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

Date of Decision: 20th January, 2023

+ **W.P.(C) 9013/2021 & CM APPLs.28022/2021, 33359/2021, 7757/2022**

INTEGRATED MEDICAL ASSOCIATION (AYUS) Petitioner

Through: Ms. Tanya Agarwal & Mr. Kamlesh Mishra, Advocates (M-9205868644)

versus

GOVERNMENT OF NCT OF DELHI AND ORS..... Respondents

Through: Mr. Subhash Tanwar, CGSC with Mr. Sandeep Mishra & Mr. Ashish Choudhary, Advocates for R-2 & 3.

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J.(Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner which is an association of institutionally qualified doctors of the Indian System of Medicine (Ayurveda, Unani, Siddha and Sowa-Rigpa) with a grievance that the SARTHI software being used by the Transport Department of GNCTD is not recognising/admitting medical fitness certificates being issued by the practitioners of the Indian System of Medicine.
3. On 25th May, 2022, it was submitted that although online applications through the SARATHI software were accepting medical fitness certificates, Transport Department Officials were still not accepting medical fitness certificates issued by practitioners of Indian System of Medicine. The said order reads as:

Ms. Agarwal, learned counsel for the petitioner apprises the Court that in terms of the order of 15 September 2021, the respondents have now made requisite corrections in the SARATHI software as a consequence of which applications supported by certificates of medical fitness issued by the non- MBBS doctors are also being accepted.

She however submits that insofar as offline applications are concerned various Transport Department Offices are still not accepting certificates issued by such medical practitioners.

In view of the above, let learned counsel for the respondents obtain instructions

4. In terms of the status report which has been filed on 18th January, 2023, the Transport Department has taken a decision to integrate all the three Medical Councils on the digital platform of SARATHI software of NIC. The said software is stated to be a system which has been created for contactless delivery of services for issuance of Form 1A for renewal/issuance of driving license. The Medical Councils have also been asked to provide a list of RMPs registered with them.
5. The status report reads as under:-

Respectfully submitted that it was decided by Transport Department, GNCT of Delhi to integrate all the three medical councils (Delhi Medical Council, Delhi Bharatiya Chikitsa Parishad and Board of Homeopathy System of Medicine, Delhi) on the digital platform (SAARTHI Software of NIC) under contactless delivery of services for issuance of form 1A for renewal/issuance of Driving Licence for which they were asked to provide a list of RMPs registered with them as each and every RMP was required to obtain

login ID and password from NIC through their respective Admin vide this office letters dated 17/09/2021 so that Transport Department may fetch the data online. As soon as the response with credentials to create admin is received, their services are to be integrated with SAARTHI Software. Meanwhile, SAARTHI Software was modified to provide login ID and password to Admin of each medical council for further issuance of login ID and password to all the RMPs through their respective Admin. Further, one ID was also created in SAARTHI Software for DMC, admin which was never activated in SAARATHI by DMC Admin.

Further, it is evident that the services belonging to issuance / renewal of Driving Licence are being discharged 100% in faceless manner since 19/02/2021 and the requirement of medical certificate in form 1A, duly issued by all Registered Medical Practitioners in Delhi, is being accepted while the individual is uploading the soft copy in the SAARTHI Software for issuance / renewal of Driving Licence in Delhi.

6. In view of the above status report and the submissions as recorded in the order dated 25th May, 2022 by which the Respondents have informed the Court that applications supported by certificate of medical fitness issued by non-MBBS doctors are also accepted, nothing further issue survives in the present writ petition.
7. It is expected that in terms of the status report, the action of obtaining and integrating the data relating to all the registered RMPs, as also allotting user IDs and passwords, shall also be carried out expeditiously.
8. With these above observations, the present petition along with all pending applications are disposed of.

9. All remedies of parties are left upon in case need any further other grievances arise.

**PRATHIBA M. SINGH
JUDGE**

JANUARY 20, 2023/MR/AM

