

**Fortis Healthcare Limited**

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FHL/SEC/2023-24

August 14, 2023

The National Stock Exchange of India Ltd.
Scrip Symbol: FORTIS

BSE Limited
Scrip Code:532843

Sub: Disclosure of continuing events that have now become material under Regulation 30 of SEBI (Listing Obligations & Disclosure Requirements) Regulations, 2015 amended vide the SEBI (Listing Obligations & Disclosure Requirements) (Second Amendment) Regulations, 2023

Dear Madam / Sir,

Pursuant to Regulation 30 of SEBI (Listing Obligations & Disclosure Requirements) Regulations, 2015 (“Listing Regulations”), this is to inform you that the details of pending litigations that are material for the Company and its subsidiaries in terms of Regulation 30 of the Listing Regulations, have been disclosed by the Company under relevant sections at page no. 76, 261, 276, 286, 385, 386, 387 and 388 in its Annual Report for the FY 2022-23. The link of the Annual Report is given here for reference: <https://www.fortishealthcare.com/drupal-data/2023-07/FHL%20Annual%20Report%20FY%202022-23.pdf>. Accordingly, all disclosures made by the Company with respect to the material pending litigations/disputes in the Annual Report, would be read in compliance to the requirements of SEBI (Listing Obligations & Disclosure Requirements) (Second Amendment) Regulations, 2023 dated June 14, 2023, which came into effect from July 15, 2023.

Further, pursuant to the SEBI (Listing Obligations & Disclosure Requirements) (Second Amendment) Regulations, 2023, the details of pending litigations, in addition to disclosures given in Annual Report and that are now categorized as material considering revised materiality threshold of the Company are being provided in annexure A (Non-Tax matters/ litigations) and B (Tax matters/ litigations) which are annexed herewith.

This is for your information and record.

Thanking You,

Yours Sincerely,

For Fortis Healthcare Limited

Murlee Manohar Jain
Company Secretary
ICSI Membership: F9598

Enclosed: a/a

FORTIS HEALTHCARE LIMITED

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ANNEXURE- A
Non-Tax Litigations

A. Pending material matters/ litigations relating to Escorts Heart Institute and Research Centre Limited (“EHIRCL”), a subsidiary of the Company.

	PARTICULARS
a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;	There is a pending litigation against the hospital being run and operated by EHIRCL, where the complainant had alleged negligence in the treatment given by the doctors. Complainant had filed a consumer complaint before National Consumer Disputes Redressal Commission, Delhi and demanded Rs. 3,050 Lakhs. EHIRCL is contesting the said demand.
b) Expected financial implications, if any, due to compensation, penalty etc.;	
c) Quantum of claims, if any.	

B. Pending material matters/ litigations relating to Agilus Diagnostics Limited (“Agilus”), a material subsidiary of the Company.

	PARTICULARS
a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;	Vijendra Bijlwan (“ Complainant ”) has filed a consumer case before National Consumer Dispute Redressal Commission (“NCDRC”) against Agilus seeking a compensation of Rs. 29.11 Cr. He has alleged that he had suffered brain stroke and paralysis in 2013 and was getting his blood levels (INR Value) tested regularly by Agilus from time to time. He has alleged that due to report dated 27.03.2017 issued by Agilus, he suffered from “depression, anxiety, dysphasia, dysarthria, hands tremor, disturb sleep and libido” since as per report the INR value in the blood was high. Treating doctor did not rely on the report dated 27.03.2017 and suggested re-test from another laboratory. Based on the report dated 29.03.2017 of other laboratory, the treating Doctor changed the medicines. It is further alleged that later in the year 2017 the Complainant could not get a job in Canada due to ailments and accordingly file a complaint before Uttarakhand Human Rights Commission. UHRC dismissed the complaint with direction to Complainant to approach to appropriate forum for redressal, hence he filed the complaint before NCDRC which is being contested by Agilus.
b) Expected financial implications, if any, due to compensation, penalty etc.;	
c) Quantum of claims, if any.	

ANNEXURE- B
Direct Tax Related Matters/ Litigations

A. Pending material matters/ litigations relating to Fortis Hospitals Limited (“FHSL”), a material subsidiary of the Company.

	PARTICULARS
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>On appeal by the Company for Assessment Year 2017-18, Case was referred to Transfer Pricing Officer (TPO) for Transfer Pricing (TP) Assessment. TPO has passed order on 29.01.2021 with no adverse inference. Later on, Assessing Officer (AO) has passed assessment order dt. 09.08.2021 making disallowances:</p> <p>-Rs.3,26,81,835 u/s 14A -Rs.28,96,72,142 - unexplained cash credit u/s 68 computed as per section 115BBE @ 60%.</p> <p>Amount under litigation is Rs. 26,56,61,808 and the matter is currently pending before Commissioner of Income Tax (Appeals).</p>
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>On appeal by the Company for Assessment Year 2019-20, Assessment was completed vide order dated 1.06.2021 making disallowances on account of:</p> <p>-14A r.w Rule 8D at Rs.5,37,26,805/- -Disallowance of bad debts at Rs.25,49,02,000/- -Advances from customers/patients at Rs.42,65,12,000/- -Disallowance of ICDs based on SEBI ordes at Rs.402,43,62,000/-</p> <p>Assessing income at Rs.108,58,49,650/- as against loss at Rs.367,36,53,160/-.</p> <p>Amount under litigation is Rs. 44,04,72,119 and the matter is currently pending before Commissioner of Income Tax (Appeals).</p>

B. Pending material matters/ litigations relating to Fortis Hospotel Limited (“FHTL”), a material subsidiary of the Company.

	PARTICULARS
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>On appeal by the Company for Assessment Year 2015-16, Case was referred to Transfer Pricing Officer (TPO) for Transfer Pricing (TP) Assessment. TPO has passed order proposing adjustment. Later on, Assessing Officer (AO) has passed assessment order confirming the adjustment proposed in TP Order, being interest amount paid on Compulsorily Convertible Debentures (CCDs) issued by the company.</p> <p>Amount under litigation is Rs. 71,18,64,960 and the matters is currently pending before Commissioner of Income Tax (Appeals).</p>
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>On appeal by the Company for Assessment Year 2017-18, Case was referred to Transfer Pricing Officer (TPO) for Transfer Pricing (TP) Assessment. TPO has passed order proposing adjustment. Later on, Assessing Officer (AO) has passed assessment order confirming the adjustment proposed in TP Order, being interest amount paid on Compulsorily Convertible Debentures (CCDs) issued by the company.</p> <p>.</p> <p>Amount under litigation is Rs. 56,11,28,717 and the matters is currently pending before Commissioner of Income Tax (Appeals).</p>
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>Quantum of claims, if any.</p>	<p>On appeal by the Company for Assessment Year 2018-19, Case was referred to Transfer Pricing Officer (TPO) for Transfer Pricing (TP) Assessment. TPO has passed order on 30.07.2021 proposing adjustment amounting to INR 74.63 Cr which is interest expense claimed on Compulsorily Convertible Debentures (CCDs) issued by the company to FGHIPL and consultancy expenses on the same. Later on, Assessing Officer (AO) has passed assessment order dt. 24.11.2021 confirming the adjustment proposed in TP Order.</p> <p>Amount under litigation is Rs. 33,26,19,748 and the matters is currently pending before Commissioner of Income Tax (Appeals).</p>

C. Pending material matters/ litigations relating to Escorts Heart Institute and Research Centre Limited (“EHIRCL”), a subsidiary of the Company.

	PARTICULARS
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>On appeal by the Department for Assessment Year 2001-02, Assessment was done u/s 143(1)(a) on 29.08.2002. The Assessing Officer reopened the assessment and passed the assessment order dated 28.03.2005 making an addition of Rs.149.09 crores. The Assessing Officer held that registration of a society as a company under Part IX of the Companies Act tantamount to a transfer of assets and hence alleged addition on account of capital gain has been made. Company’s appeal allowed by Income tax appellate tribunal, revenue has filed appeal before Delhi High Court</p> <p>Amount under litigation is Rs. 1,05,32,00,000 and the matters is currently pending before Delhi High Court.</p>
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>The AO completed the assessment vide order dated 28.3.2006 assessing the total income at Rs.156,44,47,193/-The Assessing Officer has brought to tax the total accumulations of income up to the date of amalgamation right from the inception at Rs.110.14 crore again and has also added to it the disallowances made in the earlier years on account of Key Man Insurance premium, software development expenses etc. The AO has also substituted the alleged market value of land with the book value & added the difference as income for the year under reference. Company’s appeal allowed by Income tax appellate tribunal, revenue has filed appeal before Delhi High Court</p> <p>Amount under litigation is Rs. 1,24,37,00,000 and the matters is currently pending before Delhi High Court.</p>

D. Pending material matters/ litigations relating to International Hospital Limited (“IHL”), a material subsidiary of the Company.

PARTICULARS	
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>Assessment Year 2013-14, Case was referred to Transfer Pricing Officer (TPO) for Transfer Pricing (TP) Assessment. TPO has passed order on 31.10.2016 proposing adjustment amounting to INR 569 million which is interest expense claimed on Compulsorily Convertible Debentures (CCDs) issued by the company to FGHIPL. Later on, Assessing Officer (AO) has passed assessment order dt. 15.02.2017 confirming the adjustment proposed in TP Order and also making disallowance u/s 14A read with rule 8D amounting to INR 60 million and u/s 36(i)(va) amounting to INR 0.26 million.</p> <p>An appeal filed before the Commissioner of Income-tax (Appeals), New Delhi on 30.03.2017 has been decided. Further appeal filed before ITAT on 18.04.2019. Departmental also in appeal.</p> <p>Demand raised at Rs.15,01,91,860/- vide order passed u/s 143(3), the same was revised at Rs.34,18,72,340/- vide order dated 17.05.2018 passed u/s 154.</p> <p>Amount under litigation is Rs. 34,18,72,340 and the matters is currently pending before Income Tax Appellate Tribunal.</p>
PARTICULARS	
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>Assessment Year 2017-18, Case was referred to Transfer Pricing Officer (TPO) for Transfer Pricing (TP) Assessment. TPO has passed order dated 11.01.2021 proposing adjustment of Rs.92,83,08,762/-. Later on, Assessing Officer (AO) has passed assessment order u/s 143(3) dated 10.05.2021 confirming the adjustment proposed in TP Order and making further disallowance u/s 36(1)(iii) at Rs.71,00,77,700/- and u/s 36(1)(va) at Rs.9,05,271/- thereby raising a demand of Rs.39.89Cr.</p> <p>Amount under litigation is Rs. 39,89,16,838 and the matters is currently pending before Commissioner of Income Tax (Appeals).</p>
PARTICULARS	
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>Assessment Year 2018-19, Case was referred to Transfer Pricing Officer (TPO) for Transfer Pricing (TP) Assessment. TPO has passed order dated 30.07.2021 proposing adjustment of Rs.228,08,64,295/-. Later on, Assessing Officer (AO) has passed assessment order u/s 143(3) dated 25.11.2021 confirming the adjustment proposed in TP Order and making disallowance u/s 36(1)(iii) at Rs.75,05,77,475/- and u/s 36(1)(va) at Rs.12,00,000/- thereby raising a demand of Rs.187.35Cr.</p> <p>Amount under litigation is Rs. 1,87,35,22,640 and the matters is currently pending before Commissioner of Income Tax (Appeals).</p>

E. Pending material matters/ litigations relating to Agilus Pathlabs Private Limited (“Agilus”), a subsidiary of the Company.

	PARTICULARS
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>Assessment Year 2013-14: Deputy Commissioner of Income tax, Circle 7(1), Mumbai has passed assessment order dated March 22, 2016 wherein returned loss declared by the assessee has been reduced from 53,389,211 to 40,144,560 for AY 2013-14 due to the addition of Rs. 13,120,668 on account of Provision made for Gratuity and Rs. 123,983 for Wealth Tax. The said disallowance has been inadvertently left while filing ITR, therefore Agilus has taken the effect of reduce carry forward lossess while filing its revise return for AY 2014-15. No further appeal is required to be filed as the additions have been duly accepted by Agilus . Agilus has received an order u/s 263 dated February 20, 2018 for certain disallowance on account of Professional fee paid to doctors of Rs. 70.89 crore and for ascertaining the amount of disallowance on account of Interest expense u/s 14A . Agilus has filed an Appeal before ITAT on March 16, 2018. The AO has issued a notice u/s 143(2)/263 dated February 21, 2018. The Case before ITAT heard on 24.11.20 Agilus has received a favorable order dated 08.01.2021.</p> <p>Agilus has received the order from AO dated 31.10.2018 in which he has raised a demand of Rs. 343,449,480 , is raised on account of disallowance of Professional fee paid to doctors of Rs. 708,927,390 and Section 14A-Interest expense of Rs. 17,891,894. Agilus has filed an Appeal before Commissioner of Income tax against the said order vide acknowledgement dated 30.11.2018 .</p> <p>Amount under litigation is Rs. 34.34 Crore, out of which Rs. 7 Crore has been paid under protest and the matters is currently pending before Commissioner of Income Tax (Appeals).</p>
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>Assessment Year 2015-16: Return of income filed on November 30, 2015. The Return of Income has been Processed under Section 143(1) of the Income Tax Act vide order dated February 14, 2017.As on March 20, 2017, Agilus has received a notice under section 143(2) dated September 9, 2016 of the Act notice received on September 28, 2016. The Deputy Commissioner of Income Tax Circle 7(3)(1) has passed an order dated December 29, 2017 , wherein the Income declared by Agilus of Rs. 887,423 before adjustment of the carry forward of losses has been increased to Rs. 917,761,545 for AY 2015-16, due to addition of professional fee paid to doctors of Rs. 522,527,334, Legal and Professional Fee Rs. 248,262,692, Repair and Maintenance of Rs. 64,575,851 and Depreciation on Non Compete Fee of Rs. 81,508,245. The AO has raised a demand of Rs. 407,222,160. Agilus has filed an appeal on January 19, 2018 before Commissioner of Income Tax (Appeal)-13.Agilus has paid Rs. 60,000,000 under protest against the said demand during February 18 and Rs. 21,500,000 in Mar-18.</p> <p>Amount under litigation is Rs. 40.72 Crores, an amount of Rs.8.15 Crore has been paid under protest and the matters is currently pending before Commissioner of Income Tax (Appeals).</p>
	PARTICULARS
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p>	<p>Assessment Year 2016-17: Return of income filed on November 30, 2016. Agilus has received an Assessment Notice u/s 143(3) vide mail dated 03/10/2017. Agilus has received Assessment notice on July 19, 2018 , Agilus has received an Assessment order dated 21.12.2018 , in which the AO raised the demand of Rs. 370,244,147 due to addition of</p>

<p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>professional fee paid to doctors of Rs. 47,32,05,646, Legal and Professional Fee Rs. 11,27,76,093, Repair and Maintenance of Rs. 4,86,53,639 and Depreciation on Non Compete Fee of Rs. 6,06,50,000. Agilus filed an, appeal before Commissioner of Income Tax -13 on 18.01.2019 and Agilus has to paid Rs. 7.4 crore on Mar 19, 2019 20% of the Rs. 37.02 "Under Protest. The stay has been granted vide its order dated 28.03.2019</p> <p>Amount under litigation is Rs. 37.02 Crores, an amount of Rs. 7.4 Crore has been paid under protest and the matters is currently pending before Commissioner of Income Tax (Appeals).</p>
PARTICULARS	
<p>a) Brief details of litigation viz. name(s) of the opposing party, court/ tribunal/ agency where litigation is filed, brief details of dispute/ litigation;</p> <p>b) Expected financial implications, if any, due to compensation, penalty etc.;</p> <p>c) Quantum of claims, if any.</p>	<p>Assessment Year 2018-19: The Return of Income was filed by Agilus on October, 2018. Agilus has received assessment notice dated 23.09.2019. Agilus has received an Assessment order dated February 28, 2020 , in which the AO raised the demand of Rs. 33,54,04,819 due to addition of professional fee paid to doctors of Rs. 53,77,22,000, Legal and Professional Fee Rs. 7,57,89,576, Repair and Maintenance of Rs. 57,568,300 and Depreciation on Non Compete Fee of Rs. 3,41,17,500 and other expense of Rs. 34,606,900. Agilus filed an appeal before CIT(A) on June 3, 2020 before Commissioner of Income Tax-13 on or before 30.06.2020 and Agilus has to paid Rs. 2 crore in March 2020 "Under Protest.</p> <p>Amount under litigation is Rs. 33.54 Crores, an amount of Rs.2 Crore has been paid under protest and the matters is currently pending before Commissioner of Income Tax (Appeals).</p>