

MOST URGENT/SPEED POST

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF HEALTH SERVICES
F-17, KAKARDOOMA, DELHI-110032**

No.F.24/20/2003/NH/DHS/HQ/113280-83

Dated: 25/08/2015

ORDER

Sub: Providing immediate and free medical treatment to the victims of acid attack.

In continuation with the guidelines on the subject issued by this Department vide Order dated 21/02/2013, Circular dated 19/12/2013 and Advisory dated 05/02/2014 all hospitals including private hospitals and nursing homes, functioning in the National Capital Territory of Delhi, are hereby directed to provide full medical treatment to the victims of acid attack including medicines, food, bedding and reconstructive surgeries.

Attention of all the above hospitals/nursing homes is drawn to the Criminal Law (Amendment) Act, 2013 (No.13 of 2013), vide which, section 357C was inserted in the Code of Criminal Procedure, 1973 which provides-

"357 C. All hospitals, public or private, whether run by the Central Government, the state Government, Local Bodies or any other person, shall immediately, provide first-aid or medical treatment, free of cost, to the victims of any offence covered under section 326A,376,376A,376B,376C,376D or 376E of the Indian Panel Code and shall immediately inform the police of such incident."

Application of the aforesaid amendment in the Cr.P.C. on the provisions of Section 326A of the Indian Panel Code, which is about the offence of acid attack, casts a duty on every hospital management that no victims of acid attack (vitriolage) is return without providing the victim first-aid or immediate medical treatment, free of cost.

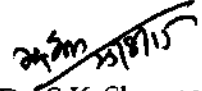
Further attention is drawn to clause 14.2. of the Schedule appended with Rule 14 of Delhi Nursing Homes Registration(Amendment) Rules, 2011 which provides as under :

"14.2. The nursing home shall not refuse, treatment to the injured/serous patients brought to them due to any reason, whatsoever."

Contd....

Hon'ble Supreme Court of India vide order dated 10/04/2015 in WP (CrI.)159/2006 titled Laxmi Vs. Union of India & Ors. has directed private hospitals to provide full treatment to acid attack victims including medicines, food, bedding and reconstructive surgeries. Furthermore, the said order mentions that no hospital/clinic shall refuse treatment citing lack of specialized facilities and first-aid must be administered to the victims and after stabilization, the victim/patient could be shifted to a specialized facility for further treatment, wherever required.

Non-compliance of the aforementioned directions by defaulting hospitals/nursing homes shall attract appropriate disciplinary/punitive action including cancellation of registration and wherever necessary action will be taken against the defaulter under the provision of Contempt of Courts Act read with Article 215 of the Constitution of India.


(Dr. S.K. Sharma)
Director Health Services

To

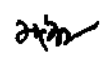
✓ Managing Directors/ Directors/Medical Superintendents of all Hospitals (including private) in the National Capital Territory of Delhi.

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Copy for information and necessary action to :

1. Chairperson, Delhi Commission for Women, C-Block, Vikas Bhawan, I.P. Estate, New Delhi-110002.
2. Pr. Secretary (Home), GNCTD, 5th Level, C-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002.
3. Secretary (Health), 9th Level, A-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002.


(Dr. S.K. Sharma)
Director Health Services