

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

**LOK SABHA
UNSTARRED QUESTION NO. 1755
TO BE ANSWERED ON 27th JULY, 2018**

EUTHANASIA

**1755. SHRI SANJAY DHOTRE:
SHRI RAHUL SHEWALE:
SHRI BHARTRUHARI MAHTAB:**

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

- (a) whether the Expert Committee constituted to examine the issue of euthanasia has submitted its report;
- (b) if so, the main recommendations of the Committee;
- (c) whether the Government has accepted the recommendations of the Committee;
- (d) if so, the details thereof along with the implementation status of such accepted recommendations and if not, the reasons therefor;
- (e) the number of requests/ representations received by the Government for euthanasia across the country during each of the last three years and the current year along with the action taken/being taken thereon; and
- (f) whether the Government proposes to enact a legislation to allow passive euthanasia in the country, if so, the details thereof?

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

(a) & (b): Law Commission vide its 241st Report titled 'Passive Euthanasia- A Relook' proposed for making a legislation on 'Passive Euthanasia' and also prepared a draft Bill, *The medical treatment of terminally ill patients (protection of patients and medical practitioners) Bill*'. This bill has been examined by the Committee of Experts under the Directorate General of Health Services in this Ministry. Major recommendations of the Expert Committee are as below:

- It has proposed only **Passive Euthanasia**.
- No provision for **Active Euthanasia**.
- Provision for a written medical directive given by a competent person called as **Advance Medical Directive**.
- Applicable for patients with **terminal illness**, as defined in the Bill.
- Separate provisions for process of withholding of treatment for **competent** and **incompetent** terminally ill patients.

(c) & (d): The recommendations of the Committee are under consideration in this Ministry.

(e): The Ministry of Health and Family Welfare has, during last three years, received some requests/representations for permitting euthanasia. Whenever such requests/representations are received, applicants are informed/apprised about the guidelines regarding passive euthanasia as laid down by Hon'ble Supreme Court in its Judgement in respect of WP (CrI.) No(s). 115 of 2009- Aruna Ramchandra Shanbaug vs UoI and Others **and** principles laid down by the five-judge Constitution bench of the Supreme Court, headed by Chief Justice of India Sh. Dipak Misra in its final judgment on 9th March, 2018 in the matter of Common Cause Vs Union of India & Others.

(f): The matter regarding formulation of legislation on Passive Euthanasia is under consideration in this Ministry.