Guidelines regarding registration of Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc dealing in sale, distribute, rent, buyback, repair or authorize the use of ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus dealing in the State of Haryana.

Government of Haryana

Department of Health and Family Welfare

Swasthya Bhawan, Sector-6, Panchkula

PNDT CIRCULAR

SAA Regd./PNDT/Circular No./01 Dated 28.9.2016

Preamble:

The skewed child sex ratio is a matter of great concern for the State of Haryana. Ultrasounography machines are usually instrumental in the prenatal sex determination. In recent past it has come to the notice of the State, that some unauthorized clinics hold USG machines and unqualified persons operate them. The strict implementation of the PC PNDT ACT is the prime duty of the State Government. In this regard a meeting of the Manufacturers /Distributors /Retailers /Importers of Sonography / Imaging machines dealing in Haryana with subject experts & PNDT state officials was held under the chairmanship of Director General Health Services, Haryana on 20.02.2015at Panchkula regarding mandatory registration (without fee) of Manufacturers, dealers, sellers, retailers, repairers, technicians etc. This will help to prepare the database at State level to check the sale of unregistered ultrasound machine by unregistered person. Therefore for monitoring of the unauthorized sale / circulation of USG/ Imaging machines and to curb their misuse, the following instructions are to be circulated for compliance.

Guidelines:-

The amendment in the guidelines has been done based on the proceeding of meeting dated 20-02-15 regarding registration of Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc dealing in sale, distribute, rent, buyback , repair or authorize the use of ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus dealing in the State of Haryana with due approval in State Supervisory Board Meeting dated 16-07-15 under chairmanship of Hon'ble Health Minister and as per the guidelines received from Government of India vide letter no.V.11011/05/2013-PNDT dated 14-05-2015 are as under:-

1. All the Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc dealing in sale, distribute, rent, buyback , repair or authorize the use of ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus dealing in the State of Haryana will be registered (without fee) with State Appropriate Authority. The State Appropriate Authority will further intimate to District Appropriate Authority ,the registration numbers issued to centres in particular district for their information .The Registration Certificate will be displayed prominently by each centre in their office.

2. The report of sale/purchase /buyback/ repair etc. of ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus will be sent to State Appropriate Authority by email at dhs.ddpndt@hry.nic.in as well as by hard copy on monthly basis instead of quarterly by 15th of next month.

3. Standby Machine provided by repair centres/ technicians during the repair period is not allowed in Haryana.

4. Uploading of addresses of Chairman State and Chairman District Appropriate Authorities of Haryana will be done on the website i.e www.haryanahelath.nic.in

5. Regarding repair of ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus,the centre will intimate to both the repair centre as well as to concerned District Appropriate Authority. The intimation letter will consist details of machine i.e Serial No., Make, Model of machine and name of repair centre and same will be kept in the record by both.

6. Registration Certificate will be issued to only genuine Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc to avoid sale of unregistered (Chinese mobile /refurbished) ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus. The genuinity of the centre will be decided by the documents submitted along with registration application.

7. Manufacturer/ dealer etc will sell ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus only to those clients /clinics which are registered with the District Appropriate Authority of the concerned district. All registered centres (Active / Inactive) will be uploaded on the website.

8. Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc will report to the State Appropriate Authority as well as the concerned Appropriate Authority for every transaction / movement of Ultrasound Machine /imaging machine for repair ,prior to actual sale/ buyback or repair of the machines with all the details like make, model and serial no. of the machines & probes.

9. No clinic/ doctor will purchase/ sell/ give ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus by way of buy back or repair of any ultrasound machine or scanner or any other equipment capable of detecting sex of the foetus to any Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc not registered with State Appropriate Authority.

10. Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc will keep complete record of their business at the place of their business, in serial order regarding the date, make-model & serial no. of the USG/Imaging machines sold / bought back / repaired / traded or destroyed & will submit their Monthly report of sale / buyback to State Appropriate Authority within 15 days of end of every next month. Even if the in formation is "Nil", it is to be reported accordingly.

11. Every Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc will afford reasonable facilities for inspection of their record of their business at the place of their business on demand by concerned Appropriate Authority during inspection visit, at all reasonable times.

12. All the transactions regarding the ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus will be informed to the District Appropriate Authority of the concerned district by the Clinic / Doctor as well as by concerned Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc.

13. The demonstration of ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus, is as per the instruction issued by Ministry of Health & Family Welfare,Government of India vide letter no. V.11011/05/2013-PNDT dated 14-05-2015. (Copy enclosed at Annexure -A)

14. All Manufacturers, Retailers, Distributors, Importers, Dealers, Refubrishers and Technicians etc of ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus are to follow strictly the above mentioned instructions to stop illegal transactions of ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of the foetus.

Any non-compliance of these instructions will be viewed as contravention of Sec. 3 (B) of The PC & PNDT Act, 1994 & Rule 3-A of The PC & PNDT Rules 1996 & will be liable to prosecution by the concerned Appropriate Authority.

All concerns are directed to download copy of Guidelines, Application Form, Declaration Form, Acknowledgement & Monthly reporting Format from www.haryanahealth.nic.in and get registered at the earliest.

Issued after prior approval of the State Supervisory Board held on 16-07-2015 under the Chairmanship of Health Minister, Haryana.

-sd-

(Dr. Kamla Singh)

Chairperson,
State Appropriate Authority, PNDT-cum-
Director General Health Services, Haryana.

Dated: 28.9.2016

Annexure - A

Clarification regarding procedures to be followed in case of short term demonstration/ display of ultrasound/imaging machines in workshops/CME [14 May 2015]

No. V.11011/05/2013 - PNDT
Government of India
Ministry of Health & Family Welfare
(PNDT Division)

Nirman Bhawan, New Delhi
Dated the 14th May, 2015

To,

The Principal Secretaries
(Health & FW),
All States/UTs,

Subject:- Clarification regarding procedures to be followed in case of short term demonstration/display of Ultrasound/Imaging Machines in the workshops/CME – reg.

Sir,

I am directed to say that an Expert Committee was constituted to re-examine the provisions of the PC & PNDT Act, 1994 and rules framed thereunder. The expert committee had given clarifications regarding the powers of State Appropriate authorities and the closure of unused/idle/surrendered Ultrasound machines. The recommendations were placed in the 22nd Meeting of the Central Supervisory Board (CSB) [constituted under the Pre-conception and Pre-natal Diagnostics Techniques Act (PC & PNDT Act), 1994] held on 13th October, 2014 under the Chairmanship of Hon'ble HFM. The CSB has endorsed the following recommendations made by the Expert Committee:-

" District Appropriate Authority may grant permission for education/training or display of diagnostic technologies as prescribed below.

(i) For display at scientific exhibition, the organising body should take permission from the District Appropriate Authority for the display of diagnostic technologies/equipment specifying their details. DAA should ensure that these diagnostic technologies are not used for live demonstration and the organizing body has to take all responsibilities for the violations under the PC & PNDT Act, 1994, if any.

(ii) For live demonstration at workshops and conferences, permission should be granted only when these diagnostic technologies are demonstrated in registered facilities under the PC & PNDT Act, 1994 with transmission facility for viewing by the delegates. Along with the request by the organizing body the details of the diagnostic technologies/equipment used in the workshops/conferences and list of experts/professional demonstrating technologies along with qualifications must be submitted. The registered facility that provides its premises for same should also intimate to their respective District Appropriate Authority with all information pertaining to the equipment used and experts/professional demonstrating technologies. In all live demonstration and conferences Appropriate Authority should ensure that all the record under the provision of the PC & PNDT Act are maintained and preserved. "

2. In view of above recommendations of CSB, you are requested to take further action and disseminate the same among all stakeholders.

Yours faithfully,

(Subhash Chandra)
Deputy Secretary to the Government of India
Tel: 2306 1540