***A good Samaritan helping an accident victim***

Usually whenever road accident’s take place nobody come forward to help. It is not the case that people does not have any sympathy towards the victim but they’re afraid of getting into any legal troubles or usually people get scared that if they will take the victim to the hospital they would have to pay a bill.

As there are many cases in which hospitals refuse to admit victims even in the case of emergency until someone pays up. There have been several cases in which those people who tried to help have been forced to go to court multiple times to give testimony.

This roadblock has been lifted by Supreme Court as now you must not be afraid to help an accident victim. In 2012, SaveLIFE Foundation filed the PIL that triggered these developments. On the basis of a national study of previous cases conducted by it, the SaveLife foundation submitted, three out of four people in India hesitated to come forward and help road accident victims, and that 88% of them had attributed this hesitation to fear of legal and procedural hassles.

**In reply to this petition on October 29, 2014,** The Supreme Court of India asked the Centre government to issue the guidelines that are required with regard to the protection of Good Samaritans until appropriate legislation was not made by the Union Legislature.**Following this**the Ministry of Road Transport and Highways (MoRTH) in the gazette notification, notified the said guidelines. According to these guidelines, the disclosure of personal information by a Good Samaritan who brings an accident victim to the hospital was dependent on his/her will. It also mentioned that a Good Samaritan will not be liable for any civil or criminal liability.

**Then on January 22, 2016**, Standard Operating Procedures (SOPs) was issued by MoRTH for the examination of Good Samaritans by the police or during trial.**Finally on March 30, 2016**the guidelines issued by the Centre was approved by the Supreme Court of India..

**The guidelines lay down the following**:

1. Every Good Samaritan will be treated with due respect and no discrimination will be done on the basis gender, religion, nationality and caste.
2. Except an eyewitness anybody who will call the police to inform them of an accidental injury or death will not be required to reveal his or her personal details such as full name, address or phone number.
3. The Good Samaritan can’t be compelled by the police to disclose his or her name, identity, address and any other details in the police record form or log register.
4. The police can’t force any Good Samaritan in their investigation or anything else.
5. The police will allow the Good Samaritan to leave after having provided the information available to him or her, and no further questions will be asked of him or her if he or she does not desire to be a witness.

**Even when Good Samaritans agree to become witnesses, the guidelines accord them protection and comfort. They ensure that**:

1. If a Good Samaritan chooses to be a witness, she will be examined with utmost care and respect.
2. The examination will be conducted at a time and place of the Good Samaritan’s convenience and the investigation officer will be dressed in plain clothes.
3. If the Good Samaritan is required by the investigation officer to visit the police station, the reasons for the requirement shall be recorded by the officer in writing.
4. In a police station, the Good Samaritan will be examined in a single examination in a reasonable and time-bound manner, without causing any undue delay.
5. If a Good Samaritan declares himself to be an eyewitness, she will be allowed to give her evidence in the form of an affidavit.

A Delhi based tours and taxi operator, SurajPrakashVaid, has helped over 70 road accident victims by taking them to the Hospitals. But in return of his good deeds, he [had to face court hearings](http://www.thehindu.com/news/cities/Delhi/the-good-samaritan-of-the-capital/article6495662.ece) on several occasion since he was made a witness in several of the cases. So now to help people like SurajPrakashVaid, the law provide a good Samaritan few rights.

**Rights of a good Samaritan according to India Law**

1. You can take a victim to a hospital and leave immediately after no one can force to stay after that for any formalities.

2. Any good Samaritan will not be liable for any civil or criminal liability

3. If you call an ambulance, it is your own wish to give your personal details to the police or not**.**

4. You will be examined only once if you volunteer to be the witness

5. Any police officer who will not follow these guidelines will face action

6. Any hospital or doctor who will refuse to help the victim will face action.