

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10954 of 2015

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1. Veterans Forum For Transparency in Public Life through its General Secretary
namely Wing Commander (Retd.) Bishwanath Prasad Singh Son of Late R.N.
Singh R/o PNT Colony No. 2, Dahiyawan, Chapra, Bihar

.... Petitioner/s

Versus

1. State of Bihar through the Chief Secretary, Government of Bihar
2. The Chief Secretary, Government of Bihar, Patna
3. The Secretary, Labour Resources Department, Government of Bihar, Patna
4. The Principal Secretary, Health Department, Government of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinu Kumar
With Mr. Rajesh Kumar Singh
For the Respondent/s : Mr. P.N. Shahi, Sr. Advocate AAG-6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH)**

Date: 09-09-2016

Heard learned counsel for the parties.

2. In compliance of the order of this Court, dated
30.08.2016, the Principal Secretary, Department of Health,
Government of Bihar, is personally present. A third
supplementary counter affidavit has been filed on his behalf.

3. The petitioner has made grievance in the writ
application that certain Hospitals, which do not fulfill the
requisite criteria, have been enlisted for implementation of
National Health Insurance Schemes meant for *Below Poverty*



Line (BPL) People. Several lapses have been pointed out by the learned counsel for the petitioner, referring to the pleadings on record including the fact that the names of the doctors/persons and their telephone numbers to be contacted for the purpose of treatment, have not been given in the required Performa. Particular reference in this regard has been made to Annexure-7 to the writ application. It has also been submitted that such Hospitals, whose licenses have been cancelled, are also their in the list, which are supposed to be implementing the said scheme.

4. The Principal Secretary, Department of Health, Government of Bihar, has assured this Court that the Department will be taking necessary remedial measures to exclude such Hospitals, which do not fulfill the conditions, in terms of the guidelines/revised guidelines issued by the Central Government and the necessary steps shall be taken to remove all the deficiencies as pointed out by the petitioner. It has also been pointed out in paragraph 23 of the writ application that some of the Hospitals indulge in illegal removal of *Uterus* of young ladies, cognizance of which has been taken by the Bihar State Human Rights Commission, and finding the allegations to be correct, payment of compensation has been recommended by the Commission. It is, accordingly, submitted on behalf of the petitioner that the State-Respondents are duty bound to take

action against the erring persons/Hospital authorities. We find force in the said submission advanced on behalf of the petitioner.

5. The Principal Secretary, Department of Health, Government of Bihar, has assured this Court that he will be taking necessary actions against the persons involved in such activities in accordance with law.

6. Considering the stand taken on behalf of the State-Respondents, we close this proceeding in the aforesaid terms as mentioned. Petitioner shall be, however, at liberty to approach this Court in future if situation so warrants, concerning the issue raised in the present proceeding.

(I. A. Ansari, CJ)

(Chakradhari Sharan Singh, J)

ArunKumar/-

AFR/NAFR	
CAV DATE	N/A
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