

No.46/5/2015-R&R
Government of India
Ministry of Power
(R&R Cell)

Shram Shakti Bhavan, Rafi Marg,
New Delhi. July 19, 2016

Public Notice

In exercise of powers conferred by clause (s) of sub-section (2) of Section 176 of the Electricity Act 2003 (36 of 2003), the Central Government made the Appellate Tribunal for Electricity Salary, Allowances and other Conditions of Service of the Officers and Employees Rules 2004 vide Notification No. G.S.R. 721(E) dated 28.10.2004 which was amended vide Notifications No.G.S.R.281(E) dated 6.5.2005, No.G.S.R.548(E) dated 22.7.2008 and No.G.S.R.558(E) dated 20.7.2011.

2. It is proposed to further amend the above Rules to provide medical facilities to the officers and employees of the Tribunal.
3. Comments are invited from the stakeholders on the draft Amendment Rules enclosed herewith, within 30 (thirty) days, i.e. by August 19, 2016 addressed to the undersigned.
4. Comments received after the stipulated date may not be considered while finalizing the above Amendment Rules.

(Rajendra Singh)
Under Secretary to the Government of India
Telefax: 011-23730265
e-mail : raj.singh66@nic.in

[To be published in Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i)]

Government of India
Ministry of Power

Notification

New Delhi, the July, 2016.

G.S.R.(E) .— In exercise of the powers conferred by clause (s) of sub-section (2) of section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules further to amend the Appellate Tribunal for Electricity Salary, Allowances and other Conditions of Service of the Officers and Employees Rules, 2004 (hereinafter referred to as ‘the principal rules’), namely:-

1. **Short Title and Commencement** (1) These rules may be called the Appellate Tribunal for Electricity Salary, Allowances and other Conditions of Service of the Officers and Employees (Amendment) Rules, 2016.
 - (2) They shall come into force from the date of their notification in the Official Gazette.
2. In the principal rules, -
 - (a) for the word “Schedule” wherever it occurs, the word and figure “Schedule I” shall be substituted;
 - (b) for rule 8, the following rule shall be substituted, namely:-

“8 Other conditions of service.- (1) Officers and employees of the Appellate Tribunal for Electricity shall be entitled to the medical facilities as specified in Schedule II annexed to these rules.

 - (2) Other conditions of service of the officers and employees of the Appellate Tribunal for Electricity, for which no specific provisions have been provided, shall be regulated in accordance with such rules as are, from time to time, applicable to officers and employees of the Central Government drawing the pay and allowances in corresponding scales of pay. “;
 - (c) after Schedule I as so numbered, the following Schedule shall be inserted, namely:-

SCHEDULE II
MEDICAL FACILITIES

1. Definitions.- In this Schedule, unless the context otherwise requires-

- (a) “**competent authority**” means the Chairperson of the Appellate Tribunal and includes any other officer so designated by him in this behalf;
- (b) “**employee**” means any person appointed in accordance with the principal rules who is on the rolls of the Appellate Tribunal and also includes the employees who have superannuated from the said Tribunal after rendering not less than five years of regular service, having been permanently absorbed in the said Tribunal;
- (c) “**Empanelled Hospital and Diagnostic Centre**” means the Government Hospitals or Diagnostic Centers including all recognised Private Hospitals or Diagnostic Centers under the Central Government Health Scheme for Specialised and General Purpose Treatment and Diagnostic Procedures recognised vide Ministry of Health and Family Welfare O.M. No. 24/2001/JD(M)/CGHS/Delhi/CGHS(P), dated 7th September, 2001 as amended from time to time, or any private Hospital or Diagnostic Centre notified or authorised by the Appellate Tribunal;
- (d) “**family**” shall have the same meaning as defined in the Central Services (Medical Attendance) Rules, 1944 :

Provided that the members of the family shall be treated as dependents only if their income from all sources including pension and pension equivalent to gratuity is less than three thousand five hundred rupees per month:

Provided further that the members of the family shall be entitled to medical attendance and treatment even if they do not stay with the employee;

- (e) “**pay**” means Basic Pay plus Non-practicing Allowance plus stagnation increment, if any:

Provided that for employees who have superannuated and are eligible for medical facilities, “pay” means the last pay drawn before the superannuation;

- (f) “**Authorized or Notified Medical Practitioner**” means a registered medical practitioner having a degree recognised under the Indian Medical Council Act, 1956 (102 of 1956), or a registered Medical Practitioner holding Degree or Diploma in Ayurveda or Unani or Siddha or Homoeopathy of not less than four years duration from a University or Statutory Board or Council or Faculty of Indian Medicine and Homoeopathy and equivalent, included in the Schedules to the Indian Medicine Central Council Act, 1970 (48 of 1970) and the Homoeopathy Central Council Act, 1973 (59 of 1973), as the case may be;

(g) Words and expressions used in these rules but not defined, and defined in the Act, shall have the same meaning as assigned to them in the Act.

2. Maintenance of list of Authorized Medical Practitioners.- (1) A list of Authorized Medical Practitioners shall be prepared and maintained by Appellate Tribunal, area-wise, on the request of the employees and based on relevant documentary proof including prescription with registration number of the concerned Registered Medical Practitioner.

(2) If an employee is receiving treatment from the out-patient department of an empanelled hospital or Central Government Health Scheme recognised hospital, the attending physician shall be treated as a deemed authorised or notified Medical Practitioner for the Appellate Tribunal.

INDOOR TREATMENT

3. **Entitlement of room charges**.- (1) The entitlement for room facility, i.e., General Ward, Semi-private Ward, Private Ward, Day Care, etc. in case of hospitalisation shall be the same as may be prescribed by Central Government Health Scheme from time to time.

(2) The entitlement for room rent for General Ward, Semi-private Ward, Private Ward and Day Care shall be as per Central Government Health Scheme rates as amended from time to time.

(3) The employees of the Appellate Tribunal shall be entitled for medical treatment including the cost of treatment, pathological, radiological, scanning, hospital accommodation, nursing home facilities, etc., as per the package rates prescribed vide Ministry of Health and Family Welfare O.M. No. 24/2001/JD(M)/CGHS/Delhi/CGHS(P) dated 7th September, 2001 as amended from time to time.

(4) The employees of the Appellate Tribunal may get medical treatment in any of the empanelled hospital or diagnostic centre on the advice of Authorised or Notified Medical Practitioner or attending physician, and in case of emergency they may directly go to any private or recognised private hospital or diagnostic centre nearest to their place of residence.

(5) The charges paid for clinical tests, etc, to a private non-recognised hospitals or diagnostic centres shall be reimbursable as per rates prescribed for Central Government Health Scheme beneficiaries and where there are no rates prescribed, the expenses incurred shall be reimbursed on actual basis.

(6) If during treatment in an empanelled hospital or diagnostic centre, special nursing becomes necessary, the employee or a member of his family shall be entitled

to such special nursing as may be deemed essential for the recovery or for the prevention of serious deterioration in the condition of the patient having regard to the nature of the disease, and the amount to be reimbursed for such special nursing shall be limited to the amount, which is in excess of twenty-five per cent of the pay of the employee concerned for the period for which special nursing was necessary, for which a certificate from the Medical Officer-in-charge countersigned by the Medical Superintendent shall be produced.

(7) Package rates for duration of indoor treatment shall be as follows:

- (a) 12 days for specialised procedure;
- (b) 7-8 days for other procedures;
- (c) 3 days for laparoscopic surgery;
- (d) 1 day for day care/minor procedures (out-patient).

4. **Submission of claims.**- (1) Final claims for reimbursement of medical expenses for a particular spell of illness shall ordinarily be preferred within three months from the date of completion of the treatments shown in the prescription issued by the attending physician.

(2) All claims for reimbursement shall be accompanied with prescription and cash memos or vouchers duly signed by the Medical Officer indicating the Registration number.

(3) The application for medical claims shall be submitted in the prescribed Form given at **Appendix 'A'**.

(4) All expenses on indoor treatment shall initially be met by the employee himself and shall claim for medical reimbursement on completion of the treatment.

(5) Normally the recognised private hospitals or diagnostic centres, who entered into agreement with the Appellate Tribunal, shall charge the rates approved for the package rate and they shall also extend credit facility in emergency cases as specified in Memorandum of Agreement signed with private hospitals or diagnostic centres to the employees of the Appellate Tribunal undertaking treatment in their hospital or diagnostic centre, and submit the bill for reimbursement as per approved rates to the Appellate Tribunal:

Provided that in case of hospital or diagnostics centres insisting for immediate payment of the cost of treatment, room rent, medicines, various test, etc., the Appellate Tribunal may sanction advance payment to the extent of ninety per cent of approximate expenses as per package rate prescribed for Central Government Health Scheme beneficiaries and issue an account payee cheque in the name of the hospital

concerned, and the balance payment shall be made on submission of final claim by the beneficiary.

OUTDOOR TREATMENT

5. **Entitlements.**- (1) Officers and staff shall be entitled to the reimbursement of medical expenses on actual basis for non-hospitalisation cases, for themselves and their family members including dependents on production of prescription from Authorised or Notified Medical Practitioners along with bills or cash memos of medicines or tests.

(2) In the case of superannuated employees of the Appellate Tribunal, the annual ceiling of the expenses incurred on outdoor treatment shall be as per Central Government Health Scheme package deal rates or maximum of the pay scale plus grade pay of a serving employee holding equivalent post, whichever is lower.

6. **Treatment abroad.**- For treatment during foreign visit, reimbursement shall be limited to entitlement in accordance with the provisions of the Central Services (Medical Attendance) Rules, 1944.

7. **When both husband and wife are Government servants.**- Where husband and wife both are employed in Government or PSU or Autonomous bodies or Statutory bodies or State Governments or Local bodies, etc., a joint declaration shall be furnished by the employees to the effect that his or her spouse is not availing medical facility provided by his or her employer.

8. **Submission of claims.**- (1) The employees are required to prefer the claims within three months from the date of completion of treatment.

(2) The employees are also required to submit the following, namely:-

(i) original prescription with registration No. of the Authorised or Notified Medical Practitioner; and

(ii) original bills or cash memos of medicines or tests.

(3) The application for medical claims shall be submitted in the prescribed Form given at **Appendix 'B'**.

9. **Other Conditions.**- (1) Inadmissible medicines as specified in Schedules I and II of sub-clause (iii) of clause (h) of Rule 2 of the Central Services (Medical Attendance) Rules, 1944 are not reimbursable.

(2) The competent authority in the Appellate Tribunal shall be empowered to disallow any claims or part of the claim which does not satisfy the required condition for such claim.

(3) The expenditure on account of reimbursement of medical claims in any month shall be monitored by applying the benchmark of an amount equivalent to one-twelfth of the budgetary provision for medical expenses (for indoor as well as outdoor treatment) for that particular year and in the event of such expenditure exceeding the aforesaid benchmark ceiling in any particular month, the Chairperson of the Appellate Tribunal shall be the competent authority to approve such expenditure in excess of the benchmark ceiling.

10. **Interpretation.**- Wherever clarification or interpretation or relaxation and extension of any of the provisions of this regulation arise, the Appellate Tribunal may refer the matter to the Central Government and the decision of the Central Government shall be final in such matters.

FORM OF APPLICATION FOR MEDICAL CLAIMS

Form of application for claiming refund of medical expenses incurred in connection with medical attendance/treatment of the Employees of Appellate Tribunal for Electricity or their families for treatment in a Hospital:

1. Name and designation of the Employee
(in Block Letters)
 - (i) Whether married or unmarried
 - (ii) If married, the place where wife/husband is employed
2. Pay of the Employee as defined in the Fundamental Rules and any other emoluments which should be shown separately
3. Place of duty
4. Actual residential address
5. Name of the patient and his/her relationship to the employee
6. Place at which the patient fell ill
7. Details of the amounts claimed

Name of the Hospital

Charges for Hospital treatment, indicating separately the charges for-

- (i) Accommodation (State whether it was according to the status or pay of the employees and in cases where the accommodation is higher than the status of the employee, a certificate should be attached to the effect that the accommodation to which he was entitled was not available)
- (ii) Diet
- (iii) Surgical operation or medical treatment or confinement
- (iv) Pathological, Bacteriological, Radiological or other similar tests, indicating –
 - (a) The name of the hospital or laboratory at which undertaken; and
 - (b) Whether undertaken on the advice of the Medical Officer in charge of the case at the hospital. If so, a certificate to the effect should be attached.
- (v) Medicines
- (vi) Special medicines

(Cash memos and the Essentiality Certificate should be attached)

- (vii) Ordinary nursing
 - (viii) Special nursing, i.e., nurses, specially engaged for the patient. State whether they are employed on the advice of the Medical Officer in charge of the case at the hospital or at the request of the Employee or patient. In the former case a certificate from the Medical Officer in charge of the case and countersigned by the Medical Superintendent of the Hospital should be attached.
 - (ix) Ambulance charges –
(state the journey – to and fro – undertaken)
 - (x) Any other charges, e.g., charges for electric light, fan, heater, air-conditioning, etc. State also whether the facilities referred to are a part of the facility normally provided to all patients and no choice was left to the patient.
8. Total amount claimed
 9. Less advance taken on
 10. Net amount claimed
 11. List of enclosures

DECLARATION TO BE SIGNED BY THE GOVERNMENT SERVANT

I hereby declare that the statements in the application are true to the best of my knowledge and belief and that the person for whom medical expenses were incurred is wholly dependent upon me.

Date

Signature of the Employees

**APPELLATE TRIBUNAL FOR ELECTRICITY FOR REIMBURSEMENT OF
MEDICAL CLAIM**

1. Name and Designation _____
2. Basic Pay + DA _____
3. Name of the Patient _____
& relationship
4. Place at which patient _____
Fell ill
5. Name of the Doctor/ _____
Hospital

CLAIM DETAILS	AMOUNT CLAIMED		AMOUNT ADMITTED
	Rs.	P	Rs.
a) Consultation Charges: No. & Dates of Consultations			
b) Special Consultations No. & Dates of Consultations			
c) Pathological Charges:			
d) Cost of Medicines S.No. Cash Memo No. Date			
Rupees (In words)			

I hereby declare that the statements in the application are true to the best of my knowledge and belief and that the person for whom medical expenses were incurred is wholly dependent upon me.

List of Encl:

Date

Signature of the Employee