

GOVT. OF NCT OF DELHI
HEALTH & FAMILY WELFARE DEPARTMENT
9TH LEVEL A-WING, DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI-110002

F.No.H&FW/Legal/2020/Partfile/#112648927/ 50-68

Dated-24.06.2021

ORDER

The Hon'ble High Court of Delhi, vide order dated 03.06.2021 passed in W.P.(C) 3031/2020, titled Rakesh Malhotra Vs GNCTD & ORS. has passed directions as under:-

1. Direct all the Hospitals to collect information from the patients at the time of admission itself with regard to their minor children and the name of the person(s) to whom these children may be handed over, in the eventuality of parents not surviving.
2. In the unfortunate eventuality of neither of the parents surviving, the hospital should required to furnish information with regard to demise of parents under their treatment, whose children have been orphaned, to the Department of Women and Child Development, without any delay, preferably within a day of the occurrence of the demise with aforesaid information that is data related to minor children collected by the hospital.
3. The Department of Women and Child Development shall forward the information for action to the CWC concerned without any delay.

In view of the above direction of the Hon'ble High Court of Delhi all hospitals located in GNCT of Delhi, Women & Child Development Department and Children Welfare Committee are directed as under:

- (a) The hospital shall ensure that at the time of admission for treatment of the patients, the data related to minor children and declaration of the guardian for those children in case of the demise of the patients must be obtained and maintained by the hospital concern in the admission form itself.
- (b) In case of demise of the patients if declaration of the guardian has been obtained by the hospital, same may be informed to the Department of Women & Child Development about the demise of the patient with the details of minor children and nominated guardian for appropriate action by Department of Women& Child Development.
- (c) In case no declaration in respect of guardian has been given by the patient and the children have been orphaned after the demise of parents, the hospital must share the information related to the orphaned children with Department of Women & Child Development on the same day. The copy of this information should also be shared with Health & Family Welfare Department, GNCT of Delhi.

(d) On receipt of the information as at (b) above, the Department of Women & Child Development shall inform the Children Welfare Committee without any delay for making necessary arrangements for the children so orphaned.

(e) The Children Welfare Committee shall also share the details of the arrangements made for each and every child with the Department of Women and Child Development, which will keep a record of each child for whom information has been shared with Children Welfare Committee.

Accordingly, all hospitals located within National Capital Territory of Delhi, Department of Women & Child Development and Children Welfare Committee are directed to ensure that the above direction is strictly complied within letter and spirit. Non-compliance will be viewed seriously and action as per relevant provisions of the Act/Rules shall be initiated without further notice.

This issue with the approval of the Deputy Chief Minister, Delhi.



SPL. SECRETARY (HEALTH & FAMILY WELFARE)

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Copy to:-

1. Pr. Secretary to Lt. Governor, Delhi
2. Secretary to Hon'ble Chief Minister, Delhi
3. Secretary to Hon'ble Dy. Chief Minister, Delhi
4. Secretary to Hon'ble Minister of Health, Delhi
5. OSD to Chief Secretary, GNCT of Delhi
6. Addl. CS (Power)/Nodal Officer (COVID-19), GNCT of Delhi
7. Pr. Secretary (H&FW), GNCT of Delhi
8. Chairperson, New Delhi Municipal Council
9. Commissioner, MCD (EDMC/NDMC/SDMC)
10. Director, Women & Child Development, GNCT of Delhi
11. Director, General Health Services, GNCTD
12. All the District Magistrates in the Govt. of NCT of Delhi with the direction to ensure strict compliance of the above order for Govt's Hospitals.
13. Mission Director, Delhi State Health Mission (DSHM), Delhi
14. Director, Directorate of Family Welfare, GNCTD
15. All MSs/MDs/Directors of the Covid 19 Hospitals of Govt. of India in Delhi.
16. All MSs/MDs/Directors of the Hospitals of Govt. of NCT of Delhi.
17. All Nodal Officers of Delhi Govt. Hospitals with the direction to ensure strict compliance of the above order.
18. MS (Nursing Homes) with the direction to bring the contents of the above order to the notice of all Private Hospitals/Nursing Homes/Clinics and ensure strict compliance.
19. SIO, NIC for uploading the same on the website of Delhi Government.



SPL. SECRETARY (HEALTH & FAMILY WELFARE)