

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

**LOK SABHA
STARRED QUESTION NO. 225
TO BE ANSWERED ON THE 4TH AUGUST, 2023**

VIOLENCE AGAINST MEDICAL PROFESSIONALS

***225. SHRI KODIKUNNIL SURESH:
SHRI VINOD L. CHAVDA:**

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

- (a) whether the Government has taken note of workplace attack on the medical community resulting in deaths including the latest case in Kottarakkara Taluk Hospital, in Kollam District, Kerala and if so, the details thereof;
- (b) the total number of fatalities of medical professionals including doctors on duty due to attacks by violent patients during last three years and current year;
- (c) whether the Government intends to review the security and safety protocols in force at hospitals in the country and if so, the details thereof;
- (d) whether a standard operating procedure for ensuring safety of doctors, nurses and support staff be implemented in the country with due consultation with various medical professional bodies and if so, the details thereof;
- (e) whether it is a fact that hospitals in the country display panels of provisions of IPC, CrPC and related penal provisions that are applicable to patients and their attendants convicted in case of any offence of violence against hospital staff and if so, the details thereof; and
- (f) whether the Government has any plan to make it mandatory for all types of Government and Private hospitals in the country to display the statutory duties of the hospital and if so, the details thereof?

**ANSWER
THE MINISTER OF HEALTH AND FAMILY WELFARE
(DR MANSUKH MANDAVIYA)**

(a) to (f) A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO LOK SABHA
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(a) to (c): As per Constitutional provisions, 'Health' and 'Law & Order' are State subjects, therefore it is the primary responsibility of the concerned State Government / UT Administration to take note of events and eventualities, and to take appropriate action to prevent violence against doctors including imposition of penalties or setting up helplines to extend immediate help to such Doctors who are victims of violence.

** Details of number of fatalities of medical professionals including doctors on duty due to attacks by violent patients are not maintained centrally.

Further, violence against healthcare professionals / institutions is a criminal offence and needs to be dealt suitably by the State / UT Government under provisions in Indian Penal Code (IPC), 1860 / Code of Criminal Procedure (Cr.PC), 1973 so that doctors / clinical establishments discharge their professional pursuit without fear of violence.

In the wake of COVID-19 outbreak, Government of India has notified the Epidemic Diseases (Amendment) Act, 2020 on 28th September 2020. The amended Act provides that acts of violence against healthcare personnel during any situation akin to current pandemic would be cognizable and non-bailable offences.

Commission or abetment of such acts of violence shall be punished with imprisonment for a term of three months to five years, and with fine of Rs.50,000/- to Rs.2,00,000/-.

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/-.

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

The Union Ministry of Health and Family Welfare has, in order to prevent violence against doctors and for inculcating an effective sense of security among the doctors on duty, taken several measures including issuing advisories in this regard to all States/Union Territories (UTs) to consider the following: -

- a) Security of sensitive hospitals to be managed by a designated and trained force,
- b) Installation of CCTV cameras and round the clock Quick Reaction Teams with effective communication / security gadgets particularly at Casualty, Emergency and areas having high footfalls,
- c) Well-equipped centralized control room for monitoring and quick response,
- d) Entry restriction for undesirable persons,
- e) Institutional FIR against assaulters,
- f) Display of legislation protecting doctors in every hospital and police station,
- g) Appointment of Nodal Officer to monitor medical negligence,
- h) Expeditious filling up of vacant posts of doctors and para-medical staff in hospitals / Primary Health Centres (PHCs) to avoid excessive burden / pressure on doctors and to maintain global doctor-patient ratio,
- i) Better infrastructural facilities and medical equipment and provision of extra monetary incentive for the doctors and para medical staff serving in hard/remote areas as compared to major and metro cities with better career prospects, etc.

The Ministry of Health & Family Welfare has on multiple occasions, through formal communications as well as more recently through video conferences with States and UTs, highlighted the need to ensure safety and security of healthcare workers at their living/working premises.

(d) to (f): Health being a state subject, such information is not maintained centrally. National Council for Clinical Establishments setup under the Clinical Establishments Act, 2010 has approved the Patients' Rights Charter and shared the same with the States and UTs, where the Clinical Establishments Act is applicable. It is also available in public domain on the weblink (<http://clinicalestablishments.gov.in/WriteReadData/3181.pdf>). Further, it is also for the respective State/UT Government to display the Patients' Rights Charter on their Health Department websites and to track and support its implementation.

As on date, the Clinical Establishments Act, 2010 has been adopted by 12 States namely Arunachal Pradesh, Assam, Bihar, Himachal Pradesh, Jharkhand, Mizoram, Rajasthan, Sikkim, Uttar Pradesh, Uttrakhand, Haryana, Telangana and 7 Union Territories except Delhi.

**However, no reply has been received from the Govt. of Kerala in r/o of part (a) of the above PQ. In this regard, three letters have been issued vide letters dated 31.07.2023, 02.08.2023 and 03.08.2023.
