



राजेश भूषण, आईएएस
सचिव

RAJESH BHUSHAN, IAS
SECRETARY



भारत सरकार
स्वास्थ्य एवं परिवार कल्याण विभाग
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
Government of India
Department of Health and Family Welfare
Ministry of Health and Family Welfare

D.O. No.-C.18018/12/2020-MS
19th January 2021

Dear Colleague,

This is in reference to a Court case pending in the Hon'ble High Court of Delhi, bearing no. Contempt Case (Civil) – 739/2020, titled “**Dr. Rohit Jain versus Sh. Vijay Kumar Dev & ors.**”, filed for non-compliance of the Order dated 06.08.2020 (copy enclosed) of the Hon'ble High Court of Delhi in WP(C)-5031/2020 titled “Dr. Rohit Jain versus Govt. of NCT of Delhi & Ors.”

2. As per the aforesaid Order, the Hon'ble High Court of Delhi had directed the 'concerned authorities' to initiate action against any illegal online health service aggregators operating in Delhi in violation of the 'applicable laws', including the Clinical Establishments (Registration and Regulations) Act, 2010, 'if applicable'.
3. You might be aware that the Laboratories, and other Clinical Establishments, providing any type of medical services, are required to be registered either under the Clinical Establishments (Registration and Regulations) Act, 2010 (in those States/UTs where it is applicable) or under the State Laws, as applicable. This Ministry has also notified in Gazette, the minimum standards for Laboratory Services vide notifications dated 21.05.2018, and the amendment Notification dated 14.02.2020.
4. Certain online health service aggregators, operational in various parts of the Country, may perhaps be neither providing any details of Laboratories, on behalf of which, they are providing services, nor their registration status, including compliance to minimum standards. The details of qualified staff, as required for running the laboratory services, may also not be available on their online portals.
5. If such instances are happening, then it is a matter of grave concern, as it affects the health and safety of citizens, who may obtain services from these online aggregators & may subsequently be aggrieved.

contd..2/-

6. Health being a State subject, and keeping in view the directions of the Hon'ble Court in the above said order, it is requested, that a time-bound action plan may be made and implemented, as per the applicable laws, for regulating such online health service aggregators, and the related service providers, operational in your State/UT. It is further advised that the Department of Home of the concerned State may also be requested to investigate such matters, with an objective to prevent any kind of violation (civil or criminal / cyber or otherwise) of applicable laws.

7. It is further requested that an Action Taken Report may be sent to this Department on a priority basis.

Regards .

Yours Sincerely



(Rajesh Bhushan)

Encls. : A/a

To : Chief Secretaries/Administrators of all States/UTs

Copy to : ACS/Principal Secretaries/Secretaries (Health) of all the States/UTs

Copy also to :

1. Secretary, Ministry of Home Affairs, Govt. of India, New Delhi
2. Secretary, Ministry of Electronics & Information Technology, Govt. of India.