

GOVERNMENT OF MIZORAM
HEALTH & FAMILY WELFARE DEPARTMENT
SECRETARIAT BUILDING, NEW CAPITAL COMPLEX, KHATLA
MIZORAM: AIZAWL-796001

NOTIFICATION

Dated Aizawl, the 4th September, 2024.

No. B. 17011/6/2022-HFW(ART)/235 : In supersession of this Department's Notification No. B. 17011/6/2022-HFW(ART)/53 dated the 10th March, 2022 and in the interest of public service, the Governor of Mizoram is pleased to re-constitute the '**Appropriate Assisted Reproductive Technology and Surrogacy Authority/Appropriate Authority**' under sub-section (2) of section 12 of the Assisted Reproductive Technology (Regulation) Act, 2021 and under sub-section (2) of section 35 of the Surrogacy (Regulation) Act, 2021 comprising of members as given below for the state of Mizoram for the purpose of the Assisted Reproductive Technology (Regulation) Act, 2021 and the Surrogacy (Regulation) Act, 2021 with immediate effect and until further order.

**Members of the Appropriate Assisted Reproductive Technology and Surrogacy Authority/
Appropriate Authority :-**

- Chairperson (Ex-Officio)** : Director, Hospital & Medical Education, Health & Family Welfare Department.
- Vice Chairperson (Ex-Officio)** : Joint Director (Planning), Hospital & Medical Education, Health & Family Welfare Department.
- Members** : 1) Deputy Secretary, Law & Judicial Department.
2) Head of Department, Obs. & Gynae., Civil Hospital, Aizawl.
3) President, Mizo Hmeichhe Insuihkhawm Pawl (MHIP), Gen. Hqrs.

Terms of Reference

- A. Functions of the Appropriate Assisted Reproductive Technology and Surrogacy Authority/Appropriate Authority under section 13 of the Assisted Reproductive Technology (Regulation) Act, 2021 and under section 36 of the Surrogacy (Regulation) Act, 2021 :-**

The Appropriate Assisted Reproductive Technology and Surrogacy Authority/Appropriate Authority shall discharge the following functions, namely :-

- (a) to grant, suspend or cancel registration of the assisted reproductive technology clinic or bank and the surrogacy clinic;
- (b) to enforce the standards to be fulfilled by the assisted reproductive technology clinic or bank and the surrogacy clinics;

- (c) to investigate complaints of breach of the provisions of the Assisted Reproductive Technology (Regulation) Act, 2021, rules and regulations made thereunder and take legal action as per provisions of the Assisted Reproductive Technology (Regulation) Act, 2021;
- (d) to investigate complaints of breach of the provisions of the Surrogacy (Regulation) Act, 2021, rules and regulations made thereunder and take legal action as per provisions of the Surrogacy (Regulation) Act, 2021;
- (e) to take appropriate legal action against the misuse of assisted reproductive technology by any person and also to initiate independent investigations in such matter;
- (f) to take appropriate legal action against the use of surrogacy by any person at any place other than prescribed, *suo motu* or brought to its notice, and also to initiate independent investigations in such matter;
- (g) to supervise the implementation of the provisions of the Assisted Reproductive Technology (Regulation) Act, 2021 and the rules and regulations made thereunder;
- (h) to supervise the implementation of the provisions of the Surrogacy (Regulation) Act, 2021 and the rules and regulations made thereunder;
- (i) to recommend to the National Assisted Reproductive Technology and Surrogacy Board and State Boards about the modifications required in the rules and regulations in accordance with changes in technology or social conditions;
- (j) to take action after investigation of complaints received by it against the assisted reproductive technology clinics or banks and the surrogacy clinics;
- (k) to consider and grant or reject any application under clause (vi) of section 3 and sub-clauses (a) to (c) of clause (iii) of section 4 of the Surrogacy (Regulation) Act, 2021 within a period of ninety days; and
- (l) such other functions as may be prescribed.

**Powers of Appropriate Assisted Reproductive Technology and Surrogacy Authority/
Appropriate Authority under section 14 of the Assisted Reproductive Technology
(Regulation) Act, 2021 and under section 37 of the Surrogacy (Regulation) Act, 2021:-**

- (1) The Appropriate Assisted Reproductive Technology and Surrogacy Authority/
Appropriate Authority shall exercise the powers in respect of the following matters,
namely :-
 - (a) summoning of any person who is in possession of any information relating to violation of the provisions of the Assisted Reproductive Technology (Regulation) Act, 2021 and the rules and regulations made thereunder and the provisions of the Surrogacy (Regulation) Act, 2021 and the rules and regulations made thereunder;
 - (b) production of any document or material object relating to clause (a);
 - (c) searching of any place suspected to be violating the provisions of the Assisted Reproductive Technology (Regulation) Act, 2021 and the rules and regulations made thereunder and the provisions of the Surrogacy (Regulation) Act, 2021 and the rules and regulations made thereunder; and
 - (d) such other powers as may be prescribed.

- (2) The Appropriate Assisted Reproductive Technology and Surrogacy Authority/Appropriate Authority shall maintain the details of registration of assisted reproductive technology clinic and banks, cancellation of registration, renewal of registration, grant of certificates to the commissioning couple and woman or any other matter pertaining to grant of license and the like of the assisted reproductive technology clinic or bank in such format as may be prescribed and submit the same to the National Assisted Reproductive Technology and Surrogacy Board.
- (3) The Appropriate Assisted Reproductive Technology and Surrogacy Authority/Appropriate Authority shall maintain the details of registration of surrogacy clinics, cancellation of registration, renewal of registration, grant of certificates to the intending couple and surrogate mothers or any other matter pertaining to grant of license, etc. of the surrogacy clinics in such format as may be prescribed and submit the same to the National Assisted Reproductive Technology and Surrogacy Board.

Sd/- SANGCHHIN CHINZAH
Secretary to the Government of Mizoram
Health & Family Welfare Department.

Dated Aizawl, the 4th September, 2024.

Memo No. B. 17011/6/2022-HFW(ART)/235

Copy to:

1. P.S to Governor of Mizoram.
2. P.S to Chief Minister, Mizoram.
3. P.S to Speaker, Mizoram.
4. P.S to Minister, Health & Family Welfare Department.
5. Sr. P.P.S. to Chief Secretary, Govt. of Mizoram.
6. P.S. to Secretary, Health & Family Welfare Department.
7. All Administrative Departments.
8. Principal Director, Health & Family Welfare Department.
9. All Deputy Commissioners, Mizoram.
10. Director of Health Services.
11. Director of Hospital & Medical Education.
12. Director, Zoram Medical College.
13. Mission Director, National Health Mission.
14. All Sr. Medical Superintendents/ Medical Superintendents/District Medical Superintendents, Mizoram.
15. All Sr. Chief Medical Officers/ Chief Medical Office, Mizoram.
16. Controller, Printing & Stationery with six (6) spare copies for publication in the Official Gazette.
17. All concerned members.
- ✓ 18. Web Manager, IT Section, Directorate of Health Services.
19. President, Non-Government Hospital Association of Mizoram.
20. Guard File.


(CHRISTINA LALMUANZUALI)

Under Secretary to the Government of Mizoram
Health & Family Welfare Department.