Guidelines for Private Detective Agency under PC&PNDT Act

1. The Detective Agency shall provide full support and services to the State Appropriate Authority constituted under the PC & PNDT Act or the District Appropriate Authorities or any other authorized officer/s in implementation of all the necessary provisions required under PC & PNDT Act which includes curbing misuse of pre-natal diagnostic techniques for determination of sex of foetus leading to female foeticide and such like malpractices done by doctors, un-registered ultrasound machines, or any other person/s, Genetic Counseling Centre, Genetic Clinics, Genetic Laboratories, Hospitals, Clinics, Private Clinics, Mobile Medical Unit, Mobile Genetic Clinic / clinics, ultrasound centers, portable ultrasound machines, veterinary clinics, sex selective advertisements, hospitals or in any other place etc.

2. The scope of work of Detective Agency includes supplying of information, inputs and assist in inquiry, investigation, search, seizure, collecting evidence, recording of statement incorporating two independent witnesses etc. in case of commitment of offence under the PC & PNDT Act against any Genetic Counseling Centre, Genetic Clinics, Genetic Laboratories, Hospitals, Clinics, Private Clinics, Mobile Medical Unit, portable ultrasound machines, veterinary clinics, sex selective advertisements, Mobile Genetic Clinic any other institution, Gynecologist, Medical Geneticist, Pediatrician, Registered Medical Practitioner, Un-registered Medical Practitioner, any other Doctor etc, or any person dealing with such like practice. That after the raid, search and seizure of documents or any other evidence collected from the place of incident shall help Health Deptt. to prepare all the relevant documents for filing of complaint to Police or Court after following required due procedure.

3. That duly authorized representatives/officer/s of Detective Agency shall accompany the team duly constituted by the State Appropriate Authority or any District Appropriate Authority from time to time during any raid, search, seizure or surprise check or any visit to Genetic Counseling Centre, Genetic Clinics, Genetic Laboratories, Hospitals, Clinics, Private Clinics, Mobile Medical Unit, portable ultrasound machines, veterinary clinics, sex selective advertisements, Mobile Genetic Clinic any other institution, Gynecologist, Medical Geneticist, Pediatrician, Registered Medical Practitioner, Un-registered Medical Practitioner, any other Doctor etc, or any person working in this field. The information regarding such place may be provided by the Detective Agency or procured from any other source.

4. The Detective Agency along with its team, representatives or associates etc on any such action shall accompany the officer/s appointed by the Appropriate Authority when there is a reason to believe that an offence under the PC & PNDT Act has been or being committed at any place in implementing such search, seizure, examination of any record, register, document, book, pamphlet, advertisement or any other material object found therein and seize and seal the same if they have reason to believe that it may furnish evidence of the commission of an offence punishable under the PC & PNDT Act.

5. That Detective Agency shall ensure that all their members involved in the operation of raid, search, seizure etc shall be available to record their statements before police, court or any other required place where their statement may or shall be required for the adjudication of the case registered against the nabbed defaulters/accused.

6. That Detective Agency shall provide full support to the Health Department starting from the raid, search, seizure, filing of complaint, recording of statements, all documentation etc as required till the completion of evidence in Court.

7. That the finalized Agency shall sign an MOU with the Department of Health & Family Welfare which will be valid for a period of one year and may be extended with mutual agreement of both the Department and Agency.