

HARYANA GOVERNMENT
SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT

Notification

The 16th January, 2018

No. 80-SW(4)-2018.— In exercise of the powers conferred by section 78 and sub-section (1) read with Sub-section (2) of section 71 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985), the Governor of Haryana hereby makes the following rules further to amend the Haryana De-addiction Centres, Rules, 2010, namely:-

1. These rules may be called the Haryana De-addiction (Amendment) Rules, 2018.
2. In the Haryana De-addiction Centres Rules, 2010 (hereinafter called the said rules), in rule 3,-
 - (i) for sub-rules (1) and (2), the following sub-rules shall be substituted, namely:-

“(1) There shall be State Level Committee, comprising of the following official and non-official members, namely:-

(i) Administrative Secretary, Health Department	Official Member
(ii) Administrative Secretary, Social Justice and Empowerment	Official Member
(iii) Administrative Secretary, Women & Child Development Department	Official Member
(iv) Director General of Police or his representative not below the rank of Additional Director General of Police	Official Member
(v) Director, Social Justice and Empowerment Department	Official Member
(vi) Director, Higher Education Department	Official Member
(vii) Director General, Health Services	Member Secretary
(viii) Two representatives of existing NGOs working in this field of the State.	
(ix) Two Social Workers of repute.	
(x) Two representatives of Narcotics Anonymous and Alcoholics Anonymous.	

- (2) The Senior Most Administrative Secretary shall chair the Committee. The State Level Committee shall meet once in a quarter.”.

- (ii) in the sub-rule (3), clause (vii) shall be omitted.

3. In the said rules, in rule 6, in sub-rule (3),-

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

“(v) a license shall be valid for a period of three years from the date of issue unless suspended, revoked or cancelled by the Licensing authority;”;

- (ii) for clause (viii), the following clause shall be substituted, namely:-

“(viii) the Psychiatry Nursing Homes or Hospitals which are holding License under the Mental Health Act, 1987 (Central Act 14 of 1987) and the Central Mental Health Authority Rules, 1990 and are providing treatment and care to substance dependents, shall be exempted from obtaining Licence. They shall be governed under the provisions of the Mental Health Act, 1987 (Central Act 14 of 1987), however, they shall have to get themselves registered with the Licensing authority and submit data on de-addiction cases in the prescribed proforma i.e. Drug Abuse Monitoring System. They shall also be under the purview of the District Level Committee as regards monitoring supervision and inspection;”;

- (iii) after clause (x), the following clauses shall be added, namely:-

“(xi) cancel the license if on inspection of the Centre, it is found that the Centre is not adhering to the minimum standards of care as specified in these rules or on receipt of any report of violation of the human rights from the District Level Committee or if any such complaint comes to the notice of the Licensing authority;

- (xii) may suspend the License on receipt of report from the District Level Committee of any deficiency in the minimum standards or care or violation of human rights from the date of issue of such suspension orders. The Licensing authority may initiate inquiry within a period of fifteen days;

Provided that such Centre shall be given an opportunity of being heard by the inquiry committee as constituted by the Licensing authority. The Committee shall submit its report within a period of one month to the Licensing authority, on receipt of the report the inquiry committee; the Licensing authority shall take decision thereon;

- (xiii) hear an appeal of an aggrieved person preferred against the cancellation of license within a period of thirty days from the date of intimation of such cancellation alongwith fee of three hundred rupees by way of demand draft payable in favour of Director General Health Services, Haryana."

4. In the said rules, for rule 7, the following rule shall be substituted, namely:-

"(7) Appeal.- An applicant may prefer appeal before the Appellate Authority against the order of the Licensing authority in case Grant of license is denied to him in Form III. There shall be Appellate Authority comprising of the following members; namely:-

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| (i) | Administrative Secretary, Social Justice and Empowerment Department | Member |
| (ii) | Administrative Secretary, Health Department | Member |
| (iii) | Director, Social Justice and Empowerment Department | Member Secretary." |

5. In the said rule, in rule 8,-

- (i) in sub-rule (1), after clause (iii), the following clause shall be inserted, namely:-

"(iv) one representative of the Health Department including Member psychiatrist wherever available

- (v) one representative of the Social Workers, Psychologists and other Social Scientist and an Ex-addicts Member,".

- (ii) In sub-rule (2), for clause (iii), the following clause shall be substituted, namely:-

"(iii) to apprise the State Level Committee about the functioning of Centres, Counselling Centres and with regard to the progress made in the implementation of the decision taken by the State Level Committee within two months."

6. In the said rules, In rule 9,-

- (i) in sub-rule(1), in clause C, for item (b), the following item shall be substituted, namely:-

"(b) For Counseling Centre-cum-Rehabilitation Centre

- (i) Project Director/Programme Officer-one;
- (ii) Three Social Workers/Counsellors with Basic qualification of MA in Psychology, Sociology or Social Work preferably with training in de-addiction treatment from a recognized institution;
- (iii) Three Ward Attendants-Basic qualification 10+2, Orientation training to handle substance dependants to be provided at the Centre locally within three months;
- (iv) Two securing guards/Chowkidars;
- (v) Two Safai Karamcharis;
- (vi) Peer Educators (Optional);
- (vii) One Cook cum Helper (Optional) or regular arrangements for fresh nutritious food from outside;
- (viii) Centre incharge, for a Counselling-cum-Rehabilitation Centre shall be a person with qualifications of M.A. Psychology/Sociology/Social Work or any persons who is a Doctor (MBBS).

Note:- The licenses for Counseling-cum-Rehabilitation Centre shall be granted in the name of person incharge along with the institution. Only one license shall be granted to a person,";

- (ii) after sub-rule (1), the following sub-rules shall be added, namely:-
- “(2) The Centres shall be maintained with the specified manpower for a bed strength of only fifteen: Provided that in case of License exceeding a bed strength of 15 beds, the requisite manpower in multiples of prescribed norms except for a doctor or psychiatrist shall be employed.
- (3) The centre within a year of grant of license shall get NABH accreditation for such centres as developed by Ministry of Social Justice and Empowerment, Government of India.”.
7. In the said rules, in rules 10, after sub-rule (1), the following sub-rule shall be inserted, namely:-
- “(1A) No patient shall be admitted to a Centre till he undergoes detoxification from a Psychiatric Nursing Home/Hospital. This fact shall be on record as a certificate.”.
8. In the said rules, after the rule 10, the following rules shall be added, namely:-
- “11. Drug Addicts Monitoring System:- (1) The Drug Addicts Monitoring System proforma as developed by the Government of India, shall be developed in a software format and the login/password shall be issued to every licensed De-addiction/Counseling Centres for the purpose of data assimilation and analysis at the State Level. The software shall be developed by the Health Department.
- (2) The data of Drug Addicts Monitoring System shall be maintained by the Health Department and shared with Social Justice and Empowerment Department, Haryana.”.

ANURAG RASTOGI,
Principal Secretary to Government Haryana,
Social Justice and Empowerment Department.