

ORDERS BY THE GOVERNOR : MANIPUR

Imphal, the 7th February, 2014.

No.22/4/07-M : In view of necessity for detailing a team of competent medical doctors from the Government Hospital to give an opinion whether there was criminal negligence during the treatment of patient(s) by the Medical Practitioners in connection with complaints lodged against Medical Practitioners for the alleged rashness or negligence while attending to patients and also in pursuance of the Judgement/Guidelines dated 05/08/2005 of **Hon'ble Supreme Court of India** passed in Appeal (Crl) No.144-145 of 2004 – Jacob Mathew Vs State of Punjab & Anr compelling the Police Department, before proceeding regular FIR cases against Doctor(s) accused of rash or negligent act or omission, to obtain an independent and competent medical opinion preferably from a doctor in Government service qualified in that branch of medical practice who can normally be expected to give an impartial and unbiased opinion applying Bolam's test to that facts collected in the investigations to support the charge of rashness or negligence, if there is any, on the part of the accused, **the Governor of Manipur** is pleased to constitute a **Special Medical Board** under the Medical Directorate, Government of Manipur consisting of the following members to look into such complaints lodged by patient party with immediate effect :

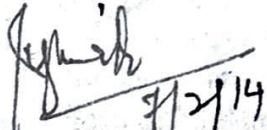
Sl.No.	Members of the Board	Designation
1.	Director of Health Services, Manipur	Chairman
2.	Specialist Doctors (at least one in the relevant branch of medical practice to be requisitioned from Health & FW Department, Manipur/JNIMS/RIMS, Imphal	Member(s)

2. The following shall be the terms of reference of the said Special Medical Board :

- (1) The Chairman/Director of Health Services, Manipur shall appoint the required number of Members from the Specialist Doctors, at least one in the relevant branch of medical practice in the Health & FW Department/JNIMS/RIMS as and when required and on case/need basis.
- (2) The Board shall call the Doctors(s) and Official(s) connected to the complaint for examination at the Special Board, Medical Directorate, Imphal.

- (3) Member(s) of the Board shall inspect the hospital/institution where the damage occurred/patient was treated for prima facie evidence, if deemed necessary.
- (4) The Board shall give an impartial and unbiased opinion applying Bolam's test to the facts collected in the investigations whether to support the charge of rashness or negligence, if there is any, on the part of the accused and to submit a report within one week from the date of constitution of the Board in connection with the damage specified.

By Orders & in the name of Governor;


(Regina Hongray)
Under Secretary (Health & FW)
Government of Manipur.

Copy to :

- 1) Secretary to His Excellency, the Governor of Manipur.
- 2) Secretary to Hon'ble Chief Minister, Manipur.
- 3) PPS to Hon'ble Deputy Chief Minister, Manipur.
- 4) PPS to Hon'ble Minister (Health & FW), Manipur.
- 5) Chief Secretary, Government of Manipur.
- 6) Director General of Police, Manipur.
- 7) Principal Secretary (Home), Govt. of Manipur.
- 8) Principal Secretary (Health & FW), Manipur.
- 9) Secretary (Law), Government of Manipur.
- 10) Director, Regional Institute of Medical Sciences, Imphal.
- 11) Director of Health Services, Manipur.
- 12) Director of Family Welfare, Manipur.
- 13) Director, JNIMS, Porompat.
- 14) Director of Information & PR, Manipur.
- 15) All Deputy Commissioners, Manipur.
- 16) All Superintendents of Police, Manipur.
- 17) Director of Prosecution, Manipur.
- 18) All Chief Medical Officers/Medical Superintendents of DHs.
- 19) All MO i/c of CHCs/PHCs, Manipur.
- 20) All Private Hospitals/Clinics, Manipur.
- 21) Guard file.