

**HARYANA GOVERNMENT
HEALTH DEPARTMENT
NOTIFICATION
The 28th February, 2018**

No.25/10/2017-6HBI - In partial modification of Govt. Notification No. 25/10/2017-6HBI dated 22nd May, 2017, the Governor of Haryana is pleased to reconstitute the Medical Board at each district level with the name "District Medical Boards for Negligence" to decide the complaints against the private/Government doctors/hospitals for Medical negligence in pursuance of the Hon'ble Supreme Court order dated 05.08.2005 passed in Jacob Mathew case in CRL Appeal No. 144-145 of 2004 and orders passed by Hon'ble High Court of Punjab and Haryana in CRM-M No. 16382, 16383, 16384 of 2014. The District Medical Boards for Negligence will consist of the following:-

i.	Civil Surgeon of the District	- Chairperson
ii.	Principal Medical Officer/Medical Superintendent of District Hospital as the case may be	- Member Secretary
iii.	Two subject specialists of the same specialty related to the type of complaint. (Either both from Govt. or one from the Govt. and one from the private. If any subject specialist is not available then the Chairperson can call from other District)	- Member
iv.	One Member of the district IMA (To be decided by the District IMA President)	- Member
v.	One member of National Integrated Medical Association (NIMA) (Local Branch).	- Member
vi.	Two subject specialists from Government Ayurvedic Medical College (If complaint relates to Ayush)	- Member

(Note: The above committee shall examine such complaint in the light of orders passed by the Apex Court in Jacob Mathew case and by applying Bolam's test. All members shall be present and sign the report.)

1. The District Medical Boards for Negligence will look into all complaints against the private/Govt. doctors/hospitals for Medical negligence and will be empowered to call & seek the assistance of anybody or any record associated with the complaint and will have the power to inspect the premises as per need of the case.
2. Investigating officers should, before proceeding against the doctors accused of rash or negligent act or omission, obtain an independent and competent medical opinion from District Medical Boards for Negligence.
3. The District Medical Boards for Negligence shall give an impartial and unbiased opinion applying Bolam's test to the facts collected in the investigation.
4. The District Medical Boards for Negligence will meet as frequently as required and will devise a transparent procedure to receive complaints.

This notification will come into force w.e.f. date of this notification in the Official Gazette.

Place: Chandigarh
Dated 27th February, 2018

AMIT JHA
Principal Secretary to Government Haryana
Health Department

Endst. No.25/10/2017-6HBI

Dated, Chandigarh the 28th February, 2018

A copy is forwarded to the **Controller, Department of Printing & Stationary, Haryana, Chandigarh** with request to publish this notification in the ordinary Gazettee and **500 copies** of this notification may please be supplied to this office for Official use.

Additional Secretary, Health
for Principal Secretary to Government Haryana
Health Department

Endst. No.25/10/2017-6HBI

Dated, Chandigarh the 28th February, 2018

A copy is forwarded to the following for information and necessary action:-

1. Registrar Punjab & Haryana High Court.
2. Chief Secretary to Government Haryana, Chandigarh.
3. All Administrative Secretaries/ Secretaries.
4. Vice chancellor, Pt. B.D. Sharma University of Health Sciences. Rohtak.
5. Director General, Ayush Haryana, Sector-3, Panchkula.
6. Director General Health Services, Haryana, Panchkula.
7. Director General Medical Education & Research Department panchkula.
8. All Civil Surgeons in the Haryana State.
9. State President, IMA, Haryana.
10. State President, NIMA.

Additional Secretary, Health
for Principal Secretary to Government Haryana
Health Department