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

Date of Decision: 7th August, 2026

Uploaded on: 12th August, 2026

CNR No. DLHC012320462017

+ **W.P.(C) 3903/2017**

COURT ON ITS OWN MOTION

.....Petitioner

Through: Mr. Vishwajeet Singh Bhati, Adv for
Mr. Siddharth Aggarwal Sr. Adv.

versus

UNION OF INDIA & ORS

.....Respondents

Through: Ms. Arunima Dwivedi, CGSC with
Ms Himanshi Singh Adv Ms
Monalisha Pradhan Adv. for UOI.
Mr. Amit Tiwari, CGSC with Ms.
Ayushi Srivastava, Mr. Arpan Narwal
& Mr. Kushagra Malik, Advs. for
UOI.
Mr. V.S.R. Krishna, Adv. for AIIMS.
Mr. Ravinder Agarwal, Mr. Manish
Kumar Singh & Mr. Vasu Agarwal,
Advs. for UPSC.
Mrs Avnish Ahlawat, SC, GNCTD
Services, Mr Nitesh Kumar Singh, Ms
Aliza Alam, Mr Mohnish Sehrawat,
Advs.
Mr. Rakesh Malhotra, Mr. Bharat
Malhotra and Ms. Gayatri Bhatia -
Advocates for MCD.

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CNR No. DLHC014464172017

+ **W.P.(C) 8548/2017**

COURT ON ITS OWN MOTION

.....Petitioner

Through: Mr Kumar Utkarsh, Adv. for Amicus -
Mr. Ashok Agarwal Adv.



versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Ravinder Agarwal, Mr. Manish Kumar Singh & Mr. Vasu Agarwal, Advs. for UPSC.

Mr. V.S.R. Krishna, Adv. for AIIMS.
Mrs Avnish Ahlawat, SC, GNCTD Services, Mr Nitesh Kumar Singh, Ms Aliza Alam, Mr Mohnish Sehrawat, Advs.

Mr. Rakesh Malhotra, Mr. Bharat Malhotra and Ms. Gayatri Bhatia - Advocates for MCD

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. Further to the last order dated 3rd July, 2026, the Court has been informed that the patient– Mrs. Kamar Jahan has been provided an ICU bed at the LNJP Hospital and she is receiving treatment from the said hospital. In view thereof, the issue insofar as Mrs. Kamar Jahan is concerned, stands closed.

Audit of 38 GNCTD hospitals

3. On the last date of hearing, the Court, while observing certain inconsistencies in use of the NextGen e-Hospital Management Information System (HMIS) across hospitals in Delhi, had issued directions to the NIC to conduct a surprise inspection/audit across 38 hospitals in Delhi.
4. Pursuant to the said directions, a detailed report has been placed on record by Ms. Arti Garg, Scientist-D, Joint Director (IT), MeitY and NIC,



Government of India.

5. Ms. Arti Garg and her team are also present in Court today.

6. In terms of the orders passed by this Court on 3rd July, 2026, the NIC constituted two teams and these teams visited the 38 hospitals in Delhi between 13th to 24th July, 2026.

7. The required logistical arrangements were provided by the GNCTD as per the report. The three issues which were to be addressed during the Audit of the 38 hospitals are as under:

- a) Whether the number of available ICU beds in the hospitals are properly reflected and updated on the website or not;
- b) Whether the phone calls which are being received in emergency situations seeking assistance for ICU beds are being properly attended to or not;
- c) Whether the NextGen e-Hospital Management Information System (HMIS) is being uniformly and consistently implemented in all the 38 hospitals or not.

8. Thus, the audit with respect to implementation of the NextGen e-Hospital Management Information System (HMIS) and *ICU Beds Saarthi* in 38 hospitals of GNCTD was undertaken through a surprise inspection. An audit report dated 31st July, 2026 has been submitted., The inspecting team from the NIC is stated to have prepared a questionnaire to make the audit easily understandable. On the three aspects stated above, the audit report states as under:

“Question 1: Whether the number of available ICU beds in the hospitals are properly reflected and updated on the website or not.

The number of vacant beds displayed in the State Health



Data Management Portal and the actual number of vacant beds in the ICUs were matching in most of the ICUs. However, in few cases, there was slight difference between the number displayed in the Portal and the actual number of vacant beds in the ICUs. The staff in the ICUs informed that this difference is due to admissions/transfers that happened after the status is updated in the website.

Delhi ICU Beds Saarthi Mobile App (which was available to the citizen during the last court of hearing) is displaying the ICU Beds availability status from the Delhi State Health Data Management System (<https://cfwcst.delhi.gov.in/healthdashboard/icu>). The status of ICU Beds availability is manually updated by the concerned hospitals on this website (on an avg. 3 times a day).

Once all the hospitals start using the IPD module (Admission/Transfer/Discharge) of NextGen eHospital application, the status of ICU bed availability would be available real-time to the citizens through a new Mobile App (which has been developed and is undergoing security audit)

Question 2: Whether the phone calls which are being received in emergency situations seeking assistance for ICU beds are being properly attended to or not;

While dialing the phone numbers, appropriate and useful responses were received in some cases. However, in some other cases the phone numbers were not responsive. The concerned hospital authorities were notified immediately and suggested to take the corrective measures.

Question 3: Whether the NextGen e-Hospital Management Information System (HMIS) is being uniformly and consistently implemented in all the 38 hospitals or not.

The applicable modules of NextGen eHospital



Application are configured in the hospitals of GNCT Delhi and capacity building is also being done continuously. However, the usage of the modules varied from hospital to hospital. Eighteen (18) hospitals were using more than 10 modules, and the remaining Twenty (20) hospitals were using 5 to 10 modules of NextGen eHospital. The hospitals were suggested to adopt and use applicable modules on immediate basis.”

9. Along with this audit report, a detailed hospital-wise audit statement has also been provided by the NIC in respect of each hospital as to the facilities that are available in the said hospitals.

10. The audit report is quite detailed and has a proper tabular statement of each of the hospitals. While in some hospitals, it is seen that the e-Hospital Management Information System is being implemented either fully or partially, however, in several hospitals, there are various deficiencies. The deficiencies stipulated in the detailed hospital-wise audit report is contained in the tabular statement with the report.

11. As per the detailed hospital-wise report, the deficiencies in implementation of e-Hospital Management Information System across the 38 hospitals are due to several reasons:

- i) lack of staff;
- ii) lack of technical manpower;
- iii) lack of sufficient computer systems & IT infrastructure;
- iv) lack of leased line connectivity.

12. The Court has perused the detailed audit report and a copy thereof has been handed over to Ms. Nathrani, Id. Counsel appearing for the GNCTD.

13. Let this detailed report along with the tabular statement be forwarded by the Secretary, Department of Health & Family Welfare, GNCTD, to each



of the 38 hospitals to obtain their comments.

14. Thereafter, a comprehensive report be filed by the Secretary, Department of Health & Family Welfare, GNCTD as to what steps are being taken for removal of all these deficiencies and the timelines for the same. The said status report be filed at least two days before the next date of hearing.

15. In the meantime, the team of NIC can conduct one more surprise inspection/audit of all the 38 hospitals in Delhi to see if there is any further change after the previous inspection/audit for which the logistical arrangements shall be provided by the Secretary, Department of Health & Family Welfare, GNCTD.

Toll-free Number:

16. In addition, on 3rd July, 2026, the Court had also directed GNCTD to consider setting up of a toll-free number with at least 10-20 lines to make emergency services and ICU beds related enquiry available.

17. In respect thereof, a report has been handed over by the Id. Counsel for GNCTD. The said report is taken on record. As per the report, it has been stated as under:

“5. In compliance with the aforesaid direction, the matter was examined by the Department of Health & Family Welfare, GNCTD. It is respectfully submitted that during a meeting convened under the Chairmanship of the Worthy Secretary, Health & Family Welfare, GNCTD, the feasibility of establishing a dedicated helpline was considered. Upon such consideration, it has been approved that the existing toll-free number operated by the Centralised Accident & Trauma Services (CATS) shall be utilised as the common helpline for emergency services as well as enquiries relating to ICU bed availability and hospital speciality information.”



6. That the utilisation of the existing CATS toll- free infrastructure has been found administratively feasible and would facilitate dissemination of information regarding ICU bed availability and specialised treatment facilities without duplication of infrastructure. That necessary administrative steps are being undertaken for operationalisation of the said arrangement.”

18. As per the above, the Centralized Accident and Trauma Services (CATS) is proposed to be utilized as a common helpline for emergency services and ICU beds availability etc. in Delhi. However, from the report, it is not clear as to which is the CATS number which can be used for the said purpose and whether the persons who are answering the CATS telephones are provided with the information relating to availability of ICU beds and hospital speciality information or not.

19. As of today, the CATS contact numbers which are available online are as under:

- **102 & 112 (Toll Free Numbers);**
- **7291000071;**
- **7291000078;**
- **7291000093;**
- **7291000094.**

20. Further, the affidavit filed on behalf of GNCTD also seeks to state that there would be a designated ‘Referral Coordinator’, insofar as referring patients from one hospital to the other is concerned. However, the details of the said Referral Coordinator and where his number is available is also not clear from the status report.

21. Let Mr. Rajesh Kumar, Deputy Secretary, Health and Family Welfare



Department, GNCTD, file a better status report giving more details, including the CATS contact number which the GNCTD intends to use as a common helpline number in Delhi. Further, the status report shall also clarify the details of the Referral Coordinator, as suggested to be designated by GNCTD to coordinate amongst the hospitals in Delhi.

22. Mr. Rajesh Kumar, Deputy Secretary, Health and Family Welfare Department, GNCTD shall also join the proceedings either physically or virtually to assist the Court on the next date of hearing.

23. Ms. Arti Garg, Scientist-D, Joint Director (IT), MeitY and NIC, Government of India is also requested to inform the Court through their status report, as to the manner in which this CATS is functioning and as to whether the appointment of the Referral Coordinator would be sufficient in meeting the deficiencies, as stated in their audit report or not.

Unused equipment lying in hospitals

24. Insofar as directions issued on 3rd July, 2026, with respect to giving details of unused equipment lying in the hospitals in Delhi are concerned, a detailed list has been placed on record on behalf of GNCTD.

25. The list reveals that there is a large quantum of equipment across 26 hospitals in Delhi which are not being used due to lack of technical manpower or due to lack of proper accessories or principal equipment.

26. In some hospitals such as Delhi State Cancer Institute, the amount of equipment lying unused is extremely high and it is not clear as to why such expensive equipment is lying unused and what steps have been taken by the hospitals or the Services Department, GNCTD, to provide the manpower required for operating these equipment.

27. The unused equipment is also extremely critical and is to be used in



diagnosis and treatment of cancer. The said equipment appear to be manufactured by globally well-known companies and it is unclear as to why such equipment is being permitted to lie unused after enormous investment having been made into the same.

28. The situation of Guru Teg Bahadur Hospital (GTB Hospital) is also quite shocking where there are 400 ventilators and 910 oxygen concentrators which are lying unused. According to the hospital, the same were required and donated during the COVID-19 pandemic but are now lying in the GTBH Store as they are excess in number.

29. Even the ECG machine in the GTB Hospital is now non-functional and there is no other ECG machine mentioned in the said report. Hence, the hospital, in all likelihood, is functioning without an ECG machine, which is an extremely important piece of equipment for a healthcare institution.

30. In addition to this, there are also a few hospitals in the list, including the Deen Dayal Upadhyay Hospital and Ch. Brahm Prakash Ayurved Charak Sansthan, where almost all the equipment and machines are lying unused.

31. The only response that is forthcoming presently is that there is no technically qualified man-power for using this equipment. In some cases, some parts or accessories are missing.

32. With respect to the issues raised above, the Secretary, Department of Health & Family Welfare, GNCTD, along with the Secretary, Services, GNCTD, shall hold a joint meeting with each of the Medical Superintendents/Directors of these 26 hospitals to analyse the situation *qua* each of the hospitals. The steps that may be required to be taken in this regard would be as under:

- i) providing of technical manpower for running of the equipment;



- ii) removal of unused and condemned equipment;
 - iii) re-allocation of equipment which is lying unused in one hospital to another hospital where there may be a requirement;
 - iv) if the hospitals are to undertake recruitment on their own or if the Services Department has to make the recruitment, then the timelines for the same shall be provided;
 - v) providing accessories and principal equipment wherever the chart indicates that the same is needed and coordination with the companies who manufactured these machines for the said purpose.
33. The said meeting shall take place on **17th August, 2026 at 11:30 a.m.** in the office of the Secretary, Department of Health & Family Welfare, GNCTD who shall then file a comprehensive status report on all these aspects at least two days before the next date of hearing.
34. List on 18th September, 2026.

PRATHIBA M. SINGH
JUDGE

MANMEET PRITAM SINGH ARORA
JUDGE

AUGUST 7, 2026
Rahul/ss