

THE ANDHRA PRDESH MEDICARE SERVICE PERSONS AND  
MEDICARE SERVICE INSTITUTIONS (PREVENTION OF VIOLENCE  
AND DAMAGE TO PROPERTY) ACT, 2008.

(ACT, No.11 of 2008)

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title, extent 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. Act not in derogation of any other law
8. Repeal of Ordinance No.16 of 2007

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[22<sup>nd</sup> April, 2008]

AN ACT TO PROHIBIT VIOLENCE AGAINST MEDICARE SERVICE  
PERSONS AND DAMAGE TO PROPERTY IN MEDICARE SERVICE  
INSTITUTIONS AND FOR MATTERS CONNCETED THEREWITH  
AND INCIDENTAL THERETO.

Whereas, acts of violence 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 Medicate Professionals resulting in towards hindrance of such services in the State.

And whereas, it has become necessary to prohibit such violent activities by making the offences as cognizable and non-bailable.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Fifty-Ninth Year of the Republic of India as follows:

1. Short title, extent and commencement - (1) This Act may be called the Andhra Pradesh Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage to Property) Act, 2008.

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

(3) It shall be deemed to have come into force with effect from the 18<sup>th</sup> December, 2007.

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

(1) 'Medicare Service Institutions' means all institutions providing medicare 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 woman 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 for nursing or both of them and includes a maternity home or convalescent home, etc.,

(2)'Medicare Service Persons in relation to a medicare service institution' shall include,-

- (a) Registered Medical Practitioners, working in Medicare Institutions (including those having provisional registration);
- (b) Registered Nurses;
- (c) Medical Students;
- (d) Nursing Students;
- (e) Para Medical Workers employed and working in Medicare Service Institutions;

(1) '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;

(2) '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.

3. Prohibition of violence- Any act of violence against Medicare service persons or damage to property in a Medicare service institution is hereby prohibited.

4. Penalty- 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. 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 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 Andhra Pradesh Revenue Recovery Act, 1864 (Act II of 1864) as if it were an arrear of land revenue due from him.

7. Act not in derogation of any other law - 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.

8. Repeal of Ordinance No.16 of 2007 - The Andhra Pradesh Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage to Property) Ordinance, 2007 is hereby repealed.