

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

**RAJYA SABHA
UNSTARRED QUESTION NO. 2812
TO BE ANSWERED ON 17TH MARCH, 2026**

COMPLAINTS OF MEDICAL NEGLIGENCE

2812 DR. V. SIVADASAN:

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

- (a) the number of complaints received during the last five years relating to medical negligence, including cases of retained surgical instruments, sponges or other foreign objects left in patients' bodies after surgery, in medical institutions under the Central Government, year-wise;
- (b) the hospital-wise data with category-wise break-up of such complaints, including surgical negligence, diagnostic errors, medication errors, post-operative complications and other forms of alleged negligence; and
- (c) the action taken on these complaints, including disciplinary proceedings against medical personnel, compensation awarded to patients, cases referred to the National Medical Commission or other authorities and the status thereof?

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

(a) to (c): National Medical Commission Act, 2019 empowers State Medical Council (SMC)/Ethics and Medical Registration Board (EMRB) to take disciplinary action in respect of any professional or ethical misconduct by a registered medical practitioner in accordance with the regulations/guidelines framed under the Act. Accordingly, the NMC forwards the complaint to concerned State Health Departments and SMCs for appropriate action.

The act provides for an opportunity of hearing to the RMP before taking any action against him. Provision for an appeal against the decision of SMC/EMRB has also been made. Data on medical negligence cases filed in the country is not maintained centrally in NMC.
