

**Regulatory body for healthcare system**

990. SHRI JAI PRAKASH NARAYAN SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that 'huge cut' system in drugs and diagnostic overpricing of medical services, growing incidence of medical negligence, sex selection services for profit, unnecessary surgical procedures in gullible people and unnecessary clinical test is afflicting the Indian health system;

(b) if so, the details thereof and steps Government proposes to take to check the gravity of the situation;

(c) whether Government would consider to set up a 'watchdog' for check and balances of medical system in India to expose unholy nexus between corrupt doctors, officials and private hospitals; and

(d) if not, the reasons therefor?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) to (d) Health is a state subject and it is primarily the responsibility of the State Governments to tackle such issues. However, following mechanisms exist for dealing with the issue of unethical practices, etc.:—

- (i) As per the provision of Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002, complaints with regard to professional misconduct of doctors can be brought before the Medical Council of India or the State Medical Council concerned, as the case may be.
- (ii) The complaints related to medical negligence can also be filed in District/ State/National Consumer Disputes Redressal Forum under the Consumer Protection Act.
- (iii) The PNDT Act provides for the prohibition of sex selection. It contains penal provisions for violation of the same.
- (iv) Parliament has enacted Clinical Establishments (Registration and Regulation) Act 2010 which has been published in the Gazette of India on 19-8-2010 for registration and regulation of the Clinical Establishments and for matters connected therewith or incidental thereto. The Act has come into force in the States of Arunachal Pradesh, Himachal Pradesh, Mizoram and Sikkim and all union territories with effect from 1-3-2012. The States of Uttar Pradesh, Rajasthan and Jharkhand have adopted this Act. Other State Governments have been requested to adopt this Act.

As per the Clinical Establishments (Central Government) Rules 2012, notified

on 23-5-2012 under the above mentioned Act, the clinical establishments are mandated to charge the rates for each type of procedures and services within the range of rates determined by the Central Government from time to time in consultation with the State Governments.

#### **Corruption in NRHM in UP and Odisha**

991. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether there are allegations of misappropriation and corruption in NRHM programme in Uttar Pradesh (UP) and Odisha;
- (b) if so, whether there has been any investigation; and
- (c) if so, what action has been taken on those allegations?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) Yes. The complaints regarding irregularities in the implementation of the NRHM have come to the knowledge of this Ministry from the States of Uttar Pradesh and Odisha.

(b) Yes.

(c) In respect of Uttar Pradesh, the matter is under investigation by CBI. As per the information made available by the CBI, they have registered five Preliminary Enquiries (PEs) in UP pursuant to the orders of Hon'ble High Court of Allahabad, Lucknow Bench dated 15.11.2011 "to enquire into irregularities committed in the implementation of NRHM and utilisation of funds at various levels in the entire state of UP from 2005 onwards till date and to register regular cases (RCs) in respect of persons against whom *prima facie* cognizable offences is made out". During the course of enquiry into the aforesaid 5 PEs, 13 RCs have been registered by CBI so far and out of the same charge sheets have been filed in 3 cases.

In addition, earlier CBI had also re-registered two RCs which were transferred from the State Government, pursuant to the orders of the High Court dated 27.7.2011.

In respect of Odisha, one case of misappropriation of funds was noticed in the Audit Report of 2010-11 for Angul district. The matter was intimated to the State for necessary action. As per the information made available by the State, an FIR was lodged by the then CDMO with Police on 17.08.2010. The matter is presently with the Court of Law.

#### **Standardization of yoga courses**

†992. SHRI SHANTA KUMAR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

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†Original notice of the question was received in Hindi.