

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1713
TO BE ANSWERED ON 06TH AUGUST, 2024**

MEDICAL NEGLIGENCE

1713 MS. DOLA SEN:

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether Government has data on patients who died due to medical negligence in the years 2022 and 2023;
- (b) if so, the details thereof, State-wise;
- (c) whether Government has taken any particular action to reduce the issue of medical negligence; and
- (d) if so, the details thereof and if not, the reasons therefor?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY
WELFARE
(SHRI PRATAPRAO JADHAV)**

(a) & (b): As per constitutional provisions, 'Health' is a State subject. It is the responsibility of the respective State Government / Union Territory Administration to take cognizance of cases of medical negligence and take necessary action. The complaints regarding medical negligence, as and when received by the Central Government, are forwarded to the concerned State Government / Union Territory Administration for taking necessary action. Details of such cases are not maintained by the Central Government.

(c) & (d): The National Medical Commission (NMC) or concerned State Medical Councils have been empowered to take disciplinary action against any doctor for violation of the provisions of Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations 2002. The cases/complaints related to medical negligence are dealt by the Directorate of Health and Family Welfare in the State/UT or concerned State Medical Council. If the complainant is not satisfied with the decision taken by the State Medical Council, he/she can file an appeal at Ethics and Medical Registration Board (EMRB) of NMC.
