



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 4th February, 2013

No. LGL.92/2011/18.-The following Act of the Assam Legislative Assembly which received the assent of the President is hereby published for general information.

ASSAM ACT NO. III OF 2013

(Received the assent of the President on 22nd January,2013)

**THE ASSAM MEDICARE SERVICE PERSONS AND MEDICARE
SERVICE INSTITUTIONS (PREVENTION OF VIOLENCE AND
DAMAGE TO PROPERTY) ACT, 2011.**

AN
ACT

to prohibit violence against Medicare Service Persons and damage to Property of Medicare Service Institutions in the State of Assam and for matters connected therewith and incidental thereto.

Preamble

Whereas it is expedient to prohibit violence against Medicare Service Persons and damage to Property of Medicare Service Institutions in the State of Assam and matters connected therewith or incidental thereto;

It is hereby enacted in the Sixty-second Year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) The Act may be called the Assam Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage to Property) Act, 2011.
(2) It extends to the whole of the State of Assam.
(3) It shall come into force at once.

Definitions

2. In the Act, unless the context otherwise requires,-
 - (a) "Medicare Service" means the act of providing medical treatment and care including antenatal and postnatal care in connection with child birth or anything connected therewith, or nursing care in any form to, persons suffering from any sickness, injury or infirmities whether of body or mind;
 - (b) "Medicare Service Institutions" means a medical college, or a hospital by whatever name called or such other institution providing Medicare Service to the people, which is established and managed by or under the control of the State Government or Central Government or any local authority or any private person or persons, and includes a maternity home or convalescent home;
 - (c) "Medicare Service Persons" in relation to 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) Any Para-medical or any other worker employed and working in Medicare Service Institutions;
 - (d) "Property of Medicare Service Institution" means the building and equipments of the Medicare Service Institution. It also includes personal vehicles and other equipments etc. brought to the premises or to the vicinity of the premises by the Medicare Service Person in connection with his/her duties;

Offences against Medicare Service Persons and Medicare Service Institutions	<p>(e) "Violence" means activity of causing any harm, injury or endangering the life or intimidation, obstruction or hindrance to any Medicare Service Person in discharge of duty in a Medicare Service Institution or damage to property of the Medicare Service Institution.</p> <p>3. Following acts by any members of the public shall be an offence for the purposes of this Act:-</p> <p>(a) Violence against any Medicare Service Person;</p> <p>(b) Damage to any property of the Medicare Service Institution or to any Medicare Service Person</p>	
Penalty	<p>4. Whoever commits any offence as defined in section 3 shall be punished with imprisonment for a term which may extend to three years and with fine which may extend to fifty thousand rupees.</p>	
<p>Offence to be Cognizable and non-bailable</p> <p>Recovery of loss for the damage caused to the property</p>	<p>5. Any offence punishable under section 3, shall be cognizable and non-bailable.</p> <p>6. (1) In addition to the punishment provided in section 3, the Court shall, when passing judgement, order the accused person to pay, by way of compensation, such amount as may be specified in the order for the damage or loss caused to the Property of the Medicare Service Institutions:</p> <p>Provided that in case of damage or loss caused to any Property of Medicare Service Institution, the quantum of compensation shall not be less than the amount of purchase price of such property.</p> <p>(2) Where the order of compensation made under sub-section (1) is not paid, the same shall be recovered under the provisions of the Bengal Public Demands Recovery Act, 1913 from the accused person as if it were an arrear of land revenue.</p>	<p>Bengal Act 3 of 1913</p>
Act not in derogation of any other law	<p>7. 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.</p>	

MOHD. ABDUL HAQUE,
 Commissioner and Secretary to the Govt. of Assam,
 Legislative Department, Dispur.