

DELHI MEDICARE SERVICE PERSONNEL AND MEDICARE SERVICE INSTITUTIONS (PREVENTION OF VIOLENCE AND DAMAGE TO PROPERTY) ACT, 2008

PRS The Delhi Medicare Service Personnel and Medicare Service Institutions (Prevention of Violence and Damage to Property) Act, 2008 ACL8 of2008 Keyword(s): Medicare Service Institution, Medicare Service Personnel, Offender, Violence, DISCLAIMER: This documenL is being furnished Lo you for your informaLion by PRS LegislaLive Research (PR SX The conLenLs of Lhis documenL have been obLained from sources PRS believes Lo be reliable These conLenLs have noL been independenLly verified, and PRS makes no represenLaLion or war ran Ly as Lo Lhe accuracy, compleLeness or In some cases Lhe Principal ACL and/or AmendmenL AcLnay noLbe available Principal ACLs mayor may no L include subsequenL For auLhoriLaLive LexLrpleaseconLaL Lhe relevanL sLaLe deparLmenL concerned or refer Lo Lhe IaLesL governmenL publicaLion or Lhe gaæLLe noLifkaLiom Any person using Lhis maLerial should Lake Lheir own professional and legal advice before acLing on any informa&In conLained in Lhis documenc PRS or any persons connecLed wiLh iLdo no L accepL any liabiliLy arising from Lhe use of Lhis documenL PRS or any persons connecLed wiLh iL shall noL be in any way responsible for any loss, damager or disLress Lo any person on accounL of any acLion Laken or noL Laken on Lhe basis of Lhis documenc DELHI GAZETTE EXTRAORDINARY 19 Act of the Legislative Assembly of the National copiwL TerriLory of Delhi received the assent of the Lt. of Delhi on the 20th October, 2008 and is hereby, rublished ror infomation :— *The Delhi Medicare Service Personnel and Medicare Service Institutions (Prevcntion of Violence and Damage to Pioperty) Act. 2008 (Delhi Act 08 0f2008) [20th October, 2008] (As passed by the Legislative Assembly of the National territory or Delhi on the I Ith September, 2008), An Act to prohibit violence against medicare service personnel and da.mage to property in medicare service institutions in the National Capital Territory of Delhi and ror malters connect therewilH_ or incidental thereto, BE it-enacted by the Legislative Assembly of the Nalional Capital Territory of Delhi in the Fifty-ninth Year of the Republic of India as follows : 1. Short title, extent and commencement.— 0) This Act may be called Lhe Delhi Medicare Service Personnel and Medicare Service Institutions (Prevention ofViolence and Damage to Properly) Act-, 2008. (2) It extends Io the whole of the National Capital Territory or Delhi. (3) It shall come into force on such date as lhe Lieutenant Governor of the National Capital Territory of Delhi may, by notification in the official Gazette appoint

2. Definitions.—In this Act, unless the .context o:herwise requires,— (a) "medicare service institution" mean institutions providing medicare to people in any recognized system of medicine* on out patient or inpatieqt basis, which are under the cøn(rol of the Government of Delhi or the Central Governmenl or local bodies, medicare institutions run by autonomous bodies, clinics, private nursing homes/amd hospitals run by individules» trusts, societies, companies, etc. and having racilities for diagnosis and/or treatment of the sick, where persons are received and accommodated for the purpose of diagnosis and treatment of sickness, (b) (d) (c) (f) injury, or infi.rmity whether of body or mind, ante; natal andior post natal care, or anythinæ connected therewith, and include a maternity home or convalescent home; "Delhi" means the Nat ional Capital Territory of Delhi; "Govermrnt" means (he Lieutenant Governor of Lhe National Capital Territory of Delhi appointed by the President under Allicle 239 and designated as such under Article 239AA or Constitution; "medicare service personnel" in relation to a medicare service instirution sba[l include,— (iii) (iv) registered medical practioners; registered nurses, nursing aids, midwives: para medical workers. anlbulat)te service providers. and diagnostic services providers; any other personnel who are working in the premises for the purpose of Iraining, studies, etc.; "oflZnder'l means any person who either by liliiltel as a metnber or as a leader ofa group ot-persons or organization commits or attempts commit ar abets or incites lhe commission ot' violence under this Act; •violence" mean activities of causing any harm or injury or endangering life. or intimidation, obstruction or hindrance to any medicare service personnel in discharge of duty in the medicare service institution or damage to propety in such institution; 3. Prohibition or violence.—Any act medicare of violence against service personnel or damage to property in a medicare service institution is hereby prohibited

4. Penalty.—Any offendevwho commits any act in contravention of Section 3, shall bc punished with imprisonment for a term which may extcnd to three years, or with fine which may extend to tcn thousand rupees, or with both

equipment damaged and loss caused to the property as determined by the Court trying the offender.(2) If the offender has not paid the penal amount under sub-section (1), the said sum shall be recovered as if it were arrears of land revenue due from him

9. Composition 1) The Government or any person authorized by the Government by general or special order in this behalf, may either before or after the trial, print or publish the Manager. Govt. of India Press. and Published by the Controller Institution of the proceedings, punishable by or under this Act. (2) Where an offence has been committed by an offender, if in custody, shall be discharged and no proceedings shall be taken against him in offence compounded. I O. Protection of action taken in good faith— suit, prosecution or other legal proceedings shall not be against the Government or any person or officer authorized by the Government or the Head of a medicare service institution or his authorized representative for anything which is in good faith done or intended to be done under this Act

11. Act not in derogation any other provision or this Act shall be in addition to and not in derogation of the provisions or any other law, for the time being in force. SAVITA Ring Road, Mayapuri. New Delhi 110054. - (2005 12005 amended).

