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12/11-20

R-2618/10

(92) A.R. (Admin A-1)/J.R. (M):

May kindly see the letter dated 14.06.2010 of Smt. Shikha Pathak, Additional Chief Judicial Magistrate-VII, Ghaziabad, regarding grant of medical advance, amounting to Rs.5,00,000.00 for the treatment of Leukemia (Blood Cancer) placed at **Flag 'A'**.

The above application submitted by Smt. Shikha Pathak to the Government of U.P. through the Registrar General, High Court, Allahabad. The said application contains an estimate of Rs.5,00,000.00 given by Dr. Pravas Mishra, Assistant Professor, Department of Hematology, A.I.I.M.S., New Delhi. In her application Smt. Pathak has stated that she was diagnosed as suffering from Blood Cancer (Acute Myeloid Leukemia AML- M3) in December 2006. After receiving successful treatment running over a couple of months, She joined back her duties in June 2007. However, the process of medical reimbursement is still under process. Unfortunately she suffered a relapse of the same disease which was discovered on 05.06.2010. Since 08.06.2010 she got admitted in All India Institute of Medical Sciences (AIIMS), New Delhi and undergoing treatment for the same under Department of Hematology. The disease is treated with chemotherapy which may be followed by Stem Cell Transplant (Bone Marrow transplant). According to the estimate provided by AIIMS, the chemotherapy alone would cost around Rs.5,00,000.00 (five lacs). She has also annexed reference by Chief Medical Officer, Ghaziabad. At the end she has requested that an advance payment of ^{Rs.} five lakh ~~Rupees~~ (Rs.5,00,000.00) be released forthwith for the present stage of chemotherapy treatment.

In this connection it may be submitted that in view of G.O. No.1209/V-6-2004-294/98, T.C., dated 09.08.2004, medical advance upto 75% of estimated expenditure over the treatment so certified by the medical superintendent of concerning hospital or Head of Medical Institute can be sanctioned by the sanctioning authority of medical reimbursement claim. Smt. Shikha Pathak has applied for Rs.5,00,000.00 for medical advance for the treatment of blood cancer. Treatment taken within the State or out of the State for more than Rs.2,00,000.00 the medical reimbursement claim can be sanctioned by the Administrative Department of the Government after advise from Medical Department and approval of Finance Department. As such the medical advance for Rs.5,00,000.00 so applied for by Smt. Shikha Pathak, Additional Chief Judicial Magistrate-VII, Ghaziabad may be sanctioned by the Government with the following proviso:-

(क) अग्रिम स्वीकृति होने की तिथि से तीन माह के अन्दर अथवा निरन्तर उपचार चलते रहने

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की दशा में उपचार समाप्ति के तीन माह के अन्दर जो भी पहले हो, उसके समायोजन हेतु प्रतिपूर्ति का दावा प्रस्तुत करना अनिवार्य होगा ।

(ख) अग्रिम का समय से समायोजन सुनिश्चित करने के लिए प्रत्येक कार्यालयाध्यक्ष एवं विभागाध्यक्ष के कार्यालय में ऐसे अग्रिमों का एक रजिस्टर सेवारत कर्मचारियों/अधिकारियों के लिये रखा जायेगा, जिसकी जाँच प्रत्येक माह के प्रथम सप्ताह में आहरण वितरण अधिकारी द्वारा की जायेगी। निर्धारित समय के अन्दर चिकित्सा व्यय की प्रतिपूर्ति के दावे के प्रस्तुत न किये जाने पर अग्रिम की वसूली सम्बन्धित कर्मचारी के वेतन से एकमुश्त कर ली जायेगी और एकमुश्त वसूली सम्भव न होने पर उसे मासिक किस्तों पर वसूल किया जायेगा।

(ग) जब तक एक अग्रिम का समायोजन नहीं हो जाता तब तक दूसरी अग्रिम किसी भी दशा में स्वीकृत नहीं किया जाएगा।

(घ) अग्रिम के बिल पर आहरण-वितरण अधिकारी द्वारा यह प्रमाण पत्र अंकित किया जाना आवश्यक होगा कि स्वीकृत अग्रिम की प्रविष्टि अग्रिम के निर्धारित रजिस्टर में कर दी गयी है ।

It may be recalled that Smt. Pathak had earlier applied for medical advance, amounting to Rs.10,00,000.00 through her application dated 03.01.2007 placed at **Flag 'B'**. After obtaining the approval of Learned Registrar General ~~passed~~ on office note dated 05.01.2007 at **Flag 'C'** the same ^{was} forwarded to the Government through Court's letter no.617/IV-3226/ Admin A-1, dated 09.01.2007 at **Flag 'D'**. Thereafter the medical advance, amounting to Rs.9,00,000.00 was sanctioned by the Government to Smt. Shikha Pathak through Government memorandum no.728/II-4-08-53(4)/2007, Lucknow, dated 20th march 2008 at **Flag 'E'** with the following conditions:-

1. अग्रिम स्वीकृत होने की तिथि से तीन माह के अन्दर अथवा निरन्तर उपचार चलते रहने की दशा में उपचार समाप्ति के तीन माह के अन्दर जो भी पहले हो उसके समायोजन हेतु प्रतिपूर्ति का दावा प्रस्तुत करना अनिवार्य होगा।
2. निर्धारित समय के अन्दर चिकित्सा व्यय की प्रतिपूर्ति का दावा प्रस्तुत न किये जाने पर अग्रिम की वसूली वेतन/अन्य देयों से एक मुश्त कर ली जायेगी और एकमुश्त वसूली सम्भव न होने पर उसे मासिक किस्तों में वसूल किया जायेगा।
3. जब तक एक अग्रिम का समायोजन नहीं हो जाता तब तक दूसरा अग्रिम किसी भी दशा में स्वीकृत नहीं किया जायेगा।

In this connection it may also be submitted that Smt. Pathak had submitted medical reimbursement claim, amounting to Rs.5,52,471.00 and Rs.1,46,610.00 against the medical advance, amounting to Rs.9,00,000.00 which

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was earlier sanctioned to her to the Government through Govt. letter dated 20.03.2008 at **Flag 'E'**. The Govt. has returned the aforesaid medical reimbursement claim through Govt. letter dated 11.02.2009 at **Flag 'G'** due to certain objections. Therefore the said medical reimbursement claim returned to the officer concerned through the District Judge, Ghaziabad vide Court's letter dated 02.04.2009 at **Flag 'H'** for removing the objections as pointed out by the Govt. Smt. Pathak did not submit ~~her~~ ^{till now} her medical reimbursement claim, amounting to Rs.5,52,471.00 + Rs.1,46,610.00=Rs.6,99,081.00, after removing the objection, and she has also not submitted medical reimbursement claim for remaining amount of medical advance i.e. Rs.2,00,919.00. In other words no medical reimbursement claim has been sanctioned to Smt. Shikha Pathak by the Govt. against the medical advance, amounting to Rs.9,00,000.00 earlier sanctioned to Smt. Pathak by the Govt. through office memorandum dated 20.03.2008.

In view of the facts mentioned in the application dated 14.06.2010 of Smt. Pathak it seems appropriate that the application of Smt. Pathak alongwith enclosures may be sent to the Govt. mentioning the facts that earlier Smt. Shikha Pathak was sanctioned Rs.9,00,000.00 as medical advance vide office memorandum no.728/II-4-08-53(4)/2007, Lucknow, dated 20th **M**arch, 2008 by the Govt. The medical reimbursement claim has not been sanctioned to her against the said medical advance as she did not submit ~~her~~ her claim for Rs.5,52,471.00 and Rs.1,46,610.00 after removing the objections as pointed out vide Govt. letter no.346/II-4-09-53(04)/07, dated 11.02.2009 and she has also not submit the medical reimbursement claim in respect of remaining amount, amounting ~~to~~ Rs.2,00,919.00.

If approved by the Registrar General the application daed 14.06.2010 of Smt. Shikha Pathak, Additional Chief Judicial Magistrate-VII, Ghaziabad for medical advance, amounting to Rs.5,00,000.00 alongwith its enclosures may be sent to the Govt. with the information as mentioned above at 'A' in the body of the note.

If further approved Smt. Shikha Pathak may also be asked to resubmit her medical reimbursement claim, amounting to Rs.5,52,471.00 and Rs.1,46,610.00 after removing the objections as pointed out by the Govt. vide letter dated 11.02.2009. She may also be asked ^{to submit} the medical reimbursement claim amounting to Rs.2,00,919.00?

Reg. 15/15/15
Submitted for kind perusal and approval proposed at 'A', 'X' and 'Y'.
8.7.10
Reg B

'A'

'X'

'Y'

12-7-10

JR (M)
If approved, file be placed before Lt. Registrar General for kind perusal and approval of office proposal at 'X' and 'Y'?

8/7/10
AR
[Signature]

REGISTRAR (B)
Submitted for kind perusal and order for onward submission as proposed at 'X' & 'Y' above.

JR (M)

12-7-10
Repr (B)

S.O. Adv. A1

12/7/2010
J-R (M)

8.7.10
[Signature]

8/7/2010
J.R. (M)