

JAMMU AND KASHMIR POLICE HEALTH CARE SCHEME (JKPHCS)

1. SHORT TITLE:

The Bye-laws shall be called the Jammu and Kashmir Police Health Care Scheme, here after operate as “JKPHCS”, for the purpose of these byelaws and for the administration of the Scheme.

2. COMMENCEMENT AND APPLICATION:

- a) These Bye-Laws shall come into force from September 2017. The Scheme shall extend to the entire State of J&K and is applicable to all regular employees/SPOs of the Jammu and Kashmir Police irrespective of their cadre or category.
- b) The Scheme shall also be applicable to the employees who are having lien in the Police department and are working in other departments on deputation/allotment, whether in Jammu and Kashmir or outside but within India.
- c) The Jammu & Kashmir Police Health Care Scheme shall be mandatory for all officers/officials including SPOs who are on the rolls of Jammu & Kashmir Police at the time of commencement of Scheme.
- d) The regular Govt employees other than the Police Department who are working in societies/associations (PCD, PHC, PHs, Planning & Statistics Deptt Accounts Services etc) on deputation to Police Department cannot be the members of Jammu and Kashmir Police Health Care Scheme.

3. DEFINITIONS:

Department: Means the Jammu and Kashmir Police Department.

Trust: Means “Jammu and Kashmir Police Health Care Trust” (JKPHCT) registered under J&K Trust Act.

Member Secretary Means a person appointed as such by the Trust

Unit Head Means;
Concerned District Superintendent of Police,
Commandant and Head of the other office units (not below the rank of SSP or Equivalent)

Employee: Means a person who is a permanent employee of J&K Police including SPOs. Persons who are on deputation to the Police department/or are employed on daily wages or contractual basis shall not be covered under this term.

Subscription: Means contributions payable by the member to the Trust fund during a calendar year by way of monthly instalments or/as decided by the Trust. Any review in the subscription will be decided by the Managing Committee/Trust.

Hospital: Any hospital in the State or outside the state earmarked/empanelled by the trust in which the member/family can have the treatment. List of the hospitals is annexed as **Appendix - 1**

Ailment: For the purpose of this scheme the ailment/disease means the classified/specific ailments for which the authorized people (subscriber/dependants) are allowed to take the treatment. List of the ailments is annexed as **Appendix -2**.

Medical Expenditure:

Means amounts incurred and payable for treatment of the member/family in the notified hospitals and diseases as shown in **Appendix 1&2**. It is to be kept in mind that the amount payable from the trust to the hospital will be within the ceiling limit. Excess amount will be borne by the member.

Member: Means member of “Jammu and Kashmir Police Health Care Scheme” admitted after remitting the Admission fee along with the regular subscription as decided by the Trust.

If any employee could not join the scheme at its inception due to some justifiable reason such as being on deputation, long leave or under suspension can avail the facility only after clearing the liability on account of his due subscription. Same procedure shall be adopted for discharged/out of service police personnel on their reinstatement on court directions.

Family: For the purpose of these Bye-Laws means member, his/her spouse and their dependent children restricted to three members only up to the age of 25 years or are employed in any Govt or Private Job, or marriage of daughter(s)/Son(s), whichever is earlier. While getting the benefit of the scheme in respect of the dependants above the age of 18 years the member has to furnish an affidavit that the children for whom he is claiming the benefit is dependent upon the member and in case of daughter that she is dependent and not married. However specially abled children who are dependent on the subscriber (employee) shall be covered under the scheme. For the purpose of this scheme, family means subscriber plus five dependants (Spouse, Kids and Parents). Any member giving the false info shall be liable for the criminal act.

Year: Means the calendar year (1st Jan to 31st Dec)

4. OBJECTIVES:

The sole objective of the scheme is:

- (a) To relieve the Police officers/officials from the mental tension when they have to undergo major surgeries/treatments for which huge amount is required.
- (b) To give them hassle free treatment in the hospitals empanelled by the trust.
- (c) To pay the bills of the treatment directly to the empanelled hospitals within the State and reimbursement for the empanelled hospitals outside the State.
- (d) To give the police officers/officials a sense of security that in the difficult times of life they are not alone but whole police pariwar is at their back.

5. MEMBERSHIP.

Every person working on the rolls of Police including SPOs will be the members of the scheme. The newly appointed recruits undergoing the probations period shall also be covered under this scheme. The persons on deputations in the J&K Police shall not be covered under this scheme. The benefits of the scheme shall be available to the member and his/her spouse as long as he/she continues in Jammu & Kashmir Police service.

Those employees who are retiring on or before December-2017 shall not be eligible to become member of the scheme.

In case both husband and wife are on the rolls of Police Department, the subscription from only one member will be deducted.

6. SUBSCRIPTION:

Since a huge amount is required to run the scheme successfully and to grant the benefits of the scheme to the members an amount of Rs.250/- is proposed to be deducted as a membership fee from the every employee and thereafter an amount of Rs. 300/-, 250/-, 200/-, 100/- is proposed to be deducted from the salaries of GOs, NGOs, ORS, SPOs respectively, so that every member along with his dependents may be Insured/secured for a certain amount in the proportion of their deduction.

Note: If any member of the scheme voluntarily desires to give the higher subscription can do so, but cannot claim any special facility/treatment.

7. CEILING OF THE AMOUNT:

The member of the scheme along with dependents shall be insured/secured for the calendar year for an amount indicated below in proportion of the subscriptions deducted from his/her salary.

GO	₹8 lakh (₹5 lakh for subscriber and ₹3 lakh for dependents)
NGO	₹7 lakh (₹5 lakh for subscriber and ₹2 lakh for dependents)
ORS	₹5 lakh (₹3 lakh for subscriber and ₹2 lakh for dependents)
SPOs	₹3 lakh (₹2 lakh for subscriber and ₹1 lakh for dependents)

Explanation:

If the subscriber does not avail any medical claim or an amount out of the fixed ceiling which remain un-utilized, the amount cannot be utilized by the subscriber for the treatment of his/her dependents. The financial ceiling for a subscriber and his/her dependents are fixed for a calendar year. This cannot be carried forward to the next year in any case.

8. REFERRAL POWERS:

Every Unit Head is empowered to refer the case to the empanelled hospitals after taking a simple application from the member. In case of emergencies the member can directly approach to the hospital for treatment with intimation to the unit head (by telephone, SMS, email or whatsapp). The post-facto sanction shall be granted after examining the case and looking into the genuineness and emergency of the case.

The Unit Head is empowered to recommend for treatment within the state after taking due consultation of his Unit Medical Officer. However, a panel

of three doctors headed by the Medical Superintendent of Police Hospitals Srinagar/Jammu are empowered for referring the case outside the state

9. REIMBURSEMENT:

In case of the minor ailments/surgeries which are not covered under the scheme, the reimbursement shall be covered as per the J&K Medical Attendance Cum Allowance Rules-1990 (as per existing practice). After getting the treatment in government hospitals the reimbursement from the government can be claimed as per the procedure through concerned DDOs. However, no amount of reimbursement shall be paid by the Trust.

10. ISSUE OF IDENTITY CARD:

Each member shall be issued a unique identity card with a specific number and a photograph of the member along with details of the family/dependants duly attested by the competent authority, so as to make it convenient to get the hassle free treatment in the empanelled hospitals.

11. MANAGEMENT:

- i) Management of the scheme shall vest with the Jammu and Kashmir Police Health Care Trust consisting of not less than seven and not more than eleven members including the permanent Trustee.
- ii) The Director General of Police shall be Ex-officio Chairman, the ADGP (Hqrs) PHQ or IGP(Hqrs) PHQ shall be Ex-officio vice Chairman and AIG(Welfare) PHQ as Member Secretary of the Trust. The Chairman in consultation with vice Chairman and Member Secretary of the Trust shall nominate the other members.
- iii) The term of the nominated Trustees shall be for a period of two years and the Trustees shall continue in office till the Chairman nominates new Trustees.
- iv) The nominated Trustee shall be among the members or shall be nominated by the Chairman for his expertises/special skills.
- v) The services of the Trustees shall be honorary. However, on execution of any act for the scheme as directed by the Chairman the “JKPHCT” shall be reimbursed all the lawful expenses incurred by the Trustee after the approval of the Trust.

12. MEETING OF THE TRUST:

The Trust shall meet at least once in three months. For such meeting seven days prior notice shall be given. However the Chairman can call meeting in case of emergency at any time.

13. POWERS OF TRUSTEES:

The trustees shall have the following powers:

- i. To decide all matters relating to the scope and purpose of the scheme.
- ii. To acquire, hold and invest the funds of the Trust as per terms indicated in the Trust Deed.
- iii. To open and operate the accounts with the Bank or Banks.
- iv. To administer the “JKPHCS” and render regular and prompt payments and to take necessary decisions in this regard.
- v. All decisions should be in the form of minutes or resolutions taken by the quorum attended by not less than 2/3rd majority of the Trust.
- vi. To review, enhance or modify the quantum of yearly contribution by the members and to decide whether to enhance or modify the benefits to needy members subject to availability of funds.
- vii. To enter into any agreement with any hospital/society/NGO or any other agency working in this regard to tie up for extending health care facilities for the members of the **JKPHCS**.
- viii. To negotiate and effectuate such agreements with State or Union Governments, local bodies, associations of persons or authorities or other individuals for the purpose of obtaining financial or technical aid or assistance in such terms and in such form as they deem fit for the furtherance of the purposes and objectives of the scheme.

14. POWERS OF THE CHAIRMAN, VICE CHAIRMAN AND MEMBER SECRETARY:

With out prejudice to the delegated Powers under the Trust Deed, the Chairman, Vice Chairman, Member Secretary shall have the following powers.

Chairman:

- a. Shall preside over all the meetings of the Trust.
- b. Shall exercise control over the affairs of the “JKPHCS” and the Trust.
- c. Shall have the power to remove or nominate any vacancy in the Trust.
- d. The decision of the Chairman in respect of nominations and removal of the members of the Trust shall be final.
- e. The Chairman may relax any condition for eligibility of benefit under the scheme in respect of cases of grave emergency necessitating urgent medical treatment of the members or his family members.

- f. If the amount incurred for the treatment is more than the fixed ceiling the Chairman is empowered to call a meeting of the Trust and decide the case(s) depending upon the necessity or urgency on case to case basis and in no case double than the ceiling fixed for the subscriber.

Vice Chairman:

Shall exercise all the powers of the Chairman when he is authorized in writing in this behalf by the later.

The Vice-Chairman may relax any condition for eligibility of benefit under the scheme in respect of grave emergency necessitating urgent medical treatment of the members or his family members.

Member Secretary:

- a. AIG (W) shall be the Member Secretary of the Trust
- b. Shall be responsible for the administration of the Trust subject to the approval of the Chairman and shall have the following powers:
 - i. To prepare notes on agenda items and to attend all the meetings of the Trust.
 - ii. To convene the meetings of the Trust with the approval of the Chairman.
 - iii. To record the minutes of such meetings and get them signed by the Chairman.
 - iv. To supply all information to the members, departmental officers etc, and to carry on the correspondence on behalf of the trust.
 - v. To ensure maintenance of all the books of accounts, registers, documents and their safe custody.
 - vi. To receive subscription on behalf of “JKPHCT” and issue receipts in accordance with the regulations framed in this behalf.
 - vii. To pay all expenses incurred on establishment and contingencies within the budget and within the limits prescribed by the Trust and get them duly ratified by the Trust.
 - viii. To place balance sheets of accounts and payments before the Trust time to time.
 - ix. To open bank accounts and operate them within the limits prescribed by Trust from time to time.
 - x. To draw amounts through cheques/online payment transfer system.
 - xi. Shall sue or to be sued on behalf of the Trust. All bonds in favour of trust shall be in the name of the Member Secretary.
 - xii. To perform any other duties assigned to him by the Trust from time to time.

15. FUNDS:

The Trust shall ordinarily obtain funds from the following sources:

- a. Monthly subscriptions from the members.
- b. Grant in aid from the welfare fund of police department.
- c. Donations, charities and grants from the State or union Governments, local bodies/ associations etc.
- d. Any other miscellaneous revenue.
- e. The main source of the 'JKPHCT' is through subscriptions from the members. However, chairman has the power to add from the welfare fund or any other fund.
- f. The funds of the society shall be deposited with one or more banks as decided by the Trust from time to time.

16. INVESTMENT OF FUNDS:

The surplus funds of the 'JKPHCT' shall be invested in any Nationalised/Scheduled Banks or in any securities or modes of investment with adequate security and to the best monetary advantage of the Trust.

17. ACCOUNTS AND AUDIT:

The official accounting year of the trust shall be from 1st January to 31st December. The book of accounts and financial statements shall be prepared and furnished by the Member Secretary.

The audit of accounts at the end of accounting year shall be done by an external auditor who shall be appointed/engaged by the Trust.

The balance sheet, financial statements and the annual administration reports of the "JKPHCS" and 'JKPHCT' along with the audit report shall be exhibited on the official website of the Jammu and Kashmir Police for the information of all the subscribers within 180 days after closure of the accounting year i.e by 30th June every year.

18. JURISDICTION:

All proceedings legal or otherwise instituted against "JKPHCT" is subject to the jurisdiction of J&K State.

19. AMENDMENTS:

Notwithstanding anything contained in these Bye-Laws the Trustees shall have the power to add, modify or delete clause or clauses of these Bye Laws consistent with the objectives of "JKPHCS", considered for effective and smooth functioning of the Scheme.