

**Jharkhand High Court Judges (Medical Facilities)
Reimbursement Rules, 2004**

APPENDIX-IV

**THE JHARKHAND HIGH COURT JUDGES (MEDICAL FACILITIES)
REIMBURSEMENT RULES, 2004**

THE JHARKHAND H.C. JUDGES (MED. FACI.) REIMBURSEMENT RULES, 2004

<B%-2>Noti. No. 10/R-1-199/04-28(10) dated the 13th, January, 2005.<D%0>**Published in Jharkhand Gazette Extraordinary No. 19, dated January 17, 2005. — In exercise of powers conferred under Sections 23(1) and (2) read with Section 23(D)(2) of the High Court Judges (Salaries and Conditions of Service) Act, 1954, the State Government of Jharkhand hereby makes the following Rules, namely :

1. Short title and commencement.—(1) These rules may be called The Jharkhand High Court Judges (Medical Facilities) Reimbursement Rules, 2004.

2. Commencement.—It shall be deemed to have come into force with effect from the First day of September, 2004.

3. Definitions.—In these Rules, unless the context otherwise requires :—

(a) “Act” means The High Court Judges (Salaries and Conditions of Service) Act, 1954, as modified from time to time.

(b) “Attendant” means any person attending to the Judge or his family within or outside the State during the course of treatment.

(c) “Chief Justice” means the Chief Justice of the Jharkhand High Court.

(d) “Family” means the wife or in case of Judge has more than one legally married wife, wives/legitimate children/parents of the Judge who are dependent upon him.

(e) “Government” means the State Government of Jharkhand.

(f) “Judge” means a Sitting or Retired Judge of the Jharkhand High Court and includes its Chief Justice. It also includes of a Judge who has retired from the Patna High Court on or before the Fourteenth day of November, year Two Thousand and who is residing in the State of Jharkhand.

(g) “Medical Attendant” means the Doctor/Medical Officer attending to the Judge or his family.

(h) “Treatment” means all kinds of recognized medical treatment and the use of all medical and surgical facilities available in Government Hospital/Dispensary/Dispensaries/ Private. Hospitals/Nursing Homes/Clinic or offered by any registered private medial practitioner and includes treatment at residence of the Judge/ Doctor concerned and includes dental treatment. It also includes the employment of such pathological, radiological or other methods as are available.

(i) “State” means the State of Jharkhand.

(j) “Medical Board” means panel of doctors constituted on the advice of Hon’ble Chief Justice of the High Court.

COMMENT

Medical Expenses—Reimbursement of.—Whether a retired Judge of High Court appointed as the President of Jharkhand State Consumer Disputes Redressal Commission is entitled to the same privilege and perquisites which he was enjoying as a sitting Judge of the High Court in the matter of reimbursement of medical bills—Sitting Judge of High Court retired in 2001—Reappointed as the President State Consumer Disputes Redressal Commission without stipulating any fresh condition of service—Entitled to get reimbursement of his medical bills from the State Government till continued to be the President of the State Commission [Consumer Protection Act, 1986, Sections 16, 20 and 30—Consumer Protection Rules, 1987, Rule 11—Bihar Consumer Protection Rules, 1987, Rule 6—Jharkhand High Court Judges (Medical Facilities)

Reimbursement Rule, 2004, Rule 3(f)].—Justice Choudhary S.N. Mishra v. State of Jharkhand through the Chief Secretary, Project Building Dhurwa, Ranchi & Ors., 2005 (4) JCR 25 (Jhr).

4. Every Judge including the Chief Justice as defined in Rule 3(c) and (f) and his family as defined in Rule 3(d) shall be entitled to free medical attendance and treatment in any Government or private hospital/ Dispensary/ Private Hospital/Nursing Home or by any Government or private registered medical practitioner or treatment at the residence of the Judge/Doctor concerned.

5. On the advice of the Medical Attendant/Medical Board, as the case may require, the Judge and his family shall be entitled for treatment at any place within the country in any Government or private hospital/ Dispensary/ Nursing Home or by any Government or private registered medical practitioner. In such case, the Judge and/or his family, as the case may be, shall be entitled to go to such place with an Attendant and/or he Medical Attendant by AC 1st Class or by Air/Flight to and from and the traveling cost so incurred will be reimbursable to such Judge/Family.

In the matter relating to traveling cost as aforesaid 90% of the fare shall be paid in advance on presentation of Bill/Invoice and the remaining amount towards the cost of traveling shall be reimbursed on presentation of the used tickets/or receipts.

6. The Judge, as defined in Rule 3(b) and (e), shall be entitled for reimbursement of medical expenses on production of the Bill(s)/Cash- memo(s)/Receipt(s) of the Medical shop(s)/Druggist(s)/Government Doctor/ Hospital/Clinic, registered medical practitioner/ private hospital. The cost of medicines including fees of the Doctor, expenses on nursing, charges of the hospital including surgical charges and that of pathological, radiological or of the other methods of treatment taken recourse to, shall be reimbursable by the Government.

In the matter relating to medical treatment aforesaid, 90% of the estimated bill shall be paid in advance on presentation of Bill/Estimate and the remaining amount towards the cost of medical treatment shall be reimbursed on presentation of the receipts.

7. On presentation of the Bill(s)/Cash-memo(s)/Receipt(s) including the cost of medicine(s) and that of other treatment, as mentioned above, shall be presented to the Registrar General of the Jharkhand High Court or before any other Officer of the Registry nominated by the Chief Justice who will be deemed to be the sanctioning authority. The said sanctioning authority will reimburse the cost of medicines and that of other treatment(s) with the approval of the Chief Justice or his nominee and shall make the payment to the Judge concerned. The sanctioning authority, as mentioned above, will also reimburse the traveling allowance of the Judge or his family with an attendant and/or the Medical Attendant as mentioned in Rule 5.

8. For the purpose of reimbursement of medical treatment, cost of medicines and travelling cost, the State Government in consultation with the Chief Justice may frame appropriate Regulations, if so required to facilitate processing and payment of such reimbursement.

9. If any question arises as to the interpretation/applicability etc. of these Rules, the same shall be decided by the State Government in consultation with the Chief Justice.

10. If there be any anomaly or difficulty in the implementation of these Rules or in relation to providing medical facilities to the Judges, the same shall be decided by the State Government in consultation with the Chief Justice.