

Recd
26/10/15

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE GENERAL OF HEALTH SERVICES (EWS BRANCH)
F-17, KAKARDOOMA, DELHI-110032

F.13/Meetings/DHS/HQ/2014/ 128342

Dated:- 20.10.2015

MINUTES OF THE MEETING OF THE SPECIAL COMMITTEE, CONSTITUTED BY HIGH COURT OF DELHI VIDE JUDGEMENT DATED 22/03/2007 AND ORDER DATED 17/07/2007 IN WP(C) NO.2866/2002 IN THE MATTER OF SOCIAL JURIST VS. GNCTD

A meeting of the Special Committee was held under the chairmanship of the Secretary (H&FW), Department of Health & Family Welfare, GNCTD on 07/10/2015 at 4.30 PM in his chamber, 9th level, A-Wing, Delhi Secretariat.

The meeting was attended by the following officers:

1. Dr. Sunil Bhatnagar, Officiating Director General (ex officio Member)
2. Sh. S.K. Gupta, Deputy Secretary finance, (ex officio Member)
- ✓ 3. Sh. Ashok Aggarwal, Advocate (PIL Petitioner)
4. Dr. R.N. Das, OSD to Health Minister
5. Dr. Hem Prakash, Addl. Director(EWS)
6. Dr. J.S. Dheer, Medical Officer(EWS)

The agenda of the meeting was as under:

1. Regarding recovery of unwarranted profits from identified private hospitals
2. Regarding monitoring of treatment of EWS patients in identified private hospitals.

At the outset, Secretary (H&FW), GNCTD welcomed all the participants and the agenda

was discussed point-wise and the following decisions were taken:

A. Recovery of unwarranted profits shall be made from the following 05 (five) identified private hospitals for the time being:-

S.No	Name of the Hospital	Name of Society	Respondent No. in WP (C) 2866/2002
1.	Pushpawati Singhania Research Institute	Laxmipati Singhania Medical Foundation	Respondent No.8
2.	Dharamshila Cancer Hospital & Cancer Institute	Dharamshila Cancer Foundation & Research Centre	Respondent No.9
3.	Escorts Heart Institute & Research Centre	Escorts Heart Institute & Research Centre	Respondent No.10
4.	Max Super Speciality Hospital, Saket (East -Wing)	Devki Devi Foundation	Respondent No.11
5.	Shanti Mukand Hospital	Mukand Lal Memorial Foundation	Respondent No.14

Furthermore, it was decided that recovery shall be made for the period from the financial year the concerned hospital became functional till financial year 2006-07 (i.e. till the date of judgement) and the calculation of the recoverable amount shall be as per the directions mentioned in Para 88 of the judgement dated 22/03/2007 in WP(C) No. 2866/2002.

The Special Committee shall provide a hearing to the aforementioned five affected hospitals before passing a final order as per the directions mentioned in Para 87 of the judgement dated 22/03/2007 in WP(C) No. 2866/2002. The final order shall be for recovery of outstanding amount, the format of which shall be prepared by EWS Branch and shall be vetted by Sh. Ashok Agarwal, Advocate (PIL petitioner) before issue.

For the time being, no recovery to be made from the other 15 hospitals who were respondents in WP (C) No.2866/2002 since both the Committees appointed by the Hon'ble High Court of Delhi during the pendency of the aforesaid writ petition, namely, Joint Committee and Maninder Acharya Committee, found these hospitals to be fully or partially

complying with the condition, hence, the condition imposed in the judgement for these hospitals is prospective.

B. Monitoring of treatment of EWS patients in identified private hospitals

It was decided that the monitoring of the identified private hospitals is to be decentralized and the concerned Director Health Services of the region in which the hospital is situated along with the CDMO of the district shall monitor the treatment of EWS patients in the identified private hospitals. The existing Monitoring Committee constituted by Govt. of NCT of Delhi shall continue to function and the convenience of Sh. Ashok Agarwal should be taken into consideration before fixing the date of inspection.

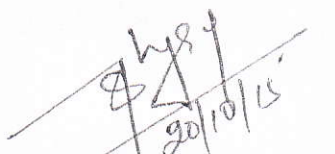
The meeting ended with a vote of thanks to the chair.

This issues with the prior approval of Secretary(Health).

Copy to:

- 1 PS to Secretary (Health)
- 2 All participants

(Dr. Hem Prakash)
Addl. Director (EWS)


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