

Save the Girl Child

State PCPNDT Cell/2010/Cir/348

Government of Rajasthan
Directorate of Medical Health & Family Welfare
State P.C.P.N.D.T. Cell
Rajasthan, Jaipur

Date 20/08/10

CIRCULAR NO 4/2010

Subject:- Registration and regulation of Mobile Sonography Centres

1. The undersigned is directed to invite attention to provision contained in PCPNDT Act 1994 (hereinafter called The Act) which provide for grant, and regulation to registration certificates of Mobile Sonography centres, accordance with the Act.
2. It has been brought to the notice of the Directorate that presently Mobile centres registered are frequently running their activities, keeping their machine in continually change of place, one building to another building/vehicle as Mobile Centre,
3. It has been found by State Inspection Team (SIT) during Inspection of centre in Jaipur that certificate issued by the Appropriate Authority was as Mobile Centre, but Centre was running in the building. It is necessary to mention here that, at that place two sonography Machines were found and Sealed by Team, which both of machines were shown on the mobile certificate based upon Vehicle, Maruti Swift registration number, on erroneous manner. (Maruti swift car is not entitled for registration as mobile Vehicle)
4. It has been also found during Inspection of records at Jodhpur that one registered mobile centre is visiting various places and which places /buildings have been deemed to be registered, on certification of that mobile centre, in furtherance of that, all that places are being used for conducting Sonography, based upon one mobile machine and which vehicle is provided to that mobile centre, has been not mentioned anywhere on record too. (It is understood that mobile machine's registered place is **registered vehicle** and it cannot be used in other place/building, apart from registered vehicle)

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5. In this context it is entirely appropriate to mention Legal scenario as follows:-

PCPNDT Act 1994, under Section 2(d) mobile centre is defined as under-

Section 2. Definition

(d) "Genetic Clinic" means a clinic, institute, hospital, nursing Home or any place, by whatever name called, which is used for conducting pre-natal diagnostic procedures.

Explanation- For the purposes of this clause, 'Genetic Clinic' includes a vehicle, where ultrasound machine or imaging machine or scanner or other equipment capable of determining sex of the foetus or a portable equipment which has the potential for detection of sex during pregnancy or selection of sex before conception, is used.

Thus as per provision of the Act, as mentioned above for the purpose of Vehicle, where ultrasound machine is used means Vehicle is presumably which type of Van or ambulance, where machine and patient both along with qualified employees could be accommodated in which manner, where comfortably test may be carried out inside the Vehicle concerned.

6. Now legal status of Provision, to change of equipment (machine) in certain condition accordance with the Act is as follows:-

PCPNDT Rule-13. Intimation of changes in employees, place or equipment. - Every Genetic Counselling Centre, Genetic Laboratory or Genetic Clinic shall intimate every change of employee, place, address and equipment installed, to the Appropriate Authority within a period of thirty days of such change.

As mentioned above (The Act- Rule 13) machine may be shifted outside said vehicle (registered place) only under intimation to the concerned Appropriate Authority, only on the event of every change of equipment, otherwise, if machine is found outside from the registered Place (Vehicle) then it attracts the violation under the Act. Hence this rule does not confer any additional machine to be taken on earlier certificate only under intimation to the Appropriate Authority because grant of certificate for additional machine is restricted under the provision mentioned in rule 6 the Act, subject to availability of place, equipment and qualified employees, and standards maintained by such laboratory or clinic. (Thus on mobile registration additional machine require much larger vehicle for availability of place, equipment and qualified employees.)

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7. It is understood that if centre is visiting door to door by means of any other type of transportation and machine is always under shifting process inside and outside of any building/Vehicle and if more than one machine found on mobile registration without authorisation (Vehicle should be more larger to accommodate all concerned with prior sanction of the Appropriate Authority) then it cover under violation of the Act.

8. Regulations of Mobile Centres accordance with the Act:-

With a view to existing grant and regulation, the matter has been examined at the forum of The State Appropriate Authority and it has been further decided that all Mobile registration certificates should be examined strictly accordance with the Act, as follows:-

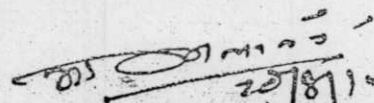
(A) The Appropriate Authority shall review all Mobile registration certificates issued and be examining, if issuance of certificates is not accordance with the Act. Then reconcile the issue accordance with the Act. Excessive machines may be put under sealing, if it's not granted & taken in accordance with the Act;

(B) Show cause notice under 20(1) PCPNDT Act may be issued to centre concerned to produce their eligibility along with documents, (vehicle No. Make and Model) as mobile Centre as per requirement of the Act;

(C) If after giving a reasonable opportunity (may be 15 days) of being heard to the centre concerned under 20(2) the Act and having regard to the advice of the advisory committee, the Appropriate Authority is satisfied that there has been a breach of the provisions of the Act or rules, it may suspend its registration for such period as it may think fit or cancel its registration as the case may be;

9. It has been further decided that the Appropriate Authority shall send compliance report within one month, along with certification, that all Mobile registration certificates are accordance with the Act.

This order shall take effect immediately.


(Dr. M.L. Jain) 20/08/10

State Nodal Officer (PCPNDT)

& Director (FW)

Medical and Health Services

Rajasthan, Jaipur.

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Copy to information and necessary action:-

1. PS to Principal Secretary, Medical Health & FW, Rajasthan Jaipur.

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