

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

**LOK SABHA
UNSTARRED QUESTION No. 5632
TO BE ANSWERED ON 27th MARCH, 2026**

MEDICAL NEGLIGENCE IN WEST BENGAL

5632. SHRI SAUMITRA KHAN:

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

- (a) whether the Government has data regarding the total number of cases reported in connection with medical negligence resulting in loss of life and other physical disabilities/disorders in the State of West Bengal during the last ten years;
- (b) if so, the details thereof, district-wise and year-wise;
- (c) whether there is a centralised mechanism for the collection and maintenance of data on medical negligence cases filed in the said State and if so, the details thereof;
- (d) the details of the existing rules, regulations and guidelines governing the procedure for processing of such cases in the said State; and
- (e) whether the Government has formulated any stringent guidelines to address incidents of medical negligence in the State and if so, the details thereof?

ANSWER

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

(a) to (e): 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.

Further, the rules framed under clause (d)(i) of sub-section (2) of Section 33 of the Bengal Medical Act, 1914, deal with the conduct of enquiries in complaint cases of the West Bengal Medical Council (WBMC). Additionally, the WBMC has informed that from 2016 to date, a total of 849 complaints of medical negligence have been received/reported.
