

MEDICAL PROTECTION ACT -ANDHRA PRADESH

Registered No. HSE/49

THE ANDHRA PRADESH GAZET'

PART IV-B EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 59] HYDERABAD, TUESDAY, DECEMBER 18, 2007.

ANDHRA PRADESH ACTS, ORDINANCES REGULATIONS Etc.

The following is the authoritative text in English Language of the Ordinance promulgated by the Governor on the 18th December, 2007 is being published under article 348 (3) of the Constitution of INDIA for general information:-

ANDHRA PRADESH ORDINANCE No. 16 OF 2007.

Promulgated by the Governor in the Fifty-eighth Year of the Republic of India.

AN ORDINANCE TO PROHIBIT VIOLENCE AGAINST MEDICARE SERVICE PERSONS AND DAMAGE TO PROPERTY IN MEDICARE SERVICE INSTITUTIONS AND OR MATTERS CONNECTED THERE WITH AND INCIDENTAL THERE TO.

Whereas, acts of violence of causing injury or danger to life of Medicare service persons and damage to property of Medicare service Institutions are on the increase in the State creating unrest in Medicare professionals resulting in total hindrance of such services in the State;

And, whereas, it has become necessary to prohibit such violent activities by making the offences as cognizable and non bailable'

and where as the Legislature of the State is not in session and the Governor of Andhra Pradesh is satisfied that circumstances exist which tender it necessary for him to take IMMEDIATE ACTION.

Now, therefore, in exercise of the powers conferred by clause(1) of article 213 of the Constitution of India, the Governor hereby promulgates the following Ordinance:-

(I) This Ordinance may be called the Andhra Pradesh Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and damage to property, Ordinance-2007.

2. It extends to the whole of the State of Andhra Pradesh.

3. It shall come into force at once.

A) In this Ordinance, unless the context otherwise requires,-

(1) , Medicare Service Institutions' means an institutions providing medicare to people which are under the control of State or Central Government or Local Bodies etc., **including any private hospital** having facilities for treatment of the sick and used for their reception or stay. Any private maternity home where women are usually received and accommodated for the purpose of confinement and antenatal and post-natal care in connection with child birth or anything connected therewith; and any private nursing home used or intended to be used for the reception and accommodation of persons suffering any sickness, . injury or infirmity whether of body or mind, and providing of treatment for nursing or both of them and includes a maternity home or convalescent home, etc....

B) Medicare service persons in relation to a medicare service institutions shall include,-

(a) Registered Medical Practitioners, working in Medicare Institutions (including those having provisional registration).
b) registered nurses, medical students, nursing students and paramedical staff.

C) Offender' means any person who either by himself or as a member or as a leader of a group of persons or ; organization commits or attempts to commit or abets or incites the commission of violence under this Ordinance;

(d) 'Violence' means activities of causing any harm, injury or endangering the life or intimidation, obstruction or hindrance to any medicare service person in discharge of duty in the medicare service institution or damage to property in medicare service institution.

3. Any act of violence against Medicare service persons or damage to property in a Medicare service Institution is here by prohibited.

Penalty. 4. Any Offender who commits any act in contravention of section 3, shall be punished with imprisonment for a period of three years and with fine, which may extend to fifty thousand rupees.

Cognizance of offence :

5. Any offence committed under section 3, shall be cognizable and non bailable.

Recovery of damages :

6.(1) In addition to the punishment specified in section 4, the offender shall be liable to a penalty of twice the amount of purchase price of medical 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 under the provisions of the Andhra Pradesh Revenue Recovery Act., 1864 - as if it were an arrear of land revenue due from him.

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

NARAYAN DAT TIWARI,
Governor of Andhra Pradesh.

T. MADAN MOHAN REDDY
Secretary to Government,

. Legislative Affairs & Justice
Law Department.

MEDICAL PROTECTION ACT

THE ORDINANCE WAS MADE INTO AN ACT (ACT NO: 11 OF 2008) IN THE A.P. ASSEMBLY AND RECEIVED THE ASSENT OF THE GOVERNOR ON 20-4-08 AND FIRST PUBLISHED ON 22-4-08 IN A.P. GAZETTE.

IT IS A HISTORICAL ACT THAT GIVES PEACE OF MIND TO THE MEDICAL FRATERNITY.

THANKS TO OUR CHIEF MINISTER DR. Y.S. RAJASEKHAR REDDY AND HON. HEALTH MINISTER SMT. GALLA ARUNA KUMARI.

Posted by Dr. srinivasa raju at [7:25 PM 0 comments](#)

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