

**GOVERNMENT OF INDIA  
MINISTRY OF HEALTH AND FAMILY WELFARE  
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA  
UNSTARRED QUESTION NO.1212  
TO BE ANSWERED ON 28<sup>TH</sup> JUNE, 2019**

**TREATMENT OF THE POOR AT PRIVATE HOSPITALS**

**1212. SHRI GIRIDHARI YADAV:  
SHRIMATI RAMA DEVI:**

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether the Government has taken note that hospitals which were given land by the Government at concessional rate refuse to give treatment to the poor, if so, the details thereof along with the action taken in this regard;
- (b) whether the Hon'ble Supreme Court has directed the Central Government to ensure providing free treatment to 25 per cent of OPD patients and 10 percentage of IPD patients, in connection with the Writ Petition No. 2866/2002;
- (c) if so, the reason for not taking action by the Government on its own according to the prescribed terms and conditions which resulted in court intervention; and
- (d) the reaction of the Government in this regard and punitive measures taken against officers held guilty in this regard?

**ANSWER  
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND  
FAMILY WELFARE  
(SHRI ASHWINI KUMAR CHOUBEY)**

(a) to (e): As per Constitutional provisions, 'Health' is a State subject. It is within the domain of State/UT Government to ensure that hospitals given land at concessional rates provide free treatment to the poor. Since this is a State matter, Union Ministry of Health and Family Welfare does not maintain details in this regard.

As per information furnished by the Land and Development Office (L&DO), Union Ministry of Housing & Urban Affairs, land has been allotted to the following private hospitals of Delhi on concessional rates:-

- i Sir Ganga Ram Hospital
- ii Veeranwali International hospital (Delhi Hospital Society)/PRIMUS-ORTHO
- iii Dr. Vidya Sagar Kaushalya Devi Memorial Trust (VIMHANS)
- iv Moolchand Khairati Ram Hospital
- v St. Stephens Hospital
- vi An additional strip of land measuring 773 square yards was allotted to R.B. Seth Jessa Ram Hospital for expansion of the hospital. Initially the land had been allotted by DDA.

In pursuance of directions issued by the Hon'ble High Court of Delhi in Writ Petition(C) 2866/2002 in the matter of Social Jurist Vs. GNCT Delhi and others, the Govt. of NCT Delhi had issued guidelines for provision of free treatment facilities to patients of Economically Weaker Section (EWS) category. The Hon'ble Supreme Court vide its order dated 01.09.2011 has ordered that 25% OPD and 10% IPD patients have to be given treatment free of cost. Accordingly, vide order dated 02.02.2012, Government of India took a policy decision that all the six private hospitals which have been provided land by L&DO on concessional rate must strictly follow the policy of providing treatment free of cost to 25% OPD and 10% IPD EWS patients.

As per information made available by L&DO, out of six hospitals to whom L&DO had allotted the land on concessional rate, two hospitals, namely, St. Stephen Hospital and Moolchand Khairati Ram Hospital failed to comply with the mandatory condition and filed Writ Petition before the Hon'ble High Court, who passed the order dated 28.04.2014. The Department filed SLPs in the Hon'ble Supreme Court of India against the order of Hon'ble High Court. Now, the Hon'ble Supreme Court vide order dated 09.07.2018 has made it mandatory for the above mentioned hospitals to strictly observe the condition of providing treatment free of cost to 10% IPD and 25% OPD Economically Weaker patients.

Government of NCT of Delhi has constituted a Monitoring Committee for this purpose. As and when any complaint is brought to the notice of the Land & Development Office by the Directorate of Health Services, Govt. of NCT of Delhi, action under lease terms is initiated against the erring hospital, which *inter-alia* includes issuance of show-cause notice, cancellation of allotment, etc.