

Reimburse Railway staff for private treatment - TN Bench of CAT

A central government servant is entitled for reimbursement even if he takes treatment in a private hospital under emergent situation, the TN Bench of the Central Administrative Tribunal has held. M Mohamed Salia, Deputy Chief Engineer, Southern Railway, while returning home, suffered a heart attack on November 20, 2008. Due to the urgency of the matter, his wife admitted him in the nearest private hospital Frontier Lifeline, as the Railway Hospital was 10 km away from her residence. After a by-pass surgery and necessary treatment, he was discharged on December 12, 2008. He paid ₹ 3.10 lakh towards hospital bills. When he applied for reimbursement of ₹ 2 lakh to which he was entitled, the railway authorities rejected his claim on the ground that treatment in a non-recognised private hospital without referral by the railway authorised medical officer was not admissible. Hence, the present application rejecting the contentions, CAT judicial member G Santhappa said that in this case, the applicant had produced the emergency certificate and that had not been considered by the railways. The Personnel Branches Circular (PBC) dated May 4, 1994 listed under what circumstances reimbursement of medical expenses could be made. It included that if a patient falls ill at a place where there was no government or railway hospital and that if transporting the patient to the nearest government hospital would result in loss of life, the servant could be admitted in a private hospital. The rejection was against the law laid down by the SC, the tribunal said, set aside the order and directed the railways to sanction the amount in a month.