

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

UNSTARRED QUESTION NO:7008
ANSWERED ON:08.05.2015
CLINICAL ESTABLISHMENT ACT
Jayadevan Shri C. N.

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

- (a) whether the Clinical Establishment Act, 2010 which provides for the registration of all hospitals, nursing homes, daycare centres, diagnostic labs and clinics being run by single doctors have been implemented by all the States/UTs in the country;
- (b) if so, the details thereof and if not, the reasons therefor along with the names of States which are yet to implement the same; and
- (c) the measures taken/proposed to be taken by the Government to ensure strict implementation of the said Act by all the States/UTs across the country?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA)

(a) ; No.

(b): Initially, the Act came into force in four States whose legislatures passed resolutions to that effect. The Act is now applicable in nine States viz. Arunachal Pradesh, Himachal Pradesh, Sikkim, Mizoram, Uttarakhand, Bihar, Jharkhand, Uttar Pradesh and Rajasthan and all Union Territories except Delhi. Other States and Union Territory of Delhi have not adopted the Act as yet. Health is a State subject. The Act has to be adopted by other States under Article 252 of the Constitution of India. The provisions of the Act shall become applicable in the States only after adoption.

(c): Health being a State subject, the registration and regulation of clinical establishments falls within their remit. The Government of India had, based on the resolutions passed by legislatures of four States, enacted the Clinical Establishments Act, 2010 and has persuaded other States also to adopt the Act.