

निदेशालय, चिकित्सा एवं स्वास्थ्य सेवायें, राजस्थान, जयपुर

क्रमांक :चि.प्र./2018/ 97

दिनांक: 5/4/2018

समस्त मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी,
राजस्थान।

विषय:—राजकीय/निजी चिकित्सालयों पर गुड सेमेरिटन गाईडलाईन के क्रम में।

संदर्भ:—मुख्य सचिव महोदय की अध्यक्षता में आयोजित यातायात प्रबंध समिति की बैठक में दिये गये निर्देशों के क्रम में।

उपरोक्त विषयान्तर्गत लेख है कि माननीय सर्वोच्च न्यायालय के रिट पीटिशन (सिविल) संख्या 295/2013 पारित निर्णय के क्रम में सभी राजकीय/निजी चिकित्सालयों द्वारा गुड सेमेरिटन गाईड लाईन की अनुपालना की जावे। इस क्रम में आपको निर्देशित किया जाता है कि आप अपने जिले के समस्त निजी चिकित्सालयों के सगठनों के प्रतिनिधियों की बैठक बुलाकर माननीय सर्वोच्च न्यायालय द्वारा पारित निर्णय एवं गुड सेमेरिटन गाईड लाईन के उद्देश्यों से अवगत कराएँ एवं निदेशालय से प्राप्त गाईड लाईन की आईईसी सामग्री उपलब्ध करवाते हुये समस्त चिकित्सालयों पर उनका प्रदर्शन व पालना कराना सुनिश्चित करावे। साथ ही माननीय सर्वोच्च न्यायालय द्वारा पारित निर्णय की आपके द्वारा की गयी अनुपालना रिपोर्ट निदेशालय की ईमेल आईडी trauma.rajasthan@gmail.com, addtiha@gmail.com पर 10 दिवस में भिजवाना सुनिश्चित करावे। विलम्ब के लिये आप स्वयं उत्तरदायी होंगे।

निदेशक (जन स्वास्थ्य)
चिकित्सा एवं स्वास्थ्य सेवायें
राजस्थान जयपुर

क्रमांक :चि.प्र./2018/ 97

दिनांक: 5/4/2018

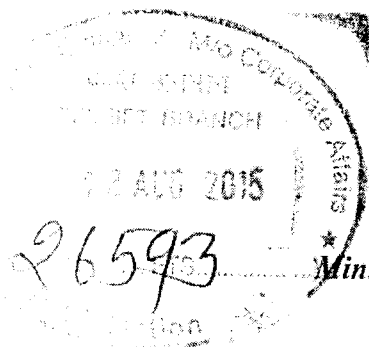
प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:—

1. निजी सचिव, अतिरिक्त मुख्य सचिव, चिकित्सा एवं स्वास्थ्य विभाग, राजस्थान जयपुर।
2. निजी सचिव, अतिरिक्त मुख्य सचिव, परिवहन विभाग, राजस्थान जयपुर।
3. समस्त संयुक्त निदेशक, चिकित्सा एवं स्वास्थ्य सेवायें, जोन, राजस्थान।
4. समस्त प्रमुख चिकित्सा अधिकारी, राजस्थान।
5. प्रभारी सर्वर रूम, मुख्यालय को भेजकर लेख है कि उक्त पत्र को विभाग की वेबसाईट पर अपलोड करावें।
6. रक्षित पत्रावली।

निदेशक (जन स्वास्थ्य)
चिकित्सा एवं स्वास्थ्य सेवायें
राजस्थान जयपुर

5/4/2018

secy



No. Z.28015/1/2015-H
 Government of India
 Ministry of Health and Family Welfare

Nirman Bhawan, New Delhi
 Dated August 24, 2015

Subject: Guidelines for protection of Good Samaritans

Hon'ble Supreme Court passed an order on 29th October, 2014 in W.P. No.235 of 2012 directing the Union Government to frame guidelines for protection of good Samaritans. Accordingly, the Ministry of Road Transport and Highways issued notification No. 25035/101/2014-RS dated 12th May, 2015. In this regard, all the registered public and private hospitals need to ensure the following:

2. Mandatory display of the important points of the Gazette notification as stated above, at all prominent places of the respective hospitals including Casualty/Emergency Department, patients waiting areas, etc., indicating, *inter-alia*, the following:

- (i) All registered public and private hospitals are not to detain bystander or good Samaritan or demand payment for registration and admission costs, unless the good Samaritan is a family member or relative of the injured and the injured is to be treated immediately in pursuance of the order of the hon'ble supreme court in Pt. Parmanand Katara vs Union of India & others [1989] 4 SCC 286. A bystander or Good Samaritan including an eye witness of a road accident may take an injured person to the nearest hospital, and the bystander or Good Samaritan should be allowed to leave immediately except after furnishing address by the eyewitness only and no question shall be asked to such bystander or good Samaritan.
- (ii) The disclosure of personal information, such as name and contact details of the Good Samaritan shall be made voluntary and optional including in the Medico Legal Case (MLC) Form provided by hospitals.
- (iii) Lack of response by a doctor in an emergency situation pertaining to road accidents, where he is expected to provide care, shall constitute "professional Misconduct" under Chapter 7 of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation, 2002 and disciplinary action shall be taken against such doctors under Chapter 8 of the Said Regulations.
- (iv) All Hospitals shall publish a charter in Hindi, English and the vernacular language of the State or Union Territory at their entrance to the effect that they shall not detain bystander or good Samaritan or ask depositing money from them for the treatment of a victim.

Sd/A

28-8-15

Anjuly Chib Duggal
 Secretary

SO(CDN) 2/9

Per year, pe
 [Handwritten initials]

- (v) In case a bystander or good Samaritan so desires, the hospital shall provide an acknowledgement to such good Samaritans, confirming that an injured person was brought to the hospital and the time and place of such occurrence. The acknowledgement may be prepared in a standard format by the State Government and disseminated to all hospitals in the State for incentivizing the bystander or Good Samaritan as deemed fit by the State Government/UTs.
3. An orientation training for all Staff members on the Gazette Notifications should be undertaken at the time of their joining. Refresher training should be done regularly for all staff members.
4. A Committee headed preferably by the Head of the Emergency Department should be constituted for ensuring that the guidelines are followed in the hospital for taking care of all issues related to the implementation of guidelines as contained in the Notification.
5. These guidelines shall be binding on all the hospitals including public and private hospitals and they shall implement these guidelines immediately. In case of non-compliance or violation of these guidelines, appropriate action shall be taken by the authorities concerned.
6. It shall be the responsibility of the State Government/UTs to ensure that these guidelines are followed by all the hospitals in the States/UTs as mentioned in paragraph 5 above in right earnest.


(Oma Nand)

Deputy Secretary to the Government of India
Telephone: 23062870

Secretary (Health) of All States/ UTs,

Secretary, MCI, New Delhi

