

CHHATTISGARH MEDICARE SERVICE PERSONS AND MEDICARE SERVICE INSTITUTIONS ACT, 2010

30-5-2001." 21 31, 1932 19 2010 5297/118/21-31,m./Ø. 13-05-2010 qrq 297 298 2. 3. 4. 5. 6. 8. 9. 21 2010 3Rfrfiq-q 11 q 2010) () 2010 ft-fix 21 2010 () 31fUfiu-cr, 2010 +Æraä - 2. (2) (3) (u) (ft-el -Gi -\$r 2010" f-h---qrt -a 3fiü?-i , (Hf-é-rl -G-æ-rq -üf-ä--cf a-; fäëå , ; -ä-<-fu-a -m q-fät[(€519, •gf#f-ä-a -ü f*- --ä-T-f--ä--d -d ; • ft-ell (q) (1) (2) (1) (2) (3) 31fUäa•q 3. 4. 5. 6. 7. 8. 9. 21 2010 ' 'ææ-4fr' t, *Fill. 3-i*irq •gR1, ft-zq qTQ; fifi-I, fizIR, 21 2010 19 2010 298 (3) -JIA.Æ. 71./10.—qr« 348 (3) 2010 11 q 2010) 3iTHI 3.TdaT< CHHATTISGARH ACT (ND. t i or 2010) THE CHHATTISGARH MEDICARE SERVICE PERSONS AND MEDICARE SERVICE INSTITUTIONS (PREVENT:ON OF VIOLENCE AND DAMAGE OR LOSS TO PROPERTY) ACT, 2010 TABLE OF CONTENTS Sections 2. 3. 4. 5 6 _ 8

9. Short title, entent and commencement. Definitions. Prohibition of violence. Cognizance of offence. Liability to pay ccnnpensation tor the loss or damage caused to property. Authority to aid and advice victim of medical negligence. Act not in derogation of any other law. Power to make rule. 298 (4) 21 2010 CHHATHSGARH Acr (No. 11 of 20K)) THE CHHATTISGARH MEmCARE SERVICE PERSONS AND MEDICARE SERVICE INSTITUTIONS (PREVENTION OF VIOLENCE AND DAMAGE OR LOSS TO PROPERTY) ACT, 2010 An Act to provide for the prevention of violence against Medicare Service Persons and prevention of damage or loss to property of Medicare Service Institutions in the State of Chhattisgarh and for matters connected therewith or incidental thereto. Bc it cnacied by the Izgislature of the State Chhattisgarh in the Sixty first year of the Republic of India. as follows : (2) (3) This Act may be called the Chhattisgarh Medicare Service Persons and Medicare Service institutions (Prevention of Violence and Damage or Loss to Property) Act, 2010. it extends to the whole of the State of Chhattisgarh. It shall come into force on such date as the State Government may, by Notifi- cation in the Official Gazette, appoint. 2, In this Act, unless the context otherwise requires— Short title€ extent and commence- ment. Definitions. (b) (c) (d) "Medical Profession" means profession including all the branches of medical and paramedical sciences, viz. Allopathy, AyGrveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy (AYUSH) Dentistry, Nur'sing and Physio- therapy. "Medicare Service hlstitution" means an institution, providing Medicare service to people either in Medicare Service Institution or through Mobile Medicare Unit or by arranoing medical checkup camps, under the control of she Central Government]State Government]a local body or any private hospital having facilities for treatment of the sick and used for their reception or stay in any private maternity home, where women are usually received and accnmmodated for the purpose of confinuent and ante-natal and post-natal care in connection with the child birth or anything connected therewith, and any private nursing home used or intended to be used the reception and accolnmodation of person suffering from any sickness; injury or infirmity, whether of body or mind. and providing of treattnent or nursing or both of thein and includes convalescent home, etc; "Medicare.Service Person" in relation to Medicare Service Institution means a Registered medical practitioner (including provisional registration holder), a registued nurse. a medical student, a nursing student and a paramedical worker and includes any person directly or indirectly employed and working in such institution; "Mobile Medical Unit" means an ambulance equipped with medical equip- ment, used for providing Medicare services; "Offender" means any person, who either by himself or as a member or leader of a group of persons or organintion commits or attempts to commit or abets the commission of violence under [his Act; "Para Medical Worker" means a person. wh(Y assists the Medicare Service Person Providing Medicare services; (g) (h) 21 2010 "Property" means any property, movable or immovable or medical or medical machinery owned by or in of, or under the any Medicare Service or Medicare Service Institution. "Student" means a student. who is undergoing training or studies in any branch of medical profession; ' 'Violence" means an act which causes or may cause any physical harm, injury or endangering the life or Medicare Service Person or criminal intitnidalion. obstruction to any Medicare Service Person in the discharge of his duty as a r -xiicare Service Person or causing damage or loss to the propeny in a Medicare Service Institution. Prohibition violence. Cognizance offence. of of 3. 4. 5. 6. 7. 8

9. Any act of violence against a Medicare Service Person or damage or loss to the property in a Medicare Service Institution, shall be prohibited. Any offender, who commits or attempts to commit or abets the commission of any act of violence in contravention of the provisions of Section 3. shall be punished with imprisonment which may extend to three year and shall also be liable to fine which may extend to fifty thousand rupees. Any offence committed under this Act, shall be cognizable, bailable and triable by the Court of Judicial Magistrate of the First Class. Liability to pay compensation for the loss or damage caused to property. Authority to aid and advice victim of medical negligence. Act not in derogation or any other Power to make rule. (2) (1) (2) (3) In addition to the punishment specified in Section 4. an offender shall be liable to pay compensation of twice the amount of damage loss caused to the property, as may be determined by the Court referred to in Section 5. If the offender has not paid the compensation imposed under sub-section (1) the same sum shall be recovered as if it were an arrear of land revenue. The State Government shall by Notification in the Official Gazette, establish the Authority for the area as may be specified in such notification, to hear and inquire into the grievances of victims of medical negligence or mismanagement and aid or advice the victims on the basis of its findings. The Authority shall consist of experts from the field of medical, law, consumer movement and health management. The conditions of service of the experts mentioned in sub-section (2), and the procedure to be followed by the Authority shall be such as may be specified by the State Government by an order in this behalf. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force. The State Government may, by notification make the to carry out the provisions of this Act. Every rule made under this act by the State Government shall be laid, as soon as may be after it is made, before the State legislature. / 38 Q. ÉtaT\$, 30-05-2001." 335 J (ØRTQT(OT) 2 2016— 11, 1938 JäTaq, 2 2016 8337 /Ér. 218/21•/YTF. /Ø. q./ 16. — 669 670 2016 (SEAi*, 30?ft2016) 2016 ZTfäBzrq, 2010 11 2010) 2016 (1) (2) (3) 3 2. 3. 4. aaT AT 2010 11 1000/- 2 2016 8337/É1.218/21 /Ø. q. / 16. — 348 (3) 02-09-2016 i. CHHATTISGARH ACT (No. 30 of 2016) THE CHHATTISGARH MEDICARE SERVICE PERSONS AND MEDICARE SERVICE INSTITUTIONS (PREVENTION OF VIOLENCE AND DAMAGE OR LOSS TO PROPERTY) (AMENDMENT) ACT, 2016 An Act to amend the Chhattisgarh Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to Property) Act, 2010 (No. 11 of 2010). Be it enacted by the Chhattisgarh Legislature in the Sixty-seventh year of the Republic of India, as follows Short extent 670 (1) title, and (1) (2) (3) This Act may be called the Chhattisgarh Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or LOSS to Property) (Amendment) Act, 2016. It shall extend to the whole State of Chhattisgarh. It shall come into force from the date of its publication in the Official Gazette. commencement. 2. 3

4. For Section 3 of the Chhattisgarh Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to Property) Act, 2010 (No. 11 of 2010) (hereinafter referred to as the Principal Act), the following shall be substituted, namely "3. Penalty.- (1) Whoever, endangers the life of or causes any harm, injury, intimidation, obstruction or hinderance to any medicare service person in the discharge of duty or damage in excess of Rs. 1000/- to any property in medicare service institution, commits an act of violence which shall be an offence under this Act. (2) Whoever, either by himself or as a member or as a leader of group of persons or organization commits or attempts to commit or abets or incites the commission of offence, shall be punished with imprisonment for a term which may extend to three years and shall also be liable to penalty of actual amount of purchase price of medical equipment damaged and loss caused to any property as may be determined by the Competent Court." Section 4 of the Principal Act shall be omitted. In Section 5 of the Principal Act, for the word "bailable", the word "non-bailable" shall be substituted. - 2016. Amendment Section 3. Omission Section 4. Amendment Section 5. of of or