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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 22nd August, 2025

+ **W.P.(C) 3903/2017 & CM APPLs. 18718/2017, 19134/2017 & 27526/2018**

COURT ON ITS OWN MOTION

.....Petitioner

Through: Mr. Ashok Agarwal & Ms. Ashna Khan,
Advs. Amicus Curiae. (M:
9811101923)

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Avnish Ahlawat, SC, GNCTD with
Mr. N. K. Singh, Ms. Aliza Alam, Mr.
Mohnish Sehrawat & Mr. Amol Rana,
Advs.
Mr. Nikhil Kumar, Secretary, Health &
Family Welfare, GNCTD.
Mr. Tushar Sannu & Ms. Shaoni Das,
Advs.
Mr. Sagar Saxena, Mr. Parneet Singh &
Mr. Sarthak Pandey, Advs.
Ms. Arunima Dwivedi, CGSC with Mr.
Saiynam Bhardwaj, Ms. Monalisa
Pradhan & Ms. Himanshi Singh, Advs.
Mr. Ravinder Agarwal, Mr. Manish
Kumar Singh & Mr. Vasu Agarwal,
Advs. for UPSC.
Mr. Amit Tiwari, CGSC with Ms.
Ayushi Srivastava & Mr. Ayush
Tanwar, Advs.
Mr. V Shashank Kumar, Adv. for Mr.
V.S.R. Krishna, Adv. for AIIMS

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+ **W.P.(C) 8548/2017 & CM APPLs. 985/2024 & 50101/2024**



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Mr. V Shashank Kumar, Adv. for Mr.
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CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MANMEET PRITAM SINGH ARORA

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. On the previous date of hearing *i.e.* 25th April, 2025, the Court had issued certain directions to the Government of National Capital Territory of Delhi (*hereinafter*, 'GNCTD') with respect to filing of status report on various aspects.
3. Pursuant to the directions passed by the Court on 25th April, 2025, two status reports were placed on record dated 26th May, 2025 and 10th July, 2025 by GNCTD and the same were perused by this Court on the last date of hearing



i.e. on 8th August, 2025. Accordingly, the following order was passed on 8th August, 2025 -

“6. After perusing the status reports, one of the serious concerns is about the 24 hospital projects which are semi-constructed and no work was being undertaken in respect thereof. The status report dated 26th May, 2025 records that the Review Committee has been constituted vide order dated 23rd May, 2024 and they are to give their detailed report in respect of the construction of all these hospitals.

7. Since more than two months have passed since the said status report has been filed, it is expected that substantial progress would have been undertaken. Accordingly, let an updated status report be placed before this Court.

8. The Secretary, Health, GNCTD is directed to join the Court proceedings on the next date of hearing, either physically or virtually.

9. Insofar as recruitment of staff is concerned in respect of the following posts, the advertisement has been withdrawn/cancelled:

- i) Audiometric Assistant*
- ii) Assistant Security Officer*
- iii) Occupational Therapist*
- iv) Physiotherapist.*

10. Let the advertisements in respect of these posts, if not already given, be given again and the process of recruitment be commenced. The reasons for cancellation of the advertisement shall also be placed in the next status report.

11. Mr. Aggarwal, Id. Counsel points out that one of the recommendations in the Dr. S.K. Sarin Committee



report was for creation of dedicated Palliative Care Hospitals. In respect of this recommendation as well, the GNCTD shall provide its stand in the status report.”

4. Further to the above directions of this Court, a status report dated 21st August, 2025 has been filed on behalf of GNCTD. The same is taken on record. Relevant submissions made in the status report are recorded as under:

A. National Informatics Centre’s NextGen eHospital:

5. Mr. Nikhil Kumar, Secretary, Health & Family Welfare, GNCTD (*hereinafter ‘Health Secretary’*) has joined the proceedings virtually. In terms of the said report dated 21st August, 2025, Next Gen eHospital is stated to have been implemented by the Ministry of Health & Family Welfare, GNCTD (H&FW, GNCTD) in all hospitals w.e.f. 27th June 2025.

5.1 On being queried, the Health Secretary submits that the National Informatics Centre (*hereinafter, ‘NIC’*) has developed the Health Management Information System (*hereinafter, ‘HMIS’*) and that there are different modules in the same.

5.2 The OPD & IPD modules have already been implemented, and the training has been provided to all the relevant staff and all the hospitals. However, since the training in itself is a cumbersome process, the same has been done for two modules.

5.3 There are other modules such as the ICU module which would also be there and therefore, after looking at the HMIS software implementation, the hardware is also to be provided, which is a continuing process.

6. In view of the above submissions, let a status report be filed giving the



following details:

- (i) Total number of modules to be implemented in the HMIS software;
- (ii) The actual implemented modules and their status in all the hospitals;
- (iii) The remaining modules to be implemented with a specific timeline.

7. The report shall specifically answer the question as to whether, whenever a patient in Delhi calls the concerned helpline number and the type of medical emergency is noted down, whether the HMIS software will enable the patient to be taken to the hospital where the bed and necessary expert staff is available.

8. The said report shall be prepared keeping in mind that the intent and purpose of the HMIS software, as was contemplated in the Dr. S.K. Sarin Committee report was to make the hospitals accessible, especially in the case of critical care and emergency, so that patients do not have to run from pillar to post, and are able to be transported to the hospital where there is space and expertise for accommodation and proper treatment. Bearing the above in mind, the status report shall be filed by the next date of hearing.

B. Joining of Doctors- Non-teaching specialists, teaching specialists & GDMOs:

9. As per the report, out of 232 dossiers provided by UPSC, 129 GDMOs have joined the post and the joining of the rest of the candidates is under process.

9.1 Against the recruitment of 258 non-teaching specialists, 144 dossiers are received from UPSC and posting orders have been issued.

9.2 Recruitment of 21 non-teaching Specialists (radio- diagnosis) is under process with the UPSC. The UPSC has been requested to



expedite the matter with respect to the said joining.

9.3 Ld. Counsel for the UPSC submits that insofar as the post of radiologists is concerned, the advertisement has been issued on 24th May 2025 and this is the only outstanding assignment which is now to be undertaken. It is further submitted that the same is likely to be concluded in four months.

10. Accordingly, let the UPSC continue the process for recruitment of radiologists and submit the necessary dossiers to the GNCTD before the next date of hearing.

C. Engagement of Paramedics and Nursing Staff:

11. In a major recruitment drive, 1394 e-dossiers for the post of Nursing Officers are stated to have been sent to hospitals for further course of action. Thereby, hospitals have issued offers of appointment to the candidates and thus, the recruitment shall be completed shortly.

11.1 Further, 996 posts for the paramedical staff were advertised by the Delhi Services Subordinate Selection Board (*hereinafter, 'DSSSB'*) out of which, recruitment for the 42 posts (05 posts of different cadre) have been completed.

11.2 The recruitment of rest of the posts of paramedical staff is pending with DSSSB at different stages, as under:

- i. Posts for which exam has been conducted but result awaited : 755 posts**
- ii. Posts advertised by DSSSB but exam yet to be conducted: 199 posts**

Thus, it is submitted that the recruitment for the above posts shall be



completed shortly. Ms. Ahlawat, Id. SC for GNCTD submits that in respect of the posts in which exams are to be conducted, results are likely to be declared in October-November 2025.

D. Procurement of radiological diagnostic services through PPP:

12. It is submitted on behalf of the GNCTD that the procurement of radiological diagnostic services through PPP is already in process.

12.1 In this regard, request for proposal (RFP) has already been floated for engagement of Transaction Advisors for consultancy related to the Commissioning operations and of Radiological Diagnostic Services through PPP.

12.2 The first tender in this regard was published on 28th June, 2025. However, only one bid was received. Therefore, re-tender has been published for empanelment of transaction advisors and the date of tender opening is 29th August, 2025.

E. Opening of Jan Aushadhi Kendras (JAK) inside each hospital:

13. It is submitted on behalf of the GNCTD that the opening of JAK inside each hospital has already been implemented.

13.1 It is submitted that 26 JAKs are already established and are running presently in or near the premises of different hospitals in Delhi.

F. Construction of greenfield and brownfield projects:

14. Apart from the status which has previously been reported, the Health Secretary, GNCTD has also informed the Court that insofar as 11 green field projects are concerned, a transaction advisor has been approved.



14.1 The request for proposal has also been uploaded, and two bids have been received on 19th August 2025. Thus, the transaction advisor is likely to be appointed very shortly.

15. Let the appointment of the transaction advisor and their mandate in terms of the request for proposal, as also the timeline for the transaction advisor be placed on record.

16. The transaction advisor shall also be impressed upon that this Court is monitoring the present matter and therefore, the timelines which are fixed would be strict in nature so that they can submit proper reports in respect of the renovation/operationalisation of the 11 hospitals in the greenfield on the PPP model.

17. Insofar as the five hospitals which are to be inaugurated are concerned, the Health Secretary, GNCTD has informed the Court that the inauguration of these hospitals is due to be done shortly and inspections have also been conducted.

18. The staff for these hospitals is also available, as per Ms. Ahlawat, either through the staff which has already been recently recruited or through the staff and resources which are already available in the hospitals.

19. Let a detailed status report *qua* each of the hospital, both, in terms of operationalisation and staff which has been posted, be placed on record before the next date of hearing.

20. With respect to the four hospital projects which are to be completed within 2025-26, let the timelines and the status regarding the date of various stages of completion and the final timelines be also placed before this Court by the next date of hearing.

21. With respect to Lok Nayak Hospital, the progress of the project shall



also be placed on record before the next date of hearing.

22. For various reasons given, the Remodelling of two hospitals is being foreclosed, i.e., Aruna Asaf Ali Government Hospital – OPD Block and Casualty Block at Lok Nayak Hospital on the ground that the same are not feasible. The said status is taken on record.

23. Phase-1 of the Deep Chand Bandhu Hospital is stated to have been completed and inaugurated. It is informed that the remaining phases have not been found to be feasible. Thus, the next status report shall also place the reasons for the same on record.

24. In terms of the fresh directions of this Court vide order dated 8th August 2025, the status on behalf of GNCTD is as under:

<u>Sl. No.</u>	<u>Name of Posts</u>	<u>Status/ Clarification</u>
1.	Audiometric Assistant	<p>The requisition for the vacant post of Audiometric Assistant was withdrawn as recruitment is through deputation, failing which by direct recruitment, as per Recruitment Rules of the post. Since no deputation applications were received, the post will now be filled through direct recruitment by DSSSB. Requisition to DSSSB has been prepared.</p> <p>Meanwhile, hospitals have been authorized to fill these posts on an outsourced basis till regular recruitment.</p>



2.	Assistant Security Officer	Security services are filled on outsourced basis thus the post had been withdrawn as the Competent Authority has directed to fill up the post through outsourced basis and the same has been conveyed to concerned hospitals to fill up these posts on outsourced basis.
3.	Occupational Therapist	<p>The requisition of vacant post Occupational Therapist was withdrawn due to the issue of amendment in Recruitment Rules. Same has been submitted to UPSC for amendment and some clarification has been sought for which file has been sent to Finance Department, GNCTD.</p> <p>Further, hospitals have been authorized to fill up these posts on an outsourced basis till the posts are filled on a regular basis.</p>
4.	Physiotherapist	The requisition of the vacant post of Physiotherapist was withdrawn due to issue of amendments in Recruitment Rules. Same was submitted to UPSC and some clarification has been sought which is being replied/clarified.

25. Mrs. Ahlawat, Id. SC, GNCTD submits that the actual status as to whether the hospitals have availed of these services, either on outsourcing basis or contractual basis shall be placed on record along with the next status report.

26. Insofar as the palliative care centres are concerned, the status report



states as under:

“4. That with regard to para 11 of the Hon'ble Court order dated 08.08.2025, it is submitted that facility for Palliative Care is already being run in Delhi State Cancer Institute & Institute of Human Behaviour and Allied Science (IHBAS). Further 03 more palliative care centres are planned for operation by 2026 at Deen Dayal Upadhaya Hospital (DDUH) -640 bedded Maharishi Valmiki Hospital (MVH) - 150 bedded and Pt. Madan Mohan Malviya Hospital (PMMMh)-100 bedded.”

27. The Court has perused the status report dated 21st August, 2025, filed by GNCTD.

28. One of the fundamental reasons as to why the Court started *suo moto* action in this case was due to lack of ICU beds and immediate information to the citizens for the purpose of availing such ICU beds, OPD services and IPD services.

29. The State Government may, therefore, consider as to the manner in which through HMIS, software either through a web based application or through a handheld device based application, this information shall be made available to the citizens of Delhi who, in case of emergency and otherwise, whenever they need medical care, can know as to the availability of beds, doctors and expertise so that they can approach the relevant hospital for obtaining the requisite medical care.

30. In the opinion of this Court, this is very critical in the case of ICU patients where patients are made to move from hospital to hospital, looking for an ICU bed. The Health Secretary, GNCTD has assured the Court that with the HMIS software implemented, this issue shall be flagged and some solution shall be



placed on record in this regard.

31. The reports provided by Dr. S.K. Sarin Committee, including the interim report and the final report shall be considered before suggesting any solutions.

32. The Health Secretary, GNCTD has also informed the Court that various recommendations made in Dr. S.K. Sarin Committee report has in fact, been considered at the time of development of HMIS software.

33. It is further directed that the Director, AIIMS shall convene a meeting of all the relevant officials and then present a status report by the next date of hearing.

34. Mr. Ashok Agarwal is permitted to attend the meeting with the Director, AIIMS.

35. List on 31st October 2025.

**PRATHIBA M. SINGH
JUDGE**

**MANMEET PRITAM SINGH ARORA
JUDGE**

AUGUST 22, 2025

kk/ss

(corrected & released on 26th August, 2025)