

JHARKHAND GOVERNMENT GAZETTE, DATE:

PART-III

GOVERNMENT OF JHARKHAND

DEPARTMENT OF HEALTH AND FAMILY WELFARE

NOTIFICATION

No - 520(6) DATE: THE 29.7.2020.

No. G.S.R.- In exercise of the powers conferred by Section 49 read with sections 23, 24 and 25 of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (Central Act 16 of 2017), and all other powers enabling him in this behalf, the Governor of Jharkhand is pleased to make the following rules to provide for the appointment, terms and conditions, qualifications and manner of inquiry by Ombudsman, namely:-

RULES

1. Short title, extent and commencement.- (1) These rules may be called the Jharkhand Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Ombudsman and Legal Proceedings) Rules, 2020.

(2) These rules shall come into force on and with effect from the date of their publication in the Official Gazette.

2. Definitions. -In these rules, unless the context otherwise requires, -

(a) "Act" means the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (Central Act 16 of 2017);

(b) "Appropriate authority" means, unless otherwise notified, the National AIDS Control Organisation in the case of the Central Government and Jharkhand State AIDS Control Society in the case of Government of Jharkhand;

(c) "High burden districts" means districts notified as such by the appropriate authority from time to time;

(d) "Ombudsman" means an Officer appointed or designated by the State Government, as the case may be, under section 23 of the Act;

(e) "State Government" means the Government of Jharkhand in the Department of Health and Family Welfare; and

(f) The words and expressions used and not defined in these rules but defined in the Act, shall have the meanings assigned to them in the Act.

3. Provision of Diagnostic Facilities of HIV/AIDS, ART and Opportunistic Infections management— The Nation AIDS Control Organisation (Ministry of Health & Family Welfare, Government of India), shall provide free diagnostic services related to HIV/AIDS and other opportunistic infections to all citizens in Government Health Facilities (Primary Health Centres or Community Health Centre or Sub Divisional Hospitals or District Hospitals or Government Medical Colleges and Hospitals). ART drugs shall be provided free of cost at all Government Health Facilities in accordance with the guidelines issued by National AIDS Control Organisation to all HIV positive persons.

4. Appointment and jurisdiction of Ombudsman- The State Government shall designate five Divisional Commissioners of the following five divisions of Jharkhand as Ombudsman of their respective jurisdiction, namely: -

Palamu Division (Garhwa, Palamu, Latehar)

North Chotanagpur Division (Chatra, Hazaribagh, Giridih, Koderma, Dhanbad, Bokaro, Ramgarh)

South Chotanagpur Division (Ranchi, Lohardaga, Gumla, Simdega, Khunti)

Kolhan Division (West Singhbhum, Seraikela-Kharsawan, East Singhbhum),

Santhal Pargana Division (Deoghar, Jamtara, Dumka, Godda, Pakur, Sahebganj)

Provided that the State Government shall provide him the assistance from the Department of Legal and Legislature Affairs on legal issues that may arise in the course of his work, if so requested:

Provided that the State Government shall provide capacity building within thirty days from the date of appointment of the Ombudsman.

