

 PRS

**The Karnataka Prohibition of Violence Against Medicare Service Personnel
and Damage to Property in Medicare Service Institutions Act, 2009**

Act 1 of 2009

Keyword(s):

Medicare Service Institutions, Medicare Service, offender, Violence

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

KARNATAKA ACT No. 1 OF 2009

(First Published in the Karnataka Gazette Extra-ordinary on the Second day of March, 2009)

**THE KARNATAKA PROHIBITION OF VIOLENCE AGAINST MEDICARE SERVICE PERSONNEL AND
DAMAGE TO PROPERTY IN MEDICARE SERVICE INSTITUTIONS ACT , 2009****Arrangement of Sections****Sections:**

1. Short Title and Commencement
2. Definitions
3. Prohibition of violence
4. Penalty
5. Cognizance of offence
6. Recovery of loss for the damage caused to the property
7. The provisions of this Act shall be in addition to other laws

STATEMENT OF OBJECTS AND REASONS

In order to prevent violence against Medicare Service personnel and damage to property in medicare service, institutions, it is considered necessary to enact a law.

Hence the Bill.

(LA Bill No. 3 of 2009, File No.DPAL 21 Shasana 2008)

(Entry 1 and 6 of List II of the Seventh Schedule to the Constitution of India.)

KARNATAKA ACT No. 1 OF 2009**(First Published in the Karnataka Gazette Extra-ordinary on the Second day of March, 2009)****THE KARNATAKA PROHIBITION OF VIOLENCE AGAINST MEDICARE SERVICE PERSONNEL AND DAMAGE TO PROPERTY IN MEDICARE SERVICE INSTITUTIONS ACT , 2009****(Received the assent of the Governor on the twenty-sixth day of February, 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.

The above translation of the ಕರ್ನಾಟಕ ವೈದ್ಯೋಪಚಾರ ಸಿಬ್ಬಂದಿಯ ಮೇಲೆ ಹಿಂಸಾಚಾರವನ್ನು ಮತ್ತು ವೈದ್ಯೋಪಚಾರ ಸಂಸ್ಥೆಗಳ ಆಸ್ತಿಗೆ ಹಾನಿ ಮಾಡುವುದನ್ನು ನಿಷೇಧಿಸುವ ಅಧಿನಿಯಮ, 2009 be published in the official Gazette under clause (3) of Article 348 of the Constitution of India.

RAMESHWAR THAKUR
GOVERNOR OF KARNATAKA

By order and in the name of the Governor of Karnataka,

G.K. BOREGOWDA

Secretary to Government

Department of Parliamentary Affairs and Legislation.