

**NEW MANGALORE PORT TRUST  
EMPLOYEES (MEDICAL ATTENDANCE)  
REGULATION 1997**

1  
MINISTRY OF SURFACE TRANSPORT

(Ports Wing)

NOTIFICATION

New Delhi, the 19<sup>th</sup> March 1997

**G.S.R. 161(E)** – In exercise of the powers conferred by sub-section (1) of Section 124, read with sub-section (1) of Section 132 of the Major Port Trust Act, 1963 (38 of 1963), the Central Government hereby approves the New Mangalore Port Trust Employees' (Medical Attendance) Regulations, 1997 made by the Board of Trustees for the Port of New Mangalore and set in the Schedule annexed to this notification.

2. The said regulations shall come into force on the date of publication of this notification in the Official Gazette.

SCHEDULE  
NEW MANGALORE PORT TRUST  
EMPLOYEES' (MEDICAL ATTENDANCE)  
REGULATIONS, 1997

In exercise of the powers conferred under Section 28 of the Major Ports Trusts Act, 1963 (38 of 1963) the New Mangalore Port Trust Board hereby makes the following regulations.

**1. Short Title**

- (i) These regulations may be called the New Mangalore Port Trust Employees' (Medical attendance) Regulations, 1997.
- (ii) They shall come into effect the date on which the approval of the Central Government is published in the Official Gazette.

**2. Eligibility**

These regulations shall apply to :

- (i) All the employees born on the Schedule of Employees of the Board including those employees on terminal leave and on leave preparatory to retirement and reemployed employees :-
- (ii) A probationer.
- (iii) Apprentices who are in the whole time service of the Port Trust Board.
- (iv) All employees on deputation to the Port Trust Board from the State/Central Governments, other Port Trusts and Public Sector Undertakings subject to the provisions of their terms of deputation.
- (v) Central Industrial Security Force Personnel.
- (vi) Listed cargo handling workers under the direct administrative control of the New Mangalore Port Trust.
- (vii) The members of family of the employees of the Board listed at Clause vii as defined in Regulation 3.
- (viii) In case of retired employees of Port Trust Board medical facilities from the Port Trust Board will be made available in accordance with the New Mangalore Port Trust employees (Contributory Outdoor and Indoor Medical Benefits after Retirement) Regulations, 1991 as amended from time to time.

### **3. Definition**

In these regulations unless the context otherwise requires :-

- (i) 'Act' means the Major Port trust Act, 1963.
- (ii) 'Approved Hospital' means the Hospitals listed in Appendix-II of these Regulations and any other Hospitals and Nursing Homes as may be prescribed by the Board from time to time for inclusion in this appendix.
- (iii) 'Board' means Board of Trustees of the Port of New Mangalore as constituted under the Major Ports act, 1963 as amended from time to time.
- (iv) 'Chairman', 'Deputy Chairman' and 'Heads of Department' shall have the meaning assigned to them respectively in the Major Port Trust Act, 1963.
- (v) 'Chief Medical Officer' means the Chief Medical Officer of the Port Trust Board and Head of the Medical Department.

- (vi) 'Employee' means temporary or permanent employees of the Port Trust Board [also see sub-regulations (i) to iv) of Regulation 2 of these Regulation]
- (vii) 'Family' means the wife or husband as the case may be parents or parent-in-law as per option in the case of female employees, unmarried sisters, widowed sisters, widows daughters-minor brothers and legitimate children including adopted children of an employee wholly dependent on the employee(dependency not applicable for wife or husband) and will include unemployed daughters.

NOTE 1. The members of the family are treated as dependent only if their income from all sources including pension and pension equivalent of gratuity does not exceed Rs.500/- p.m.

2. Where both the husband and wife are Port Trust employees they as well as eligible dependents may be allowed to avail of the medical concessions according to the status of either of these. For this purpose they should furnish to the respective Heads of Departments a joint declaration as to who will prefer the claim for reimbursement of medical expenses incurred on the medical attendance and treatment in respect of wife/husband and other members of the family. The above declaration should be submitted in duplicate and a copy of each shall be recorded in the personal file of each of them in their Service Records in the respective department. This declaration shall remain in force till such time as it is revised on the express request in writing by both the husband and wife e.g.in the event of promotion, transfer resignation etc. of either of the two. In the absence of such a joint declaration, the medical concession shall be availed of by the wife and other members of the family according to the status of husband.

3. The husband or wife of the employee, as the case may be who is employed in a state Govt./Central Govt./Public Sector Under Taking/another Port Trust/Privet Organization which provide medical services would be entitled to choose either the facilities available under these Regulations or those provide by the Organization in

which he/ she employed. The procedure for making the choice or revision will be the same as at note 2 above.

4. Every employee shall obtain from the head of his /her department, the personal medical identity card and the family medical identity card issued by the trust 'Chief Medical Officer' duly furnishing the particulars of his /her family members. The identity card should contain the photographs of all the members of the family including in the family identity card. Failure to produce the personal medical identity card/ family medical identity card at the time of reporting for treatment will make the employee/ members of his /her family concerned ineligible for treatment in the Trust Hospital/ dispensaries under these Regulations.

Note : Extension of benefits to Parents –in- laws of female Port Trust employees i.e. choice to include either Parents –in-laws when married to a Port Trust employee / non -Port Trust employee.

(viii) 'Financial Adviser and Chief Accounts Officer means the Financial Adviser and Chief Accounts Officer of the Port Trust Board and head of the Finance Department.

(ix) 'Medical Officer' means the doctor in employment in the Medical Department of the New Mangalore Port Trust Board including Medical Officer, Resident-cum-Senior Medical Officer, Chief Medical Officer and Specialists appointed by the Port Trust Board on part-time as well as Medical Officers in charge of the patients at the approved hospitals/State Govt. hospital.

(x) 'Medical Attendance' means attendance in hospital (Port Trust Hospital approved hospitals or State Govt. Hospitals) or at the residence of the employees including such Pathological, Bacteriological, Radiological, Cardiological or other methods of examination for the purpose of diagnosis and such consultation with a specialist as may be considered necessary by the Medical Officer.

(xi) 'Patient' means the employee of the Port Trust Board, any of his/her eligible family members and any of those covered under Regulation 2 who has fallen ill and undergoing treatment/medical attendance in the Trust's Hospital/approved hospitals.

(xii) 'Private Doctors' and 'Private Hospital' means a registered medical practitioner/hospital other than the Board's doctor/hospital/approved hospitals as per Sub-Regulation (ii) above.

(xiii) "Sanctioning authority" means the sanctioning authority for the purpose of reimbursement of hospital charges as prescribed in Appendix-I to these Regulations.

(xiv) 'Trusts Hospital' means the New Mangalore Port Trust main hospital and dispensaries to the main hospital functioning at different places.

(xv) 'Treatment' means the use of all medical and surgical facilities available in the Trust's Hospital as well as in the other hospitals as approved by the Board from time to time and includes;-

- (a) The employment of such Pathological, Bacteriological, Radiological and other methods as are considered necessary by the Trust's Medical Officer.
- (b) The supply of such medicines, vaccines, serum and other Therapeutic substances as may be prescribed by the Trust's Medical Officer as are not ordinarily available in the Trust's Hospital and which are certified by the Medical Officer in writing to be essential for the recovery or for the prevention of serious deterioration in the condition of the patient except ;
  - (i) Preparations which are not medicines but are primarily foods, tonics, toilet preparations or disinfectants as specified in Schedule I to the Central Government Medical Attendance Rules.
  - (ii) Expensive drugs, tonics laxatives or other detergent and proprietary preparations as specified in Schedule II to the Central Government Medical

Attendance Rules and in respect of which drugs of equal therapeutic value are available.

- (iii) List of medicines and the items which can be prescribed in respect of Indian and Homeopathic systems of Medicines is detailed in an Appendix to Central Government Servants Medical attendance Rules.
- (c) Such Nursing as considered necessary by the Medical Officers of the Port Trust Hospital.
- (d) Supply of Artificial limbs, corrective artificial appliances as listed out in Central Services (Medical Attendance) Rules, 1944 and their replacement as recommended by the Medical Officers of the Port Trust Hospital.
- (e) Blood transfusion.
- (f) Supply of denture and artificial eye and limb as recommended by the Medical Officers of the Port Trust Hospital.
- (g) Such accommodation as is ordinarily provided in the Hospital and is suited to his status. In the case of approved Hospitals the status as applicable in the case of Kasturba Medical College, Hospital, Manipal will be criteria for regulating the reimbursement. Where the rates for accommodation include provision of diet, rate shall be reduced by 20%.

NOTE : In the event of accommodation suited to the status of the employee concerned being not available accommodation of a higher class may be allotted provided it can be certified by the Medical superintendent of the Hospital.

- (i) that accommodation of the appropriate class was not available at the time of admission patient and
- (ii) that the admission of the patient into the Hospital could not be delayed without danger of his/her health until accommodation of the appropriate class becomes available.
- (h) Such specialist consultation as described in Sub-Regulation (x) of this regulation but does not include diet or provision at the request of the employee of accommodation superior to that described in Sub-Regulation(h) above.

#### **4. Medical Attendance**

- (i) A patient shall be entitled free of charge to medical attendance by the Medical Officer.
- (ii) Where a patient entitled under sub-regulation (i) free of charge, to receive medical attendance shall on production of a certificate in writing by the Medical Officer, be reimbursed to him by the Port Trust Board.
- (iii) Medical attendance is distinct from Medical treatment and there should be no need for repeated consultation. A maximum of four consultation in a period of ten days of treatment at the consulting room of the Medical Officer or residence of the Patient (other than the Medical Officer of Port Trust Hospital, where consultation is free charge) in the case of allopathic system and twenty days in the case of Indian system of Medicine and Homeopathy is permissible. In cases where the total period of treatment required is not more than 10 days/20 days and no hospitalization is required but the number of consultations may require more than four, such cases should be referred to the Out patient department of the Hospital. Beyond this, the patient should be referred for treatment as inpatient in the Port Trust Hospital or one of the approved Hospitals. The rates for the first and subsequent consultations as well as injections other than in the Port Trust Hospital will be reimbursed to the extent periodically determined by the Central Government for its own employees.

#### **5. Travelling allowance for Medical Attendance Journeys**

- (i) When the place at which a patient falls ill is more than eight Kilometers by the shortest route from the Consulting room of the Medical officer.
  - (a) The patient shall be entitled to travelling allowance for the journey to and from such consulting rooms.



- (b) If the patient is too ill to travel, the Medical Officer shall be entitled to Travelling Allowance for the journey to and from the place where the patient is ill.
- (ii) Claims as per sub-regulation (i) above shall be accompanied by a Certificate in writing by the Medical Officer stating that medical attendance was necessary and if the application is under clause (b) of this sub-regulation, that the patient was too ill to travel.
- (iii) The admissibility of travelling Allowance in these cases will be as follows :
- (a) For the employees as per actual limited to mileage allowance at tour rates (without daily allowance) and to members of family actual conveyance charges limited to half the mileage allowance at tour rates (without daily allowance)
- (b) Reimbursement Ambulance charges will be regulated as per regulations framed for the hire of the ambulance in the case of Port Trust Ambulance. In case, ambulance other than the Port Trust Ambulance is used the reimbursement is subject to the conditions that :
- (1) It is certified that the Medical Officer of the Port Trust Hospital that the Ambulance of the Port Trust is not available.
  - (2) It is certified by the Medical Officer in writing that conveyance of the patient by another means of conveyance would definitely endanger the life of the patient or grossly aggravate the condition of his/her health.
  - (3) The Medical Officer should also indicate in his certificate whether the ambulance was used to convey the patient to a place of treatment or from one Hospital to another for purposes of certain medical examination.
- (c) An attendant/escort will be entitled to travelling allowance at the rates admissible under these orders provided it is certified by the Medical Officer that it is unsafe for the patient to travel unattended and that an attendant/escort is necessary to accompany him/her to the place of treatment.

**6. A patient shall be entitled free of charge to treatment/attendance in the Port Trust's Hospital/dispensaries.**

**7. Medical Treatment**

- (i) A patient shall be entitled to free inpatient/treatment in the Port Trust Hospital.
- (ii) Where the Medical Officer refers the patient for treatment in an approved Hospital either due to absence of facilities in the Port Trust Hospital or the residence of the patient/place where the patient had fallen ill is beyond eight kilometers from the Port Trust Hospital, this should be with the specific permission of the Chief Medical Officer in this regard. Where such permission could not be obtained prior to commencement of the treatment this should be obtained immediately after such admission stating the reason therefor.
- (iii) In cases referred to sub-regulation (i) and (ii) above any amount paid by the employee or account of such treatment shall on production of a certificate in writing by the Medical Officer in this regard be reimbursed by the Board. The scale of rates of Kasturba Medical College Hospital, Manipal or of Government Hospital (whichever is higher) for various services including accommodation covered under Sub-Regulation (xv) of regulation 3 will be the ceiling limit for such reimbursement.

**8. Treatment at Residence**

- (i) If the Medical Officer is of opinion that owing to absence or remoteness of a suitable Hospital or to the severity of the illness the patient cannot be given treatment as provided for in regulation 8 above, the patient may receive treatment at his/her residence.
- (ii) A patient receiving treatment at his/her residence under sub-regulation (i) above shall be entitled to receive towards the cost of such treatment incurred by him/her, a sum equivalent of the cost of such treatment as

he/she would have been entitled. Free of charge, to receive under these regulations if he/she had not been treated at his/her residence.

- (iii) Claim as at sub- regulation (ii) above shall be accompanied by a Certificate from the Chief medical Officer stating:
  - (a) Reasons for his opinion as at (i) above;
  - (b) Cost of similar treatment as referred o in sub- regulation (ii) above.

### **9. Other Medical Facilities :**

Reimbursement is admissible for the following kinds of treatment as per these regulations:

- (i) "Venereal Diseases" and "Delirium tremens"
- (ii) Treatment for Sterilisation as a measure of family limitation.
- (iii) Medical termination of pregnancy if performed by Hospitals/ Institutions approved by the Central Government.
- (iv) Dental Treatment such as extraction, scaling and gum treatment of major kind such as treatment of Jaw bone disease. Wholesome removal of teeth if the real source of disturbance for the employee suffering from physiological or other disability is on account of teeth.
- (v) Anti- rabi treatment.
- (vi) Correction of squint (high)
- (vii) Purchase/ replacement/ repair/adjustment of hearing a aid on the recommendation of the E.N.T specialist and payment will be made direct to the supplying agency subject to ceilings prescribed from time to time by the Central Government for their own employees.
- (viii) The wife of an employee is entitled to receive medical attendance and treatment for confinement in the Port Trust hospital/ approved hospital/ State Govt. hospital. This will include expenses connected with prenatal as well as post natal treatment. The confinement

charges at residence will be reimbursed. If the delivery is conducted by the staff of Child Welfare and Maternity Centres maintained by Govt. or local bodies at the schedule rates of such centres.

- (ix) Reimbursement of expenses incurred by the patient for treatment under Indian homeopathic systems of medicine will be admissible as prescribed by the Central Government for their own employees.

#### **10. Procedure for Sanctioning Claims for Reimbursement of Hospital charges:**

- (i) Claims for reimbursement of hospital charges covered under these regulations shall be submitted by the employee in the prescribed form (at present the form of application and the essentiality certificate as prescribed for the Central Govt. Servants is prescribed for the Port Trust employees also) to the Head of the Department within 90 days from the date of completion treatment. In case the treatment is prolonged and continued claims may be submitted in stages for a period of not less than 30 days.
- (ii) Delay in submission of claim beyond the prescribed time limit may be condoned by the respective Head of the Department on merits of each case.
- (iii) The following vouchers and certificates from the hospitals in which the patients has undergone treatment should be submitted by the employee concerned along with the claims in the prescribed form:
  - (a) Hospital Bill with full name of patient and if a family member name and particulars of the employee concerned. The details of the various charges should also be given.
  - (b) Receipt for payment made if the bill itself is not a receipt.
  - (c) Admission and discharge certificate.

- (d) Cash memos for purchase of medicines (need not be stamped or bear the suppliers acknowledgement) shall be countersigned by the Medical Officer of the hospital in charge of the patient.
- (e) For reference to an approved hospital the certificate of the medical officer of the Port Trust Hospital who referred the patient to the hospital.
- (iv) The claims of the employees shall be scrutinized by the respective Heads of Departments and the sanction of the Chairman obtained wherever necessary and the claim forwarded after counter- signature to the Financial Chief Account Officer for payment. In the case reimbursement the claim other than attendance/treatment in Port Trust/approved / State Government Hospitals and requiring the certificate of the Chief Medical Officer and / or sanction of the Chairman. The claim shall be scrutinized by the Financial Adviser and Chief Accounts Officer before sanction by the Chairman in relaxation of these Regulations.
- (v) A sub- register shall be maintained in each department to continuously detail the claim reimbursed in chronological order to enable periodical review to prevent abuse of Medical reimbursement facilities.
- (vi) A patient treatment under allopathic system may purchase medicines from all chemists and Drug- gist's licensed under the drugs and cosmetics act and rules there under. In the case of patient treated under Ayurvedic, Unani, Siddha and Homeopathic system. The medicines shall be purchased only from authorized dealers as per list indicated in Central Services (Medical Attendance) rules 1944.

#### **11. Procedure of Payment to Approved Hospitals**

In all cases where the employees are referred for treatment in the Hospitals approved by the Board under regulation 3 (ii) the payment for the charges payable by the employees will be directly made to those hospitals by the Port Trust If on submission of the final claim it is found that

the payment is in excess of the amount admissible. The excess will be recovered from the pay drawn by the employee immediately thereafter in monthly installments not exceeding four. The Chairman may increase the number of installments examining the cases on their merits.

## **12. Interpretation**

If any question arises as to the interpretation of these Regulations. The same shall be decided by the Board.

## **13. Power to Relax**

The power to relax any of the provisions of these regulation shall rest with the Board.

## **14. Repeal and Saving**

On the commencement of these regulations every rule, regulation, resolution or order in force immediately before such commencement, shall, in so far as it provides for any of the mattes contained in these regulation cease to operate.

## **APPENDIX - I**

### **SANCTIONING AUTHORITY FOR THE PURPOSE OF REIMBURSEMENT OF HOSPITAL CHARGES**

(Vide Regulation 3)

- |   |   |                                  |
|---|---|----------------------------------|
| 1. Claims relating to reimbursement of Hospital charges in respect of Head of Departments | } | Chairman                         |
| 2. Relaxation as per Regulation 10(iii)   |   |                                  |
| 3. Class I to IV employees excluding of Head of Dept                                      |   | Dy. Chairman/<br>Head of Deptts. |

**APPENDIX- II**  
**APPROVED HOSPITALDS**  
(vide Regulation 3(ii))

1. Father Muller Hospital, Kankanady, Managalore (Item No. 8 of Meeting No.3 of 1983-84)
2. Kasturba Medical College Hospital, Manipal at Uniform Concessional rate 10% less than the nominal hospital charges (Item No.15 of Meeting No.9 of 1986-87)
3. Dr. Tonse Madhava Anantha Pai Rotary Hospital, Bejai, Mangalore (Item No.21 of Meeting No.6 of 1989-90)
4. Unity Health Complex, Kankanadi, Mangalore at 30% concessional rates less than the normal hospital charges (Item No. 21 of Meeting No.6 of 1989-90)
5. St. Maratha's Hospital, Bangalore for the treatment for the treatment of employees of New Mangalore Port Trust at Trade Promoting Centre, Bangalore. An amount of Rs. 5000/- has been deposited with the Hospital as security deposit by the New Mangalore Port Trust (Item No. 10 of 3<sup>rd</sup> Board Meeting of 1990-91)
6. Extension / Branches of kasturba Medical College Hospital, Manipal Groups in Dakshina Kannada District.

**REFERENCES AND NOTES**

**REGULATION 2**

Sub-Regulation (i) and (iv) adopted from Madras Port Trust Regulation.

-do- (ii) (iii) adopted from C.S.M.A.Rules

-do- (v), (vi) & (viii) as applicable in Madras Port Trust and NMPT

-do- (vii) adopted from Mormugoa.

### REGULATION 3

Sub-Regulation (i), (ii), (iii), (iv), (v), (vi),(viii), (ix) (xi), (xiii), (xiv) adopted from Madras Port Trust.

-do- (vii) & (xv) from the Madras Port Trust & C.S.M.A. Rules

-do- (x), & (xii) from Mormugoa.

### REGULATION 4

From Mormugao and C.S.M.A.Rules.

### REGULATION 5

Sub-Regulation (i) to (iii) C.S.M.A.Rules.

-do- (iv)- item 7 of Board Meeting of 1992-93 (30-1-1993)

### REGULATION 6

Adopted from Madras, Mormugao.

### REGULATION 7.8.9.10.11-

Adopted from C.S.M.A.Rules.

### REGULATION 12 & 13

Adopted from Mormugao and J.N.P.T. Calcutta.

### REGULATION 14

Adopted from Calcutta.

### NOTES

- (i) The Regulations have been framed taking in to account the existing procedures in the N.M.P.T. and based on C.S.M.A. Rules suitably modified to suit Port Trust conditions drawing on the regulations of other Port Trusts.



- (ii) K.M.C. Hospital, Manipal is recognized by the Central Government with which arrangements have been made by the Government for the treatment of Central Government servants under Rules 2 (d) of C.S.M.A.Rules and as such full reimbursement has been allowed (The Hospital also allows 10% concession rates). The Madras Port Trust allows the same terms for the Hospitals approved by the Board for the Port Trust Employees. In the case of Hospitals approved for treatment by the Port Trust Board as detailed in Appendix II to these Regulations their status is the same as K.M.C. Hospital, Manipal in respect of Central Govt. Employees and the approved Hospitals of Madras Port Trust. As such full reimbursement of Hospital charges are proposed subject to the upper limit of K.M.C. rates already approved by the Govt.
- (iii) In the case of retired employees and higher for use of Ambulance charges the separate regulations are retained.
- (iv) List of admissible medicines on Allopathic system and admissible medicines for Indian system and Homeopathy are adopted from C.S.M.A.Rules.
- (v) Form of application and essentiality Certificate adopted from C.S.M.A.Rules.
- (vi) Provision for direct payment to Hospitals as available in C.S.M.A.Rules for reference to Private Hospital adopted for the Private Hospitals approved for treatment.

(F.N.12016/26/95-PEI)

K.V.RAO, Joint Secretary.