

## Illegal medical practice:

In our A.P. state, the status of quackery in health care is as follows :

About 150000 quacks ( RMP & PMPs ) are doing allopathic practice in 25000 villages and 1200 mandal headquarters and 150 urban slums of A.P.

The tribals constitutes about 7% of total state population and are in worst state of health and their average life expectancy is only 40yrs. The main reason behind this pathetic situation is ignorance ,religious beliefs and unavailability of quality health care.

The tribals are suffering with malnutrition, diarrhoea, tropical diseases, viral fevers which can be prevented by proper health education, timely vaccination and simple medical aid making available at their reach.

According to a study conducted by Association of Medical Consultants (AMC) in 2009, there are around 2.5 million quacks in India, with Mumbai having as many as 20,000 and delhi having 40000 quacks. Interestingly, there are 95,000 quacks in Maharashtra as against 90,000 registered doctors in the state and **ANDHRA PRADESH HAVE 1.5 LACK QUACKS AGAINST 60000 REGISTERED QUALIFIED DOCTORS.**

“A survey conducted by IMA shows that the number of quacks in our country exceeds the number of doctors. Even if one quack causes the death of one patient in one year due to wrong diagnosis and treatment, nearly 2.5 million silent murders take place across the country.

Out of 1,000 patients going for regular treatment, 100 reach MBBS doctors, 100 reach superspecialists and the rest 800 go to quacks.

It's disgusting to hear repeatedly, that the quacks are termed as “village doctors” by both media and govt. day in day out.

One of the big challenges facing quality medical care in India is the fact that untrained/unqualified people or quacks can practice medicine with impunity.

They are mis-diagnosing and mistreating, falsely claiming to cure HIV, and encouraging the spread of drug-resistant diseases by prescribing insufficient courses of antibiotics.

Quacks had been administering high doses of drugs with no knowledge about them and had been more active during epidemic outbreaks, like chikunguniya. Without having knowledge of the safe injection practices, the quacks are main culprits in spreading the HIV, HEPATITIS-B and other contagious diseases. Many patients approached qualified doctors in the last stages of their disease after being cheated by quacks.

“It is unfortunate that people approach quacks for their low charges, but end up paying more because of the wrong treatment that they are made to undergo.”

The right to be treated by a qualified medical practitioner in times of sickness is one of the basic health-care rights to which all citizens are entitled.

It is very difficult for a person, when ill and in distress, to judge whether or not a person posing as a doctor is appropriately qualified. Ascertaining of this fact is a basic regulatory function of the government.

It is surprising that despite so many representations and efforts made by the Indian Medical Association, quacks continue to practice in India.

India's per capita income is about \$750 a year, according to government figures for 2008-2009, or about \$2 a day.

Numerous tents have been set up on footpaths, streets and under bridges where micro-clinics offer so-called "cures" for a variety of sexual conditions, mostly with their own herbal version of Viagra.

And it is not only the quacks who are giving the authorities a tough time, people well versed in one system of medicine, like ayurvedic medicine, are also practicing other forms of medicine. Many ayurveda doctors in the city are openly practicing the allopathic system of medicine.

As per the 1998 Supreme Court ruling in the Mukhtiar Chand case, no doctor can practice a system of medicine that he or she is not well versed in.

As per the rules of Medical Council of India (MCI), the punishment for quackery is a fine of Rs 1,000 and one year imprisonment. But as per the Indian Penal Code, quackery is a non-cognizable offence, and hence the police cannot arrest the quacks. The court has passed various judgements against quacks but they have not been incorporated in law,

the importance of eradication of quack doctors (the so called RMP & PMPs) who, without any medical qualification doing allopathic practice non-chalantly and putting the lives of gullible public in jeopardy in the mask of providing health care to rural people.

For that matter these quacks are every where. Not only in rural areas but also in towns & cities.

In view of this exonerous situation which is due to negligent govt. authorities and mushrooming of quacks, - our supreme court and high court have delivered important judgments to take stringent action on these so called quack doctors quoting sections in our constitution.

A.P. HIGH COURT judgment dated. 7-2-2000, delivered by hon. Justice I.Venkatnarayana, IN THE CASE OF writ petition no. 3003 of 1990.

Supreme court judgment (citation sol no: 279/ 2000) D.K.JOSHI Vs U.P.STATE GOVT.

Our constitution clearly proclaims that the quackery is a cognizable offence. And so many acts clearly stating, "That only qualified doctors should do allopathic practice".

Some medico-legal experts says, "Anybody who impersonates as a doctor is a quack and that even includes a chemist who gives prescription drugs."

So it's the high time to implement the existing acts and if necessary we need to have more stringent laws to curb quackery. The following sections are very trivial and they have no sufficient teeth to control the quackery.

**IPC SECTIONS applicable to book cases against the quacks.-----**

vi. IPC: 416---- CHEATING BY IMPERSONATION.

XVII. IPC: 417---- PUNISHMENT FOR CHEATING.

XVIII. IPC : 418- CHEATING WITH KNOWLEDGE.

XIX. IPC : 419 PUNISHMENT FOR CHEATING.

XX. IPC : 471- USING AS GENUINE AS FORGED DOCUMENT.

XXI. IPC : 23,24,25 --WRONGFUL GAIN, DISHONESTY, FRAUDULENCY

XXV. IPC: 44--INJURY.

XXVI. IPC: 269 , 270---NEGLIGENCE ACT & MALIGNANT ACT.(LIKELY TO SPREAD INFECTION OF DANGEROUS DISEASE ).

XXVIII. IPC: 336,337,338- act endangering life or personal safety, causing hurt and causing grievous hurt.

and

indian medical council act 1956- section 15 & section 25.

indian medical degrees act-section 6-A (1 ).  
DRUGS AND COSMETICS ACT 1940- SECTION 27.

The United Nations estimates that 2.1 million Indian children die before reaching the age of 5 every year, mostly from preventable illnesses such as diarrhoea, typhoid, malaria, measles and pneumonia.

The government estimates it needs another 600,000 doctors and 1 million nurses to reach an acceptable level of health care for the nation's 1.1 billion citizens, according to a recent government report.

There are only 60 doctors per 100,000 people in India in contrast to 256 per 100,000 in the United States and 106 per 100,000 in [China](#).

India's public health spending is among the lowest in the world - \$4 annually per person, less than 1 percent of the nation's gross domestic product. In contrast, the United States spends \$2,000 per person, or about 6 percent of GDP, according to the United Nations Development Program.

The shortage of doctors is most acutely felt in rural villages and urban slums in India's largest cities.

While the Union Health Ministry is proposing death penalty for spurious drug manufacturers but when it comes to putting a curb on fake doctors, the govt. is hamstrung.

Improvising the health care.

- By eradicating the quackery,
- by establishing more medical colleges in “ BIMARU” & northeastern states
- by raising 25% seats and allocating these seats purely to the rural students in existing 300 medical colleges,
- by hiking the salaries&emoluments to rural / tribal area doctors
- by appointing more number of health workers- nurses, paramedical staff in rural/ tribal areas,
- by strengthening the infrastructure of the health centers along with sufficient drug supplies,- ---

We can bring quality health care to the needy at their doorsteps.