



अण्डमान तथा निकोबार प्रशासन
स्वास्थ्य सेवा निदेशालय
Andaman & Nicobar Administration
Directorate of Health Services

प्राप्ति संख्या..... दिनांक.....
R.D.No. 2883 Dt. 24/12/14
सहायक सचिव (स्वास्थ्य) AS (Health)
सचिवालय/Secretariat

F.No.5-10/DD (Med)/DHS/CE/Corrs/2013/ 25

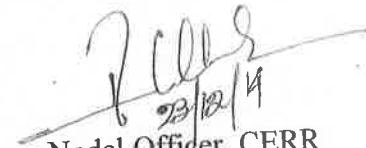
Port Blair, dated 23rd December, 2014.

To
The Deputy Secretary (Health),
A & N Administration,
Secretariat,
Port Blair.

Sub: Furnish of the information to review the progress of implementation of CEA, 2010-reg.

Sir,
With reference to endorsement No. 27-24/2014-MPH dated 19/12/2014 of letter No. Z.28013/05/2014-MS of Under Secretary, MoHFW, GOI for providing information to review the progress of implementation of Clinical Establishments Act, 2010. The desired information in prescribed proforma and enclosures is enclosed alongwith.

This is for information and necessary action please.


23/12/14
Nodal Officer, CERR
Deputy Director (Medical)

प्राप्ति संख्या..... दिनांक.....
RD.No. 2439/C Dt. 29/12/14
एम.पी.एच. अनुभाग/ MPH Section
सचिवालय/Secretariat

24/12
AS(H)
02(H)

Sl. No. 24/12/14



Regulation of Clinical Establishments

Where clinical establishments Act CEA 2010 is Applicable

Port Blair Dated the 23rd December, 2014.

1. Has the State / UT council been notified (yes/ No): **YES**
 - a) If yes, kindly Provide date of notification and details of numbers of meetings held:
Notified on 06th March 2013(copy enclosed).

Numbers of Meetings Held: 1) 01 number of meeting of UT council held on 19/06/2014.

2) 01number of meeting of UT Council with DRAs held on 28/11/2014.
 - b) If no by when would the same be notified: **NA**

2. Have the Rules under Section 54 of the CEA, 2010 been notified (Yes/ No): **YES**
 - a) If yes kindly provide date of notification and provide a copy: **Notified on 06th March 2013(copy enclosed).**
 - b) If no by when would the same be notified: **NA**

3. Have the District Registration Authority been notified for all the districts (Yes/ No): **YES**
 - a) If yes kindly provide date of notification and provide a copy: **Notified on 06th March 2013(copy enclosed).**
 - b) If no by when would the same be notified: **NA**

4. Are the clinical establishments being registered online(Yes/No): **YES**
 (Kindly provide the number registered): **1) 158 Nos. Govt. Establishments and 2) 54 Nos. Private establishments.**
 - a) If No, are the clinical establishments being registered offline (Yes/No)
 (Kindly provide the number registered): **02 Nos. registered offline in North & Middle Andaman District.**

5. If the State has received funds for the implementation of the CEA, 2010from MOHFW, GOI.: **Yes, approval received.**
 (Kindly provide details of funds approved and utilization as per the budget approved).
 - a) **Funds approved under NHM UT Programme Implementation Plan for the financial year 2014-15 = Rs. 13.70 Lakhs.**

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THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
520 SOUTH MICHIGAN AVENUE
CHICAGO, ILLINOIS 60607
TEL: 773-936-3700
WWW.CHEM.UCHICAGO.EDU

Details of fund approved are as follows:

- Coordinator : 01 No. @ Rs.50,000 per month
- Administrative Assistant cum DE operator: 02 Nos. @ Rs. 10,000 per month.
- Cost of 01 Computer and Printer : Rs. 50,000
- 06 Nos. of UT Council meeting : @ Rs. 5000 per meeting.
- 06 Nos. of Workshops : @ Rs. 50,000 per Workshop.
- Operational expenses of UT Council : Rs. 1,50,000

Total Rs. 13, 70,000.00

(Rupees Thirteen Lakhs Seventy Thousand only)

- 6. Number of dissemination and sensitization meetings and workshops held: **NIL**
(Dissemination and sensitization meetings and workshops will be carried out as soon as the funds released by MD, UTHM).
- 7. Nodal officer with a team at the state level for the implementation of the provisions of the Act (Yes/No): **YES, Interim arrangement at office of DD (Medical), Directorate of Health Services, Port Blair.**

Nodal Officer:

**Dr. Amitabha De CMO (NFSG),
Deputy Director (Medical)
Telephone No.03192-232428
Mobile No: (0) 9434271941
Email: nocer13@gmail.com**

Where the state has its own legislation (kindly provide a copy)

- 1. Kindly provide the number of clinical establishments registered: **NA**

Where there is no legislations for regulating clinical establishments.

- 1. What steps have been taken by the State government to adopt the CEA, 2010 or enact appropriate legislations (in brief) : **NA**

Any other information or details: Nil


23/12/14
**Nodal Officer, CERR
Deputy Director (Medical)**

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अण्डमान तथा

निकोबार

Andaman and

Nicobar Islands



भारत शासन

EXTRAORDINARY
प्राधिकार से प्रकाशित
Published by Authority



Handwritten notes: D.D (Med.), 3/4/13

सं. 42, पोर्ट ब्लेयर, बुधवार, 6 मार्च, 2013
No. 42, Port Blair, Wednesday, March 6, 2013

**ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT
NOTIFICATION**

Port Blair, dated the 6th March, 2013

No. 42/2013/F. No. 27-24/2007-MPH.—In exercise of the powers conferred under Section 3 of the Clinical Establishments (Registration & Regulation) Act, 2010 read with Clause (n) of Section 2 of the said Act, The Lieutenant Governor (Administrator), Andaman & Nicobar Islands hereby constitutes the Andaman & Nicobar Union Territory Council for Clinical Establishments (Registration and Regulation) with the following members to perform the functions under the said Act and Rules made there under with immediate effect:-

- | | |
|--|---------------------------------|
| 1) Principal Secretary/Secretary, (Health) | — Chairman (ex officio) |
| 2) Director of Health Services | — Member Secretary (ex officio) |
| 3) Programme Officer (AYUSH System) | — Member |
| 4) One representative from the State IMA | — Member |
| 5) One representative from the Paramedical System | — Member |
| 6) Two representatives from state level consumer group or NGO working in the field of health | — Member |

The nominated members of the Andaman & Nicobar Union Territory Council for Clinical Establishments shall hold office for a term of three years; but shall be eligible for re-nomination for maximum of one more term of three years.

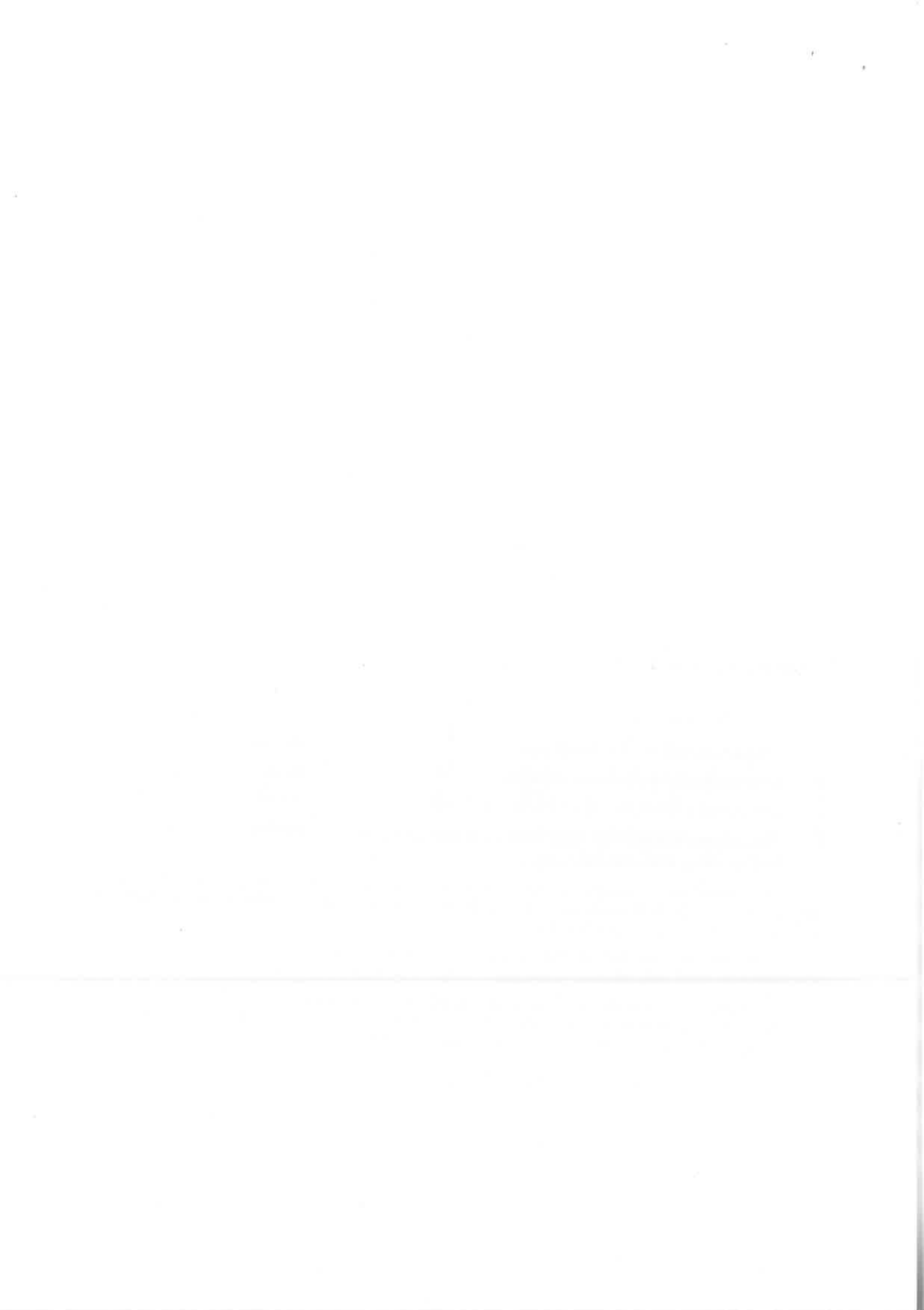
The elected member of the Andaman & Nicobar Union Territory Council for Clinical Establishments shall hold office for three years, but shall be eligible for Re-Election :

Provided that the person nominated or elected, as the case may be, shall hold office for so long as he holds the appointment of the office by virtue of which he was nominated or elected to the Andaman & Nicobar Union Territory Council for Clinical Establishments.

Lt. Gen. (Retd.) Bhopinder Singh
Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor,
Andaman and Nicobar Islands.

Sd/-
Deputy Secretary (Health)





असाधारण

EXTRAORDINARY

प्राधिकार से प्रकाशित

Published by Authority

सं. 43, पोर्ट ब्लेयर, बुधवार, 6 मार्च, 2013
No. 43, Port Blair, Wednesday, March 6, 2013

ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT
NOTIFICATION

Port Blair, dated the 6th March, 2013

No. 43/2013/F. No. 27-24/2007-MPH.—In exercise of the powers conferred under Section 10 of the Clinical Establishments (Registration & Regulation) Act, 2010 read with Clause (n) of Section 2 of the said Act, the Lieutenant Governor (Administrator), Andaman & Nicobar Islands hereby constitutes the following District Registering Authorities for Clinical Establishments and to perform the functions under the said Act and Rules framed thereunder with immediate effect :-

1. The South Andaman District Registering Authority.

The South Andaman District Registering Authority will consist of the following members :-

- Deputy Commissioner (South Andaman District) --- Chairperson
- Medical Superintendent, G. B. Pant Hospital, Port Blair --- Convener
- Three other members, to be nominated by the Deputy Commissioner and they shall include
 - one representative of Superintendent of Police;
 - one representative from a Non-Governmental Organization working in the District in the area of health and related issues for a minimum period of 3 years ; and
 - one representative from a professional medical association.

2. The North and Middle Andaman District Registering Authority.

The North & Middle Andaman District Registering Authority will consist of the following members -

- Deputy Commissioner (N&M Andaman District) --- Chairperson
- Joint Director (Health), (N&M Andaman), Dr. R. P. Hospital, Mayabunder --- Convener
- Three other members, to be nominated by the Deputy Commissioner and they shall include
 - one representative of Superintendent of Police ;
 - one representative from a Non-Governmental Organization working in the District in the area of health and related issues for a minimum period of 3 years ; and
 - one representative from a professional medical association.

3. The Nicobar District Registering Authority.

The Nicobar District Registering Authority will consist of the following members --

- a. Deputy Commissioner (Nicobar District) --- Chairperson
- b. Joint Director (Health), (Nicobar), BJR Hospital, Car Nicobar --- Convener
- c. Three other members, to be nominated by the Deputy Commissioner and they shall include
 - one representative of Superintendent of Police;
 - one representative from a Non-Governmental Organization working in the District in the area of health and related issues for a minimum period of 3 years ; and
 - one representative from a professional medical association.

The term of office for the representative from a Non-Governmental Organization and the representative from a professional medical association shall be for a period of 3 years but shall be eligible for re-nomination for maximum of one more term of three years :

Provided that the person nominated shall hold office for so long as he holds the appointment of the office by virtue of which he was nominated to the concerned District Registering Authority.

If a casual vacancy occurs in the office of any other member, whether by reason of death, resignation or inability to discharge, functions owing to illness or any other incapacity, such vacancy shall be filled by the Deputy Commissioner by making a fresh appointment and the member so appointed shall hold office for the remaining term of office of the person in whose place he/she is appointed.

Notwithstanding anything contained in para 10 Sub-Section (I) for the purpose of provisional registration of Clinical Establishment under Section 14 of Clinical Establishment (Registration & Regulation) Act, 2010, the District Health Officer shall exercise the powers of the authority as per procedure that may be prescribed.

Li. Gen. (Retd.) Bhopinder Singh
Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor,
Andaman and Nicobar Islands.

Sd./-
Deputy Secretary (Health)

2/1/13
DD (Med)

अण्डमान तथा
Andaman And



निकोबार राजपत्र
Nicobar Gazette

असाधारण

EXTRAORDINARY
प्राधिकार से प्रकाशित
Published by Authority

930
814/13

सं. 44, पोर्ट ब्लेयर, बुधवार, 6 मार्च, 2013
No. 44, Port Blair, Wednesday, March 6, 2013

**ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT
NOTIFICATION**

Port Blair, dated the 6th March, 2013

No. 44/2013/F. No. 27-24/2007-MPH.—In exercise of the powers conferred under Section 54 of the Clinical Establishments (Registration & Regulation) Act, 2010 read with Clause (n) of Section 2 of the said Act, the Lieutenant Governor (Administrator), Andaman & Nicobar Islands is pleased to frame the following Rules, namely :-

1. Short title and commencement :

- (i) These Rules may be called Andaman & Nicobar Clinical Establishment (Registration and Regulation) Rules, 2013.
- (ii) These Rules extend to the whole of the Andaman & Nicobar Islands and are applicable to all the Clinical Establishments in the Andaman & Nicobar Islands.
- (iii) They shall come into force on the date of their publication in the Andaman & Nicobar Administration Official Gazette.
- (iv) The Rule shall be applicable to various categories of Clinical Establishments in a phased manner, as may be notified from time to time.

2. Definitions :

In this Rules, unless the context otherwise requires :-

- (a) "Act" means the Clinical Establishments (Registration and Regulation) Act, 2010.
- (b) "Rules " means the Clinical Establishments (Registration and Regulation) Rules, 2013.
- (c) "A & N UT Council" means the Andaman & Nicobar Union Territory Council for Clinical Establishments.
- (d) "Authority" means the District Registering Authority set up under Section 10 of the Act.
- (e) "Certificate" means certificate of permanent registration issued under Section 30 of the Act.
- (f) "Clinical Establishment" means —
 - (i) a hospital, maternity home, nursing home, dispensary, clinic, sanatorium or an institution by whatever name called that offers services, facilities requiring diagnosis, treatment or care for illness, injury, immunisation, deformity, abnormality or pregnancy in any recognised system of medicine established and administered or maintained by any

- (ii) a place established as an independent entity or part of an establishment referred to in Sub-Clause (i), in connection with the diagnosis or treatment of diseases where pathological, bacteriological, genetic, radiological, chemical, biological investigations or other diagnostic or investigative services with the aid of laboratory or other medical equipment, are usually carried on, established and administered or maintained by any person or body of persons, whether incorporated or not, and shall include a clinical establishment owned, controlled or managed by –
- (a) the Government or a Department of the Government;
 - (b) a trust, whether public or private;
 - (c) a corporation (including a society) registered under a Central, Provincial or State Act, whether or not owned by the Government;
 - (d) a local authority; and
 - (e) a single doctor,

but does not include the clinical establishments owned, controlled or managed by the Armed Forces constituted under the Army Act, 1950, the Air Force Act, 1950 and the Navy Act, 1957.

- (g) "Emergency Medical Condition" means a medical condition including any illness and / or intentional or accidental injury of any nature that may manifest itself by acute symptoms of sufficient severity (including severe pain) of such a nature that the absence of immediate medical attention could reasonably be expected to result in:
- (i) placing the life or health of the individual or with respect to a pregnant woman, the life or health of the woman or her unborn child, in serious jeopardy;
 - (ii) serious impairment to bodily functions; or
 - (iii) serious dysfunction of any organ or part of a body.
- (h) "National Council" means the National Council for clinical establishments established under Section 3 of the Act ;
- (i) "Prescribed" means prescribed by Rules made under this Act, by the Central Government or, as the case may be, the State Government;
- (j) "Recognised System of Medicine" means Allopathy, Yoga, Naturopathy, Ayurveda, Homoeopathy, Siddha and Unani System of Medicines or any other system of medicine as may be recognised by the Central Government from time to time;
- (k) "Register" means the register maintained by the authority, State Government and the Central Government under Sections 37,38 and 39 respectively of the Act, containing the number of clinical establishments registered;
- (l) "Registration" means to register under Section 11 and the expression registration or registered shall be construed accordingly;
- (m) "Standards" means the conditions that the Central Government prescribes under Section 12, for the registration of clinical establishments from time to time;
- (n) "State Government", in relation to a Union Territory without legislature, means the Administrator thereof appointed under Article 239 of the Constitution; and
- (o) "To stabilize (with its grammatical variations and cognate expressions)" means, with respect to an emergency medical condition specified in Clause (f), to provide such medical treatment of the condition as may be necessary to assure, within reasonable medical probability, that no material deterioration of the condition is likely to result from or occur during the transfer of the individual from a clinical establishment.

The words and expressions used herein and not defined but defined in the Act, shall have the same meanings respectively assigned to them in the Act.

3. The Union Territory Council for Clinical Establishments

(i) Establishment of A & N Union Territory Council for Clinical Establishments –

The Lt. Governor, A&N Islands shall by notification under Section 8 of the Act and in accordance with the Rules framed by the Central Government in this behalf constitute the Andaman & Nicobar Union Territory Council for Clinical Establishments.

(ii) Functions of the A & N UT Council for Clinical Establishment –

The A & N UT Council for Clinical Establishment shall perform the following functions, namely :-

- a. Compiling and updating the UT Registers of Clinical Establishments;
- b. Sending monthly returns for updating the National Register (including in the digital format);
- c. Representing the UT in the National Council;
- d. Hearing of the appeals against the orders of the authority;
- e. Publication on annual basis a report on state of implementation of standards within the Union Territory of A & N Islands;
- f. Monitor the implementation of the provisions of the Act & Rules in the UT of A & N Islands;
- g. Recommend to the Govt. any modifications required in the Rules in accordance with changes in technology or social condition;
- h. Perform any other function as may be outlined by the National Council of Clinical Establishments;
- i. Any other function as may be prescribed by the Central Govt.

(iii) Disqualification for appointment as member –

A person shall be disqualified for being appointed as a member of the A & N UT Council if he/she —

- (a) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the Administrator, involves moral turpitude ;or
- (b) is an undischarged insolvent ;or
- (c) is of unsound mind and stands so declared by a competent court ;or
- (d) has been removed or dismissed from the service of the Government or a Corporation owned or controlled by the Government; or
- (e) has, in the opinion of the Administrator, such financial or other interest in the Council as is likely to affect prejudicially the discharge by him of his functions as a member.

(iv) Conduct of Business –

Every meeting of the Andaman & Nicobar Union Territory Council shall be presided over by the Chairperson.

(v) Time & Place for Meetings of the Union Territory Council –

The meetings of the Andaman & Nicobar Union Territory Council shall ordinarily be held at Union Territory Capital on such dates as may be fixed by the Council. The Andaman & Nicobar Union Territory Council shall meet atleast once in three months.

(vi) Notice of Meeting –

Notice of every meeting other than a special meeting shall be issued by the Member Secretary to each member of the Council not less than one week before the date of the meeting.

(vii) Quorum, Call for meeting, Minutes –

One – third of the total number of members of the Andaman & Nicobar Union Territory Council shall form a quorum and all actions of the Council shall be decided by a majority of the members

The notice and agenda of every such meeting of the Andaman & Nicobar Union Territory Council shall ordinarily be given 7 - 10 days before the meeting by the Member Secretary of the Council.

The proceedings of the meetings of the A & N UT Council shall be preserved in the form of minutes which shall be authenticated after confirmation by the signature of the Chairperson.

A copy of the minutes of each meeting of the Andaman & Nicobar Union Territory Council shall be submitted to the Chairperson within 5-7 days of the meeting and after having been approved by him/her shall be sent to each member of the Council within 15 days of the meeting. If no objection to their correctness is received within 10 days of their dispatch, any decisions therein shall be given effect to, provided that the Chairperson may, where in his/her opinion it is necessary or expedient so to do, direct that action be taken on the decision of the meeting.

(viii) Resignation and filling of Casual Vacancies –

A member desiring to resign his/her seat on the A & N Union Territory Council shall send his/her resignation in writing to the Chairperson and every such resignation shall take effect from the date mentioned by him/her in this behalf or in case no such date is mentioned, from the date of the receipt of his/her letter by the Chairperson after confirmation from the member concerned about his resignation.

When a Casual Vacancy occurs by reason of death, resignation or otherwise of a member, a report shall be made forthwith by the Chairperson to the Administrator who shall take steps to have the vacancies filled by nomination or election, as the case may be.

(ix) Finance and Accounts –

The Accounts of the A & N UT Council shall be audited annually by a Chartered Accountant, who is to be appointed from a panel approved by the Comptroller and Auditor General of India. Any Expenditure incurred in connection with such audit shall be payable by the Council.

4. The District Registering Authority

(i) Establishment of District Registering Authority –

The Lt. Governor, A & N Islands shall by Notification under Section 10 of the Act and in accordance with the Rules framed by the Central Government in this behalf set up an Authority to be called the District Registering Authority.

(ii) Functions of the District Registering Authority –

The functions of the District Registering Authority shall be as under :-

- a. To grant, renew, suspend or cancel registration of any clinical establishments.
- b. To enforce compliance of the provisions and Rules of the Clinical Establishments (Registration and Regulation) Act, 2010.
- c. To investigate complaints of breach of the provisions of this Act or the Rules made thereunder and take immediate action.
- d. To prepare and submit on quarterly basis report containing details of related to number and nature of provisional and permanent registration certificates issued; included those cancelled, suspended or rejected to the A & N Union Territory Council.
- e. To report to the A & N Union Territory Council on a quarterly basis on action taken against non -- registered clinical establishments operation in violation of the Act.
- f. Perform any other function as may be prescribed by the Central Government and/or U T Administration from time to time.

(iii) Powers of the District Authority –

The District Authority shall, for the purposes of discharging its functions under this Act, have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, in respect of the

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any documents or other electronic records or other material objective producible as evidence;
- (c) receiving evidence on affidavits;
- (d) requisitioning of any public record;
- (e) issuing commission for the examination of witnesses or documents;
- (f) reviewing its decisions, directions and orders;
- (g) dismissing an application for default or deciding it ex parte ;
- (h) any other matter which may be prescribed.

(iv) Time and Place of and Preparation of Business for meetings of the District Registering Authority –

The meetings of the District Registering Authority shall be held atleast once in a month at a stipulated date and time in the office of the Chairperson.

(v) Conduct of Business –

Every meeting of the District Registering Authority shall be presided over by the Chairperson.

(vi) Notice of Meeting –

Notice of every meeting other than a special meeting shall be issued by the Convener to each member not less than one week before the date of the meeting.

(vii) Quorum, Minutes –

One – third of the total number of member of the District Registering Authority shall form a quorum and all actions of the Authority shall be decided by a majority of the members present and voting.

The proceedings of the meetings of the District Registering Authority shall be preserved in the form of minutes which shall be authenticated after confirmation by the signature of the Chairperson.

A copy of the minutes of each meeting of the District Registering Authority shall be submitted to the Chairperson by the Member Secretary within 5-7 days of the meeting and after having been attested by him /her shall be sent to each member of the Council within 15 days of the meeting. If no objection to their correctness is received within 10 days of their dispatch, any decisions therein shall be given effect to, provided that the Chairperson may, where in his/her opinion it is necessary or expedient so to do, direct that action be taken on the decision taken in the meeting.

(viii) Resignation and filling of Casual Vacancies –

If a Casual- Vacancy occurs in the office of any other members, whether by reason of death, resignation or inability to discharge, functions owing to illness or any other incapacity, such vacancy shall be filled by the Deputy Commissioner by making a fresh appointment and the member so appointed shall hold office for the remaining term of office of the person in whose place he/she is so appointed.

5. Registrations of Clinical Establishments

(i) Application for Registration –

The applicant shall apply to the District Registration Authority for provisional registration, either in person, or by post or through web based online facility (after launching of facility) with the necessary information in a format as per **SG AR Annexe** form under Section 14(1) and 14(3) of the Act.

The applicant shall apply to the District Registration Authority for permanent registration, in person or by post or through web based online facility (after launching of facility) with the necessary information filled and with the evidence of having met the requirements of minimum standards and personnel for different categories of Clinical Establishments in a form and format that shall be as per Section 24 and 25 of the Act.

If an establishment is offering services in more than one category as specified under the Clinical Establishments (Registration and Regulation) Rules (Central Government), 2010 the establishment will need to apply for a separate provisional or permanent registration for each category of establishment under Section 14 (1) and Section 30 of the Act. However, if a laboratory or diagnostic center is a part of an establishment providing outpatients/inpatients care, no separate registration will be required.

(ii) Acknowledgement of Application –

The Registration Authority, or any person in his office authorized in this behalf, shall, Acknowledge receipt of the application for registration, in the acknowledgment slip provided as per **SG AA Annexe** immediately, if delivered at the office of the authority, or not later than the next working day if received by post and by online acknowledgment to be generated automatically by the system (after launching of facility).

(iii) Grant of Registration –

The authority shall not undertake any enquiry prior to the grant of provisional registration and shall within a period of ten days from the date of receipt of such application, grant to the applicant a certificate of provisional registration containing particulars and information as per **SG R Annexe** either by post or electronically (after launching of facility) under Section 15, read with Section 17 of the Act.

(iv) Certificate of Registration –

The District Registering Authority shall grant the applicant a certificate of permanent registration as per format developed by National Council either by post or electronically (after launching of facility) after satisfying itself that the applicant has complied with all the requirements and criteria, including provision of minimum standards and personnel required to run the clinical establishment.

In case of permanent registration, under Section 29 of the Act, the authority shall pass an order within 3 ½ months —

- (a) allowing the application for permanent registration ;or
- (b) disallowing the application:

Provided that the authority shall record its justifications and reason, if it disallows an application, for permanent registration.

(v) Fees to be Charged –

The various fees charged for provisional and permanent registration, renewals, late application, duplicate certificate, change of ownership, management or name of establishment is prescribed in **SGF Annexe** under Section 14 (1) read with Section 19, Section 20(2), Section 22, Section 24, Section 35 of the Act.

Clinical establishments owned, controlled and managed by the Government (Central, State or Local authority) or department of Government, shall be exempt from payments of fees for registration.

The fees prescribed for various categories of clinical establishments may be revised by the A & N UT Council through a Notification issued by the Administrator.

The fee shall be paid by a Demand Draft drawn/online transaction in favour of the Registration Authority concerned as specified under Section 14(1) and Section 30 of the Act.

The fees collected by the Authorities for registration of the Clinical Establishments shall be, deposited by the Authority concerned in a Nationalized Scheduled Bank account opened in the name of the official designation of the Registration Authority concerned and, shall be utilized by the Authority for the activities connected with the implementation of the provisions of the Act and these Rules as approved by the District Registration Authority.

There shall be constituted a fund called Andaman & Nicobar UT Clinical Establishment Council Fund and all District Authorities shall credit two percent of the total amount by them by way of fees and penalties.

The Accounts shall be maintained as per the Financial Code and shall be audited by a qualified Chartered Accountant empanelled by CAG. The Annual Audit Reports shall be submitted to the Andaman & Nicobar UT Council.

In the event of any change of ownership or management, the establishment shall intimate to the District Registration Authority in writing within one month of such change alongwith the fee prescribed in **SG F Annexe** for issue of a revised certificate of Provisional or Permanent Registration, as the case may be, incorporating the changes and on surrendering the old certificate under Section 20(2) and Section 30 of the Act.

In the event of certificate of registration (Provisional or Permanent) being lost or destroyed, the owner shall apply to the District Registration Authority to issue a duplicate certificate upon payment of the fee prescribed in **SG F Annexe** under Section 19 and Section 30 of the Act.

(vi) Renewal of Registration –

The clinical establishment shall apply for renewal of provisional registration within thirty days before the expiry of the validity of the certificate of provisional registration. In case the application for renewal is not submitted within the stipulated period, the Authority shall allow for renewal of registration on payment of the renewal amount as prescribed in **SGF Annexe** and Penalty of Rs.100 per day till the date of application for renewal under Section 22 of the Act.

For renewal of permanent registration, the clinical establishment shall apply three (3) months before expiry of the registration period of five (5) years. The renewal will be granted by the Authority within 3 month of receipt of the application failing which it will be deemed to have been renewed. If the clinical establishment does not apply within one month of expiry of registration period, the registration will be deemed to have been suspended.

Under Section 30 (4) of the Act, the clinical establishment shall apply for renewal of permanent registration within six months before the expiry of the validity of the certificate of permanent registration. In case the application for renewal is not submitted within the stipulated period, the authority will allow for renewal of registration on payment of the renewal amount as prescribed in **SG F Annexe** and Penalty of Rs.100 per day till the date of application for renewal is accepted.

6. Registers to be maintained, furnishing of returns and display of information

(i) Registers to be maintained –

Every District Registration Authority shall within a period of two years from its establishment, compile, publish and maintain in digital format a register of Clinical Establishments registered by it and it shall enter the particulars of the certificate so issued in a register containing particulars as developed by National Council.

Every District Registration Authority including any other authority setup for the registration of clinical establishments under the law for the time being in force shall supply in digital format to the A & N UT Council of Clinical Establishments a copy of every entry made in the District Register of Clinical Establishments for a particular month by the 15th day of the following month in keeping with Section 37 (2) of the Act.

(ii) Display of information –

The District Registering Authority shall, within a period of forty-five days from the grant of provisional registration, mandatorily cause to be published in the public domain either through two local News Papers or any other public forums and on the website, which the District Registering Authority will launch, the name of the Clinical Establishment, Address, Ownership, Name of Person in-charge, System of Medicine offered, Type and Nature of Services offered and details of the Medical Staff (Doctors, Nurses etc.) as under Section 16(2) of the Act.

The A & N Union Territory Council could make changes in the nature of information to be provided in the public domain through a Notification, except in the case of the mandatory information to be provided under Section 16(2) of the Act.

The District Registering Authority shall, within a period of 7 days cause to be published in the public domain through two local News Papers or any other public forums and on the website, which the District Registering Authority will launch, the name of the Clinical Establishment, Address, Ownership, Name of the Person in-Charge, System of Medicine offered, Type and Nature of Services offered, details of the Medical Staff (Doctors, Nurses, etc.) and the details and information related to having complied with the minimum standards and personnel prescribed for the particular category of Clinical Establishment as under Section 26 of the Act.

The District Registration Authority shall cause to be displayed the above information in public domain for a period of 30 days for filing objections before granting permanent registration **(Annexe SG O)**.

If, any person has any objection to the information published regarding the Clinical Establishment they shall give in writing the reasons and evidence of objection or non-compliance to the District Registration Authority.

The District Registering Authority shall, within a period of 15 days cause to be published in the public domain the name of the Clinical Establishment whose (Provisional or Permanent) registration has expired as under Section 21 and Section 30 of the Act.

(iii) Information to be provided by Clinical Establishments –

The Clinical Establishments shall maintain medical records of patients treated by it and health information and statistics in respect of National Programmes and furnish the same to the District Authorities in form of three monthly reports. The minimum medical records to be maintained and nature of information to be provided by the Clinical Establishment will be as per the formats developed by the National Council.

Copies of all records and statistics shall be kept with the Clinical Establishment concerned for atleast 3 years or in accordance with any other relevant Act, in force at the time under Section 12(1) (iii) of the Act. All Clinical Establishments shall be responsible for submission of information and statistics in the time of emergency or disaster or epidemic situation.

The Government may notify from time to time, the nature of information that needs to be furnished by the Clinical Establishments including other diseases notified for this purpose alongwith the prescribed interval.

In addition to the specific provisions of the Clinical Establishments (Registration & Regulation) Act, 2010, all establishments shall comply and maintain information and statistics in keeping with other applicable Acts and Rules which are in force in the Country.

7. Power to Enter

Entry and search of the Clinical Establishment can be done by the District Registering Authority or an officer or team duly authorized by it or subject to such general or special orders as may be made by the authority. Such a decision will be required to be taken by majority of the members of the District Registration Authority.

Such entry and search of clinical establishments can be conducted, if anyone is carrying on a Clinical Establishment without registration or does not adhere to the prescribed minimum standards or has reasonable cause to believe the CE is being used for purposes other than it is registered or contravenes any of the provisions of this Act & Rule, shall at all reasonable times enter and inspect any record, register, document, equipment and articles as deemed necessary under the provisions of Section 34 of the Act.

The inspection team shall intimate the establishment in writing about the date of visit and reasons for the inspections. The team shall examine all portions of the premises used or proposed to be used for the Clinical Establishment and inspect the equipments, furniture and other accessories and enquire into the professional qualifications of the technical staff employed or to be employed and shall make any such other enquiries as they consider necessary to verify the statements made in the application for registration and grant of license. All persons connected with the running of the establishment shall be bound to supply full and correct information to the inspection team.

The Officer and /or inspection team so constituted by the Registering Authority shall submit a report as per **SG IR Annexe** within a week of the inspection to the District Registration Authority with a copy to the A & N UT Council.

If, at any time after any Clinical Establishment has been registered, the authority is satisfied that, —

- (a) the conditions of the registration are not being complied with; or
- (b) the person entrusted with the management of the Clinical Establishment has been convicted of an offence punishable under this Act, it may issue a notice to the Clinical Establishment to show cause within three months time as to why its registration under this Act should not be cancelled for the reasons to be mentioned in the notice.

If after giving a reasonable opportunity to the Clinical Establishment, the authority is satisfied that there has been a breach of any of the provisions of this Act or the Rules made thereunder, it may, by an order, without prejudice to any other action that it may take against such Clinical Establishments, cancel its registration.

Every Order made under Sub-Section(2) shall take effect —

- (a) where no appeal has been preferred against such order immediately on the expiry of the period prescribed for such appeal; and
- (b) where such appeal has been preferred and it has been dismissed from the date of the order of such dismissal:

Provided that the authority, after cancellation of registration for reason to be recorded in writing, may restrain immediately the Clinical Establishment from carrying on if there is imminent danger to the health and safety of patients.

8. Penalties & Appeals

(i) Penalties –

In keeping with the provisions of Section 41 (1), (2) , (3) and Section 42 (1), (2) ,(3) the Act , whoever carries on a Clinical Establishment without registration or whoever willfully disobeys any direction, or obstructs any person or authority or withholds any such information or provides false information shall be liable for a monetary penalty.

Whoever carried on a Clinical Establishment without registration, shall, on first contravention be liable to a monetary penalty upto fifty thousand rupees, for second contravention to a monetary penalty which may extend to two lakh rupees and for any subsequent contravention to penalty which may extend to five lakh rupees.

Whoever knowingly serves in a Clinical Establishment which is not duly registered under this Act, shall be liable to a monetary penalty which may extend to twenty five thousand rupees.

The penalty fees collected by the authorities shall be deposited by the Authority concerned in a Nationalized Bank account opened in the name of the official designation of the Andaman & Nicobar U T Council concerned and shall be utilized by the Council and authority for the activities connected with the implementation of the provisions of the Act and approved by the Council.

(ii) Appeals –

In keeping with Section 36, 41(4), (5), (6), (7) and Section 42, (4), (5), (6), (7) , any person or Clinical Establishment , if aggrieved by the decision of the Authority under Section 29 and 34 of the Act, may file an appeal in the format SGA annexure to the Andaman & Nicobar U T Council within thirty (30) days from the date of receipt of such order alongwith prescribed fees of Rs 5000/-.

The appeal against a public health care establishment shall be filed in Form SGA and shall be sent to the A & N UT Council by registered post or in Person.

Every appeal shall be accompanied by a fee of Rs 1000/-.

After receipt of the appeal, the Andaman & Nicobar U T Council shall fix the time and date for hearing and inform the same to the appellant and others concerned by a registered letter giving atleast 15 days time for hearing of the case.

The appellant may represent by himself or authorized person or a legal practitioner and submit the relevant documentary material, if any in support of the appeal.

The Andaman & Nicobar U T Council shall hear all the concerned, receive the relevant oral/documentary evidence submitted by them, consider the appeal and communicate its decision preferably within 90 days from the date of filing of the Appeal.

If the Andaman & Nicobar U T Council considers that an interim order is necessary in the matter, it may pass such order, pending final disposal of the appeal. The decision of Andaman and Nicobar U T Council will have the authority to stay the operation of the order of the District Authority till such time as it deems necessary.

The decisions of A & N UT Council shall be final and binding.

If no appeal is filed against the decision of the Registering Authority in the prescribed period (i.e.) within 30 days from the date of receipt of the order, the orders of the Authority shall be final.

The appeal fees collected by the authorities shall be deposited by the Authority concerned in a Nationalized Bank account opened in the name of the official designation of the Andaman & Nicobar UT Council and shall be utilized by the Council and Authority for the activities connected with the implementation of the provisions of the Act, as approved by the Council.

Clearance from Pollution Control Board /Authority on Clinical Waste Disposal and Clearance from Municipality/Panchayat for No Objection to be submitted alongwith the application.

Lt. Gen. (Retd.) Bhopinder Singh
Lieutenant Governor,

Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor,

Sd./-
Deputy Secretary (Health)

SG AR Annexe**Application Form for Provisional Registration of Clinical Establishments****1. Name of the Establishment / Doctor** (in case of single Practitioner)**2. Address :**

Village/Town :

Taluka :

District :

State :

Pin Code

Tel. No. (with STD Code) :

Mobile :

Website (if any) :

3. Name of the Owner :

Address :

Village/Town. :

Taluka :

District :

State :

Pin Code :

Tel. No. (with STD Code) :

Mobile :

Email ID. :

3.(a) Name of person in-charge and qualification :**4. Ownership****(a) Public Sector :**

- Central Government State Government Local Government :
 Public Sector Undertaking Any other (please specify):

(b) Private Sector :

- Individual Proprietorship Registered Partnership Registered Company
 Co-operative Society Trust/Charitable Any other (please Specify) :

5. Systems of Medicine offered: (please tick whichever is applicable)

- Allopathy Ayurveda Unani Siddha Homeopathy Yoga & Naturopathy

6. Services provided:(please tick whichever is applicable)

- in-patient out-patient Laboratory / Imaging Centre
 Any other (please specify) :

a) Category of Clinical Services :

- General Single Specialty Multi Specialty Super Specialty

7.Type of Establishment: (please tick whichever is applicable)**a) In-Patient :**

- Hospital Nursing Home Maternity Home Primary Health Centre
 Community Health Centre Sanatorium Day Care Centre

b) Number of Beds : _____**c) Out-Patient :** Single Practioner Polyclinic Sub-Centre Physiotherapy Clinic

- Occupational Therapy Infertility clinic Dental clinic Dispensary Dialysis
 Centre Any other (please specify):

d) Laboratory : Pathology Haematology Biochemistry Microbiology

- Genetics Collection Centre Any other (please specify): _____

e) Imaging Centre : (please specify) : _____

Special diagnostics : (please specify) : _____

I hereby declare that the statements above are correct and true to the best my knowledge and I shall abide by all the Rules and declarations under the Clinical Establishment (Registration and Regulation) Act, 2010.

I undertake that I shall intimate to the appropriate registering authority any change in the particulars given above.

Date:

Signature of the Authorized Signatory

SGAA Annexe**ACKNOWLEDGEMENT****Registration of Clinical Establishment**

The application in Form _____ for Grant / Renewal of Provisional / Permanent Registration of the Clinical Establishment submitted by _____ (Name and Address of Owner) has been received by the District Registration Authority on _____ (date) and found to be

Complete
or
Incomplete

This acknowledgement does not confer any rights on the applicant for grant or renewal of Registration.

Signature and Designation of Registration Authority or authorized person in the Office of the Appropriate Authority.

SEAL

Designation of the Issuing Authority

(Computer Generated)

Place & Date:

(Computer Generated)

SGF Annexe

Fees to be Charged

Description	Urban		Rural		Metro	
	Provisional	Permanent	Provisional	Permanent	Provisional	Permanent
Out Patient Care	100	500	50	250	200	1000
In Patient Care 1 to 30 beds	100	500	50	250	200	1000
In Patient Care 30 to 100 beds	200	1000	100	500	400	2000
In Patient Care Above 100 beds	300	1500	150	650	600	3000
Testing & Diagnostic Laboratories	200	1000	100	500	400	2000
Diagnostic & Imaging Centre	300	1500	150	650	600	3000

Other Fees

- For Renewal half the amount of Registration Fee (Provisional / Permanent)
- For Late Application the amount would be double of the Registration Fee (Provisional/ Permanent)
- For Duplicate Certificate the amount would be Rs. 200
- For change of ownership, management or name of establishment would be Rs 100
- For any appeal the amount would be Rs. 1000

* If a laboratory or diagnostic center is a part of a establishment providing out patient / In patient care no separate Registration is required.

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SG R Annexe
PROVISIONAL CERTIFICATE
For Registration of Clinical Establishment

Provisional Registration No.:

Date of issue:

Valid up to:

1. Name of the Clinical Establishment: _____
2. Address: _____
3. Owner of the Clinical Establishment: _____
4. Name of Person in-Charge: _____
5. System of Medicine : _____
6. Type of Establishment: _____

Is hereby provisionally registered under the provisions of Clinical Establishments (Registration and Regulation) Act, 2010 and the Rules made thereunder.

This authorization is subject to the conditions as specified in the Rules in force under the Clinical Establishments (Registration and Regulation) Act, 2010 and the Rules made thereunder.

Designation of the Issuing Authority

Place & Date:

District Registration Authority

Address:

Phone Number in case of Grievances

SGO Annexe (Sec.26)

Display of Registration status for filing objections

I, _____ being the authority under the Clinical Establishment Act, 2010 after considering the applications received during the period from _____ to _____ under Sec.24 satisfying the provisions of the Clinical Establishments Act, 2010 and the Clinical Establishment Rules, 2013 made thereunder, hereby publish the list of Clinical Establishments; within the jurisdiction of _____ District.

Sl. No.	Name of Clinical Establishment with Address	Ownership/ In-charge	System of Medicine	Date on which application was submitted	Category and standards complied with

Objections, if any, in writing to the published list may be addressed in duplicate to

_____ (address of the authority) within 30 days from the date of this Notification, as required under Sec.26 of the Act.

Place :

Signature

Date :

Name

(Seal of the Authority)

SG IR Annexe

Suggested Format for Submission of Inspection Report

Number of visits made with dates

Names and details of members of the inspection team

Name of Clinical Establishment visited

Address and contact details of Clinical Establishment visited

Process followed for inspection (e.g. kindly outline who was met with, what records were examined, etc.)

Salient Observations / Findings

Conclusions

Specific Recommendations:

(1) To the Clinical Establishment

(2) To the District Registering Authority

*In case of lack of consensus amongst members of the inspection team, the same may be kindly indicated.

Signature (of all Members of the inspection team)

Date :

Place :

(12-9)

Annexe A

(See Sec.36 (2))

Application for Appeal

To
The Andaman & Nicobar U T Council,
Andaman and Nicobar Administration,
Port Blair.

Sir,
I, Dr. _____, of _____ had applied for Registration/is a valid
License holder with Registration Number _____ under Clinical Establishments Act, 2010 for my
_____ located at _____.

I was communicated by the District Authority as per Letter No. _____ dated _____
that either;

- i) That my application was rejected
- ii) That my registration is cancelled
- iii) That I am restrained from carrying on with the running of Clinical Establishment
- iv) That I am charged with a penalty for an offence under the Act
- v) Any other _____

The above decision of the District Authority appears to be not valid. I request you to consider my
application as per the justification below;

- i) _____
- ii) _____
- iii) _____

I am willing to appear before you for a personal hearing, if necessary. I am enclosing herewith a
Draft of Rs. 1000/-.

Thanking you

Place :

Date :

Signature :

Name :

