

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH & FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO. 2976
TO BE ANSWERED ON 17th MARCH, 2023**

**THE HEALTHCARE SERVICE PERSONNEL AND CLINICAL
ESTABLISHMENTS BILL**

2976. SHRI T. R. V. S. RAMESH:

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether the Government has withdrawn ‘The Healthcare Services Personnel and Clinical Establishments (Prohibition of Violence and Damage to Property) Bill, 2019’ which intended to protect healthcare professionals and institutions;
- (b) if so, the details thereof along with the reasons therefor;
- (c) whether the Government plans to bring in an alternative Bill for the protection of healthcare workers and institutions; and
- (d) if so, the details thereof and if not, the reasons therefor?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY
WELFARE
(DR. BHARATI PRAVIN PAWAR)**

(a) to (d) A Draft “The Healthcare Services Personnel and Clinical Establishments (Prohibition of Violence and Damage to Property) Bill, 2019” was prepared by the Ministry of Health and Family Welfare and circulated for consultations. Thereafter it was decided not to enact a separate Legislation for prohibiting violence against doctors and other health care professionals. This matter was further discussed with relevant Ministries and Departments of Government as well as all Stakeholders, and an ordinance namely “The Epidemic Diseases (Amendment) Ordinance, 2020” was promulgated on April 22, 2020. Later on, the Union Government of India passed Epidemic Diseases (Amendment) Act, 2020 on 28th September, 2020. The Act provides that –

- (i) Acts of violence against healthcare personnel during any situation would be cognizable and non-bailable offences.

(ii) Commission or abetment of such acts of violence or damage or loss to any property shall be punishable with imprisonment for a term of three months to five years, and with fine of Rs. 50,000/- to Rs. 2,00,000/-.

(iii) In case of causing grievous hurt, imprisonment shall be for a term of six months to seven years and with fine of Rs. 1,00,000/- to Rs. 5,00,000/-.

(iv) In addition, the offender shall also be liable to pay compensation to the victim and twice the fair market value for damage of property.

Since, law and order is a State Subject, State/Union Territory (UT) Governments also take appropriate steps to protect healthcare professionals / institutions under provisions in Indian Penal Code (IPC) / Code of Criminal Procedure (Cr.PC).
