



## Free Treatment to EWS Patients

The Supreme Court ruled that private hospitals in Delhi, allotted land at subsidized rates, will have to provide free treatment to patients from the economically weaker sections (EWS) category.

- The free treatment will be given to **25 per cent Out Patient Department (OPD)** and **10 per cent Inpatient Department (IPD)** patients belonging to EWS category.
- Any violation in the agreement between the hospitals and the government, according to which beds were to be reserved for patients of the EWS category, might lead to cancellation of the lease.
- The SC bench reversed an earlier order of the Delhi High Court.

### Background

- Earlier in 2014, the Delhi High Court had quashed the order of Ministry of Urban Development and the Delhi government that made it mandatory for hospitals to provide free treatment to persons from EWS category.
- The High Court had lauded the intention of the Government to bring the **Directive Principle** (to provide free treatment to poor) to fruition, but questioned its execution and emphasized the **need for a legislation**.
- The hospitals had argued that the government could not issue such orders since they had purchased the land at market rates and the original lease deeds for the land did not contain the freeship clause.
- Moreover, they argued that the fundamental right of the hospitals to do business cannot be taken away by an executive order and it can be done only by enacting a law.

### Issues

- The majority of patients visiting private hospitals in Delhi are from other states who are clueless about the availability of reserved free beds.
- Therefore, for effective and efficient delivery of free health care for the EWS, **robust information disbursal system** is a prerequisite.
- Though the Delhi Government introduced an online monitoring system and appointed patient welfare officers to assist EWS patients - these decisions were not properly implemented.
- Once more, the Judiciary has taken a stand, but it's up to the executive to uphold the letter and spirit of Directive Principles of the Constitution by **proper implementation of already existing mechanisms**.