

The Karnataka Prohibition Of Violence Against Medicare Service Personnel And Damage To Property In Medicare Service Institutions Act, 2009

KARNATAKA

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Act 1 of 2009

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The Karnataka Prohibition Of Violence Against Medicare Service Personnel And Damage To Property In Medicare Service Institutions Act, 2009 KARNATAKA ACT No. 1 OF 2009 An Act to prohibit violence against medicare service personnel and damage to property in medicare service institutions and for matters connected therewith and incidental thereto. Whereas it is expedient to prohibit violence against medicare service personnel and damage to property in medicare service institutions and for matters connected therewith and incidental thereto; Be it enacted by the Karnataka State Legislature in the Fifty-ninth year of the Republic of India, as follows:-

1. Short Title and Commencement.-

(1) This Act may be called the Karnataka Prohibition of violence against medicare service personnel and damage to property in medicare service institutions Act, 2009. (2) It shall come into force at once.

2. Definitions.-

In this Act, unless the context otherwise requires, -(a) "Medicare Service Institutions" means all institutions, providing medicare services 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 ante-natal 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 from 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 personnel in relation to a medicare service institution” shall include,-(i)Registered Medical Practitioners, working in Medicare Institutions (including those having provisional registration);(ii)Registered nurses;(iii)Medical students;(iv)Nursing students;(v)Para medical workers employed and working in Medicare Service Institutions;(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 Act;(d)‘Violence’ means activities of causing any harm, injury or endangering the life or intimidation, obstruction or hindrance to any medicare service personnel in discharge of duty in the medicare service institution or damage to property in medicare service institution;

3. Prohibition of violence.-

Any violence against medicare service personnel or damage to property in a medicare service institution is prohibited.

4. Penalty.-

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

5. Cognizance of offence.-

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

6. Recovery of loss for the damage caused to the property.-

(1)In addition to the punishment specified in section 4, the offender shall also 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 Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) as if it were to be an arrears of land revenue.

7. The provisions of this Act shall be in addition to other laws.-

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.