

KARNATAKA MINISTERS, MINISTERS OF STATE AND DEPUTY MINISTERS MEDICAL ATTENDANCE RULES, 1958

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KARNATAKA MINISTERS, MINISTERS OF STATE AND DEPUTY MINISTERS MEDICAL ATTENDANCE RULES, 1958

In exercise of the powers conferred by Section 15 of the Karnataka Ministers Salaries and Allowances Act, 1956 (Karnataka Act 5 of 1957), the Government of Karnataka hereby makes the following rules:

1. Short title and application :-

(1) These rules may be called the Karnataka Ministers ¹[Ministers of State and Deputy Ministers] Medical Attendance Rules, 1958.

² [(2) They shall come into force with effect from 12th August, 1958. All claims relating to the Medical Attendance of Ministers / Deputy Ministers which have not been already disposed of shall be governed by these rules and cases already disposed of shall not be re-opened.]

1. Inserted by GSR 294, dated 7-8-1968 and shall be deemed to have come into force w.e.f. 29-5-1968
2. Sub-rule (2) substituted by Notification No. GAD 25 SAM 58, dated 12-5-1959

2. Definitions :-

In these rules, unless the context otherwise-requires.

- (a) "Minister" includes ¹[a Minister of State and a Deputy Minister];
- ² [(b) "Authorised Medical Attendant" means a Medical Officer whose name is included in the panel of Medical Officers designated as Authorised Medical Attendant by the Government;]
- (c) "Government" means the State Government;
- (d) "Medical Attendance" means the 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;
- (e) "State" means the State of Karnataka;
- (f) "Nurse" means a qualified nurse holding a certificate or a diploma recognised by the Director of Medical Services in Karnataka;

1. Substituted for the words "a Deputy Minister" by GSR 294, dated 7-8-1968 and shall be deemed to have come into force w.e.f. 29-5-1968
2. Clause (b) substituted by GSR 264, dated 12-7-1972, w.e.f. 20-7-1972

3. Medical Attendance by Authorised Medical Attendant :-

(I) A Minister shall be entitled free of charge to medical attendance by the authorised medical attendant.

(II) 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, ¹[on an application being made in the Form as in Appendix I and] on production of a certificate in writing by the authorised medical attendant in this behalf, be reimbursed to the Minister by the Government. The amount to be reimbursed

shall be drawn by the Minister from the treasury on salary bill, supported by proper receipts and vouchers in respect of each item of expenditure incurred by him (including essentiality certificates in the case of special medicines) and the expenditure on this account shall be debited to the allotment in the State Budget under "25. General Administration-A. President, Vice-President, Heads of States, Cabinets and Ministers-C. Ministers-6 Medical Charges".

2 [(III) Subject to sub-rule (II), reimbursement in respect of the cost of spectacles, where necessary, shall be allowed to the Ministers, subject to the condition that the amount claimed does not exceed a maximum of Rs. 300.]

1. Inserted by Notification No. GAD 2S SAM 58, date 12-5-1959

2. Sub-rule (III) inserted by GSR. 31 dated 19-6-1998, w.e.f. 9-7-1998

4. Essentiality Certificates :-

(1) Whenever special medicines are prescribed, an essentiality certificate in Form "A" ¹[or Form "B" as the case may be], shall be issued by the Authorised Medical Attendant.

(2) Expensive drugs, laxatives or other proprietary preparations for which cheaper substitutes of equal therapeutic value are available shall not be prescribed.

(3) Preparations including tonics which are primarily foods, toilets, disinfectants, appliances, dressings, etc., specified in the list of inadmissible preparations ² [published by the Director General of Health Services, New Delhi under the Central Services Medical Attendance Rules] shall not be prescribed.

1. Inserted by Notification No. GAD 25 SAM 58, dated 12-5-1959

2. Substituted for the words and figures "in Appendix II by GSR 294, dated 20-6-1977, w.e.f. 23-6-1977

5. Medical Attendance and Treatment of Families of Ministers :-

(1) The member of the family of a Minister shall be entitled free of charges to medical attendance and treatment 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; [or];

1 [(iii) at the residence of the Minister in accordance with the provisions of sub-rule (1) of Rule 8)]

(2) No travelling allowance shall be allowed to members of the families for any journey performed to consult the authorised medical attendant.

(3) Medical Attendance and treatment, referred to in sub-rule (1), shall include confinement in a hospital and pre-natal and post-natal treatment of the wife of a Minister.

Explanation. A certificate by a Minister that a person is a member of the family of the Minister who is residing with and is dependent on the Minister shall be sufficient authority for receiving the benefits under these rules.

1. Clause (iii) inserted by Notification No. GAD 23 GAM 60, dated 29-7-1961

6. Travelling Allowance :-

(1) When the place at which a Minister falls ill is not the headquarters of the authorised medical attendant.

(a) the Minister shall be entitled to travelling allowance for the journey to and from such headquarters; or

(b) if the Minister 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 Minister 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 Minister was too ill to travel.

7. Medical Attendance by person other than authorised Medical Attendant :-

(1) If the authorised Medical Attendant is of the opinion that the case of a Minister 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 Services in Karnataka (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 in the State as provided for in clause (d) 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, summon 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

8. Treatment at Residence :-

1 [(1) A Minister and a member of his family, may at the option of the Minister, receive treatment either at the residence of the Minister or at a Government Hospital.

(2) Where a Minister or a member of his family is receiving treatment at the residence of the Minister under sub-rule (1), the Minister shall be entitled to receive towards the cost of the treatment incurred by him or by a member of his family a sum equivalent to the cost of such treatment as the Minister or a member of his family would have been entitled to receive free of charge under these rules if the Minister or a member of his family had not been treated at the residence of the Minister].

2 [(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 the amount of the cost of similar treatment referred to in sub-rule (2).]

1. Clauses (1) and (2) substituted by Notification No. GAD 23 GAM 60, dated 29-7-1961 and shall be deemed to have always been substituted

2. Sub-rule (3) substituted by Notification No. GAD 51 BAM 59, dated 13-1-1960

8A. Treatment outside the State :-

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(i) When a Minister, while on duty outside the State but within India falls ill and has to receive urgent medical attendance, all amounts paid by him in respect of such treatment shall on an application being made in the form in Appendix I be reimbursed to him by Government, and when he has not made any payment the amount payable for such treatment if he so desires be paid direct by Government. Such reimbursement or payment shall be subject to the conditions specified in sub-clauses (ii) to (iv) of this rule. The claim shall be supported by receipts and vouchers in respect of each item of expenditure incurred by the Minister.

(ii) The medical attendance and treatment secured shall be to the same extent and on the same scale as the Minister would have been eligible if he had been at the time of illness within the State and for this purpose any registered medical practitioner selected by the Minister to attend on him during the illness shall discharge the functions of an authorised medical attendant under the rules.

(iii) If the seriousness of the illness or the nature of the illness of the Minister is such as to require a medical attendant to travel with him, the travelling allowances and incidental charges of the medical attendant shall be paid by Government.

(iv) The claim shall be supported by proper receipts and vouchers and shall be countersigned by the authorised medical attendant to the effect that the treatment was necessary and the charges are reasonable having regard to the circumstances of the case.

(v) The extent to which the medical expenses incurred by a Minister while on duty outside India shall be reimbursed, shall be determined by special orders of Government, provided that such expenses shall be payable only in respect of illness during the tour and to the extent the Minister would have been entitled to free medical attendance if he had fallen ill within the State.]

2 [(vi) If the nature of the illness of the Minister is such as to require treatment outside India and such treatment is not available anywhere in India, the extent to which the medical expenses incurred by the said Minister outside India shall be reimbursed,

shall be determined by special orders of the Government. Such reimbursement shall not be made except on production of a certificate in writing from the Director of Health and Family Welfare that such treatment is not available anywhere in India.

Note. "Medical expenses" in clause (vi) includes the travelling and incidental charges of the Minister and where the Director of Health and Family Welfare certifies that the nature of the illness is such that the patient requires the attendance of an attendant, the travelling and incidental charges of the attendant.]

1. Rule 8-A substituted by Notification No. GAD 55 BAM 59, dated 15-3-1960

2. Clauses (1) and (2) substituted by Notification No. GAD 23 GAM 60, dated 29-7-1961 and shall be deemed to have always been substituted

9. Charges for Services other than Medical Attendance to be paid :-

A r / 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.

10. Relaxation of provisions :-

1 Where the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may by order dispense with or relax the requirements of that rule to such extent and subject to such conditions as it may consider necessary for dealing with any case in a just and equitable manner].

1. Sub-rule (3) substituted by Notification No. GAD 51 BAM 59, dated 13-1-1960