

GOVERNMENT OF MEGHALAYA
HEALTH & FAMILY WELFARE DEPARTMENT

ORDERS BY THE GOVERNOR
NOTIFICATION

Dated Shillong, the 3rd September, 2012.

No. Health.85/2011/Pt/117- In exercise of the powers conferred by section 17(3)(a) and section 17(4) of the Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Amendment Act, 2002 the Governor of Meghalaya is pleased to re-constitute the State Level Appropriate Authority with the following members :-

- | | | |
|---|---|-----------------------------------|
| 1. Director of Health Services (MCH&FW) | - | Chairman (Ex-officio) |
| 2. Smti. Agnes Kharshiing | - | Member |
| 3. Representative of Law Department
not below the rank of Deputy Secretary | - | Member Secretary (Ex-
Officio) |

The terms of reference of the Committee are as follows :-

- i) To grant, suspend or cancel registration of a genetic Counseling Centre, Genetic Laboratory of Genetic Clinic.
- ii) To enforce standards prescribed for the Genetic Counseling Centre, Genetic Laboratory and Genetic Clinic.
- iii) To investigate complaints of breach of the provisions of this Act or the rules made there under and take immediate action and
- iv) To seek and consider the advice of the Advisory Committee constituted under sub-section (5), on application for registration and on complaints for suspension or cancellation of registration.
- v) To take appropriate legal action against the use of any sex selection technique by any person at any place, suo moto or brought to its notice and also to initiate independent investigation in such matter.
- vi) To create public awareness against the practice of sex selection or pre-natal determination of sex.
- vii) To supervise the implementation of the provisions of the Act and Rules.
- viii) To recommend to the State Board notification required in the rules in accordance with changes in technology or social conditions.
- ix) To take action on the recommendations of the Advisory Committee made after investigation of complaint for suspension or cancellation of registration. While it is the function of the Appropriate Authority to take a complaint of breach of provisions of the Act and the Rules thereunder to the court, if the Appropriate Authority fails to act on the complaint within 15 days, a public spirited person can take the complaint to the court directly.

Moreover the Appropriate Authority has been invested with the following powers, namely -

- a) Summoning of any person who is in possession of any information relating to violation of the provisions of this Act or the rules made thereunder;
- b) Production of any document or material object relating to clause (a);
- c) Issuing search warrant for any place suspected to be indulging in sex selection techniques or prenatal sex determination; and
- d) Any other matter which may be prescribed.

These provisions are meant to strengthen the hands of the Appropriate Authority while discharging its functions under the Act. Under the directions of the Supreme Court dated

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17/9/12

Dr. P. Nongrum
5/9/12
M.L
17/9/12
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01, all States Appropriate Authorities are required to furnish quarterly returns to the giving a report on the implementation and working of the Act.

Deptt's Notification No.Health.171/94/762 dt. 27.5.2003 stands superseded.

(Shri D.P. Wahlang, IAS)
Commissioner & Secretary
Health & Family Welfare Department

Memo. No. Health. 85/2011/Pt/117 -A

Dated Shillong, the 3rd September, 2012.

Copy to :-

1. The P.S. to Dy. Chief Minister, Health & Family Welfare
2. The P.S. to Chief Secretary, Govt. of Meghalaya, Shillong.
3. The Director, PNDD, Government of India, Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi – 110108.
4. The Commissioner & Secretary, Health & Family Welfare Department
5. The Secretary, Law Department.
6. The Government Advocate, Guwahati High Court, Shillong Bench.
7. The Director of Health Service (MI)/(MCH & FW)/(R), Meghalaya, Shillong.
8. The District Medical & Health Officer, Shillong/Nongstoin/Jowai/Nongpoh/Tura/Williamnagar/ Baghmara
9. The Superintendent (Jt.DHS) Civil Hospital, Shillong/ R.P. Chest Hospital, Shillong/ Ganesh Das Hospital, Shillong.
10. The Superintendent, Civil Hospital, Tura/ Jowai/ Nongstoin/ Mairang/ Nongpoh/ MCH Hospital, Tura
11. Smti. Agnes Kharshiing, President, Civil Society Women's Organization, Laitumkhras, Shillong.

By order etc.

Secretary to the Govt. of Meghalaya
Health & Family Welfare Department