

Bill No. 275 of 2017

THE BREAST CANCER (AWARENESS AND FREE TREATMENT)
BILL, 2017

By

SHRIMATI SUPRIYA SULE, M.P.

A

BILL

to create awareness among masses to prevent breast cancer among females, provide free screening and medical treatment for those diagnosed with breast cancer and for matters connected therewith.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Breast Cancer (Awareness and Free Treatment) Act, 2017. Short title, extent and commencement.
- 5 (2) It shall extend to the Union territories only.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) “breast cancer” means a disease in which cells in the breast begin to grow out of control to form a lump; 5

(c) “events” includes seminars, workshops and awareness campaigns;

(d) “free medical treatment” includes supply of medicines, lab laboratory tests medical therapy and other medical procedure free of cost to breast cancer patients;

(e) “notification” means notification as published by the Official Gazette;

(f) “screening” means the mammography or x-ray of the breast to diagnose 10 breast cancer; and

(g) “prescribed” means as prescribed by rules made under this Act.

Central Government to create awareness.

3. The Central Government shall take such steps, as may be necessary, for creating awareness among the masses about the symptoms and treatment of breast cancer through the means of mass media and by organizing such events as it deem fit. 15

Appropriate Government to provide free medical screening.

4. The appropriate Government shall provide for free medical screening in both urban and rural areas with the aid of local authorities to diagnose cases of breast cancer.

Appropriate Government to provide free medical treatment.

5. The appropriate Government shall provide free medical treatment to every breast cancer patient in Government hospitals, in such manner as may be prescribed.

Central Government to provide funds.

6. The Central Government shall, after due appropriation made by Parliament by law 20 in this behalf, provide adequate funds, from time to time, to the State Governments for the effective implementation of the provisions of this Act.

Act to have override effect.

7. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force relating to provision of Special Courts, or in any instrument having effect by virtue of any law other than this Act. 25

Act not in derogation of other law.

8. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

Power to make rules.

9. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid as soon as may be after it is made, 30 before the house of parliament while it is session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid both houses agree in making any modifications in the rule of both the houses agree that the rules should not be made, the rules shall thereafter have effect only in such modified form or be 35 of no effect as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule.

STATEMENT OF OBJECTS AND REASONS

Breast cancer among females has been a rapid rise in the last decade and according to Indian Council of Medical Research 1.5 lakh new cases of breast cancer were reported in the year 2016 along. Moreover, the National Cancer Registry and Indian Council of Medical Research put breast cancer as the most common cancer in women in India. Breast cancer accounts for 27 per cent. of all cancers in women in India, with the incidence rising in the early thirties and peaking at ages 50-64 years. It is castimated that in 28 women is likely develop breast cancer during her lifetime.

Due to unawareness among masses about the raid rise and severity of breast cancer, it is usually diagnosed in advanced stage, where the treatment becomes ineffective and expensive. Recent trends also show that in India younger women are also exposed to the risk of breast cancer.

The Centre and States Governments should work together to provide free diagnosis and medical treatment to women affected with breast cancer and help combat this grave disease.

Hence this Bill.

NEW DELHI;
November 28, 2017.

SUPRIYASULE

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides that Central Government shall create awareness amongst masses about the symptoms and treatment of breast cancer. Clause 4 provides for free medical screening of women to diagnose breast cancer. Clause 5 provides for free medical treatment of breast cancer patients. Clause 6 provides that the Central Government shall provide adequate funds to the State Government for the purpose of this Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees one thousand crore would be involved as recurring expenditure per annum.

A non-recurring expenditure of rupees one hundred crores is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

LOKSABHA

A

BILL

to create awareness among masses to prevent breast cancer among females, provide free screening and medical treatment for those diagnosed with breast cancer and for matters connected therewith.

(Shrimati Supriya Sule, M.P.)