

## **The Good Samaritan Law: An Insight**

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### **ABSTRACT**

This paper aims to understand the Good Samaritan Law in the context of Indian society by deciphering the people's mentality and the legal changes and reliefs available to them. This paper also aims at understanding how the idea of a "Good Samaritan" came into being and what it actually means today. The Paper also breaks down the laws and legislation present today to give a detailed analysis of what provisions and deterrents provided by the law in a simplified and unabridged way. In light of the present scenario, the paper also takes into consideration the lack of knowledge and awareness in the sphere of Samaritanism and analyses the relief available under the same, and emphasizes the rights which can be availed by those who need the same to ensure justice and to prevent exploitation of the vulnerable. The paper also proposes the juxtaposition of the contemporary Indian scenario and that of Canada's nation to provide insight into global developments and get a broader perspective behind the process of law-making in the field of Samaritan behaviour. Taking these developments into consideration and thorough analysis, the paper also seeks to bring out certain suggestions that can help make the law at hand better and more acceptable to be used in the present situation to ensure the comprehensiveness of the laws are in benefit of all rather than a few privileged individuals.

### **I. INTRODUCTION**

"A Good Samaritan is a person who, in good faith, without expectation of payment or reward and any duty of care or special relationship, voluntarily comes forward to administer immediate assistance or emergency care to a person injured in an accident, or crash, or emergency medical condition, or emergency situation<sup>2</sup>"

In the 21<sup>st</sup> century, Society has become self-centred and selfishness is strife with least regard to life. In 2017 alone, a staggering 1.47 lakh people died on Indian roads, this can be compared to a population of a fairly large town<sup>3</sup>. Most of these deaths could be prevented if immediate care was provided and the victim was moved to a hospital within the 'Golden Hour' i.e., the first hour after an accident within which the accident victim can be saved. Despite this, there is still a glimmer of hope given by a few good people who stop to help those in peril in a bleak world. These are the 'Good Samaritans' of the World. However, the absence of a defined Good Samaritan Law was a deterrent even to those who wished to help as they were subject to aggressive police questioning and numerous court hearings, which is of a great nuisance.

However, after successful pressure movements, the country saw a change in the atmosphere regarding this subject. Karnataka became the first state in India to pass the 'Good Samaritan Bill' in 2018, which was considered a landmark event regarding this subject. This saw a positive change in the judiciary attitude as the laws now moved from being machinery to being more people-centric and effective.

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<sup>2</sup> Good Samaritans Law, SaveLife Foundation, <https://savelifefoundation.org/gsl-microsite/> (last visited Jul 21, 2020).

<sup>3</sup> Priya Kapoor, India way behind 2020 target, road accidents still kill over a lakh a year, The Times of India, October 4, 2018, <https://timesofindia.indiatimes.com/india/india-way-off-road-safety-targets-for-2020-road-accidents-still-kill-over-a-lakh-a-year/articleshow/65765549.cms> (last visited Jul 21, 2020).

## **II. RESEARCH OBJECTIVES:**

- Understanding the origins of Good Samaritan Law and its sources.
- Understanding the provisions made in India with its benefits and shortcomings
- Comparing laws in India to the ones in Canada to understand contemporary global developments

## **III. HISTORY AND DEVELOPMENT OF GOOD SAMARITAN CONSCIENCE**

### **a. Concept of Good Samaritan**

The idea of a Good Samaritan revolves around the concept of ‘helping one in need without demanding any reward’. The present term of a good Samaritan comes from the Gospel of Luke where Jesus answers the question of who is a neighbour and who is to be loved by reciting a tale of an injured traveller who had been robbed and deserted on the side of a street where neither a priest nor a Levite (sons and daughters of Jacob) stopped to save him, but it was a Samaritan man who cared to do so by tending to the merchant with oil and wine along with paying for lodging at an Inn<sup>4</sup>.

It is also important to know that a Samaritan during Abrahamic times was considered to one of a lower class, unworthy of any title, love or affection and were the ones who lived in poverty at the time. This shows that despite not having the means, the Samaritan was selfless in his actions and went out of his way to look after the merchant with compassion and good conscience. In its initial stages, the good Samaritan conscience was solely an allegory that people believed it was their duty to ‘Love thy neighbour as thyself’.<sup>5</sup>

The idea of a good Samaritan was not restricted solely to Abrahamic religions such as Christianity and Judaism but also can be seen in numerous Vedic religions as well where ideals like Karma (whatever you do will eventually come back to you) play a big role in determining the attitude of believers to fulfil good deeds and ensure they help all those in need.

However, as times changed, the world consumed itself in selfishness and consumerism. The ideals of morals eroded, and every man looked out for himself, even if it meant the other perished. In a world like this, it's abnormal for one not to see malice in every action. This led to tougher laws and attitudes towards those who came forward to help as it was natural to believe there was malicious intent hidden behind the gloves of care and love, so much so that ethics and morality had to be codified.

### **b. History and Development of Good Samaritan Laws**

Good Samaritan Laws are not novel to the modern age, rather they have been in existence for time immemorial with a historical legacy to assist lasting thousands of years, spanning every civilization. There have been recorded instances where Ancient Egyptian and Indian laws have

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<sup>4</sup> The Holy Bible: Luke 10:25-29.

<sup>5</sup> The Holy Bible: Leviticus 19:18, Mark 12:31, Mark 12:33, Matthew 19:19, Romans 13:9, James 2:8.

had provisions to punish those who fail to provide aid to those in need, but these laws died with the ever-changing political situations of their respective ages. The 19<sup>th</sup> century can be considered the renaissance of Good Samaritan laws with the above-mentioned provisions appearing in the criminal codes of Russia in 1845, Tuscany in 1853, and Unified Italy in 1889 (The Zanardelli Code)<sup>6</sup> to name a few. Only after World War II did the Good Samaritan Law take the form of what it is today. It was at this period when most Civil Jurisdiction

### **c. The Story of The Good Samaritan Law in India**

Keeping in mind the Morals of a Good Samaritan, the idea of a Good Samaritan law is in its infant stage. However, Awareness rallies and pressure movements by organizations such as the SaveLIFE foundation, The Union Surface Transport Ministry's Guidelines and Regulations provided in 2015 along with legislations as seen in Karnataka have had a footing in terms of the conceptualization of the law as policymakers took due cognizance of the requirement of such laws in a country like India, having one of the highest rates of Accidents per capita in the world. Although the laws and statutes have come through to be of great effectiveness, the formulation of Good Samaritan Laws are still in a nascent stage as times change and so do circumstances.

## **IV. LAWS IN EXISTENCE IN INDIA**

The legal mechanisms regarding Good Samaritans in India currently are very limited as it happens to be a recent phenomenon. However, the developments are considered a landmark and progressive in Indian legal history.

### **a. Key Legal issues with regards to Good Samaritans**

Good Samaritans in India were largely faced with the hurdles of bureaucracy and procedures required to be followed before provisions were made. For simply bringing a victim to a hospital, a Samaritan was subject to hostile questioning by the police in light of being a suspect to the act<sup>7</sup>. It was also a common statement that an accident patient would die signing forms and declarations before being able to be treated upon. The paperwork at hospitals for those who had an accident was cumbersome and complicated, creating delays, compromising on the vital 'Golden Hour', which might lead to another avoidable death<sup>8</sup>.

Further, the Samaritan would be hassled with mandatorily attending court, which would often be inconvenient to the Samaritan as it may not suit his/her busy schedule or may also affect those who sustain a hand-to-mouth existence, working for daily wages. These legal and bureaucratic challenges created a lapse in the safety system. A law that could bridge these gaps could potentially avert numerous avoidable deaths.

The very base of a Good Samaritan Law in India can be said to be The Supreme Court Judgement of SaveLIFE foundation v. The Union of India and another which "interalia, directs the Central

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<sup>6</sup> John T Pardun, Good Samaritan Laws: A Global Perspective, Loyola of Los Angeles International and Comparative Law Review (1998).

<sup>7</sup> Sapna Sukrut Deo, Protection of good Samaritans: A study in the light of Supreme Court's decision in save life foundation case, 2 International Law Journal 12-13 (2016).

<sup>8</sup> Id.

Government to issue necessary directions with regard to the protection of Good Samaritans until appropriate legislation is made by the Union Legislature<sup>9</sup>". This landmark judgment that took place on 29<sup>th</sup> October 2015 saw the Union Surface Transport ministry provide certain guidelines as mentioned in the texts below:

The landmark judgment, *SaveLIFE foundation vs. Union of India and another*, broadly instructed the government to refrain from treating genuine Good Samaritans with scorn and hostility but provided more specific provisions as well, which are:

- A bystander, an eyewitness or a Good Samaritan can leave immediately after admitting the victim to the hospital without any questions being asked except for the eyewitness' address.
- The Good Samaritan would and should be compensated for his deed to encourage fellow citizens to help those in need.
- A Good Samaritan would be exempt from any Civil/Criminal Cases.
- A Good Samaritan can maintain his/her anonymity while availing any emergency service or the police.
- The Good Samaritan is not obliged to fill his /her details or contact information on the Medico Legal Case form at the Hospital at time of admitting the victim. Disciplinary action would be taken against those officials who harass or force Good Samaritans to reveal their identity.
- The proceedings must take place on the lines of Section 284 of The Criminal Procedure Code of 1974 or formally through an affidavit. All operating procedures must take place within 30 days of which the notification is issued.
- Questioning and all procedures can now use video conferencing to prevent harassment of Good Samaritans.
- Hospitals cannot hold a Good Samaritan back stating the reason for admission costs or any other expenditure, except when the Samaritan happens to be a relative of the victim.
- Any doctor who does not comply with the guidelines put across will be subject to action according to the provisions of "professional misconduct" in chapter 7 and 8 of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation, 2002.
- Hospitals must publish a charter in the regional language(s) (Languages of the Union), English and Hindi, clarifying their policy towards Samaritans<sup>10</sup>.

#### **b. Critical Analysis of the Judgement**

This judgment showed a revolutionary shift in fellow countrymen and public officers' attitudes from being scornful and apprehensive of the Samaritans to have a more welcoming attitude towards them by encouraging them.

The guidelines of the judgment also address the fear of doctors, who often are wary of admitting patients from accidents without proper police procedures due to the criminal intent that may ensue the accident. The guidelines state that the doctors would not be liable to treat patients from accidents but do punish doctors who delay procedures with the excuse of the procedure. This essentially means that doctors cannot hold a Samaritan or an accident victim to mandatory

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<sup>9</sup> *Savelife Foundation and another v. Union of India and Anr.*, WP (Civil) No. 235 of 2012.

<sup>10</sup> *Id.*

paperwork requirement in case of emergency cases

The guidelines also address the issue of live court attendance. This happens to be the largest reason as to why people choose not to help those in peril as they believe it would disrupt their lives and cause more inconvenience than benefit<sup>11</sup>. A notable example would be a man from Meghalaya having to attend court sessions in Delhi. He was required to fly twice a year from Shillong to Delhi just to attend to this matter, for helping an accident victim<sup>12</sup>. The video conference process has greatly helped do away with this worry, which removes the biggest hurdle in the implementation of the good Samaritan law.

However, the question of maintaining the anonymity of the Samaritan could create scope for misuse as a person with the intent of grievously injuring a victim could get away using the clause of anonymity in this particular instance. Another drawback would be that the judgment only laid guidelines for states to follow, which has seen a lack of initiative from most states, making it only a model law and not an implementable law.

So far, the law seems to be a reality on in Karnataka, Delhi and few other places. President Ramnath Kovind Gave assent to the Karnataka Good Samaritan and Medical Professional (Protection and Regulation during Emergency Situations) Bill, 2016 on September 30<sup>th</sup> 2018(The Karnataka Legislature passed the bill on November 9<sup>th</sup> 2016). This was seen as the first big step seen in the forum of Good Samaritan conscience in India.

### **c. Karnataka Good Samaritan and Medical Professional (Protection and Regulation during Emergency Situations) Bill, 2016**

The Karnataka Good Samaritan and Medical Professional (Protection and Regulation during Emergency Situations) Bill, 2016 is more or less based on the guidelines put forth by The Union Surface Transport Ministry as mentioned above, however, it provides greater detail in terms of enforcement and actions that can/ are to be taken by authorities and it also elaborates on the rights available to those in need. Following are some important points included in this particular law:

#### **Protection of Good Samaritans from Civil liability:**

A Good Samaritan, according to this law cannot be held liable if he tends to someone in an emergency situation and in good faith with:

- a) The consent of the person, whether implied or expressed,
- b) If the person is in grave danger and is unable to provide consent, consent of guardian or kin is required,
- c) If no guardian is present, consent is not required.
- d) No *Mens Rea* or wrongful act must be involved.

Under the following conditions, the Good Samaritan is immune from Civil and Criminal

<sup>11</sup> Veena M Sriram, Gopalkrishna Gururaj & Adnan A Hyder, Public-private implementation of integrated emergency response services: Case study of GVK Emergency Management and Research Institute in Karnataka, India, SURGERY S63–S76 (2017).

<sup>12</sup> President Gives Assent to India's first good Samaritan Bill of Karnataka, The Economic Times, September 30, 2018, <https://economictimes.indiatimes.com/news/politics-and-nation/president-gives-assent-to-indias-first-good-samaritan-bill-of-karnataka/articleshow/66014328.cms> (last visited Jul 21, 2020).

consequences<sup>13</sup>.

Rights of a Good Samaritan:

- a) The Samaritan can maintain anonymity and not reveal his/her identity; however, he/she can voluntarily reveal the same.
- b) He/she is not obliged to follow hospital procedures or fill up forms.
- c) He/she is not required to pay for medical expenses of the injured.
- d) The Good Samaritan cannot be compelled into police examination unless he/she agrees to be an eyewitness to the accident<sup>14</sup>.

Protection of Medical Professionals:

- a) The court may call upon the medical professional involved only when it deems it necessary and in an unavoidable circumstance.

The Court must try to take such affidavits solely through video conferencing or telephonic means in order to ensure convenience to the medical professional<sup>15</sup>

1. Procedure for police investigation:

In addition to and with respect to the provisions mentioned in Section 160 and 161 of The Indian Penal Code, the police must:

- 1) Ensure the investigation of the eyewitness Good Samaritan must take place in the time and form of the Good Samaritans convenience.
- 2) All statements made by the Good Samaritan in a police station investigation must be taken down in writing.
- 3) The police officer must sign an affidavit in order to ensure all investigation processes are completed in a single round of investigation

Failing to follow these would lead to implications against the In-Charge police officer.

In addition to these provisions, the Government of Karnataka called for setting up a 'Good Samaritan Fund' to provide rewards and compensation to those who acted as Good Samaritans to encourage good citizens to do good acts.

Moreover, through the law, the government aims to spread awareness about the legislation through drives, campaigns, etc.

Finally, the law states offences regarding non-compliance by various agents involved in ensuring a Good Samaritan as well as the injured. For example, Police officers and hospitals<sup>16</sup>

### **Critical analysis of the Law**

The Bill laid down by the Karnataka Legislature is a tuned version of the SaveLife Foundation Judgement, focusing on certain aspects that were otherwise grey. The Bill speaks about the rights and duties of a Good Samaritan to be exempt from civil liability, explaining the concepts of consent, *mens rea*, and who can provide consent. The bill also does not oblige the Samaritan to

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<sup>13</sup> Karnataka Good Samaritan and Medical Professional (Protection and Regulation during Emergency Situations) Bill, 2016, § 3-5.

<sup>14</sup> Id.

<sup>15</sup> Id.

<sup>16</sup> Id.

fill forms or pay fees, streamlining the process. The bill also makes it easier for Samaritans and medical professionals as the law mandates only telephonic or video conferencing for affidavits and testimonies. This does not disrupt the lives of those unable to make it to courts.

Perhaps the most intriguing approach applied by the Karnataka Legislation would be to incentivize the help of those affected by providing rewards through the Good Samaritan Fund, which would also create a push in the campaign of awareness. Thus, we can safely say that the legislation in Karnataka's state is a model legislation for every other jurisdiction.

## V. PRESENT SITUATION IN INDIA

The Good Samaritan Law in India may have made headway in obtaining legal rights, but the reality is far from expectation; taking videos and photos of a scene is still a common sight. To add to this, there are no fixed laws at the central level to protect Good Samaritans' rights. According to a national study regarding the Impact of Good Samaritan Law, 84% of Indians are unaware about the existence of a Good Samaritan Law, 59% of Good Samaritans were detained despite the provisions in place<sup>17</sup>. However, the scenario isn't all grave. According to the Study on Impediments to Bystander Care in India conducted by SaveLIFE Foundation in 2013 in the cities of Delhi, Hyderabad, Kanpur, Ludhiana, Mumbai, Indore and Kolkata, 88% of the respondents said the country required a Good Samaritan Law and the willingness to help those affected by road accidents increased to 88% from 26% in the 2013 survey<sup>18</sup>.

According to personal observations, the knowledge about this topic's laws is better understood in urban and semi urban areas due to awareness programs and higher rates of accidents. Yet, numerous accidents occur on highways (Indian highways are considered one of the most dangerous in the world), which often lie in rural areas, thus leading to lack of response among most of those who reside in India.

Yet, there is scope for a huge improvement in Indian society. Considering the topic of road safety, it is essential to understand that Laws are not the way out, but it is only instilled civic sense and public planning that can ensure roads are safe and secure. In that note, we can observe that Indian drivers barely follow traffic discipline and violations like wrong side driving and signal jumping are rampant on roads, giving scope for a higher number of accidents. The attitude of the government that highways are only to move from point 'A' to 'B' fails to consider that a road or highway does not have the sole purpose of connectivity but is a lifeline to trade, commerce and industry along it, making infrastructure come along the sides as well. However, illegal hawking and other similar phenomenon leads to congestion along the road which ultimately leads to increase in the scope for accidents, thus lack of infrastructural planning is also a grave situation India is facing today.

With regard to road safety, it can be said that the lack of modern traffic policing is also a huge player in the increase in road accidents. It's not uncommon to see cars whizz past city roads at 90

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<sup>17</sup> SaveLIFE Foundation, Study on Impediments to Bystander Care in India, pg.16 (2016).

<sup>18</sup> Adam Withnall, Good Samaritans' are still being arrested for helping accident victims in India, The Independent, November 27, 2018, <https://www.independent.co.uk/news/world/asia/india-traffic-accidents-good-samaritans-help-arrested-harassed-police-a8654096.html> (last visited Jul 21, 2020).

Km/hr when the speed limit stands at 40 Km/hr. Considering these conditions in cities with people crossings streets constantly, it's not a surprise we have one of the world's most dangerous roads.

Yet, on the bright side, the new amendments in the Motor Vehicle Act seen in 2019 are a strong deterrent to those who wish to indulge in acts of traffic disobedience, with fines of a whopping Rs. 10000 being slapped on crimes such as Wrong parking<sup>19</sup>.

The governments have also increased the number of 'Naka Bandhis' after 11 pm so as to ensure the menace of drink and driving is curbed. However, despite all of these steps, India is not in a position to boast safe roads or good, aware citizens.

## VI. A COMPARATIVE STUDY WITH CANADA:

### i. Good Samaritan Law in Canada

The subject of Good Samaritan Law in Canada varies from State to State, with Ontario having its own Good Samaritan Law under the Good Samaritan Act, 2001 which “despite the provisions of common law, a person who voluntarily and without reasonable expectation of compensation or reward provides aid to those in need is not liable for damages that result from the person’s negligence in acting or failing to act while providing the services, unless it is established that the damages were caused by the gross negligence of the person<sup>20</sup>” The law in Canada also defines that all individuals, as well as 'Medical Professionals' who provide first aid to those in need are 'Good Samaritans' and reasonable compensation must be provided to them for the expenses incurred by them in the process. This does not hurt the Good Samaritan pockets, which incentivizes the Samaritan to help those in need.

The entire Good Samaritan Act by the Government of Ontario consists of 4 articles. In the Province of Montreal, there is no codified Good Samaritan law per say, but there lies a General Duty to Respond within every Citizen as mentioned in the ‘*Quebec Charter of Human Rights and Freedoms*<sup>21</sup>’. In recent times, Canada is plagued with the issue of drug overdoses from illicit opioids such as heroin and illicit fentanyl. About 60% of these illicit drugs users are between the age of 15 and 24<sup>22</sup>. If the effects of the overdose are not treated immediately, it could prove fatal to the victim. Canadian Citizens were reluctant to help cases of drug overdoses, fearing legal action and questioning. To address this matter and to ensure swift aid to those who face an overdose, the Canadian Government, with Royal Assent, passed the Good Samaritan Drug Overdose Act, 2017, which amended the existing Controlled Drugs and Substances Act. This Act considers drug overdose as an illness that requires care rather than a crime. This ensures that the ones who suffered an overdose do not face punitive actions<sup>23</sup>. Further, this Act exempts the arrest of victims who simply possess a controlled substance or their pre-trial or probation arrangements and sentences while calling 911 for themselves or for anyone else<sup>24</sup>. This clears way for people to help others

<sup>19</sup> New Motor Vehicle Act: Know all about traffic offenses and fines, The Times of India, September 13, 2019, <https://timesofindia.indiatimes.com/business/faqs/miscellaneous/new-motor-vehicle-act-know-all-about-traffic-offences-and-fines/articleshow/71112011.cms> (last visited Jul 22, 2020).

<sup>20</sup> Good Samaritan Act, 2001 § 2(1).

<sup>21</sup> Quebec Charter of Human Rights and Freedoms, 1975.

<sup>22</sup> Substance Abuse in Canada: Youth in Focus, Canadian Centre for Substance Abuse, September 16, 2007.

<sup>23</sup> Good Samaritan Drug Overdose Act, 2017 § 4.1 (1).

<sup>24</sup> Good Samaritan Drug Overdose Act, 2017 § 4.1 (3), 4.1 (3), 4.1 (5).



who face an overdose without having a stigma that they would be associated or charged with the possession of drugs and related substances.

Creating a newer and separate law for drug overdoses in Canada highlights the gravity of the issue and shows a concerted effort by the government to take the necessary action by mobilizing its citizen to fight a larger battle by demystifying the stigma revolving around drugs.

## **ii. A Comparison with India**

In my observation, the laws in basic structure in both India and Canada are congruent, however, the distinguishing factors in the law are the driving social force and auxiliary provisions created for encouraging citizens to become good Samaritans.

Firstly, the attitude of people must be considered in both countries. In Canada, a country with a population 30 million, the value for life supersedes every other need, and people here are less self-centred and take efforts to help those in need. On the contrary, India has a population of 1.3 Billion and human life is so common that people do not value it the same way as they do in the Western World.

This attitude has also played an important role in shaping the laws of the respective countries. In Canada, citizens are well informed about the prevalent laws and have faith in the system and its provisions and a sense of duty to one in need is instilled within them, thus they go out of the way in order to help those in need without expecting any reward in return. This attitude has played a role in creating a commonly understood uncodified rule amongst Canadians, thus reducing the part that needs to be codified, as seen in Montreal. However, in India, the attitude of the people sways in a different direction. Due to lack of legislation, earlier Samaritans were subject to harassment by the police and other authorities, creating an image of fear among citizens who did not wish to fall into the judicial system's never-ending maze.

It is also to be observed that anonymity isn't a clause in Canada. It is essential to understand the Good Samaritan's position in a crime scene to check criminal intent. Thus, in order to clear these misconceptions and to promote a positive and healthy mindset regarding the Good Samaritan Conscience among people, The Law in India included provisions for a 'Good Samaritan Fund' as well as articles calling for awareness camps and drives to educate the masses about the new provisions by educating, encouraging and incentivizing them to do the same.

## **VII. SUGGESTIONS:**

After considering all the points discussed with regard to The Good Samaritan Law in India, we must understand that the law is just a step in a marathon towards successful implementation. In this light, I personally suggest a '2A' strategy i.e., Awareness and Attitude Change.

Awareness in India is one of the greatest hurdles that come in the way of successful implementation<sup>25</sup>. Having a law is of no use if the law is simply on paper and not used practically,

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<sup>25</sup> Durgesh Nandan Jha, 92% in Bengaluru not aware of Good Samaritan law, The Times of India, November 27, 2018, <https://timesofindia.indiatimes.com/city/bengaluru/92-in-bengaluru-not-aware-of-good-samaritan->

and thus the government must strive in the direction of removing ignorance of law through education camps, awareness drives and most importantly, including these provisions in syllabi of school children to ensure there is awareness at a grassroots level itself.

Awareness must not be confined to civilians but must also include the ones in uniform such as Doctors and Policemen who are respondents in this situation. These groups must be aware of the law so as to prevent unnecessary harassment of Good Samaritans and ensure co-operation over culpability by protecting the right of innocent citizens. Another step could be to include the good Samaritan law provisions in the prescribed syllabus for a drivers' licence test by the respective Regional Transport Offices (RTOs). If this is implemented, every driver on the road would be exposed and aware of this law to a basic extent as it is mandatory to learn about the law, failing which a licence would not be issued. Educating children from the middle school level itself through interactive subjects such as moral values would help the younger generation be aware of the laws and its provisions in greater detail as it is a proven theory that interactive teaching methods such as using digital boards and activities at a young age helps in better retention of information and knowledge, rather than imparting such knowledge at a later stage<sup>26</sup>. This keeps children informed and encourages the pupils to imbibe the morals and joys of being a Good Samaritan.

The attitude of the people must be taken into consideration as well. To put it in perspective, people must move from video graphing accident victims to actually helping them reach a hospital within the 'Golden Hour'. However, the law must develop with caution as there is a huge scope for misuse. There is a possibility that criminals or perpetrators may get away with crimes disguised as Good Samaritans as anonymity can be maintained. Thus, the government must formulate policies to ensure that Good Samaritans are not harassed and check for criminal intent.

Lastly, ignorance to those in need is no justice in itself and it must, by law, be made a duty that bystanders are obliged to help those in need without the fantasy of a reward.

### **VIII. CONCLUSIONS:**

After understanding the discussions about The Good Samaritan Law in India, we can conclude by stating the following points:

- The Good Samaritan Law lies not only in the Books of Law, but also in the attitude, morality and awareness of people to do the right thing at the right time.
- The Good Samaritan conscience is gradually moving from culpability to co-operation in the eyes of Indian Law as Good Samaritans get legal protection from harassment by authorities.
- The Indian Law regarding Good Samaritans is one that can be considered progressive as it focuses on inclusivity and contemporary issues.
- The Indian stance regarding Good Samaritan Laws can now be compared at a global level.
- The evolution of Good Samaritan Laws is directly linked with social and psychological aspects as the law only protects people from harassment and it's the people who step in to actually make a change.

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law/articleshow/66819737.cms.; 84 per cent people unaware of Good Samaritan law, do you know what it is?, INDIAN EXPRESS, February 8, 2019, <https://www.newindianexpress.com/nation/2019/feb/08/84-per-cent-people-unaware-of-good-samaritan-law-do-you-know-what-it-is-1936204.html>. (Last Visited on Jul 21 2020).

<sup>26</sup> Steve Kennewell & Alex Morgan, Student teachers' experiences and attitudes towards using interactive whiteboards in the teaching and learning of young children, pg. 65–69 (2003).

The early exposure of children to the Good Samaritan law's morals and provisions help in bolstering awareness not only during the short run but also the long run, where informed youth pass it to the next generation. Using interactive methods to do so would benefit both the government and students as it helps with retention.