



A.A PC&PNDT

Department of Health & Family Welfare
U.T Chandigarh



PUBLIC NOTICE

Competency Based Exam PC&PNDT Act under Six months Training Rules,2014.

In Reference to the advertisement published in two daily local newspapers in The Tribune on 04/6/2016 and Dainik Bhaskar newspaper on 05/6/2016 regarding Competency Based Exam PC&PNDT Act under Six months Training Rules,2014,it is informed that the Hon'ble Punjab & Haryana High Court vide judgement dated 01/08/2016 in CWP no. 13979 of 2014 filed by Sonologist Association of Punjab along with four other CWPs has disposed of the said writ petitions in terms of judgement passed by Hon'ble Delhi High Court in Indian Radiological and Imaging Association Vs. Union of India and Anr., 2016(227)DLT538, wherein the Hon'ble Delhi High Court has declared Rule 3(3)(1)(b) of the preconception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Rules, 1996 (as it stands after the amendment w.e.f 09/1/2014)to be ultra vires the PCPNDT Act to the extent it requires a person desirous of setting up Genetic Clinic/Ultrasound Clinic/Imaging Centre to undergo six months training imparted in the manner as prescribed in the Six Months Training Rules. Further, against the judgement of Delhi High Court, Union of India has attempted SLP(C) Nos. 16657-16659/2016 in which notice has been issued but the operation of judgement has not been stayed.

In view of the above and further keeping in view the fact that judgement dated 01/8/2016 of the Hon'ble Punjab & Haryana High Court can be applied in respect of U.T Chandigarh, since it falls within the jurisdiction of the same Hon'ble High Court, the Chandigarh Administration has, therefore, decided to withhold six months training as provided in Rule 3(3)(1)(b) of the aforesaid Rules of 1996 and all consequential actions including Competency Based Exam/Six Months Training, as provided in Rule 6(2) of the Rules of 2014 till any interim directions/final outcome of the said SLP.