



ODISHA POLICE
STATE HEADQUARTERS
CUTTACK.

FAX/E.MAIL

No.G-35-13/ 5290 /Con.,
To

Dated : 26-08-2016.

All Dist. Supdts. of Police, Odisha/
DCP Cuttack/DCP Bhubaneswar.

Sub: Safety and Security of Doctors and other staff in Government Health Institutions.

Govt. in H&FW and Home Department, Bhubaneswar have intimated that a number of incidents have been reported in recent months where Doctors have been assaulted by the anti-social elements in the pretext of wrong treatment. Govt. have also followed the media reports regarding ransacking of hospitals, private clinic etc. on the same ground by the relatives and attendants of the patients alleging neglect in treatment. If this continues un-checked, the morale of the Doctors and other colleagues in the hospitals across the State may be adversely affected and the health sector will suffer.

Govt. have therefore, emphasized on the need of surveillance and police patrolling in the Hospital area to ensure safety and security of the Doctors and other Staff working in various Govt. health Institution throughout the State.

It is, therefore, advised that the local Police Station staff may be directed to remain alert, intensify the surveillance and patrolling for safety and security of Doctors and other staff. CDMOs of the Districts may be advised to install CCTV cameras at OPD and other sensitive places inside the hospital campus. They may also be advised to add the Section 3 (a) (b) of the Odisha Medicare Service Persons and Medicare Service Institution (Prevention of violence and damage to property) Act, 2008 in addition to penal sections under IPC or any other minor Act wherever applicable.

Besides, often the relatives of the deceased patient insist on registration of criminal case against the treating doctor for criminal negligence. In this connection it may be stated that in several landmark rulings (Jacob Mathew v State of Punjab, 2005, AIR 2005 SC 3180, Martin D'souza v Mohd. Ishfaq, 2009, AIR, SC 2049, V Kishen Rao v Nikhil Superspeciality Hospital, SC, 2010) the Hon'ble Supreme Court has directed that "before proceeding against the doctor

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accused of rash and negligent act or omission, an independent and competent medical opinion should be obtained from a panel of doctors qualified in that branch of medical science". "A doctor accused of negligence should not be arrested in a routine manner simply because a charge has been leveled against him. Unless his arrest is necessary for further investigation or for collecting evidence or unless the investigating officer feels satisfied that the doctor proceeded against would not make himself available to face the prosecution unless arrested, the arrest may be withheld".

This should be circulated among the field functionary for their information and necessary follow up action.

[Signature]
26/8/16

Director General of Police, Odisha.

Memo No. 5291 /Con.

Dated: 26.08.2016.

Copy forwarded to the Commissioner of Police, Bhubaneswar-Cuttack, Bhubaneswar/All Range IsG of Police/DIsG of Police, Odisha, for information and necessary action.

[Signature]
26/8/16

Director General of Police, Odisha.

Memo No. 5292/Con.

Dated: 26.08.2016.

Copy forwarded to the Principal Secy. to Govt. of Odisha, Home Deptt., Bhubaneswar for favour of information with ref. to Home Deptt. letter No.1703/SH dt.22.08.16.

[Signature]
26/8/16

Director General of Police, Odisha.

Memo No. 5293/Con.,

Dated: 26-08-2016.

Copy forwarded to the Director of Health Services, Govt. of Odisha, Bhubaneswar for favour of information and necessary action.

[Signature]
26/8/16

Director General of Police, Odisha.

Memo No. 5294/Con.,

Dated: 26.08.2016.

Copy forwarded to the Superintendents, SCB Medical College & Hospital, Cuttack/ MKCG Medical College & Hospital, Berhampur/VSS Medical College & Hospital, Burla, Sambalpur for information and necessary action.

[Signature]
26/8/16

Director General of Police, Odisha.