

COMMITTEE ON PETITIONS

(FIFTEENTH LOK SABHA)

TWENTY THIRD REPORT

MINISTRY OF HEALTH & FAMILY WELFARE

(Presented to Lok Sabha on 4th December, 2012)



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ANNEXURE

Minutes of the Fifty First sitting of the Committee on Petitions held on
26 September, 2012.

COMPOSITION OF THE COMMITTEE ON PETITIONS

Shri Anant Gangaram Geete - Chairman

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2. **Shri Shiv Kumar - Director**
3. **Dr. Ram Raj Rai - Additional Director**
4. **Smt. Jagriti Tewatia - Under Secretary**
5. **Shri Jyoti Prakash Krishna - Executive Assistant**

**TWENTY THIRD REPORT OF THE COMMITTEE ON PETITIONS
(FIFTEENTH LOK SABHA)**

INTRODUCTION

I, the Chairman, Committee on Petitions, having been authorized by the Committee to present the Report on their behalf, present this Twenty Third Report on the representation received from Shri S.C. Rastogi and others regarding : Opening up of CGHS Dispensary in Rajendra Nagar, Sahibabad, U.P.

2. The Committee considered and adopted the draft Twenty Third Report at their sittings held on 26 September, 2012.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;

26 September, 2012
4 Asvina, 1934 (Saka)

Anant Gangaram Geete,

**Chairman,
Committee on Petitions.**

REPORT ON THE REPRESENTATION FROM SHRI S.C. RASTOGI AND OTHERS REGARDING OPENING UP OF A CENTRAL GOVERNMENT HEALTH SCHEME (CGHS) DISPENSARY IN RAJENDRA NAGAR, SAHIBABAD, UTTAR PRADESH (UP).

A representation dated 23.09.2011 was submitted to the Committee on Petitions by Shri S.C. Rastogi and other residents of Rajendra Nagar, Sahibabad, Uttar Pradesh regarding; opening up of a CGHS Dispensary in Rajendra Nagar, Sahibabd, UP.

2. The representationists inter-alia stated that Rajendra Nagar, Sahibabad is one of the oldest colonies developed by the Ghaziabad Development Authority (GDA) in 1971 on the West Bank of River Hindon. The area is having a large number of serving as well as retired Central Government employees. There is, however, no CGHS dispensary in the area. Thus, for want of CGHS dispensary, the CGHS beneficiaries have to go to private medical doctors even for their day to day medical treatment. In the past, there was a proposal to open a CGHS dispensary and even an advertisement was issued for the purpose in a national daily by the Additional Director, CGHS, Delhi inviting proposals from house owners for a suitable location/accommodation on rent for housing CGHS dispensary in Rajendra Nagar, Sahibabad. In response thereto, some properties were offered and inspected by the concerned officials. However, no progress has since been made so far in the matter. It was further stated that, the locality under reference has adequate number of CGHS cardholders who are availing medical facilities in various CGHS dispensaries located elsewhere. They therefore, requested the Hon'ble Committee on Petitions to look into the matter.

3. The Committee on Petitions took up the representation for detailed examination under Direction 95 of the Directions by the Speaker, Lok Sabha. Accordingly, the representation was referred to the Ministry of Health and Family Welfare on 03.08.2011 for having their comments on the issues/points raised therein. In response thereto, the Ministry of Health and Family Welfare vide their communication dated 19.04.2012 submitted as under:

"A CGHS dispensary was sanctioned for Sahibabad in the year 2009. Since CGHS does not have its own building or plot of land in the above locality, it was decided to open it in a rented accommodation. Several attempts were made to take suitable private accommodation on rent to operationalise it at the earliest, yet it did not materialize. CGHS dispensary requires a significant amount of space with some laid down parameters to run it as per the norms and rules. On 24.02.2010 an advertisement was given in the local newspapers inviting offers

from the desirous persons/landlords for hiring their premises for opening up of a CGHS dispensary. One such accommodation was identified for the purpose and the process for obtaining requisite approval was initiated. But, in the meantime, the landlord changed his mind and backed out.

Shri Rastogi, a local resident of the area and a CGHS beneficiary, suggested for exploring the possibilities of hiring a few vacant flats of M/s Bharat Electronics Limited (BEL), a Government of India Undertaking under the Ministry of Defence, in Sector-C, Sahibabad for the purpose. Accordingly, Ministry of Defence has been approached for hiring the premises owned by Bharat Electronics Ltd. on rental basis. In this respect, AS&DG (CGHS) has written a DO letter to Secretary, Defence Production. Their response is awaited. Ghaziabad Development Authority has also been approached for allotment of a suitable plot of land. In this regard, a DO letter from AS&DG (CGHS) to Chairman, Ghaziabad Development Authority has been sent.

Meanwhile, a newspaper advertisement has again been released recently inviting proposals from the desirous landlords for taking private premises on rent/lease to operationalise the CGHS dispensary at Sahibabad at the earliest. The Ministry of Health and Family Welfare has been making all sincere efforts in this regard."

4. In response to a query raised by the Committee regarding the total number of CGHS dispensaries opened in the last two years in the National Capital Region (NCR), the Ministry in their written reply submitted that a new CGHS Dispensary has started functioning at Shalimar Bagh, Delhi with effect from 16.07.2011.

5. On being asked by the Committee about the parameters for opening up a new dispensary, the Ministry in their written reply submitted as follows:-

"Building with 2500 Sq.Ft –covered area, facilities for parking and easy access for beneficiaries, minimum power- 2 Medical Officers, 2Pharmacists, 1 LDC, a Staff Nurse, ANM, 2 Nursing Asst., 2 Female Attendants."

6. In reply to a query by the Committee about the reasons for not opening up of a CGHS Dispensary in the area under reference, the Ministry have submitted that despite the efforts made, it had not been possible to get a suitable private accommodation for the purpose.

7. On being enquired about the steps taken by the Government to expedite the matter especially when seen in the backdrop that a proposal for opening up of a CGHS Dispensary in the area was included in the Tenth Five Year Plan and the fact that the

term of Tenth and Eleventh Five Year Plans is already over, the Ministry have informed the progress made in the matter by the Government in a chronological order:

Date	Action Taken
October, 2009	On the basis of representations and demands from people residing in Delhi and NCR, Sanction of '8' Wellness Centres including a Wellness Centre in Sahibabd area was approved by Finance Ministry.
24/02/2010	Advertisement issued for private accommodation for Sahibabad Wellness Centre in leading Newspapers.
April, 2010	Inspection Committee shortlisted 2 properties out of the 10 offers. Dr. S. Roy, AD (EZ) inspected the 2 premises and on comparative study the property owned by Shri Narendra Kumar Jain at 9/215, Sector-3, Sahibabad was recommended for approval of Competent Authority.
25/01/2011	Building inspected by CPWD.
03/02/2011	CPWD recommended the rent @ Rs.65,810/-. Owner asked for Rs.9190 per month extra for 12 KV Generator Set.
08/03/2011	IFD agreed to running cost of DG Set only.
07/06/2011, 28/06/2011	Information sent to Owner of the Building.
02/08/2011	Landlord backed out from the contract.
August, 2011	AD (EZ) re explored the availability of premises. Three Owners offered their premises and out of which the premises at Plot No.3/131, Sector-5, Rajinder Nagar, Sahibabd owned by Shri Sanjay Rawat having 5000 Sqr. Ft. covered area was preferred due to its location and other available facility.
13/01/ 2012	It was decided to issue a fresh advertisement as the recommended landlord's proposal was not against the open or previous advertisement.
09/01/2012 & 29/02/2012	Meanwhile, DO letters were sent to the Vice-Chairman, Ghaziabad Development Authority and the Housing Commissioner, UP Housing and Development Board, for allotment of a plot of land in the adjoining areas of for establishing another CGHS wellness Centre in Ghaziabad.

07.03.2012	Another DO letter was sent to BEL, Ministry of Defence by AS & DG (CGHS) for allotment of an accommodation in the BEL premises.
24/03/2012	A fresh advertisement was put up in leading newspapers for a rental accommodation.
17/04/2012	It was reported that BEL premises was inspected by CGHS official with Shri Rastogi to take on the spot assessment of the premises.
27/04/2012 & 09.05.2012	Inspection of the three premises who had applied against the advertisement was done by the Inspection Committee. The Committee recommended the premises at Rajinder Nagar, owned by Shri Sanjay Rawat.
14.05.2012	Department of Defence Production, Ministry of Defence informed that the vacant quarters at Sahibabad are not fit for occupation and are to be demolished.
23.05.2012	CPWD was requested for rent reasonability certificate of the premises at Sector-5 Rajinder Nagar. Response is awaited.

"

8. On being specifically asked about the initiatives taken by the Ministry/CGHS to hire the flats from the Ministry of Defence/BEL, the Ministry in their written reply submitted as under:-

"Yes, the matter has been taken/being taken up with Department of Defence Production, Ministry of Defence. AS&DG, CGHS vide his DO letter dated 07.03.2012 requested for allotment of the said accommodation for opening up of a CGHS dispensary in the vacant flats of BEL. A reply has since been received from them expressing their inability to allot the premises."

9. The Ministry vide their OM dated 23.05.2012 have further submitted:

"A reply has been received from the Joint Secretary (ES), Ministry of Defence, department of Defence Production vide his DO letter No. 30(13)/2012/D(BEL) dated 14.05.2012 in response to the AS&DG's DO letter dated 7.3.2012 wherein he has communicated that the 28 quarters located in BEL's premises in Rajendra Nagar, Sahibabad which were suggested by Shri Rastogi and others for opening of a CGHS dispensary, were declared unsafe and, therefore, the same were got

vacated from the employees. The above quarters are in the process of being disposed of through auction.

Meanwhile, the Department has also shortlisted a private accommodation in the area through newspaper advertisement issued on 23.03.2012 for the CGHS dispensary. The proposal is under process for obtaining a rent assessment report from CPWD and other financial and administrative approvals of the Competent Authority for operationalising the dispensary at Sahibabad."

10. When enquired about the action being taken by CGHS Authority to mitigate the hardships faced by the residents of Rajendra Nagar, Sahibabad, the Ministry in their written reply submitted as under:-

"Central Government serving employees are covered under CS(MA) Rules. Pensioners have the option to avail CGHS facilities from the nearest CGHS Dispensary.

The Ministry have also informed that recently, an advertisement was issued in the local newspaper for hiring premises in the area under reference for the opening up of a dispensary."

11. When the Committee desired to know about the properties which were offered in response to the advertisement placed by the CGHS Authorities for Rajendra Nagar, Sahibabad and action taken thereupon, the Ministry in their written reply submitted as under:-

"Three responses were received with reference to the advertisement issued by CGHS in March, 2012, for hiring accommodation in Sahibabad. Inspection of the three premises of the bidders, who had applied against the advertisement, was carried out by Inspection Committee constituted under AD, CGHS, East Zone on 27.04.2012 and 09.05.2012. The Committee recommended the premises at Rajendra Nagar, Sahibabad, owned by Shri Sanjay Rawat."

During the course of oral evidence held on 29.05.2012, the Secretary, Ministry of Health and Family Welfare further submitted as follows:

"The private premises at Plot No.3/131 Sector-5, Rajendra Nagar, Sahibabad, owned by Shri Sanjay Rawat has been identified for the dispensary. CPWD has been requested on 23.05.2012 for 'rent reasonability certificate' of the premises at Sector-5, Rajendra Nagar. Their response is awaited."

12. On being asked about the initiatives taken by the Ministry with the concerned Urban Authorities of the State Government viz. Ghaziabad Development Authority (GDA) to allow a specified area/plot in the residential area for construction of a dispensary, the Ministry in their written reply submitted:-

"Yes, AS&DG, CGHS in his DO letters written to GDA and the UP Housing Board has underlined the need for a plot of land in the locality for establishing a CGHS dispensary in the area for the benefit of Central Government employees and pensioners living in the area."

13. On being enquired about the alternative action taken by the Ministry to provide atleast basic medical facilities on priority to the residents, especially senior residents of an area like Sahibabad which qualifies for opening up of a CGHS dispensary, the Ministry in their written reply submitted:

"The Ministry had taken up the issue for extending CS(MA) Rules to cover the Central Government pensioners in pursuance of the Fifth Central Pay Commission's recommendations in 1998. The proposal was rejected by the Ministry of Finance in August, 2003 on account of huge financial implications (Rs.1820 crore Per Annum). The proposal was again taken up in the COS meeting dated 28.02.2011 held under the Chairmanship of Cabinet Secretary. COS did not agree to the proposal and recommended introduction of a Health Insurance Scheme for the Central Government employees and pensioners with special focus on non CGHS areas."

14. The Committee desired to know the details of final action proposed to be taken by the Ministry to mitigate the problems of the petitioners and time frame by which the dispensary in the area will be established/made functional. The Ministry in their written reply submitted:

"It is not possible to specify any time frame considering the uncertainty over the proposed transaction with the landlord. It is not yet clear whether the rent assessed by CPWD would be acceptable to the landlord. Even after getting consent of the landlord, the Department would require financial concurrence and refurbishing of the building to make it suitable for the CGHS dispensary, which would take time. Operationalisation of the dispensary with deployment of staff and other paraphernalia would also take time."

15. The Committee, thereafter, took oral evidence of the representatives of the Ministry of Health and Family Welfare on 29.05.2012 and insisted upon the necessity to

open up dispensary in the area. The Secretary, Ministry of Health & Family Welfare submitted as under:

".....We will try to pursue the case from CPWD within a week's time but the house owner does not accept the rent in many cases. In that case, we also face problems. So, we will try to see whether we are able to start on temporary basis. Temporarily, we will try, if agreed we can start immediately, we can start within three months....."

16. When pointed out that writing letter to CPWD is not enough to expedite the process, the witness agreed to it and submitted:

"We have already requested CPWD because last time also when the rent valuation came, there was a lot of delay and by the time CPWD gave the valuation the person concerned backed out saying that it was too late for him to do that. There is also a further catch on this. We have to go by what CPWD assesses. If the landlord does not agree to that, then there is always a problem. But we will try to see that if we can have it on a temporary basis but we fully agree that this is not a permanent solution".

17. The Committee asked how in the earlier case, the person who had initially expressed interest, backed out later and how it would be ensured that the same thing does not happen again. The Secretary, Ministry of Health and Family Welfare clarified:

"He said that he had offered but it has been delayed for more than a year and that he was not interested to proceed any further on that. Here, we will try to speed up the process and we will tell CPWD to do it within two week's time so that such a position will not arise. That is why I mentioned that we will utilize this opportunity and tell them that this matter is under the scrutiny of the Petition Committee and that we have to report within a month so that you do that and if that comes through then we will try to start the dispensary within a period of three months. Simultaneously we wanted to have a permanent set up. The GDA has not responded as yet. That is what we were discussing yesterday as to how to make it possible. We are writing a letter to the Defence Ministry also whether they can allot those two dilapidated houses to us along with the land so that we can reconstruct the building. We will try that approach also. They are willing to do demolition. Between Government to government it may be much easier, rather than from somebody else. The land is strategically located and so it is convenient to all pension holders. So, location wise also it is very important. Supposing GDA has a plot at a very far off place, then it is not going to benefit the pension holders. It will not serve the purpose. So, we will

try that and if required we can take the benefit of this august body to make a request to the Defence Ministry to pursue this matter."

OBSERVATIONS / RECOMMENDATIONS

18. In their representation, Shri S.C. Rastogi and others submitted that Rajendra Nagar, Sahibabad is one of the oldest colonies developed by the Ghaziabad Development Authority where considerable number of serving as well as retired Central Government employees are residing. There is, however, no Government Dispensary in the area. In the past, there was a proposal to open up a CGHS Dispensary and advertisements were also issued by the Additional Director, CGHS, in newspapers inviting proposals from house owners for finding a suitable location on rent for housing the CGHS Dispensary in the area. In response thereto, some properties were inspected by concerned officials, but no further progress could be made. The petitioners, therefore, requested the Committee to look into the matter.

19. The Committee note from the submissions made by the Ministry of Health & Family Welfare that a CGHS Dispensary was sanctioned for Sahibabad in the year 2009. Since, CGHS does not have its own building or plot of land, several attempts were made to take a suitable private building on rent to operationalise it. An advertisement was also placed in the newspaper inviting proposals from desirous persons for hiring their premises for opening up of a CGHS Dispensary as per the laid down CGHS parameters. One accommodation was identified for the purpose and the process for obtaining requisite approval was initiated. The Committee, however, are concerned to note that due to delay in processing and following the lengthy procedure, including the rent valuation of the property by the CPWD, the owner backed out of the deal and the premises for opening a CGHS Dispensary could not be hired.

20. The Committee further note that one of the petitioners also had alternatively suggested that CGHS Authorities can hire a few vacant quarters of M/s Bharat Electronics Limited (BEL), a Government of India undertaking under the Ministry of Defence, in Sector-C, Sahibabad for the purpose. The

Ministry of Health & Family Welfare is reported to have approached the Ministry of Defence for hiring the quarters owned by Bharat Electronics Ltd. (BEL) on rental basis. Department of Defence Production, Ministry of Defence informed that the 28 vacant quarters located in BEL's premises in Rajendra Nagar, Sahibabd are not fit for occupation and are to be demolished. However, during oral evidence, the Secretary, Ministry of Health and Family Welfare informed the Committee that the Ministry had expressed their willingness to buy atleast two flats along with land from the BEL, Ghaziabad so that the Ministry can reconstruct the building as these quarters are strategically located and could serve the purpose of dispensary well.

21. The Committee note that in order to have a permanent arrangement of the Dispensary at Sahibabad, a communication was sent to the Vice-Chairman, Ghaziabad Development Authority (GDA) and the Housing Commissioner, UP Housing and Development Board on 09.01.2012 and 29.02.2012 i.e. after 3 years of sanctioning of the CGHS Dispensary for the allotment of a plot of land in the adjoining areas for establishing CGHS Wellness Centre in Ghaziabad. The Committee regret to point out that such long period was taken to send the communication to GDA and still no response has been received from Ghaziabad Development Authority and the Housing Commissioner and UP Housing and Development Board, in this regard. The Committee are distressed to note that the Ministry neither took timely action to impress upon the GDA to allot a piece of land for the setting up of a dispensary nor pursued the matter vigorously to take it to its logical conclusion. The Committee, therefore, strongly recommend the Ministry to initiate serious action in the matter and take up the issue again with the Ghaziabad Development Authority and UP Housing and Development Board, Lucknow so that a permanent CGHS Dispensary could be set up in the area at the earliest and without any further loss of precious time.

22. Meanwhile, with a view to providing immediate relief to the petitioners and thousands of other CGHS beneficiaries for availing medical facilities, the Ministry should expedite setting up dispensary in the premises now identified for hire. The necessary formalities involved in the process of hiring this property and operationalizing the dispensary in a time bound manner including the issuance of Rent Reasonability Certificate (RRC) by the CPWD should be completed soon so that a situation should not arise again where delay is caused to an extent that the land owner walks off at the eleventh hour. The Committee also take note of the submission made by the Secretary, Ministry of Health & Welfare while tendering oral evidence before the Committee that they will try to pursue the case with CPWD within a week's time, if agreed they can start dispensary temporarily in three months time. The Committee, therefore, recommend that the Ministry and CPWD should coordinate in the matter promptly and the process of hiring the property and operationalizing the dispensary in a rented accommodation may be expedited and completed within 2 months time. The Committee would like to be apprised of the action taken in this regard within 3 months after presentation of the Report to the House.

23. The Government should also simultaneously work for a permanent solution by expediting the matter with the Ministry of Defence/GDA requesting them to allot appropriate site/premises for the dispensary. The Committee feel that the quarters of BEL lying vacant for many years will be most appropriate for this purpose. It will also be easier to transfer/sell the required number of unused quarters between two Central Government Departments viz. from Ministry of Defence to Ministry of Health & Family Welfare who can reconstruct the same according to their needs. Moreover, this location is also convenient to all CGHS beneficiaries especially, pensioners. Alternatively, the GDA should be impressed upon to allot a plot in the close vicinity of Rajendra Nagar. The Committee, therefore, strongly

recommend that the Ministry of Health & Family Welfare should pursue the matter with the Ministry of Defence and GDA/UP Government and strive to get the dispensary established by purchasing either the flats from Ministry of Defence or plot from GDA/UP Government. The Committee would like to be apprised of the action taken in this regard with in three months' time.

NEW DELHI;

26 September, 2012
4 Asvina, 1934 (Saka)

**Anant Gangaram Geete,
Chairman,
Committee on Petitions.**

