



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

224

CWP-8165-2023

Date of decision: 23.10.2024

Sumitra Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Dushyant Saharan, AAG, Haryana.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for directing the respondents to grant the benefit of conveyance allowance admissible to the blind employees, to which learned State counsel makes a reference to para 5, 7 and 9 of the written statement, which reads thus:-

“5. That after consideration, vide this office letter No. 46412 dated 31.10.2018, it was requested to the Director General Health Services, Haryana to guide as to whether she is eligible for conveyance allowance, followed with numerous reminders. In response, the Director General Health Services, Haryana vide their letter No. 14/8/3PM-2019/5919 dated 16.05.2019 intimated this office that before granting the conveyance allowance a fresh Medical of the petitioner would be got conducted from PGIMS, Rohtak as per State Govt. Notification No. 28/195/82-61B-1 dated 12.09.2013 and necessary action would be taken as per Haryana Govt. instructions issued from time to time. It was requested to the Director General Health Services, Haryana that as to whether 75% blindness is congruence to 3/60 field vision or not as per Rule 22 of the Haryana Civil Service (Allowances to Govt. Employees) Rules, 2016. Rule 22 of the Haryana Civil Service (Allowances to Govt. Employees) Rules, 2016, reproduced as under: -
"22. Conveyance allowance to blind and orthopedically handicapped Government employees.-

(1) A Government employee working on regular basis, who is declared-



(i) blind or having vision lost than 3/60 of field vision less than 10 in both eyes by the Head of Ophthalmological Department of a Government Civil Hospital; or

7. That as per Rule 23 of the Haryana Civil Service (Allowances to Govt. Employees) Rules, 2016, the Head of department shall refer the case of concerned Govt. employee to the Head of Ophthalmological or Orthopaedics department, as the case may be, of a Govt. Civil Hospital for obtaining their recommendation for grant of conveyance allowance. After perusal of the disability certificate dated 03.08.2016 issued by the General Hospital, Panipat to the petitioner, it has been found in the said certificate that the facts regarding vision was only and nothing about the visual field was mentioned. The petitioner further submitted a disability certificate No. HC-185 dated 02.03.2022, wherein she was shown 100% blind whereas it is also mentioned in the said certificate that the case is referred to PGIMS, Rohtak for further opinion. After consideration, vide this office letter No. 41953/54 dated 21.09.2022, it was requested to the Head of Ophthalmological Department, PGIMS, Rohtak to check the authenticity of above both disability certificates in view of the guidelines notified by the Central Govt. and State Govt. in this regard. It was also requested to send clear opinion/recommendation for grant of conveyance allowance to the petitioner. The Regional Institute of Ophthalmology, Pandit Bhagwal Dayal Sharma, PGIMS, Rohtak, vide letter No. RIO/11/2022/4005-06 dated 19.11.2022, intimated that the petitioner was examined in Eye OPD and was diagnosed as a case of advanced retinitis pigmentosa involving posterior pole. Such patients have grossly reduced visual acuity which may hinder daily routine activities and also intimated that recommendation for grant of conveyance allowance to the patient may be taken as per Govt. rules. After consideration vide this office letter No. 54617 dated 27.12.2022, it was requested to the Head of Ophthalmological Department PGIMS, Rohtak to constitute a Medical Board for examine the degree of disability in respect of the petitioner and send clear opinion/recommendation alongwith relevant medical certificate for grant of conveyance allowance. It is also intimated that the Civil Surgeon, Panipat vide certificate No. HR0710219740009153 dated 31.05.2022, had issued disability certificate of 100%, blind in relation to both eye, to the petitioner.

9. That in view of disability certificate issued by Civil Surgeon, Panipat vide certificate No. HR0710219740009153 dated 31.05.2022, an administrative decision has been taken and vide letter No. 17712/13 dated 09.05.2023 conveyance allowance has been granted to the petitioner with effect from 31.05.2022 i.e. the date of issuance of 100% permanent disability certificate



in relation to her both eyes. Copy of the letter dated 09.05.2023 is annexed as Annexure R-1. Accordingly, the arrears of conveyance allowance w.e.f. 31.05.2022 to 30.04.2023, amounting to Rs. 43,531/- (Forty three thousand five hundred thirty one only), has been calculated and the same has been disbursed to the petitioner by the Superintendent Jail, District Jail Panipatby EPS No. 1700159690 dated 10.05.2023. Copy of the letter dated 10.05.2023 is annexed as Annexure R-2.”

2. In view of the above, the present petition is disposed of, reserving the liberty to the petitioner to get it revived, in case any grievance still subsists.

(AMAN CHAUDHARY)
JUDGE

23.10.2024
Hemant

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No