



### **ABSTRACT**

Schemes – Experts' Committee to inspect the Private Hospitals in 32 Districts according to the new format – To be compiled and submitted before the Hon'ble High Court of Madras, Chennai –Sanction of Rs.15.00 Lakh – Orders – Issued.

### **HEALTH AND FAMILY WELFARE (E2) DEPARTMENT**

G.O.(Ms.)No.224

Dated : 11.06.2018  
Thiruvalluvar Aandu – 2049  
Vilambi – Vaikasi -28

Read :

1. G.O.(Ms.) No.118, Health and Family Welfare (E2) Department, Dated 20.04.2017.
2. From the Hon'ble High Court of Madras, Chennai, Orders, Dated 22.09.2017 in W.P.No.30367 of 2015.
3. G.O.(Ms.) No.427, Health and Family Welfare (E2) Department, Dated 27.11.2017.
4. From the Director of Medical and Rural Health Services, Chennai, Letter Ref.No.24781/P&DIV// 2017, Dated 20.02.2018.

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### **ORDER :**

One, Mr.Jawaharlal Shanmugam has filed a Public Interest Litigation in W.P.No.30367 of 2015 before the Hon'ble High Court of Madras, Chennai regarding provision of ramp facilities in high-rise hospital buildings for easy evacuation of the patients in case of fire. In this case, the Secretary to Government, Health and Family Welfare Department has been impleaded as 1<sup>st</sup> Respondent and the Member Secretary, Chennai Metropolitan Development Authority, Director, Tamil Nadu Fire and Rescue Services and Secretary, Medical Council of India have been impleaded as the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Respondents, respectively.

2. The Hon'ble High Court of Madras, Chennai, in its orders, dated 07.04.2017 in W.P.No.30367 of 2015, has issued the following directions:-

"....That a team headed by the Health Secretary, comprising experts from the Fire Fighting Department, shall be constituted within two weeks to inspect and monitor the fire fighting arrangements in hospitals and Medical Centres, both Government and Private, in the State of Tamil Nadu. Immediate steps shall be taken by the Committee to ensure that fire fighting arrangements are put in order in all these Hospitals and Medical Centres, as per the fire safety requirements.

- ii. The Committee shall take the assistance of Dr.P.R.Subaschandran, intervening petitioner, and Mr.Jawaharlal Shanmugam, petitioner herein
- iii. With regard to the other aspects of fire safety measures in the buildings, it is submitted that a report shall be prepared and submitted within a period of three months from the date of receipt of

a copy of this order. The respondent No.4 i.e. Medical Council of India shall give a status report on the action taken by the Medical Council of India in terms of the earlier order of this Court dated: 20.01.2017....”

3. Based on the above orders of the Hon'ble High Court of Madras, Chennai, an Experts' Committee has been constituted in the Government Order first read above under the Chairmanship of the Principal Secretary of the Health & Family Welfare Department with the assistance of Dr.P.R.Subaschandran and Thiru.Jawaharlal Shanmugam, petitioners of this case to inspect and monitor the fire fighting arrangements in Hospitals and Medical Centres, both Government and Private in the State of Tamil Nadu to ensure that the fire fighting arrangements are put in order in all these Hospitals and Medical Centres as per the fire safety requirements.

4. In the meantime, the Hon'ble High Court of Madras, Chennai, in its orders dated 22.09.2017 in W.P.No.30367 of 2015 has directed as follows:-

*“..... The installation of fire fighting / fire evacuation of aids and tools as also the installation of inter-building ramps is a highly technical matter. The petitioner having been included in the Committee of experts, he might have his suggestions to the Experts Committee of which he is a member, not only with regard to the measures that might be taken, but also inform the Committee of the experts in the field whose advices and / or assistance might be taken.*

5. *We adjourn the writ petition for four (4) months.*

6. *In the meanwhile, it is expected that the Committee will devise a comprehensive and detailed plan for installation of ramps and fire fighting / fire evacuation devices in hospitals, educational institutions and other crowded buildings and submit its report to this Court.*

7. *The respondents shall ensure that no new hospitals are constructed in contravention of rules and / or without complying with fire safety norms and making adequate fire fighting / fire evacuation arrangements. List on 09.02.2018.”*

5. Based on the above orders of the Hon'ble High Court of Madras, Chennai and as per the suggestions of the Experts' Committee, in view of urgency, the following members were added with the Experts' Committee in the Government Order second read above.

- (i) The Member Secretary, Tamil Nadu Pollution Control Board
- (ii) The Chief Engineer, Tamil Nadu Electricity Board / Tamil Nadu Generation and Distribution Corporation Limited / C.P.W.D.
- (iii) The Expert in State Medical Council
- (iv) Mr. Adel, Joint Secretary of Association of Health Care Providers India (AHPI)
- (v) Professor of IIT

6. In his letter fourth read above, the Director of Medical and Rural Health Services, Chennai has stated that the District level Experts' Committees have also been formed for inspecting the Private Hospitals in all the Districts. Nearly 200 - 250 hospitals have been inspected during the month of December 2017. The Director of

Medical and Rural Health Services, Chennai has further stated that nearly 3500 private hospitals have to be inspected throughout the State. Approximately, five to seven private hospitals could be inspected by a team per day. It is planned to form Committees for inspecting the private hospitals in 31 districts according to the new format and the entire data has to be compiled and submitted before the Hon'ble High Court of Madras, Chennai. Tentative Expenditure for the above said inspections is calculated as follows:-

Total number of Hospitals	::	3500
No. of Hospitals that could be Inspected per day	::	7
3500 hospitals divided by 7 (Ten teams are planned to be formed)	::	500
<b>Expenditure involved for a team Per day</b>		
Vehicle Cost per day	::	Rs.3,000/-
Food and Other Expenses per day	::	Rs.1,000/-
Total per day	::	Rs.4,000/-
Total Expenditure (Rs.4,000/- x 500)	::	Rs.20,00,000/-

7. As per the decision taken in the 6<sup>th</sup> meeting of the State Level Experts' Committee on Fire Safety Methods held on 25.01.2018, the Director of Medical and Rural Health Services has requested the Mission Director, National Health Mission, Chennai to sanction Rs.20.00 lakh to proceed with the inspection of the private hospitals. The Mission Director, National Health Mission, Chennai has sanctioned a sum of Rs.5.00 lakh to proceed with the inspection of the private hospitals.

8. The Director of Medical and Rural Health Services has, therefore, requested the Government to sanction the remaining amount of Rs.15.00 lakh to proceed with the inspection of the private hospitals in 32 districts according to the new format and the entire data has to be compiled and submitted before the Hon'ble High Court of Madras, Chennai.

9. The Government have carefully examined the proposal of the Director of Medical and Rural Health Services in detail and decided to sanction a sum of Rs.15,00,000/- (Rupees Fifteen Lakh Ony) to the Director of Medical and Rural Health Services to proceed with inspection of the private hospitals in 32 districts according to the new format and the entire data has to be compiled and submitted before the Hon'ble High Court of Madras, Chennai and orders accordingly.

10. The expenditure shall be debited to the following Head of Account:-

"2210 Medical and Public Health 01. Urban Health Services – Allopathy 001. Director of Administration – State's Expenditure – AA – Head quarters of Directorate of Medical and Rural Health Services 05. Office Expenses 06. Investigation charges (DPC 2210 01 001 AA 0563)

11. The expenditure sanctioned in para 9 above shall constitute an item of "New Instrument of Service" and the approval of Legislature will be obtained in due course. Pending approval of the Legislature, the expenditure may be initially met by

drawal of an advance from the Contingency Fund. The Director of Medical and Rural Health Services, Chennai shall apply for sanction of advance from the Contingency Fund for the amount required upto current financial year in the prescribed format appended to the Tamil Nadu Contingency Fund Rules, 1963, along with a copy of this order to the Government in Finance (BG.I) Department. The Director of Medical and Rural Health Services, Chennai is requested to send necessary explanatory notes to include the above expenditure in the Supplementary Estimates for the year 2018-2019 to the Government in Finance (Health.II) Department at the appropriate time without fail.

12. This order issues with the concurrence of Finance Department, vide its U.O.No.28282/Health-II/2018, Dated: 11.06.2018 and ASL No.374 (Three Hundred and Seventy Four).

(BY THE ORDER OF THE GOVERNOR)

J. RADHAKRISHNAN  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director of Medical and Rural Health Services, Chennai-06.

The Additional Director General of Police / Director, Tamil Nadu Fire and Rescue Services, Chennai – 08

The Director of Medical Education, Chennai -- 10

The Director, Chennai Metropolitan Development Authority, Chennai – 08

The Director of Town and Country Planning, Chennai – 02

The Secretary, Medical Council of India, Pocket 14, Sector 8,  
Dwarka, phase I, New Delhi -110077.

The Jurisdictional Joint Director / Deputy Director of Fire and Rescue Services (through the Additional Director General of Police / the Director, Tamil Nadu Fire and Rescue Services, Chennai – 08)

The District Officers of Fire and Rescue Services of the District Concerned (through the Additional Director General of Police / the Director, Tamil Nadu Fire and Rescue Services, Chennai – 08)

The Registrar, High Court of Madras, Chennai – 104

Thiru.Jawaharlal Shanmugam, Ramaniyam – Sanjivini, Block No.1, Flat No.3A,  
No.72/144, Lattice Bridge Road, Tiruvanmiyur, Chennai – 41

Dr.P.R.Subaschandran, S/o.Thiru.Raju Naidu, Freelance Journalist, R/o.24-C,  
Kumaran Street, Thirunagar, Madurai – 625 006.

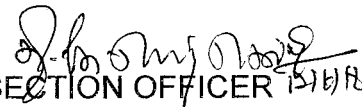
The Pay and Accounts Officer (South), Chennai-35.

The Principal Accountant General, Chennai-18.

The Finance (BG-I/BG-II/Health-II) Department, Chennai-09.

✓ The Health and Family Welfare (Data Cell) Department, Chennai-09.  
Stock File/Spare Copy.

/ FORWARDED BY ORDER /

  
SECTION OFFICER 12/6/18  
12/6/18