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SERIES I No. 33

OFFICIAL GOVERNMENT OF GOA GAZETTE

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NOTE

There is one Extraordinary issue to the Official Gazette, Series I No. 32 dated 8-11-2018 namely, Extraordinary dated 14-11-2018 from pages 2077 to 2086, Notifications regarding Weekly Lottery Schemes from Department of Finance (Revenue & Control Division.).

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GOVERNMENT OF GOA

Department of Civil Supplies and
Consumer Affairs

Notification

DCS/ENF/FPS-Timing/2018-19/241

Sub:- Revision in the schedule of distribution of food grains to beneficiaries through Fair Price Shops.

Read:- Order No. DCS/S-1/C.C./93/1275 dated 5th February, 1993 published

in the Official Gazette, Series I No. 3 dated 15th April, 1993.

AMENDMENT

In the above read order after the instruction No. 1 the following shall be inserted:

Further they shall:—

(a) Remain open from 1st to 21st of every month for distribution of food grains to the beneficiaries by the fair price shop through ePOS devices installed at their fair price shop.

(b) By 21st evening of every month fair price shop shall stop issuing the quota to ration card holders and thus closing balance can be freed.

(c) Payment and Challan generation and lifting of foodgrains quota shall be done by fair price shop owner from 22nd to 30/31st of every month.

Sandhya Kamat, Director & ex officio Jt. Secretary (Civil Supplies & Consumer Affairs).

Panaji, 7th November, 2018.



Department of Fisheries

Directorate of Fisheries

Order

DF/ADMN/AMOSV/2018-19/4015

In supersession of all the previous orders for creation/revival/re-designation of the various posts, Government is pleased to indicate the final sanctioned staff strength of the Department as under for the next five years:-

| Sr. No. | Designation of the post | Pay Scale | No. of Posts Created |
|---|--|------------------------------|----------------------|
| 1 | 2 | 3 | 4 |
| Non-Ministerial (Non-Lapsable) posts | | | |
| 1. | Director of Fisheries | (Level-12 in the pay matrix) | 1 |
| 2. | Dy. Director of Fisheries | (Level-10 in the pay matrix) | 2 |
| 3. | Dy. Director of Fisheries (Stat) (Centre Sector Scheme) | (Level-10 in the pay matrix) | 1 |
| 4. | Dy. Director of Fisheries (Administration) | (Level-10 in the pay matrix) | 1 |
| 5. | Sperintendent of Fisheries | (Level-7 in the pay matrix) | 5 |
| 6. | Superintendent of Fisheries (Aquaculture) | (Level-7 in the pay matrix) | 1 |
| 7. | Superintendent of Fisheries (Enforcement) | (Level-7 in the pay matrix) | 1 |
| 8. | Research Assistant | (Level-6 in the pay matrix) | 1 |
| 9. | Assistant Accounts Officer | (Level-7 in the pay matrix) | 1 |
| 10. | Assistant Suprintendent of Fisheries | (Level-6 in the pay matrix) | 8 |
| 11. | Fisheries Officer | (Level-5 in the pay matrix) | 15 |
| 12. | Junior Technician | (Level-5 in the pay matrix) | 2 |
| 13. | Laboratory Assistant | (Level-4 in the pay matrix) | 1 |
| 14. | Mechanical Instructor | (Level-5 in the pay matrix) | 1 |
| 15. | Marketing Inspector | (Level-4 in the pay matrix) | 1 |
| 16. | Wireless Operator | (Level-2 in the pay matrix) | 4 |
| 17. | Engine Driver | (Level-4 in the pay matrix) | 4 |
| 18. | Fisheries Surveyor | (Level-2 in the pay matrix) | 43 |
| 19. | Bosun | (Level-6 in the pay matrix) | 5 |
| 20. | Net Mending Instructor | (Level-2 in the pay matrix) | 1 |
| 21. | Mechanic Grade I (Diesel) | (Level-4 in the pay matrix) | 1 |
| 22. | Mechanic Grade II (Refrigeration) | (Level-2 in the pay matrix) | 1 |

| 1 | 2 | 3 | 4 |
|-------------------------------------|---|-----------------------------|------------|
| 23. | Junior Deckhand | (Level-1 in the pay matrix) | 31 |
| 24. | Accountant | (Level-6 in the pay matrix) | 2 |
| 25. | Statistical Investigator | (Level-4 in the pay matrix) | 2 |
| 26. | Statistical Assistant | (Level-5 in the Pay matrix) | 1 |
| 27. | Statistical Assistant (Centre Sector Scheme) | (Level-5 in the pay matrix) | 2 |
| 28. | Fieldman | (Level-1 in the pay matrix) | 12 |
| Ministerial (Lapsable) posts | | | |
| 29. | Office Supdt. | (Level-7 in the pay matrix) | 1 |
| 30. | Head Clerk | (Level-6 in the pay matrix) | 1 |
| 31. | Store Keeper | (Level-4 in the pay matrix) | 1 |
| 32. | Jr. Stenographer | (Level-4 in the pay matrix) | 1 |
| 33. | Upper Division Clerk | (Level-4 in the pay matrix) | 7 |
| 34. | Lower Division Clerk | (Level-2 in the pay matrix) | 18 |
| 35. | Driver (L) | (Level-2 in the pay matrix) | 8 |
| 36. | Asst. Electrician | (Level-2 in the pay matrix) | 1 |
| 37. | Multi-Tasking Staff (MTS) | (Level-1 in the pay matrix) | 21 |
| 38. | Watchman | (Level-1 in the pay matrix) | 6 |
| 39. | Sweeper | (Level-1 in the pay matrix) | 1 |
| Total | | | 217 |

3. As per the recommendation and approval of the High Level Empowered Committee (H.L.E.C.), the following posts shall stand abolished, upon superannuation/retirement of the incumbent or upon the post falling vacant (for whatever reasons).

| Sr. No. | Designation of the post (Ministerial Lapsable Posts) | Name of the Official holding the post | Remarks |
|---------|---|--|---------|
| 1 | 2 | 3 | 4 |
| 1. | Asst. Engineer (Civil) | (Vacant) | |
| 2. | Junior Engineer (Civil) | (Vacant) | |
| 3. | Draftsman (Grade II) | (Vacant) | |
| 4. | Driver (Heavy) | (Vacant) | |
| 5. | Carpenter | (Vacant) | |
| 6. | Technical Assistant/Computer (Centre Sector Scheme) | (Vacant) | |
| 7. | Watchman | (Vacant) | |
| 8. | Messenger | (Vacant) | |
| 9. | Messenger | Shri. Xavier Simoes | |
| 10. | Messenger | Shri. Joaquim Santan Sequeira | |
| 11. | Messenger | Shri. Mohan Eknath Garudi | |

Note : The existing strength of the Drivers shall be continued, until further assessment of the vehicle fleet and requirement of the Department, and any vacancies arising during the interim period shall not be filled up on regular basis.

4. This issues with the approval of the High Level Empowered Committee (H.L.E.C.) constituted with the approval of the Council of Ministers in the XXth Meeting held on 8-11-2017 vide Order No. 1/1/2017-Addl. Secy. (PER) dated 22-11-2017 issued by Department of Personnel.

5. Approval of the High Level Empowered Committee (H.L.E.C.) is conveyed vide letter No. 9/10/HLEC/2018-ARD/238 dated 16-8-2018 issued by the Department of Administrative Reforms, Secretariat.

This also has Administrative approval of the Government vide inward No. 696 dated 16-10-2018.

By order and in the name of the Governor of Goa.

Vinesh Arlenkar, Director (Fisheries).

Panaji, 8th November, 2018.



Department of General Administration

Order

47/1/2017-GAD-III/3232

Sanction of the Government is hereby accorded for creation of 3 posts of Drivers (light motor vehicle) Group 'C' Non Gazetted (1 each in the O/o the Member of Parliament) in the Level 2 of the Pay Matrix of the 7th Pay Commission on co-terminus basis.

The expenditure shall be met from the Budget Head under Demand No. 02, "2052—Secretariat General Services, 00—, 090—Secretariat, 04—Law Department, 01—Salaries".

This issues with the approval of the High Level Empowered Committee (H.L.E.C.) constituted with the approval of the Council of Ministers in the XXth meeting held on 8-11-2017 vide Order No. 1/1/2017-Addl. Secy. (PER) dated 22-11-2017 issued by Department of Personnel.

Approval of the High Level Empowered Committee (H.L.E.C.) is conveyed vide letter No. 9/7/IDCO/2018-ARD/218 dated 2-08-2018 issued by the Department of Administrative Reforms, Secretariat.

By order and in the name of the Governor of Goa.

Varsha S. Naik, Under Secretary (G.A.).

Porvorim, 5th November, 2018.

Department of Industries

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Notification

3/12/2017-IND/439

Sub.:- "Goa Tribal's Employment Generation Programme (GTEGP) Scheme, 2017".

1. *Introduction.*— The scheme is named as "Goa Tribal's Employment Generation Programme (GTEGP) Scheme". The scheme is notified in view of the direction of Planning Commission, Government of India to direct benefits to the families of Scheduled Tribes.

1.1 Goa State has around 1,80,000 Tribal population (12%) notified under the communities of Gauda, Kunbi and Velip living in almost all talukas. The families of these communities live in the remote foot hill areas of Western ghats, rural areas, villages, semi urban and urban areas who primarily have an agrarian economy. The school drop outs, unemployed female and male persons are to be provided with entrepreneurship skills to take on the challenges of life in the present industrialized economy of the State. They should be guided and provided with monetary and material facilities to come out of poverty, to get self-employed and to generate employment among the Tribal Communities of the State.

2. *The objectives of the schemes are.*— (1) Improve Entrepreneurship Skills.

(2) Self Employment and Generation of Employment.

(3) Improvement in living conditions, and upliftment.

(4) Flow of funds to the target families from Government schemes.

(5) Long term sustainable economic activities in the villages.

(6) Tribals to catch up with changing economy of the Industrialized and Tourist destination State.

(7) Exposure to inter-institutional financial facilities and entrepreneurial activities.

(8) Co-operativisation of enterprises and co-ordinations.

3. *Eligibility.*— (1) Any individual who has studied upto 4th Std. and above (relaxable in deserving cases), and of 18 years of age but not above 45 years of age.

(2) The applicant must be a member of Tribal Community notified by the Government of Goa.

(3) The applicant must be unemployed. A declaration to that effect stating that "I am presently unemployed" may be submitted by the applicant. The declaration may be amended on case to case basis, depending upon status of the applicant.

4. *The ventures for GTEGP are.*— 4.1 (i) Micro and Small Manufacturing Enterprises.

(ii) Service Enterprises.

(iii) Trade Enterprises.

(i) *Micro and Small Manufacturing Enterprises:*— An applicant desirous of producing food products, domestic instruments made of metal and plastic, school uniforms, police uniforms, ancillary products for big Industrial Units, rice and flour mill, making of poultry and cattle feed or any other suitable industrial activity, can set up a manufacturing unit in his house campus or in a community industrial shed constructed by the Panchayat or Co-operative Society as a cluster etc. The cost of project includes the value of shed.

(a) *Extent of Assistance.*— Under this category, enterprises can avail a maximum loan of Rs. 25 lakhs and avail 40% subsidy on 95% of the total sanctioned loan amount. Such an enterprise cannot be transferred to any other person during the subsistence of the loan.

(ii) *Service Enterprises.*— Activities under service enterprises like taxi or motor bike service, taxi car, passenger rickshaw, goods carrier, modern saloon, beauty parlour, motor bike and car workshops, tyre vulcanizing, truck and bus workshop and similar activities are included. The project cost includes the cost of shed.

(a) *Extent of Assistance.*— Under this category an enterprise can avail loan upto Rs. 15 lakhs and further avail 40% subsidy on 95% of the total sanctioned loan amount. Such an enterprise cannot be transferred to any other person during the subsistence of the loan.

(iii) *Trading Enterprises.*— Trading enterprises include buying and selling of products like setting up of grocery shops, tyre shops, stationery shops, hotel, tea shop, electrical goods shop, plumbing materials shop, purchase of agricultural products from villages and selling to the city markets etc. or any other suitable trading activity including electronic goods and medical stores etc.

(a) *Extent of Assistance.*— The amount of loan available is up to Rs. 15 lakhs to open such an activity, and further avail 40% subsidy on 95% of the total sanctioned loan amount. The value of shop, fittings, furniture etc., can be included in the project cost. Such an enterprise cannot be transferred to any other person during the subsistence of the loan.

4.2 The EDC will sanction 95% of the project cost which shall be subject to upper limit of the scheme. The balance 5% shall be contributed by the applicant as the owner's contribution.

4.3 If the applicant has availed or applied for similar benefit under any other similar scheme of Government of Goa/Government of India, the applicant shall be eligible only for the balance amount of subsidy under this scheme.

5. *Implementing Agency.*— 5.1 The DITC will get the funds/subvention sanctioned from Government and place the same at the disposal of EDC Ltd. The Directorate of Industries, Trade & Commerce shall transfer all the pending applications received from the previous implementing agency to EDC Ltd.", which shall be scrutinized and disbursed as per the guidelines of this scheme by EDC Ltd.

6. *Mode of placing funds to EDC Ltd.*— 6.1 The demand for initial funds will be signed by the Managing Director, EDC, Ltd. and submitted to DITC. The subvention will be sanctioned by the Government and disbursed immediately in favor of EDC Ltd. The initial amount shall be Rs. 2 crores to operate the scheme. Once the amount of Rs. 2 crores is exhausted and if more applications for financial assistance are received or anticipated, EDC Ltd. can place claim for more funds upto Rs. 3 crores with the resolution of the Board. The DITC shall seek administrative approval and expenditure sanction as and when the demand is placed by the EDC, and place the approved funds at the disposal of EDC Ltd. The fund requirement of the EDC Ltd. from Directorate of Industries, Trade & Commerce (DITC) may be adjusted with the amount repaid/recovered from beneficiaries of earlier years and can be reused to finance the new beneficiaries.

7. *Submission of applications.*— 7.1 The applications for financial assistance shall be received by EDC Ltd. alongwith the relevant documents. The application shall be supported by the following documents:—

- (1) Caste certificate.
- (2) Birth certificate.
- (3) Domicile certificate.

and such other documents, reports required by the EDC Ltd. from time to time.

All necessary application forms shall be devised by EDC Ltd. as required from time to time.

The Application Form alongwith checklist and other connected documents shall be

available on the EDC's Website. Applicants can download the same and submit to the EDC.

8. *Task Force Committee for GTEGP.*— The Task Force Committee is constituted as follows:—

(1) Managing Director, EDC Ltd. — Chairman.

(2) The Deputy Director, Tribal Welfare or his representative —Member.

(3) Representative of Association of Tribals appointed by the Director, Tribal Welfare — Member.

(4) Deputy Director (Adm.), DITC — Member.

(5) A Chartered Accountant appointed by the Government —Member.

9. *Task Force Committee Meeting.*— 9.1 The EDC Ltd. shall fix the date of meeting as required based on the number of applications received, in consultation with the Chairman and members of the Task Force Committee.

10. The loan part of the project shall be repayable in 60 to 120 monthly installments as may be decided by the TFC after a moratorium of 3 to 6 months.

11. The service charge of the EDC Ltd. is Rs. 50,000/- for Rs. 1 crore of subventions for disbursement to beneficiaries and 1% out of the interest @ 2% p.a. recovered from the beneficiaries.

12. For the disbursed and outstanding loan amounts with the loanee the rate of interest will be 2% fixed by Government in the subvention sanction order.

13. *Defaults.*— 13.1 In case of failure of the beneficiary to create the assets financed, the entire amount of subsidy granted alongwith the loan amount should be recovered from the beneficiary.

13.2 In case the beneficiary defaults in repayment of loan amount during the course of repayment schedule, in such cases, the subsidy amount recoverable should be proportionate to the balance defaulted repayment term of the loan amount.

13.3 In case of default in repayment of loan, the amount can be recovered as arrears of land revenue or under The Goa, Daman & Diu Public Moneys (Recovery of Dues) Act and Rules and any other relevant Act and Rules thereof.

14. The EDC Ltd. shall furnish half yearly statement to DITC showing the amounts received from the Government and disbursed, subsidy allowed, amount recovered, interest collected and service charges debited. The Funds Utilization Certificate for Subsidy component shall also be submitted regularly.

15. In case the applicant has not undergone Entrepreneurship Development Programme they shall undergo EDP within 6 months from the date of sanction conducted by EDC Ltd.

16. The subventions to EDC Ltd. and other expenditures related to the GTEGP will be debited from the Major Head:—

Demand No. 19.

6851— Loans for Village and Small Industries;
00 — ;

796 — Tribal Area Sub Plan;

01 — Scheduled Tribe Development Scheme
(Plan);

55 — Loans and Advances.

17. The prospective applicants may avail pre-entrepreneurship counseling from the concerned officer in the office of EDC Ltd.

18. The repayment and recovery of loan installments will be in the Equated Monthly installments and no penal interest may be applied.

19. *Collateral Security.*— (a) For loan upto Rs. 2.00 lakh personal guarantee of applicant and spouse/parent/relative to be provided.

(b) For loan above Rs. 2.00 lakh upto Rs. 6.00 lakh one or more third party guarantors, depending upon the loan amount to be provided. Such a guarantor could be employee of State Government/corporation/aided institute/companies of repute or a person owning an unencumbered immovable property in Goa of commensurate value.

(c) Loan above Rs. 6.00 lakh, notarized copy of ownership documents of the unencumbered immovable property owned by the guarantor/s, commensurate to the loan amount to be provided. Guarantor should not be defaulter with any financial institute/bank as far as disbursement procedure only 50% of the project cost to be disbursed and balance after satisfactory verification of the financed assets. Also, existing procedure of CMRY for processing of the applications, including pre-sanction visit to the proposed non transport ventures above Rs. 2.00 lakh.

20. In the project report of the Micro and Small Manufacturing Enterprises proposals, working capital upto 35% of the cost of the project may be allowed and a fixed capital upto a limit of 65% of the project cost. For all service units and trading units except agricultural produce trading, the goods of trade upto 80% shall be treated as working capital and 20% shall be allowed as fixed capital. In case of agricultural produce trading 100% funds may be allowed as working capital like for selling of fish, vegetables, aracanut, coconut, packed milk, etc. This trading can be financed with carrier rickshaw either with refrigerator or regular one to transport goods.

21. Farming activities, tobacco products and red category Industries are not eligible for availing benefit under GTEGP scheme.

22. If any question arises, regarding interpretation of any clause, word, expression of this scheme, or any guidelines pertaining to effective implementation of the scheme, the decision shall lie with the Task Force Committee, which shall be final and binding on all concerned.

23. *Saving Clause.*— The recovery of the loans which have been disbursed under the GTEGP vide notification No. 3/106/2011/IND dated 13-12-2012 shall be recovered and remitted to the Government by the TMCCS as per the clauses mentioned in that scheme and the Goa Tribal Employment Generation Programme scheme as notified vide notification stated above shall remain in force for this limited purpose of recovery until the entire process of recovery is completed.

This issues with the concurrence of Finance Expenditure Department vide U. O. No. 1400044109 dated 26-10-2018.

This issues in supersession of the Notification No. 3/12/2017-IND dated 14-12-2017 published in Official Gazette Series I No. 38 dated 21-12-2017.

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Industries).

Porvorim, 5th November, 2018.

Department of Labour
Inspectorate of Factories & Boilers

—
Order

2/341/ADM-IFB/2018/2904

On the approval of the High Level Empowered Committee (H.L.E.C.) conveyed vide letter No. 9/10/HLEC/2018-ARD/234 dated 16-8-2018 issued by the Administrative Reforms Department, Government of Goa, 01 post of Receptionist cum Telephone Operator (Group 'C') in the level 2 of Pay Matrix as per the CCS (Revised Pay) Rules, 2016 (Pre-revised scale in Pay Band-1, Rs. 5200-20200+Grade Pay Rs. 1900/-) in the Inspectorate of Factories & Boilers, Altinho, Panaji is re-designated as 'Lower Division Clerk'.

Pay and allowances of the above post after re-designation shall be debited to the Budget Head under which said post was initially created.

By order and in the name of the Governor of Goa.

Vivek P. Marathe, Chief Inspector and ex officio Joint Secretary (Factories & Boilers).

Panaji, 13th November, 2018.

—
Order

2/341/ADM-IFB/2018/2867

Sanction of the Government is hereby accorded for creation of the following posts as per the details shown below:—

| Sr. No. | Designation of the post | Pay Scale | No. of posts created |
|---|--------------------------------|-------------------------|----------------------|
| 1 | 2 | 3 | 4 |
| Non-Ministerial (Non-Lapsable) posts | | | |
| 1. | Certifying Surgeon | (Level 7 of Pay Matrix) | 01 |
| 2. | Curator | (Level 5 of Pay Matrix) | 01 |
| 3. | Audiometry Technician | (Level 5 of Pay Matrix) | 01 |
| 4. | Labour Inspector (Engineering) | (Level 5 of Pay Matrix) | 01 |
| Ministerial (Lapsable) posts | | | |
| Nil | | | |
| Total | | | 04 |

2. The expenditure on the creation of above posts would be met from the Budget Head mentioned against the posts:

| Sr. No. | Designation of the post | No. of posts | Budget Head |
|---|--------------------------------|--------------|---|
| 1 | 2 | 3 | 4 |
| Non-Ministerial (Non-Lapsable) posts | | | |
| 1. | Certifying Surgeon | 01 | 2230 — Labour and Employment; |
| 2. | Curator | 01 | 01 — Labour; |
| 3. | Audiometry Technician | 01 | 102 — Working Conditions and Safety; |
| 4. | Labour Inspector (Engineering) | 01 | 01 — Strengthening of Factory and Boiler Inspectorate; 01 — Salaries (Non-Plan). |

3. As per the recommendation and approval of the High Level Empowered Committee (H.L.E.C.), the following posts shall stand abolished, upon superannuation/retirement of the incumbent or upon the post falling vacant (for whatever reasons).

| Sr. No. | Designation of the post Ministerial (Lapsable) Posts | Name of the Official holding the post | Remarks |
|---------|---|--|---------------------------------|
| 1 | 2 | 3 | 4 |
| 1. | Watchman (to be redesignated as M.T.S. for time being) | Shri Ramchandra Satardekar | Superannuating on 30-11-2023 |
| 2. | Watchman (to be redesignated as M.T.S. for time being) | Shri Ganesh Redkar | Superannuating on 31-10-2024 |
| 3. | Watchman (to be redesignated as M.T.S. for time being) | Shri Narayan Ghatkar | Superannuating on 30-6-2041 |
| 4. | Sweeper (to be redesignated as M.T.S. for time being) | Smt. Yemnavva Ramati | Superannuating on 28-2-2019 |
| 5. | Sweeper (to be redesignated as M.T.S. for time being) | Smt. Renukavva Ramanawar | Superannuating on 30-4-2022 |
| 6. | Sweeper (to be redesignated as M.T.S. for time being) | Smt. Sangeeta Redkar | Superannuating on 31-10-2023 |

Note: The existing strength of Drivers shall be continued, until further assessment of the vehicle fleet and requirement of the Department, and any vacancies arising during the interim period shall not be filled up on regular basis.

4. This issues with the approval of the High Level Empowered Committee (H.L.E.C.), constituted with the approval of the Council of Ministers in the XXth meeting held on 08-11-2017 vide Order No. 1/1/2017-Addl. Secy. (PER) dated 22-11-2017 issued by Department of Personnel.

5. Approval of the High Level Empowered Committee (H.L.E.C.) is conveyed vide letter No. 9/10/HLEC/2018-ARD/234 dated 16-08-2018 and letter No. 9/16/IDCO/2018-ARD/334 dated 26-10-2018 issued by the Department of Administrative Reforms, Secretariat.

By order and in the name of the Governor of Goa.

Vivek P. Marathe, Chief Inspector and ex officio Joint Secretary (Factories & Boilers).

Panaji, 8th November, 2018.

Order

2/341/ADM-IFB/2018/2868

In supersession of all the previous orders for creation/revival/re-designation/upgradation of the various posts, Government is pleased to indicate the final sanctioned staff strength of the Department as under for the next five years:-

| Sr. No. | Designation of the post | Pay Scale | Sanctioned Strength |
|---|---|------------------------|---------------------|
| 1 | 2 | 3 | 4 |
| Non-Ministerial (Non-Lapsable) posts | | | |
| 1. | Chief Inspector of Factories & Boilers | Level 11 of Pay Matrix | 1 |
| 2. | Medical Inspector of Factories | Level 7 of Pay Matrix | 1 |
| 3. | Inspector of Factories | Level 7 of Pay Matrix | 6 |
| 4. | Inspector of Boilers | Level 7 of Pay Matrix | 2 |
| 5. | Programme Officer | Level 7 of Pay Matrix | 1 |
| 6. | Chemist | Level 6 of Pay Matrix | 1 |
| 7. | Certifying Surgeon | Level 7 of Pay Matrix | 1 |
| 8. | Curator | Level 5 of Pay Matrix | 1 |
| 9. | Audiometry Technician | Level 5 of Pay Matrix | 1 |
| 10. | Labour Inspector (Engineering) | Level 5 of Pay Matrix | 2 |
| 11. | Accountant | Level 6 of Pay Matrix | 1 |
| 12. | Male Nurse | Level 6 of Pay Matrix | 1 |
| 13. | Technical Assistant | Level 6 of Pay Matrix | 1 |
| 14. | Craft Instructor (Boiler) | Level 6 of Pay Matrix | 1 |
| 15. | Training Assistant | Level 5 of Pay Matrix | 1 |
| 16. | Labour Inspector (Chemical) | Level 5 of Pay Matrix | 1 |
| 17. | Ophthalmic Assistant | Level 5 of Pay Matrix | 1 |
| 18. | Statistical Assistant | Level 5 of Pay Matrix | 1 |
| 19. | Laboratory Technician | Level 4 of Pay Matrix | 3 |
| 20. | Laboratory Assistant | Level 4 of Pay Matrix | 2 |
| 21. | X-Ray Technician | Level 4 of Pay Matrix | 1 |
| 22. | ECG Technician | Level 4 of Pay Matrix | 1 |
| 23. | Assistant Librarian | Level 4 of Pay Matrix | 1 |
| 24. | Audio Visual Operator | Level 2 of Pay Matrix | 1 |
| Ministerial (Lapsable) Posts | | | |
| 25. | Office Superintendent | Level 7 of Pay Matrix | 1 |
| 26. | Head Clerk | Level 6 of Pay Matrix | 1 |
| 27. | Jr. Stenographer | Level 4 of Pay Matrix | 2 |
| 28. | Hostel Superintendent (to be redesignated as U.D.C) | Level 4 of Pay Matrix | 1 |
| 29. | U.D.C. | Level 4 of Pay Matrix | 3 |
| 30. | L.D.C. | Level 2 of Pay Matrix | 6 |
| 31. | Receptionist-cum-Tel.-Operator (to be redesignated as LDC) | Level 2 of Pay Matrix | 1 |
| 32. | Driver | Level 2 of Pay Matrix | 5 |
| 33. | Boiler Attendant (to be redesignated as M.T.S.) | Level 1 of Pay Matrix | 1 |

| | | | |
|--------------|---|-----------------------|-----------|
| 34. | Laboratory Attendant (to be redesignated as M.T.S.) | Level 1 of Pay Matrix | 1 |
| 35. | Field Assistant (to be redesignated as M.T.S.) | Level 1 of Pay Matrix | 1 |
| 36. | Peon (to be redesignated as M.T.S.) | Level 1 of Pay Matrix | 3 |
| 37. | Watchmen (to be redesignated as M.T.S. for time being and subsequently abolished on vacancy of the post) | Level 1 of Pay Matrix | 3 |
| 38. | Sweeper (to be redesignated as M.T.S. for time being and subsequently abolished on vacancy of the post) | Level 1 of Pay Matrix | 3 |
| Total | | | 66 |

As per the recommendation and approval of the High Level Empowered Committee (H.L.E.C.), the following posts shall stand abolished, upon superannuation/retirement of the incumbent or upon the post falling vacant (for whatever reasons).

| Sr. No. | Designation of the post (Ministerial Lapsable Posts) | Name of the Official holding the post | Remarks |
|---------|---|--|---------------------------------|
| 1 | 2 | 3 | 4 |
| 1. | Watchman (to be redesignated as M.T.S. for time being) | Shri Ramchandra Satardekar | Superannuating on 30-11-2023 |
| 2. | Watchman (to be redesignated as M.T.S. for time being) | Shri Ganesh Redkar | Superannuating on 31-10-2024 |
| 3. | Watchman (to be redesignated as M.T.S. for time being) | Shri Narayan Ghatkar | Superannuating on 30-6-2041 |
| 4. | Sweeper (to be redesignated as M.T.S. for time being) | Smt. Yemnavva Ramati | Superannuating on 28-2-2019 |
| 5. | Sweeper (to be redesignated as M.T.S. for time being) | Smt. Renukavva Ramanawar | Superannuating on 30-4-2022 |
| 6. | Sweeper (to be redesignated as M.T.S. for time being) | Smt. Sangeeta Redkar | Superannuating on 31-10-2023 |

Note: The existing strength of Drivers shall be continued, until further assessment of the vehicle fleet and requirement of the Department, and any vacancies arising during the interim period shall not be filled up on regular basis.

This issues with the approval of the High Level Empowered Committee (H.L.E.C.) constituted with the approval of the Council of Ministers in the XXth meeting held on 08-11-2017 vide Order No. 1/1/2017-Addl. Secy. (PER) dated 22-11-2017 issued by Department of Personnel.

Approval of the High Level Empowered Committee (H.L.E.C.) is conveyed vide letter No. 9/10/HLEC/2018-ARD/234 dated 16-08-2018 and letter No. 9/16/IDCO/2018-ARD/334 dated 26-10-2018 issued by the Department of Administrative Reforms, Secretariat.

By order and in the name of the Governor of Goa.

Vivek P. Marathe, Chief Inspector and ex officio Joint Secretary (Factories & Boilers).

Panaji, 8th November, 2018.

Order

2/341/ADM-IFB/2018/2869

In pursuance to the Office Memorandum vide No. 1/2/2012-PER dated 21-11-2016 issued by the Department of Personnel, Government of Goa and the approval of the High Level Empowered Committee (H.L.E.C.) conveyed vide letter No. 9/10/HLEC/2018-ARD/234 dated 16-08-2018 issued by the Administrative Reforms Department, Government of Goa, following Group 'D' posts in the Inspectorate of Factories & Boilers, Altinho, Panaji stand upgraded to Group 'C' in the Level 1 of Pay Matrix as per The CCS (Revised pay) Rules, 2016 (Pre-revised scale in Pay Band-1, Rs. 5200 - 20200 + Grade Pay Rs. 1800/-) and have been re-designated as "Multi Tasking Staff":

- (i) Sweeper.
- (ii) Watchman.
- (iii) Peon.
- (iv) Field Assistant.
- (v) Boiler Attendant.
- (vi) Laboratory Attendant.

Pay and allowances of each of the above post after re-designation shall be debited to the Budget Head under which said posts were initially created.

By order and in the name of the Governor of Goa.

Vivek P. Marathe, Chief Inspector and ex officio Joint Secretary (Factories & Boilers).

Panaji, 8th November, 2018.

Order

2/341/ADM-IFB/2018/2870

On the approval of the High Level Empowered Committee (H.L.E.C.) conveyed vide letter No. 9/16/IDCO/2018-ARD/334 dated 26-10-2018 issued by the Administrative Reforms Department, Government of Goa, 01 post of Hostel Superintendent (Group 'C') in the Level 4 of Pay Matrix as per The CCS (Revised Pay) Rules, 2016 (Pre-revised scale in Pay Band-1, Rs. 5200 — 20200 + Grade Pay Rs. 2400/-) in the Inspectorate of Factories & Boilers, Altinho, Panaji is re-designated as 'Upper Division Clerk'.

Pay and allowances of the above post after re-designation shall be debited to the Budget Head under which said post was initially created.

By order and in the name of the Governor of Goa.

Vivek P. Marathe, Chief Inspector and ex officio Joint Secretary (Factories & Boilers).

Panaji, 8th November, 2018.

Department of Personnel

Order

15/11/96-PER/Vol. I/2834

Read Order No. 9/10/HLEC/2018-ARD dated 14-8-2018.

In supersession of all the earlier orders for creation/revival/redesignation/upgradation of the various posts, Government is pleased to indicate the final sanctioned staff strength of the Collectorate North as under for the next five years:—

| Sr. No. | Designation of the post | Pay Scale | Existing Strength | Additional post approved by HLEC | Final Strength |
|---|---|-----------|-------------------|----------------------------------|----------------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| Non-Ministerial (Non-Lapsable) posts | | | | | |
| 1. | Collector | Level-11 | 1 | - | 01 |
| 2. | Additional Collector | | | | |
| | (i) Additional Collector-I | Level-11 | 1 | - | 01 |
| | (ii) Additional Collector-II | Level-11 | 1 | - | 01 |
| | (iii) Additional Collector-III | Level-11 | 1 | - | 01 |
| 3. | Deputy Collector | | | | |
| | (i) Deputy Collector (LA) | Level-10 | 1 | - | 01 |
| | (ii) Deputy Collector (DRO) | Level-10 | 1 | - | 01 |
| | (iii) Deputy Collector (Rev) | Level-10 | 1 | - | 01 |
| | (iv) Deputy Collector (Election) | Level-10 | 1 | - | 01 |
| | (v) Deputy Collector (Disaster Management) | Level-10 | 1 | - | 01 |
| | (vi) Deputy Collector & SDO | Level-10 | 5 | 1 | 06 |
| 4. | Mamlatdar/Joint Mamlatdar/ /Assistant Director of Civil Supplies | Level-07 | 25 | - | 25 |
| 5. | Assistant Accounts Officer | Level-07 | 1 | - | 01 |
| 6. | Accountant | Level-06 | - | 1 | 01 |
| 7. | Field Surveyor | Level-04 | 10 | 2 | 12 |
| 8. | Talathi | Level-02 | 109 | 9 | 118 |
| Ministerial (Lapsable) posts | | | | | |
| 9. | Superintendent | Level-07 | 1 | - | 01 |
| 10. | Aval Karkun | Level-05 | 21 | 1 | 22 |
| 11. | Senior Stenographer | Level-05 | 1 | - | 01 |
| 12. | Head Clerk | Level-06 | 14 | 9 | 23 |
| 13. | Upper Division Clerk | Level-04 | 60 | 12 | 72 |
| 14. | Circle Inspector | Level-04 | 10 | - | 10 |
| 15. | Junior Stenographer | Level-04 | 31 | 8 | 39 |
| 16. | Lower Division Clerk | Level-02 | 87 | 47 | 134 |
| 17. | Lower Division Clerk (Data Entry Operator) | Level-02 | 7 | - | 07 |
| 18. | Driver | Level-02 | 21 | - | 21 |
| 19. | Bailiff | Level-01 | 12 | 1 | 13 |
| 20. | Peon (Multi-Tasking Staff) | Level-01 | 45 | 8 | 53 |
| 21. | Night-Watchman | Level-01 | 1 | - | 01 |
| 22. | Sweeper | Level-01 | 1 | - | 01 |
| Total | | | 471 | 99 | 570 |

The expenditure on these posts would be met from the Budget Head under Demand No. 15, 2053—District Administration; 00; 093—District Establishment; 01—Civil Administration (North Goa); 01—Salaries (Non-Plan).

The post of Data Entry Operator stands re-designated as Lower Division Clerk and their inter-se seniority shall be fixed as per rules in force, in terms of clause 2 (ii) of the order No. 9/10/HLEC/2018-ARD dated 14-08-2018.

The existing strength of Drivers shall be continued, until further assessment of the vehicle fleet and requirement of the department and any vacancies arising during the interim period shall not be filled up on regular basis.

This issues with the approval of the High Level Empowered Committee (H.L.E.C.) constituted with the approval of the Council of Ministers in the XXth Meeting held on 8-11-2017; vide Order No. 1/1/2017-Addl. Secy. (PER) dated 22-11-2017 issued by Department of Personnel; and as conveyed vide letter No. 9/10/HLEC/2018-ARD/232 dated 16-8-2018 issued by the Department of Administrative Reforms, Secretariat, Porvorim-Goa.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).

Porvorim, 5th November, 2018.

Order

15/1/2018-PER/2839

Sanction of the Government is hereby accorded for creation of following supernumerary posts w.e.f. 01-07-2018, as per the details shown below:—

| Sr. No. | Designation of the post | Pay Scale | No. of Posts Created |
|---|--|---|----------------------|
| 1 | 2 | 3 | 4 |
| Non-Ministerial (Non-Lapsable) posts | | | |
| 1. | Mamlatdar/Joint Mamlatdar/Assistant Director of Civil Supplies | Group 'B' Gazetted in Level-7 of Pay Matrix as per 7th Pay Commission Scales. | 8 |

The expenditure shall be debited to the Budget Head under 2053—District Administration, 00, 093—District Establishment, 01—Civil Administration (North Goa)/(South Goa), 01—Salaries (Non Plan) of the respective Collectorates, where these officers are posted.

The supernumerary posts shall stand abolished, upon promotion/superannuation/retirement of the incumbent or upon the post falling vacant for any other reason.

This issues with the approval of the High Level Empowered Committee (H.L.E.C.) constituted with the approval of the Council of Ministers in the XXth meeting held on 8-11-2017 vide Order No. 1/1/2017-Addl. Secy(PER) dated 22-11-2017 issued by Department of Personnel; and as conveyed vide letter No. 9/10/HLEC/2018-ARD/260 dated 23-08-2018, by the Department of Administrative Reforms, Secretariat, Porvorim-Goa.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).

Porvorim, 5th November, 2018.

Department of Public Health

Notification

7/16/2018-III/PHD/4122

The following Rules are hereby published for the information of the general public.

(1) The Mental Healthcare (State Mental Health Authority) Rules, 2018.

(2) The Mental Healthcare (Rights of Persons with Mental Illness) Rules, 2018.

(3) The Mental Healthcare (Central Mental Health Authority and Mental Health Review Boards) Rules, 2018.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health I).

Porvorim, 5th November, 2018.

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

Notification

New Delhi, the 29th May, 2018

G.S.R. 507 (E).— In exercise of the powers conferred by sub-sections (1) and (3) of section 121 of the Mental Healthcare Act, 2017 (10 of 2017), the Central Government hereby makes the following rules, namely:—

CHAPTER I

Preliminary

1. *Short title and commencement*.— (1) These rules may be called the Mental Healthcare (Central Mental Health Authority and Mental Health Review Boards) Rules, 2018.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions*.— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Mental Healthcare Act, 2017 (10 of 2017);

(b) “Form” means a Form appended to these rules;

(c) “non-official member” means a member of the Central Authority nominated under clauses (i) to (p) of sub-section (1) of section 34 of the Act;

(d) “section” means a section of the Act.

(2) The words and expressions used herein and not defined, but defined in the Act or, as the case may be, in the Indian Medical Council Act, 1956 (102 of 1956) or in the Indian Medicine Central Council Act, 1970 (48 of 1970), in so far as they are not inconsistent with the provisions of the Act, shall have the meanings respectively assigned to them in the Act or, as the case may be, in those enactments.

CHAPTER II

Central Mental Health Authority

3. *Nomination of ex officio members of Central Authority*.— (1) The Central Government shall nominate Secretary or Additional Secretary to the Government of India in the Department of Health and Family Welfare as Chairperson of the Central Authority under clause (a) of section (1) of section 34.

(2) The Central Government shall nominate the following persons as ex officio members of the Central Authority respectively under clauses (b), (c), (d), (e), (f) and (g) of sub-section (1) of section 34, namely:—

(a) Joint Secretary to the Government of India in the Department of Health and Family Welfare;

(b) Joint Secretary to the Government of India in the Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy;

(c) Director General of Health Services;

(d) Joint Secretary to the Government of India in the Department of Disability Affairs in the Ministry of Social Justice and Empowerment;

(e) Joint Secretary to the Government of India in the Ministry of Women and Child Development; and

(f) Directors of the Central Institutions for Mental Health.

(3) The Central Government shall nominate three persons, not below the rank of Joint Secretary to the Government of India in the Ministries of Home Affairs, Finance and Law, to be *ex officio* members under clause (h) of sub-section (1) of section 34.

4. *Norms for selection of non-official members of Central Authority.*— A person shall not be selected for nomination as a non-official member unless, he—

(a) is an Indian National;

(b) is of the age not exceeding sixty-seven years;

(c) possesses qualifications and experience as specified in rule 5.

5. *Qualification and experience of non-official members of Central Authority.*— (1) The Central Government shall nominate one mental health professional, one psychiatric social worker, one clinical psychologist and one mental health nurse, having a minimum of fifteen years' experience in their respective fields and registered as mental health professionals with a State Authority, as members of the Central Authority respectively under clauses (i), (j), (k) and (l) of sub-section (1) of section 34.

(2) The Central Government shall nominate two persons each from the following categories as members of the Central Authority respectively under clauses (m), (n), (o) and (p) of sub-section (1) of section 34, namely:—

(a) persons representing persons who have or have had mental illness;

(b) persons representing care-givers of persons with mental illness or organisations representing care-givers;

(c) persons representing non-governmental organisations which provide services to persons with mental illness; and

(d) persons representing areas relevant to mental health:

Provided that in case none of the members nominated under clause (g) or clause (i) of sub-section (1) of section 34 are psychiatrists, then two psychiatrists shall be nominated as members under clause (p) thereof;

6. *Invitation of application for nomination as non-official members of Central Authority.*— A vacancy for the post of non-official member of the Central Authority shall be given wide publicity through open advertisement in at least two national daily newspapers (one English and one Hindi) having wide circulation and the advertisement shall also be made available on the website of the Ministry.

7. *Selection Committee for nomination of non-official members of Central Authority.*— The Selection Committee for nomination of non-official members of Central Authority shall consist of a Chairperson who shall be the Chairperson of the Central Authority and two independent experts of eminence in the field of mental healthcare, to be nominated by the Central Government.

8. *Procedure for nomination of non-official members of Central Authority.*— (1) The Selection Committee constituted under rule 7 shall consider all applications received by the Ministry and scrutinize such applications which fulfill the requirements of section 34 and rules 4 and 5.

(2) The Selection Committee shall, having regard to the provisions of the Act and these rules, decide about the suitability of the applicants for being selected as members of Central Authority:

Provided that in case of persons to be nominated under sub-rule (2) of rule 5, preference shall be given to the persons with ten years of experience in dealing with persons with mental illness.

(3) The Central Government shall nominate the persons selected by the Selection Committee as members of the Central Authority.

9. *Term of office and allowances of non-official members of Central Authority.*— (1)

Every non-official member of the Central Authority nominated under rule 8 shall hold his office for a term of three years at a time from the date of his nomination.

(2) Every non-official member attending the meeting of the Central Authority shall be entitled to sitting allowance, travelling allowance, daily allowance and such other allowances as are applicable to non-official members of the Commissions and Committees of the Central Government attending the meetings of such Commission or Committee.

10. *Furnishing of information.*— The Central Government may call for information concerning the activities of the Central Authority or the State Authority or the Board periodically or as and when required by it and the Central Authority or the State Authority or the Board, as the case may be, shall furnish such information in Form-A.

CHAPTER III

Provisional Registration of Mental Health Establishments by Central Authority

11. *Procedure for provisional registration of mental health establishments by Central Authority.*— (1) Every mental health establishment under the control of the Central Government shall be registered with the Central Authority.

(2) Every mental health establishment referred to in sub-rule (1) shall submit an application for provisional registration to the Central authority in Form-B, containing details as specified therein, along with a fee of rupees twenty thousand by way of a demand draft drawn in favour of the Chairperson, Central Mental Health Authority payable at New Delhi.

(3) The Central Authority shall, on being satisfied that the mental health establishment fulfils all the requirements as specified in sections 65 and 66 of the Act, grant to such mental health establishment a provisional registration certificate in Form-C.

12. *Validity and renewal of certificate of registration.*— The provisional registration certificate granted under sub-rule (3) of rule 11 shall be valid for a period of twelve months

from the date of such grant and an application for renewal of such certificate shall be made in Form-B within thirty days before the date of expiry of the period of validity of such certificate and in case application is not made within the specified period, the mental health establishment concerned shall be liable to pay renewal fee of rupees twenty thousand by way of a demand draft drawn in favour of the Chairperson, Central Mental Health Authority payable at New Delhi.

13. *Issue of duplicate certificate.*— Where a certificate of registration granted to a mental health establishment is destroyed or lost or mutilated or damaged, the Central Authority may issue a duplicate certificate on an application made by such establishment along with fee of rupees two thousand by way of a demand draft drawn in favour of the Chairperson, Central Mental Health Authority payable at New Delhi.

14. *Maintenance of digital register.*— A category-wise register in Form-D of all registered mental health establishments shall be maintained by the Central Authority in digital format in accordance with the provisions of section 71.

CHAPTER IV

Finance, Accounts and Audit

15. *Accounts and audit of Central Authority.*— (1) The Central Authority shall maintain accounts of its income and expenditure relating to each year and prepare an annual statement of accounts consisting of income and expenditure account and the balance sheet.

(2) Annual statement of accounts shall be submitted for audit not later than 30th June each year in the common accounting format prescribed from time to time by the Ministry of Finance for the central autonomous bodies or as nearer thereto as the circumstances admit.

(3) The annual statement of accounts prepared under sub-rule (1) shall be signed on behalf of the Central Authority by the officer in-charge of accounts and the Chief Executive

Officer and shall be approved by the Central Authority.

16. *Annual report of the Central Authority.*— (1) The Central Authority shall prepare its annual report in Form-E and forward it to the Central Government within nine months of the end of the financial year for being laid before each House of Parliament.

(2) The annual report shall give full account of the activities of the Central Authority during the previous year and shall include the audited accounts of the year and the report of the Comptroller and Auditor General of India thereon.

CHAPTER V

Mental Health Review Boards

17. *Mental Health Review Boards.*— (1) For the purpose of constituting Mental Health Review Boards under section 73 the State Authority shall, in consultation with the State Government, take decision on the number of such Boards to be constituted in the State, their location and jurisdiction, having regard to the following, namely:—

(a) the expected or actual workload of the Board to be constituted;

(b) the number of mental health establishments existing in that State;

(c) the number of persons with mental illness in that State;

(d) the population of the place where such Board is to be constituted;

(e) the geographical and climatic conditions of the place where such Board is to be constituted:

Provided that at least one Board shall be constituted for a district and where it is not feasible, one Board for a group of two or more districts, not exceeding three districts, in the State:

18. *Appointment of chairperson and members of Board.*— (1) For the purpose of appointment of the chairperson of the Board under clause (a), and the members of the Board under clauses (c) and (d) of sub-section

(1) of section 74, the State Authority shall call for applications by giving wide publicity through open advertisement in at least two daily newspapers (one English and one local language) having wide circulation in the State and the advertisement shall also be made available on the website of the State Authority:

Provided that the District Collector or District Magistrate or Deputy Commissioner of the district in which the Board is to be constituted shall nominate its representative as the member of the Board under clause (b) thereof.

(2) The chief executive officer of the State Authority shall consider all applications received under sub-rule (3) and shortlist such applications which fulfill the basic eligibility requirements as provided in section 74 and place the same before the Chairperson of the Central Authority.

(3) The appointment of chairperson and members of the Board shall be made by the Chairperson of the State Authority in accordance with merit.

(4) The State Authority shall, three months prior to occurrence of vacancy in the office of chairperson or member of the Board, or where such vacancy arises by reason of death or resignation or removal of such member, initiate the process for filling up such vacancy in a like manner.

(5) The State Authority shall, from time to time, arrange for the chairpersons and members of the Board to undergo induction training in mental health law, mental healthcare and related areas of not less than two working days.

19. *Other disqualifications for chairperson or member of Board.*— (1) In addition to the disqualifications specified in clauses (a) to (d) of sub-section (2) of section 74, a chairperson or a member of the Board appointed by the State Authority shall stand disqualified for the purposes of said sub-section (2), if he holds—

(i) any full-time or part-time assignment that prevents him from giving adequate time and attention to the work of the Board under the provisions of the Act and the rules made thereunder; or

(ii) any office in any political party during his tenure of office in the Board.

(2) The State Authority may remove the chairperson or a member of the Board if a complaint is received against such person and on enquiry by a competent authority appointed for that purpose by the State Authority it is found that there is substance in such complaint and that the conduct of such person is unbecoming of the office he holds:

Provided that if such complaint is against a chairperson who had been a judicial officer, the complaint shall be forwarded to the Registrar of the concerned High Court for enquiry by the competent authority.

(3) The State Authority may suspend the chairperson or a member of the Board immediately if a criminal case is registered against such person and revoke such suspension if such person is acquitted of the charges framed against him in such case.

20. *Honorarium allowances and other terms and conditions of service of chairperson and members of Board.*— (1) If a retired Judge of the District Court is appointed as the chairperson of the Board, he shall be entitled to a consolidated monthly honorarium which together with the pension or pensionary value of the terminal benefits or both received by such person shall not exceed the last pay drawn by him.

(2) If a retired government servant is appointed as a member of the Board, he shall be entitled to a consolidated monthly honorarium which together with the pension or pensionary value of the terminal benefits, or both received by such person shall not exceed the last pay drawn by him.

(3) If Chairperson or any member of the Board is in service of the State Government or Central Government, his consolidated honorarium shall be in accordance with, the rules applicable to Government servants of his cadre and he shall receive travel allowance only for the day of sitting in the Board.

(4) Every member of the Board, who is not a servant of the Government, attending the

meeting of the Board shall be entitled to sitting allowance, travelling allowance, daily allowance and such other allowances as are applicable to non-official members of the Commissions and Committees of the Central Government attending the meetings of such Commission or Committee.

(5) No additional pension and gratuity, except as provided in sub-rules (1) and (2), shall be admissible to the chairperson or any member of the Board for service rendered by him to the Board.

(6) The chairperson or a member of the Board shall be entitled to thirty days of earned leave for every year of service and the payment of consolidated honorarium during leave shall be governed by the Central Civil Services (Leave) Rules, 1972.

(7) The chairperson and other members of the Board shall be entitled to such medical treatment and hospital facilities as are provided under the Central Government Health Scheme to a retired Central Government servant and at places where such Scheme is not in operation, the chairperson and other members of the Board shall be entitled to such medical facilities as are provided in the Central Service (Medical Attendance) Rules, 1944.

CHAPTER VI

Audit, Inspection and Enquiry of Mental Health Establishments

21. *Audit of mental health establishment.*— (1) The Central Authority shall, for the purpose of conducting audit of registered mental health establishments, authorize one or more of the following persons, to ensure that such mental health establishment comply with the minimum standards specified under the Act, namely:—

(a) a representative of the District Collector or District Commissioner of the district where the mental health establishment is situated;

(b) a representative of the State Human Rights Commission of the State where the mental health establishment is situated;

(c) a Psychiatrist who is in Government service;

(d) a Psychiatrist who is in private practice;

(e) a mental health professional who is not a psychiatrist;

(f) a representative of a non-governmental organization working in the area of mental health;

(g) representatives of the care-givers of persons with mental illness or organisations representing care-givers; and

(h) representatives of the persons who have or have had mental illness.

(2) For conducting audit of registered mental health establishment, the Central Authority shall charge a fee of rupees ten thousand by way of a demand draft drawn in favour of the Chairperson, Central Mental Health Authority payable at New Delhi.

22. Inspection and inquiry of mental health establishments.— (1) The Central Authority may, suo moto or on a complaint received from any person with respect to non-adherence of minimum standards specified by or under the Act or contravention of any provision thereof, order an inspection and inquiry of any mental health establishment, to be made by one or more of the following persons, namely:—

(a) a Psychiatrist in Government service;

(b) a Psychiatrist in private practice;

(c) a mental health professional who is not a psychiatrist;

(d) a representative of a non-governmental organization working in the area of mental health;

(e) a police officer in charge of the police station under whose jurisdiction, the mental health establishment is situated;

(f) a representative of the District Collector or District Commissioner of the district where the mental health establishment is situated.

(2) The Central Authority or the person authorized by it under sub-rule (1) may, it has

reasons to believe that a person is operating a mental health establishment without registration, or is not adhering to the minimum standards specified by or under the Act or has been contravening any of the provisions of the Act or the rules and regulations made thereunder, enter and search such mental health establishment.

(3) During search, the Central Authority or the person authorized by it may require the mental health professional in charge of the mental health establishment to produce the original documents relating to its registration with the Central Authority and it shall be obligatory on the part of the mental health establishment to produce such documents.

(4) Within two days of completing search of the mental health establishment under subrule (3) a written report of the findings of such search shall be submitted to the Chairperson of the Central Authority.

(5) The Chairperson of the Central Authority, shall, on receipt of the written report under sub-rule (4), take such action as it deems fit, against the defaulting mental health establishment in accordance with the provisions of the Act.

FORM-A

[See rule 10]

Information on The Activities of The Central Authority/State Authority Board

1. New Regulations notified:

2. Number of orders passed during the year:

3. Meetings held during the year:

4. Number and details of mental health establishments under the control of the Central Government

5. Number and details of mental health establishments in the State or Union Territory;

6. Registration of mental health professionals by the State Authority:

7. Statement on references received from Central Government and State Government and action taken thereon:

8. Quality and service provision norms for different types of mental health establishments under the Central Government/State Government:

9. Training imparted to persons including law enforcement officials mental health professionals and other health professionals about the provisions and implementation of the Mental Healthcare Act, 2017:

10. Applications for registration of mental health establishments received, accepted and rejected along with reasons for such rejection:

11. Audit of Mental Health Establishments along with audit reports:

12. Complaints received regarding violation of rights of Mentally ill persons and action taken thereon:

13. Details regarding guidance document for medical practitioners and mental health professionals:

14. Number of cases registered regarding Sexual Harassment of Women at Workplace under section 22 of the Sexual Harassment of Women at Workplace (Prevention) Prohibition and Redressal) Act, 2013 and details thereof:

15. Details of inspection and inquiry of Mental Health Establishments:

16. Number of appeals to High Court against order of Authority and status thereof:

17. Complaints received regarding deficiencies in provision of services and action taken thereon:

18. Stakeholders Consultations:

19. Inquiry initiated by the Authority/Board:

20. Administration and establishment matters:

21. Budget and Accounts with details including balance sheet, income and expenditure account, etc.:

22. Any other matter which may be relevant.

FORM-B

[See rules 11(2) and 12]

Application for Grant of Provisional Registration/Renewal of Provisional Registration of a Mental Health Establishment

To

The

Ministry/Department.

Government of India

.....

Dear Sir/Madam,

I/We intend to apply for grant of provisional registration/permanent registration/renewal of provisional registration for the Mental Health Establishment namely of which I am/we are holding a valid licence/registration for the establishment/maintenance of such hospital/nursing home Details of the hospital/nursing home are given below:

1. Name of applicant

2. Details of licence with reference to the name of the authority issuing the licence and date

3. Age

4. Professional experience in Psychiatry

5. Permanent address of the applicant

6. Location of the proposed hospital/nursing home

7. Address of the proposed nursing home/hospital

8. Proposed accommodations

(a) Number of rooms

(b) Number of beds

- (c) Facilities provided
- (d) Out-patient
- (e) Emergency services
- (f) In-patient facilities
- (g) Occupational and recreational facilities
- (h) ECT facilities (nX-Ray facilities
- (i) Psychological testing facilities
- (j) Investigation and laboratory facilities
- (k) Treatment facilities

Staff pattern:

- (a) Number of doctors
- (b) Number of nurses
- (c) Number of attendees
- (d) Others

I am herewith sending a bank draft for Rs. drawn in favour ofas application fee.

I hereby undertake to abide by the rules and regulation of the Mental Health Authority:

I request you to consider my application and grant the licence for establishment/maintenance of psychiatric hospital/nursing home.

Yours faithfully

Signature

Name

Date

FORM-C

[See rule 11(3)]

Certificate of Provisional Registration/Renewal of Provisional Registration

The Central Authority/State Authority after considering the application dated submitted by under section 65 (2) or section 66 (3) or section 66 (10) of the Mental Healthcare Act, 2017, hereby accords provisional registration/renewal of provisional registration to the applicant mental health establishment in terms of section 66 (4) or section 66 (11), as per the details given hereunder:—

Name:

Address

No. of beds

The provisional registration certificate issued, is subject to the conditions laid down in the Mental Healthcare Act, 2017 and the rules and regulations made thereunder and shall be valid for a period of twelve months from the date of its issue and can be renewed.

Place

Date

Registration Authority

Seal of the Registration Authority

FORM-D

(See rule 14)

Register of Mental Health Establishments

(in digital format)*

Category

| Sr. No. | Name and address of the applicant | Name of the establishment and address | Date of application | Date and Particulars of Registration | No. of beds | Remarks |
|---------|-----------------------------------|---------------------------------------|---------------------|--------------------------------------|-------------|---------|
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*Separate table for each category of mental health establishment.

FORM-E

[See rule 16(1)]

Annual Report of Central Authority

1. Introduction.
2. Profile of the Authority's Members.
3. Scope of Regulation.
4. New Regulations/procedures etc. notified/issued.
5. Orders passed by the Authority.
6. Meetings of the Central Mental Health Authority held during the year.
7. Mental health establishments under the control of the Central Government .
8. Mental health establishments in the States/UTs.
9. Registration of mental health professionals by the State Authorities
10. A statement on references received from Central and State Governments and action taken thereon.
11. A statement on references sent to the Central and State Governments and action taken thereon by the respective Governments.
12. Quality and service provision norms for different types of mental health establishments under the Central Government.
13. Supervision of mental health establishments under the Central Government and action taken on the complaints received about deficiencies in provision of services therein.
14. Training imparted to persons including law enforcement officials, mental health professionals and other health professionals about the provisions and implementation of the Mental Healthcare Act, 2017.
15. Applications for registration of mental health establishments received, accepted and rejected along with reasons for such rejection.
16. Audit of Mental Health Establishments.
17. Complaints received regarding violation of rights of Mentally ill persons and action taken thereon.
18. Instances of supersession of the Central Authority by the Central Government and reasons therefor.
19. Details regarding guidance document for medical practitioners and mental health professionals.
20. Implementation of RTI Act, 2005.
21. Details regarding Sexual Harassment of Women at Workplace under Section 22 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
22. Inspection and Inquiry of Mental Health Establishments.

23. Appeals to High Court against order of Authority and status thereof.
24. Status of review of use of advance directives and recommendations of the Authority in respect thereof.
25. Complaints received about deficiencies in provision of services and action taken thereon.
26. Stakeholders Consultations.
27. Inquiry initiated by the Authority.
28. Administration and establishment matters.
29. Annual accounts.
30. Any other matter which in the opinion of the Authority needs to be highlighted.

[F. No. V-15011/09/2017-PH-I(ii)]
LAV AGARWAL-Jt. Secy.

Notification

New Delhi, the 29th May, 2018

G.S.R 508 (E).— In exercise of the powers conferred by the proviso to sub-section (2), read with sub-sections (1) and (4) of section 121 of the Mental Healthcare Act, 2017 (10 of 2017), the Central Government hereby makes the following rules, namely:—

CHAPTER-I

Preliminary

1. *Short title, extent and commencement.*— (1) These rules may be called the Mental Healthcare (State Mental Health Authority) Rules, 2018.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions.*— (1) In these rules; unless the context otherwise requires,—

(a) “Act” means the Mental Healthcare Act, 2017 (10 of 2017);

(b) “Form” means a Form appended to these rules;

(c) “non-official member” means a member of the State Authority nominated under clauses (g) to (n) of sub-section (1) of section 46 of the Act;

(d) “section” means section of the Act.

(2) The words and expressions used herein and not defined, but defined in the Act or, as the case maybe, in the Indian Medical Council

Act, 1956 (102 of 1956) or in the Indian Medicine Central Council Act, 1970 (48 of 1970), in so far as they are not inconsistent with the provisions of the Act, shall have the meanings as assigned to them in the Act or, as the case may be, in those enactments.

CHAPTER II

State Mental Health Authority

3. *Nomination of ex officio members of State Authority.*— (1) The State Government shall nominate Secretary or Principal Secretary in the Department of Health as Chairperson of the State Authority under clause (a) of section (1) of section 46.

(2) The State Government shall nominate Joint Secretary in charge of mental healthcare in the Department of Health, the Director of Health Services or Director of Medical Education and Joint Secretary in the Department of Social Welfare as ex officio members of the State Authority respectively under clauses (b), (c) and (d) of sub-section (1) of section 46.

(3) The State Government shall nominate three persons, not below the rank of Joint Secretary in the Departments of Home, Finance and Law, to be ex officio members of State Authority under clause (e) of sub-section (1) of section 46.

4. *Norms for selection of non-official members of State Authority.*— A person shall not be selected as a non-official member of State Authority unless, he—

(a) is an Indian National;

(b) is of the age not exceeding sixty-seven years;

(c) possesses qualification and experience as specified in rule 5.

5. *Qualification and experience of non-official members of State Authority.*— (1) The State Government shall nominate one person who is an eminent psychiatrist as a member of the State Authority under clause (g) of sub-section (1) of section 46.

(2) The State Government shall nominate one mental health professional, one psychiatric social worker, one clinical psychologist and one mental health nurse, having a minimum of fifteen years' experience in their respective fields and registered as mental health professionals with the State Authority, as members of the State Authority respectively under clauses (h), (i), (j) and (k) of sub-section (1) of section 46.

(3) The State Government shall nominate two persons each from the following categories as members of the State Authority respectively under clauses (l), (m) and (n) of sub-section (1) of section 46, namely:—

(a) persons representing persons who have or have had mental illness;

(b) persons representing care-givers of persons with mental illness or organisations representing care-givers; and .

(c) persons representing non-governmental organisations which provide services to persons with mental illness.

6. *Invitation of application for the posts of non-official members of State Authority.*— A vacancy for the post of non-official member of the State Authority shall be given wide publicity through open advertisement in at least two daily newspapers (one English and one local language) having wide circulation in the State and the advertisement shall also be made available on the website of the Department of Health.

7. *Selection Committee for nomination of non-official members of State Authority.*— The Selection Committee for nomination of non-

official members of the State Authority shall consist of a Chairperson who shall be the Chairperson of the State Authority and two independent experts of eminence in the field of mental healthcare, to be nominated by the State Government.

8. *Procedure for nomination of non-official members of State Authority.*— (1) The Selection Committee constituted under rule 7 shall consider all applications received by the Department and scrutinize such applications which fulfil the requirements of section 46 and rules 4 and 5.

(2) The Selection Committee shall, having regard to the provisions of the Act and these rules, decide about the suitability of the applicants for being selected as members of the State Authority:

Provided that in case of persons to be nominated under sub-rule (3) of rule 5, preference shall be given to the persons with ten years of experience in dealing with persons with mental illness.

(3) The State Government shall nominate the persons selected by the Selection Committee as members of the State Authority.

9. *Term of office and allowances of non-official members of State Authority.*— (1) Every non-official member nominated under rule 8 shall hold his office for a term of three years at a time from the date of his nomination.

(2) Every non-official member attending the meeting of the State Authority shall be entitled to sitting allowance, travelling allowance, daily allowance and such other allowances as are applicable to non-official members of the Commissions and Committees of the State Government attending the meeting of such Commission or Committee.

10. *Furnishing of information.*— The State Government may call for information concerning the activities of the State Authority or the Board periodically or as and when required by it and the State Authority or the Board, as the case may be, shall furnish such information in Form-A.

CHAPTER III

Provisional Registration of Mental Health
Establishments by State Authority

11. *Procedure for provisional registration of mental health establishments by State Authority.*— (1) Every mental health establishment in a State, except the mental health establishment under the Control of the Central Government, shall be registered with the State Authority.

(2) Every mental health establishment referred to in sub-rule (1) shall submit an application for provisional registration to the State Authority in Form-B, containing details as specified therein, along with a fee of rupees twenty thousand by way of a demand draft drawn in favour of the Chairperson, State Mental Health Authority payable at the place where the State Authority is situated.

(3) The State Authority shall, on being satisfied that the mental health establishment fulfils all the requirements as specified in sections 65 and 66, grant to such mental health establishment, a provisional registration certificate in Form-C.

12. *Validity and renewal of certificate of registration.*— The provisional registration certificate granted under sub-rule (3) of rule 11 shall be valid for a period of twelve months from the date of such grant and an application for renewal of such certificate shall be made in Form-B within thirty days before the date of expiry of the period of validity of such certificate and in case application is not made within the specified period, the mental health establishment concerned shall be liable to pay renewal fee of rupees twenty thousand by way of a demand draft drawn in favour of the Chairperson, State Mental Health Authority payable at the place where the State Authority is situated.

13. *Issue of duplicate certificate.*— Where a certificate of registration granted to a mental health establishment is destroyed or lost or mutilated or damaged, the State Authority may issue a duplicate certificate on an application made by such establishment

alongwith a fee of rupees two thousand by way of a demand draft drawn in favor of the Chairperson, State Mental Health Authority payable at the place where the State Authority is situated.

14. *Maintenance of digital register.*— A category-wise register in Form-D of all registered mental health establishments shall be maintained by the State Authority in digital format in accordance with the provisions of section 71.

CHAPTER IV

Finance, Accounts and Audit

15. *Accounts and audit of State Authority.*— (1) The State Authority shall maintain accounts of its income and expenditure relating to each year and prepare an annual statement of accounts consisting of income and expenditure account and the balance sheet.

(2) Annual statement of accounts shall be submitted for audit not later than 30th June each year in the common accounting format prescribed from time to time by the Ministry of Finance for the central autonomous bodies or as nearer thereto as the circumstances admit.

(3) The annual statement of accounts prepared under sub-rule (1) shall be signed on behalf of the State Authority by the officer in-charge of accounts and the Chief Executive Officer and shall be approved by the State Authority.

16. *Annual report of the State Authority.*— (1) The State Authority shall prepare its annual report in Form-E and forward it to the State Government within nine months of the end of the financial year for being laid before each House of State Legislature.

(2) The annual report shall give a full account of the activities of the State Authority during the previous year and shall include the audited accounts of the year and the report of the Comptroller and Auditor General of India thereon.

CHAPTER V

Audit, Inspection and Enquiry of Mental Health Establishments

17. Audit of mental health establishments.—

(1) The State Authority shall, for the purpose of conducting audit of registered mental health establishments in the State, authorize one or more of the following persons to ensure that such mental health establishments comply with the minimum standards specified under the Act, namely:—

(a) a representative of the District Collector or District Commissioner of the district where the mental health establishment is situated;

(b) a representative of the State Human Rights Commission of the State where the mental health establishment is situated;

(c) a Psychiatrist who is in Government service;

(d) a Psychiatrist who is in private practice;

(e) a mental health professional who is not a psychiatrist;

(f) a representative of a non-governmental organization working in the area of mental health;

(g) representatives of the care-givers of persons with mental illness or organizations representing care-givers; and

(h) representatives of the persons who have or have had mental illness.

(2) For conducting audit of registered mental health establishment, the State Authority shall charge a fee of rupees ten thousand by way of a demand draft drawn in favour of the Chairperson, State Mental Health Authority payable at the place where the Authority is situated.

18. Inspection and inquiry of mental health establishments.— (1) The State Authority may, suo moto or on a complaint received from any person with respect to non-adherence of minimum standards specified by or under the Act or contravention of any provision thereof, order an inspection and inquiry of any mental

health establishment, to be made by one or more of the following persons, namely:—

(a) a Psychiatrist in Government service;

(b) a Psychiatrist in private practice;

(c) a mental health professional who is not a psychiatrist;

(d) a representative of a non-governmental organization working in the area of mental health;

(e) a police officer in charge of the police station under whose jurisdiction, the mental health establishment is situated;

(f) a representative of the District Collector or District Commissioner of the district where the mental health establishment is situated.

(2) The State Authority or the person authorized by it under sub-rule (1) may, if it has reasons to, believe that a person is operating a mental health establishment without registration or is not adhering to the minimum standards specified by or under the Act or has been contravening any of the provisions of the Act or the rules and regulations made thereunder, enter and search such mental health establishment.

(3) During search, the State Authority or the person authorized by it may require the mental health professional in charge of the mental health establishment to produce the original documents relating to its registration with the State Authority and it shall be obligatory on the part of the mental health establishment to produce such documents.

(4) Within two days of completing search of the mental health establishment under sub-rule (3), a written report of the findings of such search shall be submitted to the Chairperson of the Authority.

(5) The Chairperson of the State Authority, shall, on receipt of the written report under sub-rule (4), take such action as it deems fit, against the defaulting mental health establishment in accordance with the provisions of the Act.

FORM-A

[See rule 10]

Information on the Activities of the State Authority/Board

1. New Regulations notified:
2. Number of orders passed during the year:
3. Meetings held during the year:
4. Number and details of mental health establishments under the control of the State Government:
5. Number and details of mental health establishments in the State or Union Territory:
6. Registration of mental health professionals by the State Authority:
7. Statement on references received from the Central Government and the State Government and action taken thereon:
8. Quality and service provision norms for different types of mental health establishments under the State Government:
9. Training imparted to persons including law enforcement officials, mental health professionals and other health professionals about the provisions and implementation of the Mental Healthcare Act, 2017:
10. Applications for registration of mental health establishments received, accepted and rejected along with reasons for such rejection:
11. Audit of Mental Health Establishments along with audit reports:
12. Complaints received regarding violation of rights of Mentally ill persons and action taken thereon:
13. Details regarding guidance document for medical practitioners and mental health professionals:
14. Number of cases registered regarding Sexual Harassment of Women at Workplace under section 22 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and details thereof:
15. Details of inspection and inquiry of Mental Health Establishments:
16. Number of appeals to High Court against order of Authority and status thereof.
17. Complaints received regarding deficiencies in provision of services and action taken thereon:
18. Stakeholders Consultations:
19. Inquiry initiated by the Authority/Board:
20. Administration and establishment matters:
21. Budget and Accounts with details including balance sheet, income and expenditure account, etc.:
22. Any other matter which may be relevant:

FORM-B

[See rules 11(2) and 12]

Application for Grant of Provisional Registration/Renewal of Provisional Registration of a Mental Health Establishment

To

The.....

Department of

State Government of

.....

Dear Sir/Madam,

I/We intend to apply for grant of provisional registration/permanent registration/renewal of provisional registration for the Mental Health Establishment namely of which I am/we are holding a valid licence/registration for the establishment/maintenance of such hospital/nursing home.

Details of the hospital/nursing home are given below:

1. Name of applicant
2. Details of licence with reference to the name of the authority issuing the licence and date
3. Age
4. Professional experience in Psychiatry
5. Permanent address of the applicant
6. Location of the proposed hospital/nursing home
7. Address of the proposed nursing home/hospital
8. Proposed accommodations

 - (a) Number of rooms
 - (b) Number of beds
 - (c) Facilities provided
 - (d) Out-patient
 - (e) Emergency services
 - (f) In-patient facilities
 - (g) Occupational and recreational facilities
 - (h) ECT facilities (nX-Ray facilities
 - (i) Psychological testing facilities
 - (j) Investigation and laboratory facilities
 - (k) Treatment facilities

Staff pattern:

- (a) Number of doctors
- (b) Number of nurses
- (c) Number of attendees
- (d) Others

I am herewith sending a bank draft for Rs. drawn in favour of as application fee.

I hereby undertake to abide by the rules and regulation of the Mental Health Authority.

I request you to consider my application and grant the licence for establishment/maintenance of psychiatric hospital/nursing home.

Yours faithfully

Signature

Name

Date

FORM-C

[See rule 11(3)]

Certificate of Provisional Registration/Renewal of Provisional Registration

The State Authority, after considering the application dated submitted by under section 65 (2) or section 66 (3) or section 66 (10) of the Mental Healthcare Act, 2017, hereby accords provisional registration/renewal of provisional registration to the applicant mental health establishment in terms of section 66 (4) or section 66 (11), as per the details given hereunder:—

Name:

Address

No. of beds

The provisional registration certificate issued, is subject to the conditions laid down in the Mental Healthcare Act, 2017 and the rules and regulations made there under and shall be valid for a period of twelve months from the date of its issue and can be renewed.

Place

Date

Registration Authority

Seal of the Registration Authority

FORM-D

(See rule 14)

Register of Mental Health Establishments

(in digital format)*

Category

| Sr. No. | Name and address of the applicant | Name of the establishment and address | Date of application | Date and Particulars of Registration | No. of beds | Remarks |
|---------|-----------------------------------|---------------------------------------|---------------------|--------------------------------------|-------------|---------|
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*Separate table for each category of mental health establishment.

FORM-E

[See rule 16 (1)]

Annual Report of State Authority

1. Introduction.
2. Profile of the Authority's Members.
3. Scope of Regulation.
4. New Regulations/procedures etc. notified/issued.
5. Orders passed by the Authority.
6. Meetings of the State Mental Health Authority held during the year.
7. Mental health establishments under the control of the State Government.
8. Mental health establishments in the State.
9. Registration of mental health professionals by the State Authorities.

10. A statement on references received from Central and State Governments and action taken thereon.
11. A statement on references sent to the Central and State Governments and action taken thereon by the respective Governments.
12. Quality and service provision norms for different types of mental health establishments under the State Government.
13. Supervision of mental health establishments under the State Government and action taken on the complaints received about deficiencies in provision of services therein.
14. Training imparted to persons including law enforcement officials, mental health professionals and other health professionals about the provisions and implementation of the Mental Healthcare Act, 2017.
15. Applications for registration of mental health establishments received, accepted and rejected along with reasons for such rejection.
16. Audit of Mental Health Establishments.
17. Complaints received regarding violation of rights of Mentally ill persons and action taken thereon.
18. Details regarding guidance document for medical practitioners and mental health professionals.
19. Implementation of RTI Act, 2005.
20. Details regarding Sexual Harassment of Women at Workplace under Section 22 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
21. Inspection and Inquiry of Mental Health Establishments.
22. Appeals to High Court against order of Authority and status thereof.
23. Status of review of use of advance directives and recommendations of the Authority in respect thereof.
24. Complaints received about deficiencies in provision of services and action taken thereon.
25. Stakeholders Consultations.
26. Inquiry initiated by the Authority.
27. Administration and establishment matters.
28. Annual accounts.
29. Any other matter which in the opinion of the Authority needs to be highlighted.

[F. No. V-15011/09/2017-PH-I(iii)]
LAV AGARWAL-Jt. Secy.

Notification

New Delhi, the 29th May, 2018

G.S.R. 509(E).— In exercise of the powers conferred under section 121 of the Mental Healthcare Act, 2017 (10 of 2017), the Central Government hereby makes the following rules, namely:—

CHAPTER-I

Preliminary

1. *Short title, extent and commencement.*—
(1) These rules may be called the Mental Healthcare (Rights of Persons with Mental Illness) Rules, 2018.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions.*— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Mental Healthcare Act, 2017 (10 of 2017);

(b) “Form” means a Form appended to these rules;

(c) “half way homes” means a transitional living facility for persons with mental illness who are discharged as inpatient from a mental health establishment, but are not fully ready to live independently on their own or with the family;

(d) “hospital and community based rehabilitation establishment” means an

establishment providing hospital and community based rehabilitation services;

(e) "hospital and community based rehabilitation service" means rehabilitation services provided to a person with mental illness using existing community resources with an aim to promote his reintegration in the community and to make such person independent in all aspects of life including financial, social, relationship building and maintaining;

(f) "schedule" means the Schedule annexed to these rules;

(g) "section" means section of the Act.

(h) "sheltered accommodation" means a safe and secure accommodation option for persons with mental illness, who want to live and manage their affairs independently, but need occasional help and support;

(i) "supported accommodation" means a living arrangement whereby a person, in need of support, who has a rented or ownership accommodation, but has no live-in caregiver, gets domiciliary care and a range of support services from a caregiver of an agency to help him live independently and safely in the privacy of his home.

(2) The words and expressions used herein and not defined, but defined in the Act or, as the case maybe, in the Indian Medical Council Act, 1956 (102 of 1956) or in the Indian Medicine Central Council Act, 1970 (48 of 1970), in so far as they are not inconsistent with the provisions of the Act, shall have the meanings as assigned to them in the Act or, as the case may be, in those enactments.

CHAPTER-II

Rights of Persons with Mental Illness

3. *Provision of half-way homes, sheltered accommodation and supported accommodation.*— (1) The Central Government or the State Government, as the case may be, shall establish such number of half-way homes,

sheltered accommodations and supported accommodations, at such places, as it deems fit, for providing services required by persons with mental illness, having regard to the following, namely:—

(a) the expected or actual workload of the facility to be established;

(b) the number of mental health establishments existing in the State;

(c) the number of persons with mental illness in the State;

(d) the geographical and climatic conditions of the place where such facility is to be established.

(2) The half-way homes, sheltered accommodations and supported accommodations established by the Central Government, State Government, local authority, trust, whether private or public, corporation, co-operative society, organisation or any other entity or person shall follow the minimum standards specified by the Authority under sub-section (9) of section 18 or sub-section (6) of section 65, as the case may be.

4. *Hospital and community based rehabilitation establishment and services.*—

(1) The Central Government or the State Government, as the case may be, shall establish such number of hospital and community based rehabilitation establishments, as it deems fit, for providing rehabilitation services required by persons with mental illness, having regard to the following, namely:—

(a) the expected or actual workload of the facility to be established;

(b) the number of mental health establishments existing in that State;

(c) the number of persons with mental illness in that State;

(d) the geographical and climatic conditions of the place where such facility is to be established.

(2) The hospital and community based rehabilitation establishments established by

the Central Government, State Government, local authority, trust, whether private or public, corporation, co-operative society, organisation or any other entity or person shall follow the minimum standards specified by the Authority under sub-section (9) of section 18 or sub-section (6) of section 65, as the case may be.

5. *Reimbursement of the intermediary costs of treatment at mental health establishment.*— (1) Till such time as the services under sub-section (5) of section 18 are made available in a health establishment established or funded by the State Government, in the district where a persons with mental illness resides, such person may apply to a Chief Medical Officer of such District for reimbursement of costs of treatment at such mental health establishment.

(2) The Chief Medical Officer, on receipt of the application for reimbursement of the costs of treatment from the person referred to in sub-rule (1), shall examine the application and issue an order to reimburse such costs by the officer in-charge of the Directorate of Health Services of that State Government:

Provide that the cost of reimbursement shall be limited to the rates specified by the Central Government from time to time.

6. *Right to access basic medical records.*— (1) A person with mental illness shall be entitled to receive documented medical information pertaining to his diagnosis, investigation, assessment and treatment as per the medical records.

(2) A person with mental illness may apply for a copy of his basic inpatient medical record by making a request in writing in Form-A, addressed to the medical officer or mental health professional in charge of the concerned mental health establishment.

(3) Within fifteen days from the date of receipt of the request under sub-rule (2), basic inpatient medical records shall be provided to the applicant in Form-B.

(4) If a mental health professional or mental health establishment, as the case may be, is unable to decide, whether to disclose information or provide basic inpatient medical records or any other records to the applicant for ethical, legal or other sensitive issues, he or it may make an application to the Mental Health Review Board stating the issues involved and his or its views in the matter with a request for directions in the form of a written order.

(5) The Board shall, after hearing the concerned person with mental illness, by an order, give such directions, as it deems fit, to the mental health professional or mental health establishment, as the case may be.

7. *Custodial institutions.*— The person in charge of custodial institution, including prison, police station, beggars homes, orphanages, women's protection homes, old age homes and any other institution run by Government, local authority, trust, whether private or public, corporation, co-operative society, organisation or any other entity or person, where any individual resident is in the custody of such person, and such individual resident is not permitted to leave without the consent of such person, shall display signage board in a prominent place in English, Hindi and local language, for the information of such individual or any person with mental illness residing in such institution or his nominated representative informing that such person is entitled to free legal services under the Legal Services Authorities Act, 1987 or other relevant laws or under any order of the court if so ordered and shall also provide the contact details of the availability of services.

CHAPTER-III

Forms for admission, discharge and leave of absence

8. *Form for admission and discharge.*— A request for admission to, or discharge from a mental health establishment shall be made by the person specified in column (2) of the Table below, for the purpose specified in the corresponding entry in column (3), in the Form specified in the corresponding entry in column (4), namely:—

Table

| Sr. No. | Request to be made by | Purpose of Request | Form |
|---------|---|--|--------|
| (1) | (2) | (3) | (4) |
| (i) | any person who is not a minor and who considers himself to have a mental illness | admission as an independent patient | Form-C |
| (ii) | nominated representative of the minor | admission of the minor | Form-D |
| (iii) | nominated representative of a person | admission of a person with mental illness, with high support needs under section 89 of the Act | Form-E |
| (iv) | nominated representative of a person | continuation of the admission of a person with mental illness, with high support needs under section 90 of the Act | Form-F |
| (v) | person admitted as an independent patient or a minor admitted under section 87 of the Act who attained the age of 18 years during his stay in the mental health establishment | discharge from a mental health establishment | Form-G |
| (vi) | nominated representative of the minor | discharge of the minor | Form-H |

9. *Forms for leave of absence and request to the police officer.*— A request for leave of absence from a mental health establishment and for taking into protection of a prisoner with mental illness found to be absent from a mental health establishment without leave or discharge by a Police Officer shall be made by the person specified in column (2) of the Table below and for the purpose specified in corresponding entry in column (3), in the Form specified in the corresponding entry in column (4), namely:—

Table

| Sr. No. | Request to be made by | Purpose of Request | Form |
|---------|--|---|--------|
| (1) | (2) | (3) | (4) |
| (i) | nominated representative of the person with mental illness admitted in a mental health establishment | grant of leave to such person | Form-I |
| (ii) | medical officer or mental health professional in-charge of such mental health establishment | request for taking into protection by a Police Officer of a prisoner with mental illness found to be absent from a mental health establishment without leave or discharge | Form-J |

CHAPTER-IV

Prisoners with Mental Illness

10. *Method, modalities and procedure for transfer of prisoners with mental illness.*— Transfer of a prisoner with mental illness to the psychiatric ward of the medical wing of the prison or to a mental health establishment set up under sub-section (6) of section 103 or to any

other mental health establishments within or outside the State shall be in accordance with the instructions issued by the Central Government or State Government, as the case may be.

11. *Standards and procedures of mental health services in prison.*— The mental health establishment referred to in sub-section (7) of section 103 shall conform to the minimum standards and procedures as specified in Schedule.

FORM-A

Application for Basic Medical Records

[See rule 6 (2)]

To,

The Medical Officer in-charge

Sir/Madam,

Subject:- Request for copy of my basic medical records/basic medical records of _____ (If application is by nominated representative) Hospital Number (if known) _____

I Mr./Mrs. _____ residing at _____ aged _____ son/daughter of Mr./Mrs. _____ was treated at your mental health establishment from _____ to _____.

Kindly provide me a copy of the medical records of my treatment.

Address

Signature

Date

Name

N.B.:- Please strike off those which are not required.

FORM-B

[See rule 6 (3)]

Basic Medical Records:

The mental health establishment shall maintain specific minimum records at their level for various types of patients they are dealing with. The requirement of records to be maintained for in-patients, out patients and community outreach may vary and is accordingly specified below. A graded approach in minimum records to be maintained may be followed:

Community outreach register shall consist of information from (a) to (h) of the basic medical record of outpatient specified in paragraph 1 below.

The mental health establishments shall maintain and provide on demand the following basic medical record to the person with mental illness or his nominated representative.

1. Basic Medical Record of all out-patients (at hospitals, nursing homes, private clinics, camps, mobile clinics, primary health care centers and other community outreach programmes, and the like matters):

(In hard copy format)

a) Name of the mental health establishment/doctor _____

b) Date _____

- c) Hospital registration number _____
- d) Advance Directive YES/NO
- e) Patient's Name _____
- f) Age _____ Sex _____
- g) Father's/Mother's name _____
Address _____ Mobile No. _____
- h) Chief complaints _____
- i) Provisional diagnosis _____
- j) Treatment advised and follow-up recommendations _____

2. Basic Medical Record of In-Patient

- a) Name of the hospital/nursing home _____
- b) Date _____
- c) Patient's name _____
- d) Father's/Mother's name _____
- e) Age _____ Sex _____
- f) Address _____
- g) Patient accompanied by (Name, age and nature of relationship) _____
- h) Hospital registration number _____
- i) Identification marks _____
- j) Nominated representative _____
- k) Advanced Directive -Yes or No; If yes salient features of the content
- l) Date of admission _____ Date of discharge _____
- m) Mode of admission (section under Mental Healthcare Act, 2017): Independent/Supported
- n) Chief complaints
- o) Summary of Medical Examination Laboratory investigations
- p) Provisional/differential/final diagnosis
- q) Course in the hospital (Treatment and Progress)
- r) Condition at discharge or discharge at request or leave against medical advice or person with mental illness absconding or others
- s) Treatment advice at discharge
- t) Follow-up recommendations

3. Basic Psychological Assessment Report (facilities where persons with mental illness undergoes psychological assessment):

Clinic Record No. _____

| | | |
|--------------|---------------------|------------------|
| Name: | Age: | Gender: |
| Education: | Occupation: | Date of testing: |
| Referred by: | Language tested in: | |

Reason for referral:

IQ assessment Specific learning disability assessment Neuropsychological assessment (Specify domain if the assessment is domain specific)

Personality assessment Psychopathology assessment

Any other (Mention the specific domain such as interpersonal relationship)

Comments if any (may give brief detail of the referral purpose; e.g., 'the individual has mental illness and he has been referred for current psychopathology assessment as well as to ascertain the level of disability')

Brief background information (e.g., the nature of the problem, when it started, any previous assessments and like details):

Informant: Self
Others Specify

Salient behavioral observations (Comment on alertness, attention, cooperativeness, affect, comprehension and any other relevant information)

Tests/Scales administered (Standardized tests/scales):

Salient scores (if applicable such as Intelligence Quotient, scores obtained on cognitive function tests, severity rating on psychopathology scales, disability percentage and like details)

Impression:

Recommendations:

Further assessment Specify
Therapy Specify
Any other Specify

Assessed by _____ Verified/supervised by (if applicable)

Name: _____ Name:

Date: _____ Date:

Qualification: _____ Qualification:

Signature: _____ Signature:

4. Basic Minimum Standard Guidelines for Recording of Therapy Report (facilities where persons with mental illness are provided with therapy for any mental health problem)

Minimum Basic Standard Guidelines for Recording of Therapy

(Name of the Institute/Hospital/Centre with address)

Clinic record No. _____

THERAPIST SESSION NOTES

Patient name:

Age:

Gender:

Psychiatric diagnosis:

Session number and date:

Duration of session:

Session Participants:

Therapy method:

Individual
Couple/Family
Group
Other _____

Objectives of the session:

1.
2.
3.
4.

Key issues/themes discussed: (Psychosocial stressors/Interpersonal problems/Intrapsychic conflicts/ /Crisis situations/Conduct difficulties/Behavioral difficulties/Emotional difficulties/Developmental difficulties/Adjustment issues/Addictive behaviours/Others).

Therapy techniques used:

Therapist observations and reflections:

Plan for next session:

Date for next session:

Therapist

Supervised by (if applicable)

Name:

Name:

Date:

Date:

Qualification:

Qualification:

Signature:

Signature:

FORM-C

Request for Independent Admission

[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

I, Mr./Mrs. _____, _____ age _____ son/daughter of _____, residing at _____ I have mental illness with following symptoms since _____

1. _____
2. _____
3. _____

The following papers related to my illness as available with me are enclosed:

1. _____
2. _____
3. _____

I wish to be admitted in your establishment for treatment and request you to please admit me as an independent patient. A self-attested copy of my Identity Proof is enclosed (optional).

Address

Signature

Date

Name

Enclosures:

N.B.:- Please strike off those which are not required.

FORM-D

Request for Admission of a Minor

[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

I, Mr./Mrs. _____ residing at _____, who is the nominated representative (being legal guardian) of Master/Miss _____, request you to admit Master/Miss _____ aged _____ son/daughter of _____, for treatment of mental illness:

He/she is having the following symptoms since _____

1. _____
2. _____
3. _____

The following papers related to my being the nominated representative and his/her illness are enclosed:

1. _____
2. _____
3. _____
4. _____

Kindly admit him/her in your establishment as minor patient.

Address:

Mobile:

E-mail:

Signature

Date:

Name

N.B.:-Please strike off those which are not required.

FORM-E

Request for Admission with High Support Needs

[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

I, Mr./Mrs. _____ residing at _____, nominated representative of Mr./Mrs. _____, aged _____ son/daughter of _____ request for his/her admission in your establishment for treatment of mental illness.

Mr./Mrs. is having the following symptoms since _____.

1. _____
2. _____
3. _____

The following papers regarding my appointment as nominated representative and related to his/her illness are enclosed:

1. _____
2. _____
3. _____

Kindly admit him/her in your establishment as patient with high support needs.

Name

Address

Mobile and E-mail

Signature

Date

N.B.:-Please strike off those which are not required.

FORM-F

Request for Continuous Admission with High Support Needs

[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

I, Mr./Mrs. _____, residing at _____ nominated representative of Mr./Mrs. _____, who is/was an inpatient in your establishment under supported admission category, requests for his/her continued admission beyond thirty days/readmission within seven days of discharge for the reasons stated below:

Kindly continue his/her admission/readmit him/her in your establishment as patient with high support needs

Address

Signature

Date

Name

N.B.:-Please strike off those which are not required.

FORM-G

Request for Discharge by Independent Patient

[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

Subject:— Request for discharge.

I, Mr./Mrs. _____ residing at _____ aged _____ son/daughter of _____, was admitted in your mental health establishment as an Independent admission patient on _____. I now feel better and wish to be discharged. Kindly arrange to discharge me immediately.

Address

Signature

Date

Mobile

E-mail

Name

N.B.:- Please strike off those which are not required.

FORM-H

Request for Discharge of a Minor by its Nominated Representative

[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

Subject: -Request for discharge.

I am the nominated representative of Mr./Ms. _____ residing at _____ aged _____ son/daughter of _____ who was admitted in your mental health establishment as a minor patient on _____. Mr./Ms. _____ now feel better and wish to be discharged. Kindly arrange to discharge him/her immediately.

Address

Signature

Date

Mobile

E-mail

Name

N.B.:- Please strike off those which are not required.

FORM-I

Request for Leave of Absence

(By Nominated Representative)

[See rule 9]

To

The Medical Officer in-charge

Sir/Madam,

Subject: Request for leave of absence.

Mr./MS _____ residing at _____ aged _____ years was admitted on _____ to your mental health establishment.

I, as nominated representative of Mr./MS _____ request that he/she be granted leave of absence from _____ to _____, for the reason stated below:

The proof of my appointment as nominated representative is enclosed.

I will be responsible for care and treatment of _____ while he/she is on leave of absence from the mental health establishment.

Address

Signature

Date

Name

Mobile and E-mail

N.B.:- Please strike off those which are not required.

FORM-J

Intimation to Police about Unauthorized Absence from Mental Health Establishment

[See rule 9]

Urgent/For Immediate Action

To,

The Station in-charge

_____ Police Station

Sir/Madam,

Subject:- Intimation about unauthorized absence (without leave or discharge) of a prisoner with mental illness

This is to inform you that Mr./Mrs. _____ aged ____ years, son/daughter of Mr./Mrs. _____, with identification marks.

1. _____
2. _____

was admitted at our establishment, as a prisoner with mental illness under section 103 of Mental Health Care Act, 2017 (10 of 2017), on (date). He/she has been missing from his/her ward since _____ (date). An internal enquiry report in this regard is enclosed.

Kindly register a missing case, take him in to your protection when found and hand him over to us.

Thanking you,

Signature

Date

Name

Seal

Enclosures: copy of the Aadhar Card, Recent Photograph and Internal Report

N.B.:- Please strike off those which are not required.

SCHEDULE

(See rule 11)

Minimum standards and procedures for mental health care services in prisons

Minimum Standard for Mental Health care in Prison

1. Prompt and proper identification of persons with mental health problems should be done.
2. Screening of all inmates during the time of entry to prison including the following:
 - a. Mandatory physical and mental status examination

- b. Questionnaire screening for substance use.
 - c. Urine testing for common drugs of abuse.
 - d. Periodic random urine drug testing.
3. Identification of persons with serious mental illness and proper treatment and follow-up for this group.
4. Ensuring the availability of minimum psychiatric medication in the prison to facilitate prompt treatment (Antipsychotic medication, antidepressant medication, anxiolytic medication, mood stabilizers, anticonvulsant medication, etc).
5. Availability of psycho-social interventions for prisoners with a range of mental health problems.
6. Protocols for dealing with prisoners with suicidal risk, with behavioural problems and crises related to mental illnesses as well as to prison life.
7. Suitable rehabilitation services for prisoners with mental illness. Specific attention to the aftercare needs of prisoners with mental illness including providing medication after release, education of family members, steps to ensure treatment compliance and follow-up, vocational arrangements, and for those without families, arrangements for shelter.
8. Implementing of National Mental Health Program inside the central prisons.
9. Dealing with the psychological stress of prison life.
- a. Counselling for stress needs to be provided to all prisoners in both individual and group settings.
 - b. Prisoners must be encouraged to proactively seek help for any emotional problems, substance use problems or physical health problems.
 - c. Training the prison staff in simple counselling skills empowering some of the sensitive, motivated convicted prisoners to be effective peer counsellors.
 - d. One to one counselling upon entry, during periods of crises and upon need or request.
10. Addressing substance use problems
- a. Identification of substance use problems through questionnaires, behavioural observation and urine drug screening.
 - b. Detoxification services and making suitable pharmacotherapy available for detoxification.
 - c. For persons with dependence, making available long-term medication as well as motivational and relapse prevention counselling.
 - d. Specific interventions to be made available include the following:
 - i. Tobacco cessation services (behavioural counselling, nicotine replacement therapy, other long-term tobacco cessation pharmacotherapy.
 - ii. Alcohol-benzodiazepines for detoxification, vitamin supplementation for associated nutritional problems, counselling and long-term medication.
 - iii. For Opiates-buprenorphine or clonidine detoxification, long-term medication including opioid substitution (methadone/buprenorphine; opioid antagonists like naltrexone).
 - iv. All drug users need to be evaluated for injecting use, for HIV/STI (including Hepatitis B and C screening) and appropriately treated.
 - v. There is a need for urgent human resource enhancement.
11. Professional Human Resources in the Prison. [All central prisons must ensure the presence of at least]:
- i. 1 doctor for every 500 patients. In addition, every prison must have one each of the following specialists providing care—physician, psychiatrist, dermatologist, gynecologist and surgeon.
 - ii. 2 nurses for every 500 prisoners.

iii. 4 counsellors for every 500 prisoners. These trained counsellors (with a degree in any social sciences/any recognized degree with counselling experience (medical counselling/legal counselling/psychosocial counselling/rehabilitation/education) can carry out the following tasks.

a. Assessment.

b. Counselling.

c. Crisis intervention (family crisis, bail rejection, verdict pronouncement, interpersonal difficulties, life events, serious physical or psychiatric illness).

d. Legal counseling pre-discharge counselling.

e. Rehabilitation counselling.

f. Substance use counselling.

g. Training prison staff and peer counsellors.

12. Inpatient services

a. At least a 20-bedded psychiatric facility for every 500 prisoners.

13. Prison aftercare services

a. All prisoners should have pre-discharge counselling on coping strategies, healthy life style practices and support systems they can access.

b. For persons with mental illness they shall be referred to any mental health establishment for after care in community

14. Documentation

a. Computerised data base and tracking system for all prisoners.

b. Surveillance of health conditions on a regular basis with adequate emphasis on confidentiality and proper information regarding these procedures to the prisoners.

c. Health records for prisoners with basic health information, pre-existing health problems, health problems that develop during imprisonment, details of evaluation and treatment, hospitalization details, health status and advice at release.

d. This information must be given to the prisoner to facilitate continuing health care after release.

15. All central prisons shall have dedicated tele-medicine services to provide health care.

16. Following medicines shall be made available

Risperidone, Olanzapine, Clozapine, Haloperidol, Chlorpromazine, Trihexyphenidyl, Imipramine, Amitriptyline, Fluoxetine, Sertraline, Paroxetine, Valproate, Carbamazepine, Lithium, Clonidine, Atomoxetine, Lorezapam, Diazepam, Oxcarbazepine, Naltrexone, Acamprosate, Nicotine Gums, Varenicline,

IniFluphenazine Inj Haloperidol, InjFlupenthixol, InjLorezapam, Inj Diazepam, Inj Promethazine Inj Thiamine/Multivitamin.

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