From
District Police Chief
Idukki

To
The Deputy Superintendent of Police
Narcotic cell, Idukki.

Sir,

Sub : Road Safety week 2019- exhibiting good Samaritan Guidelines reg.
2. Gazette Notification No. 25035/101/2014-RS dated 12/05/2015 of MoRTH, Government of India

Please refer to the above,

Government of India in gazette notification vide reference 1st cited instructed that it is mandatory to exhibit good samaritan guidelines at public places like police stations and hospitals. In the circumstances read above, you are directed to install boards (approximate size 1 m x 1m) in Medical Colleges, General Hospitals, District and Taluk Hospitals carrying Good Samaritan guidelines during Road Safety Week celebration from 4th to 10th February 2019 in phase -1. The posters shall be in bi-lingual (Malayalam and English).

You are also directed to identify other suitable public places where these guidelines are to be exhibited in phase II and inform to this office at the earliest. Letter received from Road Safety Commissioner vide reference cited 1st cited and Template in this regard is enclosed herewith for information. Compliance report in this regard should be submitted to this office at the earliest.

Yours faithfully

Iqbal M
Additional Superintendent of Police
For District Police Chief
Copy To: DySP DCRB- You are directed to publish the Good Samaritan Guidelines in bi-lingual (Malayalam and English) and ownloadable format from the District website.
All officers for information and necessary action.
From
N. Shanker Reddy IPS
Road Safety Commissioner,
Kerala Road Safety Authority,

To
Chairman District Road Safety Councils, &
District Collectors,
Thiruvananthapuram, Kollam, Pathanamthitta, Alappuzha, Kollam, Idukki,
Ernakulam, Thrissur, Palakkad, Malappuram, Kozhikode, Wayanad,
Kollam, Kasaragod.
The Director,
Health Services, Thiruvananthapuram.
The Director,
Medical Education, Thiruvananthapuram.
The District Medical Officers
Thiruvananthapuram, Kollam, Pathanamthitta, Alappuzha, Kollam, Idukki,
Ernakulam, Thrissur, Palakkad, Malappuram, Kozhikode, Wayanad,
Kollam, Kasaragod.
District Police Chief
Thiruvananthapuram, Kollam, Pathanamthitta, Alappuzha, Kollam,
Idukki, Ernakulam, Thrissur, Palakkad, Malappuram, Kozhikode, Wayanad,
Kollam, Kasaragod.

Sir,

Sub:- Kerala Road Safety Authority- Exhibiting Good Samaritan
guidelines - reg

Ref:- Gazette Notification No.25035/101/2014-Rs dated 12/05/2015
of MoRTH, Government of India.

As per the ruling of the Hon’ble Supreme Court of India and
subsequent Gazette Notification by Govt. of India dated 12.05.2015, it is
mandatory to exhibit Good Samaritan’s Guidelines at public places like
Police Station, Hospital, and Trauma Center in the country. To promote and sensitize this, a uniform pattern of posters containing Good Samaritans Guidelines need to be exhibited in a conspicuous location at Police Stations and other public places. The posters shall be in bi-lingual (Malayalam and English) and downloadable format from the department websites.

It has been decided to give wide publicity to the Good Samaritan guidelines and to install boards carrying the guidelines at all Police Stations, and hospitals; Medical Colleges, General hospitals, District and Taluk hospitals during Road Safety Week celebration from 4th to 10th February 2019 in phase-1

You are therefore requested to take action to install Boards (approximate size 1m x 1m) carrying Good Samaritan guidelines in Malayalam and English at locations stated above (Template enclosed) during Road Safety Week.

You are also requested to identify other suitable public places where these Guidelines are to be exhibited in phase-11 and inform KRSA at the earliest.

Yours faithfully

Administrative Officer
For Road Safety Commissioner.
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
NOTIFICATION
New Delhi, the 12th May, 2015

No. 25035/101/2014-RS.—Whereas the Hon'ble Supreme Court in the case of Savelife Foundation and another V/s. Union Of India and another in Writ Petition (Civil) No. 235 of 2012 vide its order dated 29th October, 2014, interalia, directed the Central Government to issue necessary directions with regard to the protection of Good Samaritans until appropriate legislation is made by the Union Legislature;

And whereas, the Central Government considers it necessary to protect the Good Samaritans from harassment on the actions being taken by them to save the life of the road accident victims and, therefore, the Central Government hereby issues the following guidelines to be followed by hospitals, police and all other authorities for the protection of Good Samaritans, namely:-

1. (1) A bystander or good Samaritan including an eyewitness 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.

(2) The bystander or good Samaritan shall be suitably rewarded or compensated to encourage other citizens to come forward to help the road accident victims by the authorities in the manner as may be specified by the State Governments.

(3) The bystander or good Samaritan shall not be liable for any civil and criminal liability.

(4) A bystander or good Samaritan, who makes a phone call to inform the police or emergency services for the person lying injured on the road, shall not be compelled to reveal his name and personal details on the phone or in person.

(5) 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.

(6) The disciplinary or departmental action shall be initiated by the Government concerned against public officials who coerce or intimidate a bystander or good Samaritan for revealing his name or personal details.

(7) In case a bystander or good Samaritan, who has voluntarily stated that he is also an eye-witness to the accident and is required to be examined for the purposes of investigation by the police or during the trial, such bystander or good Samaritan shall be examined on a single occasion and the State Government shall develop standard operating procedures to ensure that bystander or good Samaritan is not harassed or intimidated.

(8) The methods of examination may either be by way of a commission under section 284, of the Code of Criminal Procedure 1973 or formally on affidavit as per section 296, of the said Code and Standard Operating Procedures shall be developed within a period of thirty days from the date when this notification is issued.

(9) Video conferencing may be used extensively during examination of bystander or good Samaritan including the persons referred to in guideline (1) above, who are eye witnesses in order to prevent harassment and inconvenience to good Samaritans.

(10) The Ministry of Health and Family Welfare shall issue guidelines stating that 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. Parmeshwar Katara vs Union of India & Ors [1989] 4 SCC 286.

(11) 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, Ethique and Ethics) Regulation, 2002 and disciplinary action shall be taken against such doctor under Chapter 8 of the said Regulations.

(12) 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.

(13) In case a bystander or good Samaritan so desires, the hospital shall provide an acknowledgement to such good Samaritan, confirming that an injured person was brought to the hospital and the time and place of such occurrence and the acknowledgement may be prepared in a standard format by the State Government and disseminated to all hospitals in the State for incentivising the bystander or good Samaritan as deemed fit by the State Government.

(14) All public and private hospitals shall implement these guidelines immediately and in case of noncompliance or violation of these guidelines appropriate action shall be taken by the concerned authorities.

(15) A letter containing these guidelines shall be issued by the Central Government and the State Government to all Hospitals and Institutes under their respective jurisdiction, enclosing a Gazette copy of this notification and ensure compliance and the Ministry of Health and Family Welfare and Ministry of Road Transport and Highways shall publish advertisements in all national and one regional newspaper including electronic media informing the general public of these guidelines.

2. The above guidelines in relation to protection of bystander or good Samaritan are without prejudice to the liability of the driver of a motor vehicle in the road accident, as specified under section 134 of the Motor Vehicles Act, 1988 (59 of 1988).

SANJAY BANDOPADHYAYA, Jt. Secy.