



LEGISLATIVE ASSEMBLY
NATIONAL CAPITAL TERRITORY OF DELHI

FIRST INTERIM REPORT OF THE COMMITTEE ON PETITIONS
(PRESENTED ON 18.01.2023)

(ADOPTED ON 19.01.2023)

SUBJECT:
SABOTAGING THE FUNCTIONING OF OPD COUNTERS IN
DELHI GOVERNMENT HOSPITALS AT THE BEHEST OF THE
HON'BLE LIEUTENANT GOVERNOR OF DELHI

Legislative Assembly, Old Secretariat, Delhi – 110054

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COMMITTEE ON PETITIONS
(2022-2023)

Shri Akhilesh Pati Tripathi

Chairperson

COMPOSITION OF THE COMMITTEE
MEMBERS

2. **Smt. Bandana Kumari**
3. **Shri B. S. Joon**
4. **Shri Dilip Kumar Pandey**
5. **Shri Jai Bhagwan**
6. **Shri Kartar Singh Tanwar**
7. **Shri Kuldeep Kumar**
8. **Shri Rajesh Gupta**
9. **Shri Saurabh Bharadwaj**

Assembly Secretariat:

Shri Raj Kumar

Secretary

Shri C.Velmurugan

Joint Secretary

Shri Sadanand Sah

Deputy Secretary

PREFACE

The Hon'ble Speaker referred a petition to the Committee on Petitions submitted by Sh. Rahul, R/o House No. 2555, Block 23, Trilokpuri, Delhi – 110091, filed a petition on the issue of the removal of Data Entry Operators from all hospitals in Delhi

The Committee examined the issues in detail in its meetings held on 28.12.2022, 03.01.2023, 09.01.2023, 16.01.2023 and 17.01.2023

The Interim Report of the Committee is a special report which was considered and adopted in the sitting held on 18.01.2023 and agreed to present it to the Hon'ble Speaker and with his due permission, table it in the House on 18.01.2023

I would like to thank all the Members of the Committee for their continued guidance.

The Committee places on record the profound appreciation for the valuable assistance rendered by Mr. Aneesh Renganathan and Mr. Siddharth Singh, Fellows, Delhi Assembly Research Centre (DARC) and officials of Assembly Secretariat in preparation of this report.

Dated: 18/01/2023

Place New Delhi


AKHILESH PATI TRIPATHI
CHAIRMAN
COMMITTEE ON PETITIONS

GENESIS

The Preamble to the Constitution of India resolves to secure to its citizens *inter alia* social, economic and political justice. The Constitution of India also contains numerous provisions which emphasize the responsibilities of the State to provide for its citizens. The Hon'ble Supreme Court too recognizes India as a welfare State that is responsible for the protection and promotion of economic and social wellbeing of its citizens, primarily those who belong to marginalized classes.

The provision of medical services forms the very core of any Welfare State as it is the primary concern of the State to keep its citizens healthy and alive. It is incumbent on the State to provide its citizens with medical facilities, particularly to those that are unable to afford the same. The Government of Delhi has taken this responsibility with the utmost seriousness and has created a dynamic system for the provision of medical services to the poor, ranging from First-Aid to treatment for diseases such as cancer.

In order for medical services to be rendered efficiently, each organ of the Hospitals must function with no impediments. In this regard the OPD Counters play a pivotal role, acting as the point of first-contact with the patients. The Data Entry Operators at the OPD Counters prepare the registration card/prescription which acts as an encyclopedia for the patients and direct them to the relevant medical departments. In order for quick and efficient service, the OPD Counters need to be computerized and manned by those trained to perform these duties. Abruptly terminating the services of the DEOs in the OPD Counters at the hospitals would inevitably result in chaotic conditions at the hospitals and patients would be left with no guidance and worse, be misinformed leading to improper treatment and irreparable and financial loss to the patients and consequently the government as well. It is thus of utmost importance to maintain the regular function of the OPD Counters at the Hospitals in the interest of the health and welfare of those seeking medical services.

INTRODUCTION

1. Sh. Rahul, R/o House No. 2555, Block 23, Trilokpuri, Delhi – 110091, filed a petition on the issue of the removal of Data Entry Operators (DEOs) from all hospitals in Delhi. The Petition was countersigned and presented to the Hon'ble Speaker, Delhi Legislative Assembly by Sh. Kuldeep Kumar, Hon'ble MLA and referred to the Committee on Petitions on 21.10.2022.
2. It was alleged that OPD counters at various hospitals of the Delhi government were manned by Data Entry Operators and they have been abruptly discontinued at these hospitals.
3. It was further alleged that the lack of Data Entry Operators at OPD Counters has resulted in grave deprivation and delay of health services to the patients who are roaming without any assistance and are unable access the benefits of the hospitals of the Delhi Government.

PROCEEDINGS

In order to ascertain the facts and investigate the allegations levelled in the said Petition, the Committee on Petitions conducted its meetings on 28.12.2022, 03.01.2023 and 09.01.2023, 16.01.2023 and 17.01.2023.

1. in which it deliberated the matter comprehensively with the officers of Department of Finance, GNCTD ("Finance Department") and Department of Health & Family Welfare, GNCTD ("Health Department")
2. A copy of the said Petition was first forwarded to the Secretary, Department of Health and Family Welfare, GNCTD and the Secretary and Department of Finance, GNCTD on 17.11.2022 seeking a reply on the same by 23.11.2022 and a reminder was sent on 09.12.2022 as no reply was received from the Health or Finance Department.
3. In this regard a reply dt.16.12.2022 was received from the Medical Director, Burari Hospital which stated that Burari Hospital started treatment of Covid Patients vide Cabinet Decision No.2844 dt. 26.06.2020 and OPD services w.e.f 06.04.2022 and that Data Entry operators at the hospitals had not been removed till date. It also stated that registration of OPD patients and other services are increasing day to day and that approval for extension had been received upto 21.03.2023 from the Finance Department.
4. Another reply was received from the Administration Branch of Govind Ballabh Pant Institute of Post Graduate Medication Education and Research (GIPMER) dt. 17.12.2022 which stated that Data Entry Operators at the hospital have been deputed via ICSL and none of them had been removed and that all patients that come to the Hospitals are treated and services are being provided without any difficulties.
5. The Finance Department sent a delayed reply dt. 19.12.2022 after the aforementioned reminder wherein it stated that the Finance Department had already approved the proposal for engagement of OPD/IPD/Emergency Registration Service Counter on outsourced basis in various hospitals across Delhi received through their Admin Department

i.e. H&FW Dept. and that no proposal is pending with the FD on date. **It was later found that this reply of the Finance Department was misleading and did not explain the reasons why OPD Counters were lacking manpower at many hospitals.**

6. At the very outset of its first meeting on 28.12.2022, the Committee on Petitions expressed its displeasure at Heads of the Health and Finance Departments, both of whom did not appear before the Committee. The Principal Secretary, Finance was on vacation on the said date and the Secretary, Health Department, Mr. Amit Singla, had failed to inform the Committee of his unavailability. The Secretary, Health Department did not inform the Committee of the fact that a meeting of the officials of the Health Department was already scheduled with the Hon'ble Deputy Chief Minister, Delhi at the same time as the scheduled sitting of the Committee. This failure to inform the Committee resulted in the delay in proceedings before the Committee and the Committee was compelled to specially coordinate with the Hon'ble Deputy Chief Minister to request the attendance of the Secretary, Health Department at the Committee sitting. The Committee noted that the notice for the sitting of the Committee was dated 20.12.2022 while the Notice for the meeting with the Hon'ble Deputy Chief Minister was dated 21.12.2022. Despite having ample time and opportunity, the Secretary, Health failed to inform the Committee of his absence. The consequent delayed attendance in addition to inadequate justification and disrespectful response by the Secretary, Health Department constrained the Committee to deliberate the initiation of Privilege proceedings against the Secretary, Health Department.
7. In the said sitting, the Committee questioned the Secretary, Health Department regarding the lack of Data Entry Operators in the OPD Counters at Hospitals across Delhi. The Health Department submitted that in over 20 hospitals in Delhi computerized systems were functional, of which, approval for 8 hospitals have been granted, those being – (i) Jag Pravesh Chandra Hospital (ii) Indira Gandhi Hospital (iii) Rau Tularam Hospital (iv) Burai Hospital (v) Acharya Bhikshu Hospital (vi) Bhagwan

Mahavir Hospital (vii) Hegdewar Hospital and (viii) Babasaheb Ambedkar Hospital and approval of 3 other Hospitals is pending owing to the requirement of Administrative Reforms (AR) Study. It was submitted by the Health Department that the Finance Department will give approval for the placement of DEO at OPD Counters once the AR Study is completed.

8. In the said sitting, a Committee member had also requested the deposition of a differently-abled former DEO of Deep Chand Bandhu Hospital namely Mhd. Firoz, who intimated the Committee that he had been removed from his position on 15.09.2022 and had been unemployed for the last 3 months. Mhd. Firoz also explained to the Committee the nature and responsibilities of the DEOs at the hospital. The witness further explained that at present, the OPD Counters were being manned by Nursing Officials and Security Guards who were not adequately trained for the task and the present system has gone from being computerized back to being handwritten due to the removal of DEOs. To highlight the point further, 2 videos recorded by the members of the Committee depicting the present chaotic conditions of the Hospitals were also played during the sitting. However, when the same was pointed out to the Secretary, Health Department, he appeared to be unfazed and displayed a shocking lack of sensitivity to the suffering of the patients.
9. The Committee questioned the Health Department as to why the DEO services at the OPD Counters were abruptly discontinued and why no interim measure was taken by the Health Department to redress the same. In his response, the Secretary, Health stated that under the 2019 Delegation of Financial Power, the power to grant approval for outsourcing of OPD/IPD counters lies with the Finance Department. The Secretary, Health further stated that the outsourcing of OPD Counters had taken place since 2014 and tenders were reinvited every 2 years by the MS and approval from the Finance Department was ordinarily being granted. However, recently when the file was sent to the Finance Department seeking approval for engaging DEOs at the OPD Counters,

the Finance Department refused to grant the same until the completion of AR Study at the respective hospitals.

10. The Committee pointed out to the Officials of the Health Department that there is no precedence for such a Study and questioned as to why such a study could not be conducted simultaneously while reinviting the tender for DEOs. The Committee also suggested that a stop-gap arrangement for the appointment of DEOs be put in place until the issue is resolved so as to restart the proper functioning of the Hospital OPD Counters. The Secretary, Health could not explain why a stop-gap arrangement was not made to man the OPD counters while AR Study was pending and failed to explain why tenders could not be extended during the transitional period.
11. In the second meeting of the Committee held on 03.01.2023, the Principal Secretary of the Finance Department stated that no proposals are pending with the Department and that a meeting with the Secretary, Health had also taken place which resulted in the Finance Department extending all approvals till 31st of March 2023. When questioned as to whether any meetings had taken place prior to the sitting of the Committee on this issue, the Principal Secretary, Finance simply said that he did not remember and repeated this lack of remembrance when questioned on the genesis of the requirement of AR Study.
12. The officials of the Health Department also explained that the entire issue with the AR Study was caused due to some misunderstanding between the hospitals. The DGHS explained that one of the Hospitals had sought to change the number of DEOs at the Counter and conducted the AR Study on its own leading to other Hospitals doing the same. The DGHS further explained that the proposal for the requirement of DEOs was sent from Hospital to the Secretary, Health Department in order to reinvite tender. The same was forwarded to the Accounts Department. However, the Accounts Department stated that since the Health Department does not have the requisite power, approval for the same is to be sought from the Finance Department. The Finance Department, however, refused to grant the approval until AR Study was conducted.

When questioned as to who required the study to be conducted in the first place, the Secretary, Health Department was unable to provide a direct answer.

13. Owing to the unsatisfactory response by the Health Department, the Committee directed that the Medical Superintendents from all the hospitals be present on the next date of sitting to explain who directed for the AR Study and removal of DEOs in the OPD Counters while AR Study is pending. The Committee further sought to know why such chaos continued for many months in government hospitals and why no stop-gap arrangement was made for the manning of OPD Counters during this period.
14. The sitting of the Committee on 09.01.2023 was attended by the MS/MDs of the hospitals under Government of Delhi in addition to the officials of the Health and Finance Departments. However, the Principal Secretary, Finance Department failed to appear before the Committee and did not care to inform the Committee of his absence. The Committee was constrained to request the officials of the Finance Department to call the Principal Secretary and direct his appearance.
15. The Committee noted that there are three stakeholders present who appear to be shifting the blame on one another – The Health Department, the Finance Department and the MS/MDs of the Hospitals. In order to ensure a fair hearing of the MS/MDs, the officials of the Health and Finance Departments were requested to vacate the meeting hall and the MS/MDs were directed to give their statements on oath.
16. The Medical Superintendents of the following hospitals were heard during the sitting – Aruna Asif Ali, Acharya Shri Bikshu Govt Hospital, Attar Sen Jain Eye and General Hospital, Bhagwan Mahavir Study, Baba Saheb Ambedkar, Babu Jag Jeevan Ram Memorial, Chacha Nehru Bal Chikitsalya, Deed Dayal Upadhaya Hospital, Delhi State Cancer Institute and Hegdewar Arogya Sansthan.
17. The Medical Superintendents of the majority of the Hospitals submitted on oath that the proposal for reinviting tenders had been sent to the Finance Department around June/July, 2022, prior to the expiry

of the tender. However, the Finance Department refused to allow the retender until the completion of AR Study, forcing the hospitals to discontinue to the DEO services. The refusal to grant approval by the Finance Department rendered the Hospitals without any OPD services for 3-6 months resulting in abject chaos. It was also noted that the grave impact of the lack of DEOs was expressed to the Secretary Health by the MS/MDs and despite the same, no interim arrangement was made. Further, it was observed that the autonomous hospitals did not face this issue as they did not have to seek approval of the Finance Department to reinvoke tender.

18. In the interest of time and energy, the Committee directed all the remaining MS/MDs in attendance to provide the following details in order to collate the data on the lack of DEOs – (i) Name of Hospital (ii) Period of unavailability of DEOs at the Hospitals (iii) EDL and availability of medicines and (iv) Status of AR Study.
19. The Committee was once again compelled to call the Principal Secretary, Finance Department and reiterated the direction of the Hon'ble Chairman for the Principal Secretary, Finance Department to appear before the Committee.
20. Based on the submissions of the MS/MDs, the Committee questioned the Secretary, Health Department. The Secretary, Health was asked whether he had informed the Finance Department of the chaos that would be caused due to the refusal to reinvoke tender. Further, the Secretary, Health Department was also questioned on whether he had discussed with the Principal Secretary, Finance Department of any stop-gap arrangement while AR Study was being conducted. **However, the Secretary, Health refused to give the Committee any direct answers regarding the same. The Committee was compelled to ask the same questions repeatedly, however, the Secretary, Health only provided vague and evasive responses. The Committee was consequently constrained to initiate privilege proceedings against the Secretary, Health.**

21. **It was only much later that the Secretary, Health admitted that he was in regular touch with one Mr. Kulanand Joshi, Special Secretary, Finance Department and Ms. Niharika from the Finance Department with whom he discussed the issue, in addition to having informed the Principal Secretary. The Secretary, Health further submitted that all the files submitted to the Finance Department had a note emphasizing the need to continue the DEO services. The Secretary, Health Mr. Singla deposed that he had been regularly informing all the officers of the Finance Department about the difficulties being faced by poor patients at these hospitals due to the unavailability of trained staff at OPD Counters.**
22. When the Committee questioned Mr. Joshi regarding the same, he could not explain as to why no interim arrangement was made to continue DEO services nor could he explain why the Finance Department failed to inform the hospitals of the 89 days emergency powers vested in the Hospitals which could have allowed for temporary continuation of the DEOs.
23. The Principal Secretary, Finance Department finally appeared before the Committee over 2 hours after the sitting had commenced. The Committee expressed its displeasure at the delay in the attendance of the Principal Secretary, Finance. The Committee reiterated that the Principal Secretary, Finance had a casual attitude regarding the issue despite being aware of its severity and the suffering that it has caused the people of Delhi.
24. The Principal Secretary, Finance was informed of the proceedings and his response was sought. The Principal Secretary, Finance stated that the Finance Department has limited files on the issue and that as per the files available, he concluded that in 2012 a proposal was sent by the DGHS that front desk/OPD should be outsourced and it was decided that 3 clusters should be made and tendered and the approval for the same was granted by the hon'ble Health minister at the time. Since then, every 2 years the tenders are reinvited. The Principal Secretary, Finance admitted that he was ignorant of the fact as to how the Hospitals began

to invite tenders on their own and who the hospitals sought approval from in order to do the same. The Principal Secretary, Finance further stated that there was no scheme in place for inviting such tenders and that the Finance Department cannot grant approval without a scheme in place which takes into account the manpower necessary at the OPD counters. This was explained as the reasoning behind the need for AR Study to be conducted.

25. The Committee pointed out Hospitals had sought approval from the Finance Department from the months of June-July, 2022 itself. However, the Principal Secretary, Finance blatantly refused the receipt of any file in those months and stated that the files only came to the Finance Department in the month of December, 2022. The Principal Secretary, Finance shifted the blame on the Health Department claiming that the Finance Department only receives the files once the Health Department processes the same and that any delay that has taken place is at the stage of the Health Department.
26. The Principal Secretary, Finance was however unable to explain as to why an interim measure to continue DEO services could not be put in place while the AR study was pending.
27. The Committee also questioned the Principal Secretary, Finance as to the delay in replying to the Petition. The Committee stated that in its letter dt. 17.11.2022 it sought a response from the Finance Department by 23.11.2022 which the Department had failed to submit. Further, a reminder was sent on 09.12.2022 for which reply was only received on 19.12.2022 from the Finance Department. The Principal Secretary, Finance began to speak in hypotheticals and made assumptions as to what caused the said delay without admitting any responsibility for the same. The Principal Secretary, Finance showed his inability to answer any questions of the Committee stating that the Committee had not provided him with a copy of the petition in this regard and blamed the Committee for summoning him without any prior information regarding the subject matter. When pressed further, the Principal Secretary, Finance simply stated that he did not have the file with him at the

moment and he was not prepared to answer questions regarding the Petition.

28. The Committee was shocked at the response of the Principal Secretary, Finance and questioned as to how such a senior officer did not bring the relevant file with him during the sitting. The Principal Secretary, Finance disrespectfully stated that he shall respond in writing and when questioned further, the Principal Secretary, Finance began to make odd facial expressions and began looking here and there, making disrespectful gestures towards the members of the Committee. The Principal Secretary, Finance appeared completely uninterested in the proceedings while claiming that he did not remember the details as he did not bring the relevant file. To every question that was subsequently asked, the Principal Secretary, Finance repeatedly claimed his inability to remember and stated that he would instead respond in writing. The Committee in its benevolence also suggested that they would ensure that the Principal Secretary, Finance would be given appropriate treatment at one of Delhi's premier hospitals for his condition of memory loss. However, the Principal Secretary, Finance simply refused and kept repeating that he would need the file in order to answer the questions of the Committee.
29. The Committee taking note of the conduct of the Principal Secretary, Finance called for the record/relevant file and one Mr. Manoj Sharma of the Finance Department was directed to bring the same from the Secretariat. However, it was noticed that Mr. Sharma began to take with him the files that were brought for the sitting. The Committee, apprehending foul play called for the said files to be submitted to the Committee for perusal. It was only after repeated requests that the officials of the Finance Department submitted the said files.
30. To the utter shock of the Committee, it was found that the file brought to the meeting by the Principal Secretary, Finance was infact the relevant file that he had claimed was unavailable and the same contained all the documents and notes necessary.

31. The Committee took issue with the fact that the Principal Secretary, Finance had lied under oath, committed perjury and attempted to evade the process of the Committee. The Committee also expressed its displeasure at the conduct of Mr. Manoj Sharma, who had attempted to dispense with the relevant file and support the unjustified acts of the Principal Secretary, Finance.
32. The Committee took a serious view of the disrespectful conduct of the Principal Secretary, Finance. The Committee also took a serious view of the Principal Secretary, Finance speaking in hypotheticals and assumptions despite being warned not to do so, lying under oath, attempting to mislead the Committee, concealing relevant documents. The Committee was constrained direct the initiation of that privilege proceedings against the Principal Secretary, Finance and his accomplice Mr.Sharma. The Committee further directed that this issue be highlighted and brought to the notice of the Speaker, Lok Sabha and the Ministry of Home Affairs.
33. In order to ascertain the above-mentioned issues, the Committee requested the presence of the Chief Secretary, Government of NCT of Delhi and with his availability and concurrence, held its sitting on 17.01.2023. In the meeting, the Committee enquired whether the Chief Secretary was aware of the situation that existed with regard to discontinuation of the DEOs at the OPD Counters of the Hospitals for several months. To this, the Chief Secretary responded that as soon as he was made aware, he found the solution in 1-5 days. The Chief Secretary also informed the Committee that his past record of solving any such problem in the departments of Delhi Government has ranged from 1-5 days only.
34. The Committee presented the Chief Secretary copies of almost 3 dozen newspaper reports starting from October, 2022 to January, 2023 and questioned whether the Chief Secretary had read those news reports about the serious issues in various departments in Delhi Government. To this, the Chief Secretary responded that he does not go through all the newspaper reports, hence, he was unaware of the situation. The

committee was surprised because it's a basic practice at the Government offices especially IAS officers that they are provided specific newspaper clippings as first thing in the morning in their offices. It was incomprehensible to believe that the Chief Secretary was unaware for so many months about these issues. The Committee also confronted the Chief Secretary on how it is possible that news reports about the Principal Secretary, Finance are being published regularly and yet the Chief Secretary still missed reading the reports. The Chief Secretary could not give a satisfactory reply to explain his lack of knowledge about the existing chaos in the departments which were being regularly reported in almost all the newspapers of Delhi.

35. The Committee asked the Chief Secretary about the frequency of regular meetings with the respective HODs. The Chief Secretary responded that he meets every HOD atleast once in 4 weeks. To this, the Committee enquired as to how it was possible that the respective HODs of Health, Social Welfare, DJB and Finance did not inform him about the serious issues in the functioning of Mohalla Clinics, non-payment of remunerations to the doctors for several months, non-payment of pensions to the senior citizens for more than 3 months, discontinuation of DEOs manning the OPD Counters at the Government Hospitals and hundreds of works being stalled by DJB due to non-availability of funds. The Committee added that as per the information provided by the Chief Secretary, he would have met these HODs atleast 3-4 times while there was chaos in their departments. However, the Chief Secretary could not satisfy the Committee as to how was it possible that the Chief Secretary remained unaware of serious issues in these departments.
36. The Chief Secretary was asked by the Committee to explain one of the two following scenarios which would have happened: Scenario 1 – The HODs chose to keep the Chief Secretary in the dark about the serious issues in their departments. In that case the Chief Secretary should have taken administrative action against these HODs by now. To which the Chief Secretary admitted that no action has been taken against any of the HODs or any other officer in those departments for this wilful

negligence, dereliction of duty and insubordination; Scenario 2 – The respective HODs did infact inform the Chief Secretary in due time about the serious issues in their departments and the Chief Secretary chose to ignore them. In this case the Chief Secretary is responsible for gross wilful negligence and dereliction of duty. The Committee deliberated that in either of the 2 scenarios the Chief Secretary is guilty of gross negligence and dereliction of duty.

37. The Committee noted that some members had informed the Committee of the fact that some officers had confided in them that they had been arm-twisted by the Chief Secretary at the behest of the Hon'ble Lieutenant Governor to create hurdles in the ongoing welfare works of the elected government.

38. The Committee decided to speak to officers individually by invoking provisions of confidential/secret depositions in the Rules of Procedure and Conduct of Business in the Legislative Assembly of NCT of Delhi. After speaking to many of these officers the committee deliberated and concluded the following –

- A. Many officers were threatened by the Chief Secretary at the behest of the Hon'ble Lieutenant Governor.*
- B. One officer confided that he/she is so scared of Principal Secretary, Finance, Dr. A.C.Verma, that he/she is more comfortable sending a Whatsapp text to the Hon'ble Deputy Chief Minister rather than reporting an issue to Mr.A.C Verma.*
- C. Officers in Health Department are being threatened that any kind of active role in the working of Mohalla Clinics can land them facing prosecution by CBI.*
- D. Some officers, in a friendly advice, asked the Committee members to wait for the judgment of Constitutional Bench of Hon'ble Supreme Court as services are likely to be given back under the control of elected govt.*
- E. One officer confided that Mr. A.C.Verma has nothing against the Petitions Committee and feels it is a part of democratic set up.*

39. The Committee confronted the Chief Secretary on whether he was arm-twisting the officers to create hurdles in the functioning of the welfare schemes of the Govt and whether he was doing the same at the behest of Hon'ble Lieutenant Governor. The Chief Secretary denied the said suggestion.
40. The Chief Secretary admitted that the Health Department should have created a stop-gap arrangement for continuation of services at the OPD Counters while the AR Study was being conducted and it was a mistake on the part of the officials of the Health and Finance Department, particularly the Secretary, Health and the Principal Secretary, Finance Department. However, the Chief Secretary could not specify any action he had taken against the Secretary, Health and the Principal Secretary, Finance or any other official of the Health and Finance Departments.
41. The Committee explained to the Chief Secretary, the highly objectionable conduct of the Principal Secretary, Finance Mr.A.C.Verma where he had tried to mislead the committee and deposed false statements on oath before the Committee. The Chief Secretary accepted that serious action should be taken against the Principal Secretary, Finance, however, the Chief Secretary did not assure what action will he take against Mr.Verma.
42. The Committee was shocked to see that even though the Chief Secretary agreed that there was negligence and dereliction of duty on the part of various senior officials in the matters discussed before the Committee, however, he had chosen not to take any action because, in his own words he said "**Main Kiss Kiss par action Lu. Aise Toh neeche se upar sab par action lena padega**" The Committee noted that this frivolous excuse by the Head of bureaucracy of Government of NCT of Delhi shows his connivance in creating hurdles in the functioning of welfare schemes in last few months. The committee also notes with regret that after saying the above phrase when he was confronted for the reasons behind his helplessness to take any action, he tried to mislead the committee but later accepted that he did say the above-mentioned phrase.

OBSERVATIONS

From the scrutiny of the responses filed by the concerned Government departments and deposition of officers, Government records and the deliberations of the Committee meetings, the following observations are brought on record:

1. It is observed that some of the Officials of the Departments namely Mr.Amit Singla, Dr.A.C.Verma, Mr.Kulanand Joshi and Ms.Niharika Rai did not take the grave issues affecting patients in need of health services with adequate seriousness. However, as the Committee did not hear the submissions of Mr. Joshi and Ms. Niharika Rai on the issue, the Committee is not making any recommendations to take action against them at this stage.
2. There were manufactured bureaucratic hurdles which led to inordinate delay in the grant of approvals for the reinvitation of tenders for DEOs in OPD Counters at Hospitals across Delhi, directly impacting the marginalized citizens of Delhi in need of medical services.
3. The Committee observed that delay caused by the Finance Department in the reinvitation of tender had resulted in abject chaos at hospitals. This act by the Finance Department had led to lacs of poor patients not being able to receive proper medical care and treatment.
4. The Secretary, Health Department has been unable to satisfactorily answer as to why AR Study is required and when such a requirement was first intimated. The Secretary, Health Department has also failed to provide any satisfactory reason as to why no temporary arrangement was in place while the AR Study was pending.
5. The Principal Secretary, Finance Department, Dr. A.C.Verma has been unable to justify why no alternate arrangement was put in place to continue the services of the DEOs while the AR Study was pending. Further, the Finance Department was unable to give a satisfactory reason as to why AR study had suddenly become necessary despite there being no precedent for the same. The Principal Secretary, Finance

Department also failed to respond to why such petty issues were not resolved in a timely manner and why this became the reason for causing trouble to lacs of people being denied medical services

6. The Committee observed that no reasonable explanation has been given for the abrupt discontinuation of the DEO services at the OPD counters with no thought to an alternate mechanism in place.
7. The Committee observed that the AR Study did not bring about any substantial change in the functioning of the OPD Counters at the Hospitals. It was further observed that the Finance Department was aware that the AR Study would not amount to any significant change and required the same to be conducted only as a means to cause further inconvenience.
8. The Committee observed that the wilful negligence on the part of the Secretary, Health and Principal Secretary, Finance to resolve this issue in a timely manner resulted in immense financial loss to the patients. Further, financial losses would also be borne by the government owing to rendering of delayed and improper treatment requiring more intensive medical intervention in the future.
9. The Committee observed that there is sufficient reason to assume that the Secretary, Health and Principal Secretary, Finance Department have conspired to the discredit Elected Government by manufacturing such an issue and causing harm to the public, prior to the MCD elections.
10. It is observed that there is a recurring practice by the Principal Secretary, Finance Department to halt the work and functioning of various departments on arbitrary grounds. In addition to the tenders of the DEOs at the OPD Counters, this practice of the Principal Secretary, Finance Department to refuse to reinvide tender or grant approval for release of payment has been observed in (i) the Aam Aadmi Mohalla Clinics wherein the remunerations to the Doctors has been stopped (ii) Delhi Jal Board wherein the 2nd and 3rd quarter payments has been stopped (iii) Social Welfare Department wherein the pensions of widows and old age persons have also been stopped (iv) the Pension of DTC

Personnel and the salaries of Bus Marshals (v) Subsidy to TDPL and (vi) Gaoshala payment.

11. The Committee observed that the Chief Secretary was unable to provide any satisfactory response as to whether he had knowledge of the troubling issues in the departments of the Delhi Government, despite the same being a part of regular reportage in the newspapers of Delhi.
12. The Chief Secretary was further unable to answer directly whether he had been informed of the issues in the Departments by the HODs of the respective Departments and if they had failed to do so, what action was taken against them. The Committee finds it fair to draw an inference that the Chief Secretary was infact aware of the said issues and took no action against the HODs as the hurdles and impediments caused to the functioning of the welfare schemes were a deliberate act of sabotage orchestrated by the Chief Secretary at the behest of the Hon'ble Lieutenant Governor with no regard to the suffering of the citizens of Delhi seeking medical care.
13. The Committee observed that the Chief Secretary, at the behest of the Hon'ble Lieutenant Governor, created an atmosphere of fear amongst the Departments of the Delhi Governments and actively preventing the officers from performing their duties.
14. Though many aspersions have been cast at the role of the Hon'ble Lieutenant Governor in the stoppage of various welfare schemes in the Capital, the Committee would have been enlightened if there was a version available from Hon'ble Lieutenant Governor. However, taking deposition from the Hon'ble Lieutenant Governor is beyond the scope of this proceedings of the Committee on Petitions. The Committee members noted that the chaos in different departments of the Delhi Government was quite evident at the ground level and had been continuously reported by various newspapers in the last few months. The silence of the Hon'ble Lieutenant Governor and his inaction against the officers who had orchestrated these hurdles and caused irreparable loss to the lacs of people in Delhi points towards tactical support to these officers for their misdeeds and apathy towards the suffering of the common man.

RECOMMENDATIONS

1. The Committee recommends that the hospitals should purchase computer systems of their own instead of issuing tender for the same.
2. The Committee recommends that the tender to engage DEOs should be reissued every 2 years without fail and any extensions should be dealt with at the MS level alone.
3. The Committee recommends that if at all AR study is to be conducted the same should be done simultaneously or prior to the issuance of tender while DEOs are engaged rather than first removing the DEOs and then conducting the Study.
4. The Committee recommends that the Chief Secretary take strict action against the Secretary, Health and Principal Secretary, Finance Department for willfully causing delay in processing of files regarding the DEOs in OPD Counters.
5. The Committee recommends that Privilege proceedings be initiated against (i) Mr.Amit Singla, Secretary, Health Department (ii) Dr.A.C.Verma, Principal Secretary, Finance Department and (iii) Mr.Manoj Sharma, Deputy Secretary, Finance Department for the acts of misleading the Committee, disrespectful conduct and attempting to conceal information from the Committee.
6. The Chief Secretary, Government of NCT of Delhi should submit an Action Taken Report on the abovementioned recommendations by the Committee (No.1 to No.5) to the Legislative Assembly of Delhi within thirty working days of the adoption of this report.
7. The Committee humbly requests the Hon'ble President of India and Ministry of Home Affairs, Government of India, to take cognizance of this report of the Committee on Petitions and take appropriate action against the Chief Secretary and the Hon'ble Lieutenant Governor.

Dated: 18/01/2023

Place: New Delhi


AKHILESH PATI TRIPATHI
CHAIRMAN
COMMITTEE ON PETITIONS