

06.10.2025

Present : Shri Vineet Kumar, Counsel for Appellant.
: None for R-1, DSIIDC.
: Ms. Twinkle Kataria, Counsel for R-2.

1. Counsel for Appellant contended that R-1, DSIIDC vide notification dated 07.04.2025 has retrospectively imposed CETP and sewerage charges for the period of financial year 2012-13 to 2020-21. R-1 issued another notification dated 07.04.2025 revising the CETP and sewerage charges for the financial year 2021-22 to 2023-24 thereby increasing rates from Rs. 3/- to Rs. 6.76/- and Rs. 8.17/- per sqm/ month respectively, which is illegal since as per Supreme Court order no. CA No(s) 1699-1723 of 2015 dated 22.09.2022 & CA No. 5815 of 2009 dated 06.09.2021 charges cannot be levied retrospectively. Counsel filed a copy of two judgements in support of his contention.
2. Counsel for R-2, contended that initial CETP charges were fixed provisionally by R-1, DSIIDC vide its letter dated 08.06.2012 and the final rates, with respect to different financial years were notified thereafter vide subsequent notifications. Counsel further contended that Petitioner is very well aware of the methodology adopted by R-1, DSIIDC which is based on the cost-plus basis, for the fixation of rates. In this context, R-2 pointed to letter dated 22.01.2019 of Petitioner to R-1.
3. Counsel for Appellant also referred to the CAG report regarding the deficiencies in discharge of the sewerage functions by concessionaire R-2 and the fact that R-1 still ordered for payment of sewerage charges. Counsel for R-1 stated that they have not received the copy of the appeal. Appellant is directed to provide a copy of the same to R-2. R-2

may file comments on the CAG report before the next date of hearing. R-2 is also directed to file before the Court a statement regarding effluent parameters and whether they comply with relevant provision of the concession agreement.

4. R-1, DSIIDC is directed through MD, DSIIDC to appear and file reply with advance copy to both parties before the next date of hearing. It will also explain why cost of Rs.10,000/- be not imposed on DSIIDC for non-appearance to be deposited. MD, DSIIDC is directed to appear in person or through concerned office, along with DSIIDC's Counsel on the next date of hearing for leading the case. Issue notice for the same.

5. Adj. to 10.11.2025.

(Bhupesh Kumar)
Chief Engineer
(SDW) NW
Delhi Jal Board
Member

(Manorama Rawat)
Deputy Controller of
Accounts
Member

(Prashant Goyal)
Financial Commissioner
Delhi
Chairperson

06.10.2025

Present : None for Appellant.

: Shri Mukesh Kumar, Counsel alongwith Shri Rohit Tripathi, Pharmacist Officer for Respondent, DGHS.

1. None appeared for the Appellant.
2. Counsel for Respondent, DGHS contended that the appellant has submitted a false affidavit and Fire NOC is still awaited.
3. The DGHS issued an order cancelling registration on 05.07.2024 for non-compliance with certain obligatory requirements for a Nursing Home. The appellant at this stage categorically stated before this court that he is now fully compliant with the DGHS checklist to run a Nursing Home. This is a tricky situation concerning public interest. Closing a fully compliant running Nursing Home and directing it to apply for a fresh license from DGHS would hurt public interest for the patients from that area during the interregnum period. However, allowing a Nursing Home to run without necessary clearances is playing with public life. On query of this court, the DGHS had no specific suggestion on how to handle the situation, and rather sought guidance from this Court.
4. However, since the petitioner has assured this Court that the Nursing Home is fully compliant at this stage, the case is remanded back to DGHS and the appellant is allowed to re-appear before the DGHS within 10 calendar days of this order. The appellant would carry an affidavit reflecting the current status on each point of DGHS checklist, and other specific omissions mentioned by DGHS in its show cause notice dated 10.08.2022 along with a crossed Demand Draft of ₹ 1 lakh in favour of DGHS, Delhi. Subsequent to filing of

affidavit and the demand draft, the DGHS would re-confirm compliances with all requisite obligations. If on re-confirmation it is found by the DGHS that the Nursing Home is fully compliant, the same shall be allowed to continue through an extended registration under the Nursing Home Registration Act, 1953, while also returning the demand draft. However, in case deficiencies are again observed, the license would be cancelled forthwith, Nursing Home sealed and demand draft forfeited for perjury, misleading authorities and wasting their time, and above all playing with the lives of public. This order would have no bearing on the penalties/fines that are leviable, and other offences made under the Delhi Nursing Home Registration Act, 1953 for shortcomings observed and/or delays in complying with the same.

5. The appeal bearing no. 233/2024 titled ***Sawan Neelu Angel's Nursing Home Vs. Directorate General of Health Services (Nursing Home Cell)*** is disposed of in terms of above.
6. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 66 of 2025

06.10.2025

Present : Shri Tushar, Proxy Counsel for Petitioner.
: Shri Mukesh Kumar, Counsel alongwith Shri Rohit Tripathi, Pharmacist Officer for Respondent, DGHS.

1. Proxy Counsel for Petitioner requested to pass over the matter as the main Counsel is on way.
2. Case is passed over.

**Financial Commissioner
Delhi**

Case is again taken up at 12.10 p.m.

Present : Shri Tushar, Proxy Counsel for Appellant.
: Shri Mukesh Kumar, Counsel alongwith Shri Rohit Tripathi, Pharmacist Officer for Respondent, DGHS.

3. The case is represented by a proxy Counsel today who requested for an adjournment as the main counsel is not available and he is also not aware of the facts of the case. On the last date of hearing also i.e. 01.09.2025, proxy counsel appeared. Allowed with a cost of Rs. 10,000/- imposed on the Appellant which is to be deposited in the account of DDO, GAD, GNCTD and to file a proof of the same before the next date of hearing so that the matter may be taken up further.
4. Reply of Respondent, DGHS is already on record.
5. Adj. to 13.10.2025.

**Financial Commissioner
Delhi**

Irene Hospital Vs. DGHS

06.10.2025

Present : Shri Ved Prakash Tripathi, Counsel for Appellant.
: Shri Mukesh Kumar, Counsel along with Shri Rohit Tripathi, Pharmacy Officer for Respondent, DGHS.

1. The Appellant has filed present appeal u/s 8(3) of the Delhi Nursing Homes Registration Act, 1953 against cancellation order dated 18.03.2025 passed by Director General, Health Services.
2. The case of the Appellant is that they have applied for renewal of the registration vide application dated 10.04.2023 for the period 2023 to 2026 by submitting all the necessary documents. The Appellant received deficiency letters dated 31.05.2023, 28.12.2023, 24.01.2024, 14.03.2024 and 27.09.2024 from the Respondent, DGHS. In response the Appellant submitted all the required supporting documents and filed replies dated 23.01.2024, 22.03.2024 and 18.02.2025 to the deficiencies pointed out by the DGHS. Subsequently, the Appellant received show cause notice dated 31.01.2025 for cancellation of registration of the Appellant's hospital stating that the deficient documents has not been furnished by the Appellant. In compliance the Appellant filed detailed response along with all supporting documents on 18.02.2025. Apart from the deficiency letters and the show cause notice, no other deficiency letter or communication had ever been received by the Appellant and their application for renewal was arbitrarily rejected without assigning any reason.
3. Respondent DGHS contended that impugned cancellation order dated 18.03.2025 is a reasoned order giving all circumstances leading to cancellation of the registration of the Appellant's nursing home as Appellant hospital failed to provide (i) appointment of RMOs for ICU/ NICU as per experience qualification, (ii) appointment of nurses

working in NICU as per experience qualification, and (iii) drug license submitted had already expired.

4. The Appellant mentioned that three documents were submitted on 18.02.2025, and the cancellation order did not mention explicitly what the precise deficiencies were observed in these documents. The Counsel for DGHS admitted this aspect. The Counsel for Appellant assured the Court that all due compliances are now 100% fulfilled and no public purpose would be saved by asking it to apply afresh.
5. The DGHS issued an order cancelling registration on 18.03.2025 for non-compliance with certain obligatory requirements for a Nursing Home. The appellant at this stage categorically stated before this court that he is now fully compliant with the DGHS checklist to run a Nursing Home. This is a tricky situation concerning public interest. Closing a fully compliant running Nursing Home and directing it to apply for a fresh license from DGHS would hurt public interest for the patients from that area during the interregnum period. However, allowing a Nursing Home to run without necessary clearances is playing with public life. On query of this court, the DGHS had no specific suggestion on how to handle the situation, and rather sought guidance from this Court.
6. However, since the petitioner has assured this Court that the Nursing Home is fully compliant at this stage, the case is remanded back to DGHS and the appellant is allowed to re-appear before the DGHS within 10 calendar days of this order. The appellant would carry an affidavit reflecting the current status on each point of DGHS checklist, and other specific omissions mentioned by DGHS in its show cause notice dated 31.01.2025 along with a crossed Demand Draft of ₹ 1 lakh in favour of DGHS, Delhi. Subsequent to filing of affidavit and the demand draft, the DGHS would re-confirm compliances with all requisite obligations. If on re-confirmation it is found by the DGHS that the Nursing Home is fully compliant, the same shall be allowed to continue through an extended registration under the Nursing Home Registration Act, 1953, while also returning

the demand draft. However, in case deficiencies are again observed, the license would be cancelled forthwith, Nursing Home sealed and demand draft forfeited for perjury, misleading authorities and wasting their time, and above all playing with the lives of public. This order would have no bearing on the penalties/fines that are leviable, and other offences made under the Delhi Nursing Home Registration Act, 1953 for shortcomings observed and/or delays in complying with the same.

7. The appeal bearing no. 72/2025 titled ***Irene Hospital Vs. Directorate General of Health Services (Nursing Home Cell)*** is disposed of in terms of above.
8. File be consigned to record room after completion.



(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 99 of 2025

06.10.2025

Present : Shri Hitendra Kumar Nahata, Counsel for
Petitioner.

: Shri Faizan Asif, Son of R-1.

1. Representative of R-1 appeared and filed reply which is taken on record and supplied a copy of the same to the Counsel for Petitioner.
2. Counsel for Petitioner undertook to file rejoinder before the next date of hearing with an advance copy to the Respondents.
3. R-1 sought time for adequate representation on the next date of hearing. Allowed.
4. Adj. to 04.11.2025 for arguments.


**Financial Commissioner
Delhi**

06.10.2025

Mentioned today by Shri G. L. Verma, Counsel for Petitioner.

1. The matter was mentioned.
2. Counsel for Petitioner submitted that he has filed the present revision petition under Section 116 of the DCS Act, 2003 against the Execution Notice dated 21.07.2025 passed by the Assistant Collector, Gr.I, RCS.
3. Petitioner herein requested to direct the RCS to decide the application filed by the society on 19.02.2024 and 20.02.2024 regarding entitlement of R-4 and direct the R-2, ARCS to keep the proceedings in abeyance till the basic issues raised in the said application before the RCS and complaint raised before the DDA, are decided on merit.
4. Keeping in view the fact that the Petitioner is before the RCS in terms of the order dated 05.02.2024 of the Hon'ble High Court of Delhi and the RCS is already seized of the matter, let Dasti notice be issued upon the respondent through the Counsel for Petitioner.
5. Adj. to 17.10.2025.

**Financial Commissioner,
Delhi**