

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

**RAJYA SABHA
UNSTARRED QUESTION No. 1028
TO BE ANSWERED ON THE 12th DECEMBER, 2023**

INVESTIGATION AGAINST PRIVATE HOSPITAL

**1028. SHRI NARANBHAI J. RATHWA:
SHRI RAJMANI PATEL:**

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

- (a) whether it is a fact that National Medical Commission, Directorate General of Health Services and Delhi Medical Council are simultaneously investigating cases of medical negligence on the part of doctors of Saroj Super Specialty Hospital, Rohini, New Delhi;
- (b) if so, the complete details of status of investigations conducted so far by the above organisations; and
- (c) whether Government would conduct forensic audit of the hospital to find out various lapses/negligence while treating patients and if not, reasons therefor?

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE
(DR. BHARATI PRAVIN PAWAR)**

(a) to (c): The Section 27 of NMC Act, 2019 provides the power and functions of the Ethics and Medical Registration Board (EMRB) which inter alia includes the power to exercise the appellate jurisdiction in respect of decisions taken by the various State Medical Councils under Section 30, as well as to regulate professional conduct and promote medical ethics. Further, the para 8.2 of the Professional Conduct, Etiquette and Ethics Regulations 2002, states that any complaint with regard to professional misconduct can be brought before the appropriate Medical Council for Disciplinary action. Upon receipt of any complaint of professional misconduct, the appropriate Medical Council would hold an enquiry and give opportunity to the registered medical practitioner to be heard in person or by pleader. If the medical practitioner is found to be guilty of committing professional misconduct the appropriate Medical Council may award such punishment as deemed necessary or may direct the removal altogether or for specified period from the register of the name of the delinquent registered practitioner. In the year 2018, two appeals were filed by the doctors of Saroj Super Specialty Hospital before the EMRB and the same were disposed of by EMRB.
