

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

**RAJYA SABHA  
UNSTARRED QUESTION No. 1863  
TO BE ANSWERED ON 5<sup>th</sup> AUGUST, 2025**

**LEGISLATION TO GOVERN THE PRESERVATION AND DISPOSAL OF BLOOD**

**1863: DR. AJEET MADHAVRAO GOPCHADE:**

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

- (a) whether the Drugs and Cosmetics Act of 1940 is inadequate in enforcing penalties for violations of Standard Operating Procedures in blood centres, including aspects like blood component preparation, collection, processing compatibility testing, storage, and distribution and whether it is a fact that the actions have been taken or are being planned to address this issue; and
- (b) the actions the Ministry is undertaking in light of the court's remarks, especially concerning Point 7, which expresses the expectation that the Central Government will swiftly enact legislation to govern the preservation and disposal of blood, as highlighted by the Punjab and Haryana High Court on September 17, 2024?

**ANSWER  
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY  
WELFARE  
(SMT. ANUPRIYA PATEL)**

- (a) The Drugs and Cosmetics Act, 1940 along with rules thereunder, provides a comprehensive regulatory framework for the operation of Blood Centres in the Country. Provisions related to standards and technical requirements for the collection, processing, storage, and distribution of blood and its components are specified under Schedule F, Part XII-B of the Drugs and Cosmetics Rules, 1945. Contraventions to the provisions of the Act & Rules are punishable offences and concerned licensing Authorities are empowered to take action in such cases.
- (b) The Government has noted the order of the Hon'ble High Court dated 17.09.2024 wherein the court has considered that it has no manner of doubt that while legislating statutory provision, the Central Government would take the said suggestions into considerations and if the same are found to be reasonable, just and appropriate, then the Central Government can very well think of adopting the same. Also, with hope and expectations that the Central Government would act expeditiously in legislating an Act to regulate preservation and disposal of Blood to avoid any further grievance to the common man, the Court has disposed of three petitions with liberty to the petitioners to revisit the Court in case of any grievances remain un-redressed.

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