



RAILWAYS SENIOR CITIZENS WELFARE SOCIETY (RSCWS)

(ESTD 1991, REGD NO.1881- UNDER REGISTRATION OF SOCIETIES ACT)

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AFFILIATED TO BHARAT PENSIONERS' SAMAJ (BPS)

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No. RSCWS/CHD/Medical/2025-11		Dated: 26.06.2025

To
The Secretary
Ministry of Health and Family Welfare
Government of India

Subject: Urgent Implementation of Uniform Fee Structure under Rule 9 of Clinical Establishments (Central Government) Rules, 2012 –Compliance with Hon'ble Supreme Court Order dated 27.02.2024 in WP(C) No. 648/2020

Respected Sir,

On behalf of Railway Senior Citizen Welfare Society (RSCWS), we draw your kind attention towards the non-implementation of Rule 9 of the Clinical Establishment (Central Government) Rules, 2012, despite the binding observations of the Hon'ble Supreme Court of India.

Healthcare is a fundamental right under Article 21 of the Constitution. Delaying action, even in the face of explicit Supreme Court direction, is not only contemptuous but cruelly unfair to the aged and vulnerable pensioners especially the Railway Liberalised Health Scheme (RELHS) beneficiaries.

1. Supreme Court Directions- Legal & Moral Obligations

In Writ Petition (Civil) No. 648 of 2020-Veteran Forum for Transparency in Public Life of India, the Hon'ble Supreme Court, vide order dated 27-02-2024, made the following key directions:

"The Union of India, cannot shirk away from its responsibility by merely stating that communications have been addressed to the State Governments/Union Territories and they are not responding."

(Para 4, SC order dated 27-02-2024) The Court directed:

"The Secretary Department of Health, Union of India to hold a meeting with his counterparts in the State Government/Union Territories and come with a concrete proposal by the next date of hearing." (para 6, *ibid.*)

Moreover, the Hon'ble Bench indicated:

"In the event the Central Government does not come out with a concrete proposal, we will consider issuing appropriate directions in this regard." (Para 8, *ibid.*)

These observations affirm the statutory and constitutional duty of the Central Government under the Clinical Establishment (Registration & Regulation) Act, 2010, to ensure affordable and transparent healthcare pricing particularly for vulnerable sections like senior citizens and pensioners.

2. Ground Reality-Violation of Rule 9 and CGHS Standards

Despite this clear judicial mandate, Rule 9 remains unimplemented and the arbitrary pricing by private hospitals continue unabated. This disproportionately affects:

(a) Pensioners and senior citizens, who often live on fixed, limited incomes.

(b) RELHS/CGHS beneficiaries, who are forced to pay out of pocket at non-empaneled hospitals due to lack of regulated pricing.

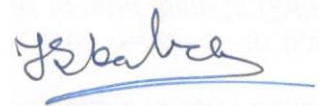
Even the Central Government Health Scheme (CGHS) rates, which are already notified and available, can be provisionally adopted under the direction of the Hon'ble Court. Yet, no interim solution has been enforced to date.

3. RSCWS demands immediate Compliance

In view of above Railway Senior Citizen Welfare Society request the Ministry to:

1. Immediately convene the inter-governmental meeting, as per Supreme Court's directives, and publish the outcomes.
2. Notify CGHS Rates as an interim measure for private Hospitals across the India until Rule 9 is not finalized.
3. No denial of justice to the poor pensioners especially RELHS beneficiaries.
4. A clause to be incorporated in the modalities of Nation Accreditation Board for Hospital (NABH) that concerned clinical establishment/hospitals while granting accreditation, that they will charge RELHS beneficiaries having valid UMID card at CGHS rates to counter check the over pricing.

We trust that the Ministry will act with urgency and empathy to uphold the dignity of life and lawful healthcare entitlement of pensioners.



(T . S . KALRA)
Chairman/RSCWS

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