) to (v) of Regulation-2 of these Regulations). (ix) "Patient" means the employee of the Port Trust Board, any of his/ her eligible family members and any of those covered under regulation 2 above who has fallen ill and undergoing treatment/medical attendance in the Trusts hospital, Government hospital or any other recognised hospital on a reference by Board's Chief Medical Officer. (x) "Private Doctor" or "Private Hospital" means a registered medical practitioner/ hospital other than the Board's doctor/hospital as at sub-regulation (ii) and (vi) above. (xi) "Sanctioning Authority" means the sanctioning authority for the purpose of reimbursement of hospital charges, cost of drugs etc. as prescribed in Appendix-I to these regulations. (xii) "Trusts Hospital" means the Kandla Port Trust hospitals and dispensaries functioning at different locations. (xiii) "Treatment" means the use of all facilities in various faculties of medical science available in hospitals as per sub-regulation (ii) above, and includes:-(a) the employment of such pathological, bacteriological, radiological, cardiological or any other methods

as are considered necessary by the Medical Officer as defined in sub Regulation (vi) above.(b)The supply of such vaccines, serum, other therapeutic substances and medicines including Vitamin, Dextrose, Iron preparations, Folic Acid, Calcium, etc. in any form, as may be prescribed by the treating doctors in the Board's hospital or by the specialist to whom the case is being referred, as are not ordinarily available in hospital but are a must for the treatment of certain special nature of diseases as are defined in Regulation-6, below based on C.S(M.A) Rules Section-3 or any other nature of ailments for saving the life of a patient or for the prevention of serious deterioration in the condition of patient except -(i)preparations which are not medicines but are primarily foods, toilet preparations or disinfectants as specified in Schedule-I of Central Services (M.A) Rules.(ii)Expensive drugs, laxatives or other detergent and proprietary preparations as specified in Schedule-II to the C.S.(MA) Rules and in respect of which drugs of equal therapeutic value are available.(iii)List of medicines and the items which can be prescribed in respect of Ayurvedic, Unani, Siddha and Homoeopathic systems for which refund is admissible will be same as defined in Schedule-III of Appendix to C.S (MA) Rules.(c)Massage treatment is admissible only when the same is undertaken on the advice of CMO/ any Medical Officer of the Board or by the specialist of the referred hospital.(d)The expenses incurred in connection with physiotherapeutic and occupational therapeutic treatment be admissible provided the treatment is obtained to recoup certain physical weakness/ defect which may have occurred as a result of some disease/ accident. No Reimbursement will, however, be admissible if such treatment is obtained (a) to improve general physical fitness/ stamina; (b) for cosmetic purpose (c) to improve figure, etc.(e)Treatment for the same ailment should not be taken simultaneously in more than one system of medicine. In case treatment being received simultaneously for different ailments, reimbursement will be allowed provided it can be certified by attending doctors of either system that such treatment is received with the knowledge of each other.(f)The expenses incurred for purchase of blood and blood transfusion at Port Trust hospitals, Government hospitals and other institutions recognised for the purpose are reimbursable.(g)The expenses incurred at recognised hospitals on various items registration, services, procedures, drugs, operation theatre, operation, consultations etc. except room rent will be reimbursed in full.(h)Such accommodation as is ordinarily provided in the hospital and is suited to the status of the employee. In the case of approved hospitals within the Gujarat State, the rates as applicable in GRMI, Ahmedabad and that of outside State the rates as applicable in the approved rate of that hospital, where patient has been referred will be the criteria for regulating reimbursement. In respect of Port Trust employees, the class of accommodation is determined as per eligibility shown hereunder, which would be revised suitably from time to time:-

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| (A)B.P. upto Rs.3500/- | : General Ward |
| (B)B.P between Rs.3501/-and Rs. 4500/- | : Semi Private |
| (C)B.P between Rs.4501/-andRs.7000/- | : Private-II |
| (D)B.P Rs. 7001/- and | : Private-I |

However, cost of special articles of diet, milk, tea/coffee, telephone, cosmetics, toiletry will not be reimbursed. Where the rates of accommodation include provision of diet, the rate shall be reduced by 20%.Note:- In the event of accommodation suited to the status of the employee concerned being not available, accommodation of a higher class may be allotted provided it can be certified by the Medical Superintendent of the Hospital:-(a)that accommodation of the appropriate class was not

available at the time of admission of the patient and;(b)that the admission of the patient into the hospital could not be delayed without danger of his/ her health until accommodation or the appropriate class became available.(c)That in case even if at a point of time the accommodation of appropriate class was available and it was considered not advisable to shift the patient under medical advice.(d)That in case a patient needs special accommodation for certain duration owing to the serious nature of ailment, surgical procedures, etc. which is considered absolutely necessary by the treating specialists at recognised hospitals and there is no choice to the patient the expenses incurred on that account will be reimbursed.(i)such nursing as is ordinarily provided to inpatients by hospitals; and as considered absolutely essential by the treating specialists owing to serious condition of the patient for certain hours/ days.

4. Medical Attendance.

- (i) "Medical Attendance" is distinct from "Medical Treatment". "Medical Attendance" means attendance at the out-patient department of hospital or dispensary. Cost of injections, drugs, etc. during medical attendance is reimbursable. Thus medicines should not be prescribed for more than 10 days at a stretch except in chronic ailments that is requiring prolonged treatment.(ii)An employee and his/ her eligible dependent family members shall be entitled free of charge, to medical attendance by Board's Medical Officers.

5. Medical Treatment.

- (i) an eligible patient shall be entitled, free of charge, in-patient treatment in the Port Trust Hospitals.(ii)Where the Port Trust Medical Officer refers the patient for treatment in a recognised hospital or State Government hospital either due to absence of facilities in the Port Trust hospital or the patient had fallen ill is beyond eight kilometers from the Port Trust hospital, this should be with the specific permission of the Board's CMO. Where such permission could not be obtained prior to commencement of the treatment, this should be obtained immediately after such admission stating the reasons therefor.(iii)In respect of cases referred to sub-regulation (i) and (ii) above, any amount paid by the employee on account of such treatment shall, on production of certificate in writing by the concerned Medical Officer be reimbursed by the Board. The scale of rates applicable for various purpose would be as per sub-regulation 3(xiii) above.(iv)Charges incurred on account of treatment for immunizing and prophylactic purpose is reimbursable to employees in respect of themselves or members of their families in the cases of communicable, contagious and infectious diseases as considered necessary by Board's Medical Officers and concerned specialist at the referred hospital.

6. Other Medical Facilities.

- (i) Reimbursement is admissible for the following kinds of treatment as per these regulations -

1. Avitaminosis and Hypovitaminosis

2. Correction or Squint (eye)

3. Disease(s) causing general debility and secondary anaemia

4. Venereal diseases and Delirium Tremens

5. Pre-natal, Confinement and post-natal treatment at Port Trust Hospitals/ Government hospitals on a reference by CMO.

6. Medical termination of pregnancy performed at Port Trust Hospitals/ Government hospital.

7. Operation for sterilization

8. Anti-rabic treatment

9. Dental treatment - (only in approved hospitals) Surgical operations needed for removal of Odontomes and impacted wisdom tooth; treatment of gum boils, Extraction, Scaling and gum treatment including pyorrhoea and Gingivitis, Filling of teeth, (cost of denture not reimbursable) Root canal treatment.

Note. Existing facilities for reimbursement of expenditure incurred on dental treatment in Government hospitals be extended to similar treatment availed of in private recognised hospitals on the advice of CMO, if such treatment is not available in K.P.T hospital.

10. Treatment of sterility.

Special Diseases:

11. Cancer/ Diabetes/ Mental Diseases/ Poliomyelitis/ Cerebral Palsy and Spastics/ Tubercular Diseases/ Leprosy / Thalassaemia Major, etc. as notified by Central Government from time to time.

Major/ serious ailments:

12. Cardio vascular surgery and related diseases

13. Kidney transplant and related diseases

14. Other organ transplant

15. Joint replacement and surgery

16. Bone-marrow transplant

17. Medical and Oncological disorder, such as Leukaemia and neoplastic conditions.

18. Micro vascular surgery and neuro surgery

19. Treatment with Laser which obviates the need of open surgery

20. Treatment with Argon Krypton and Yag Laser in Ophthalmic cases.

21. Extra corporeal stone disintegration by ultrasonic shock, waves, etc.

(ii) Artificial Appliances - Reimbursement if certified as essential by concerned specialists of Port Trust/ government hospital or recognised hospital on a reference by Board's CMO, admissible in the following cases: (a) Procurement/ Adjustment/ Repair of artificial orthopaedic appliances. (b) Procurement/ Adjustment/ Repair of Artificial Hearing Aid. (c) Cost of Heart Pace Maker and Replacement of Pulse Generator. (d) Replacement of diseased Heart valves, artificial Electronic Latynx. (e) Cost of knee and hip implants. Note:- (a) Where under the advice of the concerned specialists, the artificial appliance once purchased is to be repaired/ adjusted, it has to be ensured that the cost of repairs/ adjustments of appliances is less than the cost of replacement thereof. (b) reimbursement of cost of artificial appliances prescribed in the case of patients should be allowed only after three years, for a maximum limit of three times. (c) the list of artificial appliances whose cost would be reimbursable to the employees and the entitled members of their families will be as per provisions of CS(MA) Rules. (iii) CT Scan charges reimbursable if undertaken on the advice of specialist of Port Trust/ Government hospital and recognised hospital only on a reference by Board's CMO. (iv) Surgical/Clinical charges incurred for Kidney donor for employee himself/ herself or to an eligible member of his/ her family as defined in these regulations. (v) Inter-Ocular Lens Implantation. - (a) Actual cost of implantation and treatment there to reimbursable if undertaken at Government hospital; if undertaken at private recognised hospitals, the actual cost of Rs. 6,500/- whichever is less. Cost of Spectacles, if any, in such cases will not be admissible for reimbursement. (b) For conventional cataract operation, cost of spectacles for correction of distant/ near vision limited to Rs. 200/- reimbursable. Replacement of spectacles if advised by Ophthalmologist of Port Trust once in every three years. (c) Admissible for members of family also.

7. Procedure for sanctioning claims for Reimbursement of medical attendance/ Treatment charges.

- (i) Claims for reimbursement of hospital charges covered under these regulations shall be submitted by the employee in the prescribed form as defined in CS(MA) Rules to the concerned Controlling Officer/ Head of Department within 90 days from the date of completion of treatment. In case the treatment is prolonged and continued, claims may be submitted in stages for a period of not less than 30 days. (ii) Delay in submission of claim beyond the prescribed time limit may be condoned by the respective controlling authority on merits of each case before the same is signed by the treating doctor. (iii) The following vouchers and certificates from the hospitals in which the patient has undergone treatment should be submitted by the employee concerned along with the claims in the prescribed form: (a) Hospital Bill with full name of the patient and if a family member, name and full particulars of the employee concerned. The details of the various charges should also be given. (b) Receipt for payment made if the bill itself is not a receipt. (c) Admission and discharge certificate. (d) Cash memos for purchase of medicines (need not be stamped or bear the supplier's acknowledgement) shall be countersigned by the Medical Officer in charge of the patient at the hospital. (e) In referred cases, the cash memos, hospital bills, etc. shall be countersigned by CMO of Port Trust Board. (iv) The claims of the employees shall be scrutinised by the respective controlling officers and the sanction of the Chairman obtained wherever necessary and the claim forwarded after countersignature to the FA & CAO for payment. (v) A register shall be maintained in each department/ division to continuously detail the claim reimbursed, in a chronological order to enable periodical review to prevent abuse of medical reimbursement facilities. (Annexure-I). (vi) A patient treated under allopathic system may purchase medicines from all Chemists and Druggists licenced under the Drugs and Cosmetics Act and rules there under. In the case of patient treated under Ayurvedic, Unani, Siddha and Homoeopathic systems, the medicines shall be purchased only from authorised dealers. In all cases, medicines prescribed should be purchased on the same day or the following day positively.

8. Medical Advance.

- (i) admissible to all employees of the Port Trust irrespective of pay limit. (ii) ordinarily not more than one advance should be granted in respect of the same illness or injury. However Chairman, if satisfied with the circumstances he can sanction second/subsequent advance. In cases requiring prolonged treatment, reimbursement of medical expenses may continue to be allowed to the extent otherwise admissible under these regulations and advances already sanctioned in such cases should not be adjusted for so long as a certificate from treating Doctor as the patient is produced to that effect that the patient is required to continue treatment and that the anticipated cost of future treatment will not be less than the amount of advance already granted to him/ her by Kandla Port Trust. (iii) Advance is restricted to in-patient treatment in a government hospital or recognised hospital only on a reference by CMO. (iv) admissible for out-patient treatment for TB and Cancer to the extent of Rs. 10,000/- or the amount recommended by the treating doctor whichever is less, where the duration of the treatment is three months or less. (v) For TB where the duration of treatment is more than three months, 80% of the estimated cost or Rs. 36,000/- whichever is less, on the certificate of the hospital authority as to the duration and cost of treatment. (vi) for major/

serious illness, 80% of the month certified by the treating specialist of the hospital concerned or the package deal wherever it exists.(vii)the advance may be paid in one or more instalments for the same illness or injury subject to the ceiling prescribed above.(viii)There should be no limit on the total amount that could be drawn as medical advance for different nature of illness on different spells.(ix)advance so granted is properly monitored by the controlling officer concerned for adjustment against the relevant claim and excess amount, if any recovered from pay in four instalments commencing from the following month in which treatment is completed. In cases of prolonged treatment, reimbursement may continue to be allowed provided necessary certificate from treating specialist to the effect that the patient is required to continue treatment and that the anticipated cost of future treatment will not be less than the amount of the advance already granted and in that case the advance being adjusted in the final claim.(x)the advance is paid directly to the hospital concerned by means of Demand draft and not to the employee.(xi)Application for advance should be accompanied by necessary certificate from the treating specialist indicating the duration of treatment and the anticipated cost thereof.(xii)in case of serious illness/accident where the employee concerned is unable to apply, the advance may be sanctioned on an application in writing made on his/ her behalf by spouse or other legal heir.

9. Concessions for Families.

- 1. The term "Family" for the purpose of these regulations shall mean an employee's wife or husband, as the case may be, children (including legally adopted), dependent parents, dependent parents, widowed daughters, minor brothers and sisters wholly dependent upon the port employee in the event of parent/s not alive.

2. Dependency. - Members of the family (other than the spouse) whose income does not exceed Rs. 1500/- per month are treated as wholly dependents on the port employee. Parents residing with the rest of the family members in a station other than the employee's headquarters are also eligible, subject to limit of income as above, for medical facilities and reimbursement thereof. However, the declaration regarding the income and the residence of parents should be furnished by employee concerned once in the beginning of every calendar year. In case of pensioners, the original pension (before commutation) should be taken into account for the purpose.

3. A female employee has a choice to include either her parents or her parents-in-law; option exercised can be changed only once during entire service.

4. Children including legally adopted children subject to the following conditions:-

Son	: Till he starts earning or attaining the age of 25 years, whichever is earlier.
Daughter	: Till she starts earning or gets married, whichever is earlier, Irrespective of age-limit.
Son/ Daughter	: No age-limit
Suffering from Permanent disability of any kind (physical or Mental)	

5. Where both the husband and wife are port employees, either of them may prefer claim for self and eligible members of their family according to their choice. For this purpose, a joint declaration is required to be furnished as to who will be preferring the claim to the respective controlling authority. This declaration shall remain in force till such time it is revised on written request by both.

6. When spouse employed in State/ Central Government etc. - when husband or wife of the port employee, as the case may be, employed in a State/ Central Government or Public Undertaking or Private organisation which provide medical facilities would be entitled to choose either the facilities available under these Regulations or those provided by the organisation in which he/she is employed. The procedure for making the choice or revision will be the same as at sub-para: 5 above.

7. Every employee shall obtain from the concerned controlling officer, the personal medical Identity Card and the family medical identity card, duly furnishing the particulars of his/ her family members. The identity card should contain the photographs of all the eligible members of the family who are included in the family identity card. Failure to produce the personal medical identity card/ family medical identity card at the time of reporting for "Medical Attendance", or "Treatment" (i.e. in OPD as well as indoor treatment) will make the employee or members of his/ her family concerned ineligible for availing medical facilities in Port Trust Hospital/ Dispensaries under these Regulations or any reference, to outstation hospitals as considered by Board's CMO.

10. T.A. for Medical Attendance & Treatment.

- (i) The patient (whether port employee or a member of his/ her family) and also an attendant. Wherever recommended by CMO, is entitled to travelling allowance plus daily allowance for the

period of journey undertaken by rail as per the entitled class or the lower class by which the journey is actually performed, road, sea for obtaining appropriate medical attendance or treatment. If the patient travels by any other means of conveyance including his/ her private conveyance. T.A. would be admissible to the extent otherwise admissible, i.e. limited to entitled class of rail/ road journey. However, no D.A. for halt.(ii) Travelling allowance as specified above will be admissible only when -(a) It is certified by Port Trust CMO that the journey undertaken was absolutely necessary to obtain appropriate medical attendance and treatment, on as reference.(b) The journey undertaken was outside the limits of city and exceeded 8 kms each way.(c) It was unsafe for the patient to travel unattended and that an attendant was necessary to accompany the patient.(iii) Free ambulance service is provided to the patients covered under these regulations in case of emergency within the same Municipal area within the radius of 8 kilometers each way to convey the patient to Port Trust Hospital. Also this service is provided in case of reference in acute emergency.(iv) Reimbursement of Ambulance charges :- (a) It should be certified that the conveyance of the patient by any other means would definitely endanger his/ her life or grossly aggravate the conditions of health.(b) If the ambulance is used to convey a patient to a place of treatment or to convey a patient from one hospital to another for purposes of certain medical examinations, investigations etc.(c) If the ambulance used belonged to Government or local fund or a social service organisation such as the Red Cross Society, etc.(d) If the ambulance is used to bring the body of a patient to headquarters for last rites from the outside hospital where he/she was referred by C.M.O of the Board.(v) T.A. for donor of kidney - admissible at the following rates -(a) if the donor is a private person, T.A. at the rates of the recipient port employee;(b) if the donor is another government servant or his family member, T.A. is admissible at the rates applicable to the donor Government employee.(vi) Advance of T.A. - Advance of T.A. to the extent admissible as on tour on production of a copy of reference letter issued by Board's Chief Medical Officer shall be allowed.(a) the amount of advance granted should be adjusted within one month of the completion of inward journey;(b) a second advance will not be admissible until the account of the first advance has been adjusted.(vii) Special Concession to TB and Cancer Patients - Port employees should avail of the concessions granted by the Ministry of railways in the appropriate class of accommodation or lower accommodation and the T.A. bills be regulated to the extent admissible under the relevant orders in the matter.

11. Procedure for payment to approved hospital.

- Kandla Port Trust shall make the payment of advance for inpatient treatment to the extent of 80% of certified amount direct to the hospital by demand draft to meet the initial cost of treatment. The final settlement of hospital bills/charges will be made by the employee at the time of discharge of patient. The advance so paid to the hospital as well as the bills paid by the employee will be adjusted against the relevant claim and excess amount, if any recovered from the pay of the employee immediately in monthly instalment not exceeding four as per provision contained in Regulation 8 of these regulations.

12. Interpretation.

- If any question arises as to the interpretation of these Regulations, the same shall be decided by the Chairman.

13. Power to relax.

- The power to relax any of the provisions of these regulations shall rest with the Board.

14. Repeal and Saving.

- On the commencement of these regulations, every rule, regulation, resolution or order in force immediately before such commencement, shall, in so far as it provides for any of the matters contained in these Regulations cease to operate.