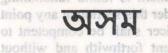
Amendment of

section 9





THE ASSAM GAZETTE

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EXTRA ORDINARY

প্ৰাপ্ত কৰ্ত্তত্ত্বৰ দ্বাৰা প্ৰকাশিত PUBLISHED BY AUTHORITY

নং 186 দিশপুৰ, শুক্ৰবাৰ, 18 আগষ্ট, 2006, 27 শাওণ, 1928 (শক) No. 186 Dispur, Friday, 18th August, 2006, 27th Sravana, 1928 (S.E.)

ed for under this Act, GOVRNMENT OF ASSAM ORDERS BY THE GOVERNOR LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 17th August, 2006

No. LGL. 85/2003/39. -- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. IX OF 2006

(Received the assent of the Governor on 11th August, 2006)

THE ASSAM HEALTH ESTABLISHMENTS (AMENDMENT) ACT, 2006.

from any eNA ing government hospital in case of

Suwabati TA opolitan district and within a

further to amend the Assam Health Establishments Act, 1993.

Preamble

Whereas it is expedient further to amend the Assam Assam Health Establishments Act, 1993. hereinafter referred to Act. XVII as the principal Act in the manner hereinafter appearing; of 1993

It is hereby enacted in the Fifty-seventh Year of the Republic of India as follows: In the principal Act, in

the above condition shall not app

Short title. extent

- and commencement 1. (1) This Act may be called the Assam Health Establishments (Amendment) Act, 2006.
 - (2) It shall have the like extent as the principal Act.
 - (3) It shall come in to force at once save and except the provisions of clause (f) of sub-section (3) of section 9 which shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

Amendment of section 3

Act

(Regulation and Prevention of Misuse) Act. In the principal Act, the existing section 3 shall be renumbered as section 3(a) and after clause (a) so renumbered, the following clause shall be inserted as clause (b), namely:-

"(b) If any Health Establishment is found functioning without a license granted under this section at any point of time, the Inspecting Officer shall be competent to seal the Health Establishment forthwith and without any notice."

Amendment of section 9

7 1139, 1928 (146)

te save and except the

- In the principal Act, in section 9,
 - sub-section (1) shall be renumbered as sub-(i) section (1)(a) and after clause (a) so renumbered, the following clause (b) shall be inserted, namely :-
 - "(b) Every application for registration and grant of license shall be accompanied by full particulars of doctors serving in the Health Establishment with a declaration stating specially that no doctor in the Health Establishment in respect of which the registration has been applied for under this Act, is in Government service:

HOMASS SVIII "Provided that no doctor who is in government service shall be engaged by any Health Establishment during his official duty hours and that too without prejudice to emergency call duties of such doctor(s). The such a such doctor (s).

- in sub-section (3), after clause (e), the following clause shall be inserted, namely:-
- "(f) the Health Establishment is proposed to be establishment within a radius of five kilometers from any existing government hospital in case of Guwahati Metropolitan district and within a radius of three kilometers of any government hospitals in any other district:

Provided that in regard to private Health Establishments providing Superspeciality care, the above condition shall not apply."

Amendment of section 10

Republic of India as follows 4. In the principal Act, in section 10, -

it is hereby enacted in the Fifty-seventh Year of the

(i) for the existing clause (a), the following shall be substituted, namely:-

"(a) that Health Establishment shall not be used noitose to (1) noitose for immoral and illegal acts or purposes:

Provided that no Health Establishment ce on such date as the shall carry out Pre-natal sex- determination tests and shall strictly comply with the provisions of the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, In the principal Act, the ". 1991 section 3, shall be

Central Act No.57 of 1994

Preamble

as between ed (ii) to for the existing clause (c), the following shall be substituted, namely :-

"(c) that adequate arrangement shall be made for proper disposal of garbage, bio-medical waste, other chemical wastes and such other materials, equipments and appliances which have become unfit for further use, in accordance with the procedure prescribed for the purpose as per the provisions of the relevant laws/rules in force in this regard"

(iii) in clause (cc), in sub-clause (iii), for the existing proviso, the following provisions shall be substituted, namely:

"Provided that the number of qualified resident doctors, qualified staff nurses and other nurses, equipments including lifesaving devices, para-medicos and other staff shall be such as may be specified under the condition of license and as may be notified by the Health Authority from time to time:

Provided further that the Health
Establishments shall prescribe duty hours for doctors and other para-medicos to be displayed at a conspicuous place of the Health.
Establishment.

(iv) in clause (cc), for sub-clause (vii), the following shall be substituted, namely:-

"(vii) that the Health Establishment shall have adequate parking place for vehicles, doctors, patients, visitors and hospital. The Health Establishment also provide Ambulance and make adequate arrangements for fire fighting as may be specified by the Director of Fire Services. Electrical Installations shall have to be certified by the Chief Electrical Adviser;";

(v) in clause (cc), after sub-clause (viii), the following sub-clauses (ix) and (x) shall inserted, namely:-

"(ix) every nursing home shall maintain a Morgue; and

(x) every nursing home and Charitable Health Establishment shall participate in National Health Programmes and Community Health Programmes as required by the Government from time to time."

Amendment of section 14

In the principal Act, for section 14, the following shall be substituted, namely :-

"Appointment of Inspecting Officers and their powers.

14. District Magistrate or such officer as authorized by him and Sub-divisional Magistrate and the Joint Director of Health Services of the district shall be

Inspecting officers within their respective jurisdiction and shall be competent to take any action as authorized under the provisions of this Act:

Provided that the Joint Director of Health Services of the district or any Health Officer not below the rank of Sub-divisional Medical and Health Officer as authorized by him shall assist the District Magistrate or his authorized officer and the Sub-Divisional Magistrate as may be required from time to time for carrying out the provisions of this Act."

M. K. DEKA,

Commissioner & Secy. to the Govt. of Assam, Legislative Department, Dispur. created and in statements and state including as

of The toward of white House of year