

STATEMENT OF OBJECTS AND REASONS

Acts of violence causing injury or damage to life of medicare service persons and damage or loss to the property of medicare service institutions are on the increase in the Union territory creating unrest among medicare service persons resulting in total hindrance of such services in the Union territory.

It has therefore become necessary to punish the persons committing violence by making the offence cognizable and non-bailable and to provide for compensation for damage or loss caused to the property of medicare service institutions, to be determined by the court.

For this purpose, it is proposed to enact a legislation to provide for prohibition of violence against medicare service persons and damage or loss to property of medicare service institutions in the Union territory of Puducherry.

The Bill seeks to achieve the above objects.

CHIEF MINISTER

**THE PUDUCHERRY MEDICARE SERVICE PERSONS AND MEDICARE
SERVICE INSTITUTIONS (PREVENTION OF VIOLENCE AND DAMAGE OR
LOSS TO PROPERTY) BILL, 2011**

(Bill No. /2011)

A
BILL

to prohibit violence against medicare service persons and damage or loss to property of medicare service institutions in the Union Territory of Puducherry and for matters connected therewith or incidental thereto.

BE it enacted by the Legislative Assembly of Puducherry in the Sixty-second Year of the Republic of India as follows:-

Short title,
extent and
commence-
ment.

1.(1) This Act may be called the Puducherry Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to Property) Act, 2011.

(2) It extends to the whole of the Union territory of Puducherry.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,-

(a) "medicare service institution" means any institution providing medicare to people which is under the control of the Government or local bodies 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 any sickness, injury or infirmity whether of

body or mind, and providing of treatment or nursing or both of them and includes a maternity home or convalescent home;

(b) "medicare service person" in relation to a medicare service institution shall include.-

- (i) registered medical practitioners (including a person having provisional registration),
- (ii) registered nurses,
- (iii) medical students,
- (iv) nursing students,
- (v) para-medical workers,
- (vi) any other person employed in the medicare institutions, whether temporary, permanent, ad-hoc or under contract of service, employed and working in such medicare service institutions;

(c) "property" means any property, movable or immovable or medical equipment or medical machinery owned by or in possession of, or under the control of any medicare service person or medicare service institution;

(d) "violence" means any activity of causing any harm, injury or endangering the life or intimidation, obstruction or hindrance to any medicare service person while discharging his duty in the medicare service institution or causing damage or loss to the property.

Punishment
for
committing
violence.

3. 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 any act of violence shall be punished with imprisonment for a term which shall not be less than three years but which may extend to ten years and with fine.

Cognizance
of offences.

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

Liability to pay compensation for the damage or loss caused to the property.

5. (1) In addition to the punishment specified in section 3, the person who has committed any such violence shall be liable to pay compensation for the damage or loss caused to the property, as determined by the court.

(2) If such person commits default in paying the compensation under sub-section (1), the said sum shall be recovered under the provisions of the Puducherry Revenue Recovery Act, 1970 as if it were an arrear of land revenue.

Act No.14 of 1970.

Bar of certain proceedings.

6. No claim for compensation for the damage or loss caused to the property shall be made by the medicare service person or medicare service institution, before any authority, under any other law for the time being in force.

Operation of other laws not affected.

7. Save as otherwise provided in this Act, the provisions of this Act shall be in addition to and not in derogation of, any other law for the time being in force.