

1399  
777  
300  
25.8.12  
Ref: 90

Deputy Registrar (M)

May kindly see the letter dated 25.07.2012 of the District Judge, Meerut regarding medical reimbursement claim, amounting to Rs.2,40,856.00 of Sri Ved Prakash Verma, Special <sup>Chief</sup> Judicial Magistrate, Meerut incurred in his treatment of Carcinoma right buccal mucosa for the period 17.01.12 to 26.01.12, 27.01.2012 to 07.02.2012 and 18.02.12 to 05.04.12 at Tata Memorial Hospital, Mumbai and Pushpanjali Crossley Hospital, Ghaziabad respectively placed at Flag 'A'.

In the said letter the District Judge, Meerut has submitted the aforesaid claims of Sri Ved Prakash Verma and stated that Sri Verma has submitted his medical reimbursement claim, amounting to Rs.3,70,470.00. The Chief Medical Officer, Meerut has verified the claim and sanction-able amount is mentioned for Rs.2,40,856.00. The District Judge, Meerut has requested this Court to take necessary action.

In this connection it may be submitted the aforesaid claims have been checked by the office and found that actually Sri Ved Prakash Verma has submitted three medical reimbursement claims in three essentiality certificates, amounting to Rs.7960.00 for the period from 17.01.12 to 26.01.12 at Tata Memorial Hospital, Mumbai (out door treatment), amounting to Rs.1,01,596.00 for the period from 27.01.2012 to 07.02.2012 at Tata Memorial Hospital, Mumbai (indoor Treatment) and amounting to Rs.1,31,300.00 for the period from 18.02.12 to 05.04.12 at Pushpanjali Crossley Hospital, Ghaziabad. Sri Ved Prakash Verma has submitted the claim in Appendix 'C', reference slip through which Sri Verma referred to higher centre Delhi or Mumbai for management, three essentiality certificates duly countersigned by the Chief Medical Officer, Meerut. C.M.O., Meerut has also mentioned the sanction-able amount for Rs.7960.00, Rs.1,01,596.00 and Rs.1,31,300.00 Sri Ved Prakash Verma has also submitted original bill/vouchers and other relevant papers.

In this connection it may also be submitted that in the matter of medical reimbursement claim of Late D.C. Awasthi the government has informed this Court through its letter no. 4416/II-4-09-53(17)/2000, dated 11.12.2009 at Flag 'B'. The relevant part of the Government letter is runs as under:-

2. आप द्वारा अपने उक्त पत्र में इंगित मा0 उच्च न्यायालय के अभिमत तथा न्याय विभाग के शासनादेश दिनांक 12.01.2000 के सम्बन्ध में शासन के चिकित्सा विभाग व वित्त विभाग का परामर्श प्राप्त किया गया। उक्त विभागों ने परामर्श दिया कि अलग-2 तिथियों के बिल/वाउचर अलग-2 अनिवार्यता प्रमाण पत्रों पर अपर निदेशक द्वारा प्रतिहस्ताक्षरित किये गये है अतः इन्हें अलग-2 दावा/प्रकरण मानकर शासनादेश दिनांक 09.8.2004 व 11.2.2008 के प्रविधानों के अंतर्गत सक्षम स्तर से प्रशासकीय विभाग द्वारा कार्यवाही की जायेगी।

Hon'ble Mr. Justice S.U.Khan had also passed an order dated 07.06.2010 at Flag 'C' in the matter of Late Syed Qutubuddin, Ex- Additional District Judge, Balrampur which is reproduced herein as under:-

*"As the Govt. in several cases has already indicated that in case of different essentiality certificates, the amounts sought to be reimbursed should be*

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treated separately hence all such amounts each of which is in between Rs.40,000.00 and one lac may be sanctioned by the High Court provided that all the formalities are complete. The bills for lesser amount may be sent to the District Judge concerned"

In this connection it may be submitted that under the provisions contained in Medical Attendance Rule-2011 notification no. 2275/V-6-11-1082-87, dated 20.09.2011, medical reimbursement claims of the U.P. State employees (who are in service) for less than Rs.1,00,000.00 can be sanctioned by the Head of the Office and for more than Rs.1,00,000.00 but up to Rs.2,50,000.00 can be sanctioned by the Head of the Department. The aforesaid medical reimbursement claim, amounting to Rs.7960.00, Rs.1,01,596.00 and Rs.1,31,300.00 are based on three different essentiality certificates and as such in view of the observation made by the Govt. through its letter no.4416/II-4-09-53(17)/2000, dated 11.12.2009 and also made by the Hon'ble Mr. Justice S.U. Khan in the matter of Late D.C. Awasthi, the medical reimbursement claims, amounting to Rs.1,01,596.00 and Rs.1,31,300.00 may be sanctioned by this Court, in the capacity of the Head of the Department and the medical reimbursement claim, amounting to Rs.7960.00 may be sanctioned by the District Judge, Meerut in the capacity of Head of the office.

If approved by Hon'ble Mr. Justice S.U.Khan, medical reimbursement claims, amounting to (Rs.1,01,596.00 + Rs.1,31,300.00) = Rs.2,32,896.00 may be sanctioned to Sri Ved Prakash Verma, Special <sup>Chief</sup> Judicial Magistrate, Meerut <sup>for the period set.</sup> 27.01.2012 to 07.02.2012 and 18.02.12 to 05.04.12 at Tata Memorial Hospital, Mumbai and Pushpanjali Crossley Hospital, Ghaziabad and his Lordship may also be requested to sign the draft order placed at Flag 'X'

"A"

If further approved by his Lordship, medical reimbursement claim, amounting to Rs.7960.00 may be returned to the District Judge, Meerut with the direction that said amount may be sanctioned to Sri Ved Prakash Verma, Special <sup>Chief</sup> Judicial Magistrate, Meerut in accordance with Medical Attendance Rule-2011 notification no. 2275/V-6-11-1082-87, dated 20.09.2011. <sup>as published under Govt. of U.P.</sup>

"B"

Registrar (Budget)

Submitted for kind perusal and onward submission before Hon'ble Mr., Justice S.U. Khan for His Lordship's kind perusal and orders as proposed at 'A' & 'B' above.

*Handwritten notes and signatures:*  
22.8.12  
22/08/12  
22.8.12  
AR

*Handwritten signature and date:*  
22.5.12  
D.R. (Misc.)

*Handwritten note:*  
Approved as at 'A' & 'B'  
6.9.12

Hon'ble Mr. Justice S.U.Khan

Submitted for kind perusal and orders.

*Handwritten signature and date:*  
24.8.12  
Registrar (Budget)

DRC(m)

*Handwritten signature and date:*  
06/09/12

*Handwritten signature and date:*  
10/9/12

*Handwritten signature and date:*  
7.9.12  
07.09.12