

published draft rules for regulating e-pharmacies on 28th August, 2018. The Tamil Nadu Chemists and Druggist Association filed Writ Petition No. 28716 of 2018 in the Hon'ble Madras High Court against on-line pharmacies.

The Hon'ble High Court of Madras in its order dated 31.10.2018 granted interim injunction against the online sale of medicines without licence and directed to stall such online sales forthwith.

Thereafter, the Hon'ble High Court of Madras, on 17.12.2018, reaffirmed its earlier injunction by *inter alia* ordering as under:—

"38: As the draft rules are framed by the Central Government, after deliberations including the stakeholders, till the aforesaid rules are notified, the on-line traders are bound not to proceed with their on-line business in drugs and cosmetics."

Subsequently, on-line pharmacies represented their point of view before the Hon'ble Madras High Court, and the Hon'ble Court on 02.01.2019 stayed the operation of Para 38 of its Order dated 17.12.2018 referred to above.

The Government had published draft rules vide G.S.R. 817 (E) dated 28th August, 2018 inviting comments from public/stakeholders for regulation of sale and distribution of drugs through e-pharmacy.

The draft rules contain provisions for registration of e-pharmacy, periodic inspection of e-pharmacy, procedure for distribution or sale of drugs through e-pharmacy, prohibition of advertisement of drugs through e-pharmacy, complaint redressal mechanism, monitoring of e-pharmacy, etc.

Subsequent to the publication of draft rules, a large number of comments were received from various stakeholders. These have been duly examined and a number of meetings with stakeholders have also been held. After comprehensive stakeholder consultation, the draft of the notification has been got vetted from Ministry of Law and Justice, and is under issuance.

Brain-drain of doctors and paramedical staff

*243. SHRI ABDUL WAHAB: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that a large number of doctors, nurses and other paramedics have left their jobs in Government hospitals and migrated to foreign countries;

(b) if so, the steps taken to check such brain-drain from premier hospitals under Central Government; and

(c) whether Government proposes to provide various professional facilities to such doctors to serve in the country in order to prevent such brain-drain?

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. HARSH VARDHAN):

(a) Health, being State subject, the details regarding doctors, nurses and para-medics leaving Government jobs to migrate to foreign countries, is not maintained centrally. However, as per records available in the Ministry, out of total number of doctors belonging to Central Health Service (CHS) and nurses and para-medics etc, under Government, who resigned from Government jobs, most of them were on account of 'Personal Reasons'.

(b) It has been the constant endeavour of the Government to make service of doctors and other Central Government health professionals lucrative to retain them in Government service. A number of measures/steps have been taken, in recent past, by Government to make the Government jobs attractive for the health professionals as per the following details:—

- (i) The superannuation age of CHS doctors and dental doctors working under the Ministry of Health and Family Welfare has been enhanced to 65 years;
- (ii) Introduction of time-bound promotions for doctors under Dynamic Assured Career Progression (DACP) Scheme, without linkage to vacancies, upto Senior Administrative Grade (SAG) level;
- (iii) The benefit of Non-Functional Upgradation (NFU) has been extended to CHS doctors upto Higher Administrative Grade;
- (iv) The duration of study leave to pursue higher studies/research work has been increased from 24 months to 36 months for CHS doctors;
- (v) The Ministry has started Foundation Training Programme (FTP) for newly recruited General Duty Medical Officers in Central Health Service, to equip them professionally to handle patient care service more effectively;
- (vi) Expeditionary action is being taken to fill up the vacant posts of doctors and para-medical staff in hospitals to avail excessive burden and pressure on doctors. The vacant posts are also being filled up on contractual basis till regular appointment is done, as a stop gap arrangement, in public interest. The appointment of contractual doctors in Central Government Health Scheme (CGHS) is permissible upto the age of 70 years.
- (vii) Doctors are encouraged to attend international seminars, conferences in health sector to increase their professional capabilities and for further their career advancement.

- (viii) In addition to Annual Allowance, all CHS doctors are entitled to Non-Practicing Allowance @ 20% of their basic pay subject to the condition that the sum of basic pay and NPA does not exceed ₹ 2,37,500 which is the average of the apex level pay and pay of Cabinet Secretary
- (ix) In respect of doctors of AIIMS, New Delhi the following Salary and Allowances are paid:—
- (1) Learning Resources Allowance – ₹ 1,50,000 per Year
 - (2) Academic Allowance – Rs 22,500 Per Month
 - (3) Non Practice Allowance – 20% of the Basic Pay
 - (4) Financial Grant (TA/DA/Registration fee) for attending international and domestic conferences (Professor and Additional Professor – every year and Associate Professor and Assistant Professor once in two years)
 - (5) 42 duty leave every year
 - (6) Provision of their academic upliftment.
- (c) The Government proposes to provide the following professional facilities to CHS doctors by relaxing the qualifying for availing study leave and fellowship as per details given below:—
- (i) To allow CHS doctors to avail study leave after two years of continuous service including probationary period instead of 5 years provided they execute a bond that they would serve the Government for 08 years after obtaining the degree and returning to duty. Further, the officer may also be allowed to avail Extraordinary Leave (EOL) for pursuing higher studies anytime after joining the service subject to furnishing a bond to serve the Government for three years after returning to duty.
 - (ii) To allow CHS doctor, any time after joining, to go on a Fellowship for a period of maximum of 02 years on executing a bond to work for 05 years after returning to duty.

Bank frauds and NPAs

*244. SHRI BINOY VISWAM: Will the Minister of FINANCE be pleased to state:

- (a) the magnitude of bank frauds taken place during the last three years;
- (b) the list of such fraudulent transactions, bank-wise; and
- (c) the details and total amount of NPAs?