Andhra Pradesh Ordinance Against the Violence on Doctors and Medical Establishments

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-eight year of the Republic of India.

An ordinance to Prohibit Violence Against Medicare Service Persons And Damage to Property In Medicare Service Institutions And For Matters Connected Therewith and Incidental Thereto.

2. Andhra Pradesh Gazette Extraordinary (Part IV-B)

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 Violence activities by making the offences as cognizable and non-bailable;

And whereas the Legislature of the State is not in Session and the Governor of Andhra Pradesh is satisfied that Circumstances exist which render 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:

1. (1) This ordinance may be called the Andhra Pradesh Medicare Short title,
Service persons and Medicare Service Institutions \(\text{(Prevention of Violence and Damage of Property, Ordinance, 2007)}\) Commencement

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

(3) It shall come into force at once.

2. In this Ordinance, unless the context otherwise requires;

(1) ‘Medicare Service Institution’ means all institutions providing medicare to people which are under the control of State of Central Government or Local Bodies etc., including any private hospital having facilities for treatment the sick and used for their reception or stay; any private maternity home.

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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 for 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.,

(2) ‘Medicare service persons in relation to medicare service institution’ shall include,-

(a) Registered Medical Practitioners, working in Medicare Institutions (including those having provisional Registration);

(b) Registered nurse;

(c) Medical students;

(d) Nursing students;

(e) Practical workers employed and working in Medicare Service Institutions.

(3) ‘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.

(c) ‘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.

(4) Andhra Pradesh Gazette Extraordinary (Part IV-B)

3. Any act of violence against medicare service person or damage to property in a Medicare service Institution is hereby prohibited.

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.

5. Any offence committed under Section 3, shall be cognizable and non Bailable.

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.

6.(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 Recovery Act, 1864 as if it were an arrears 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 begin in force.

Narayan Datt Tiwari
Governor of Andhra Pradesh

T. Madan Mohan Reddy
Secretary to Government
Legislative Affairs & Justice
Law Department