

**GOVERNMENT OF NAGALAND
HEALTH AND FAMILY WELFARE DEPARTMENT
NAGALAND: KOHIMA.**

NOTIFICATION

Dated Kohima the 30th Nov 2021

HFW-14/B-9/HIV-AIDS/2018 : 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, the Government of Nagaland hereby makes the following amendments in 'The Nagaland Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Ombudsman and Legal Proceeding) Rule, 2019' namely:-

1. Short title and commencement

- (1) These rules may be called The Nagaland Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Ombudsman and Legal Proceeding) (First Amendment) Rules, 2021.
- (2) These rules shall come into force from the date of notification.

2. In Rule 3 after the words "*shall appoint*" the following shall be inserted:
"*or designate*".

3. In Rule 4-

- (a) After the words "*experience of Ombudsman*" the following shall be inserted:
"*(1) Qualification for appointment of Ombudsman:*".

- (b) After the words "*experience and knowledge*" the following shall be inserted:
"*may be appointed as Ombudsman whose terms and condition shall be governed by Rule 5:*

- (2) *Appointment by designation of Ombudsman under section 23(1)(b) of the Act: An officer not below the rank of Joint Secretary to Government of Nagaland or equivalent may be designated as Ombudsman by the Government of Nagaland. Upon the notification of this Rule, this designation shall be perpetual and automatic on the office of the Officer designated as Ombudsman till further order and this is construed as binding on all incumbent official who assumes the office in future without the requirement of any fresh order.*

- (c) In proviso to the Rule 4 after the words "*judge is appointed*" the following shall be inserted:
"*or designated*".

- (d) The following Sub-Rule (3) shall be inserted:

- (3) *The State Government may appoint an Ombudsman as per provisions of section 23(1)(b) initially and assess the requirement of appointment under section 23(1)(a) after one year based on work load and functions rendered.*

- (e) The Sub-Rule (2) shall be renumbered as Sub-Rule (4).

4. In Rule 5-

- (a) After the words "*services of Ombudsman*" the following shall be inserted:
"*appointed under Sub-Rule (1) of Rule 4*".

(b) In Sub-Rule (1) after the words "appointed as Ombudsman" the following shall be inserted:

"under Sub-Rule (1) of Rule 4".

(c) Sub-Rule (2) shall be substituted as follows:

"(2) The Ombudsman shall be stationed at the Directorate of Health and Family Welfare".

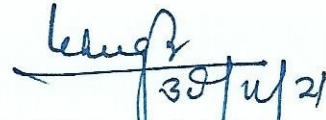
Sd/- AMARDEEP SINGH BHATIA, IAS
Principal Secretary to the Government of Nagaland.

Dated Kohima the 30th Nov 2021

HFW-14/B-9/HIV-AIDS/2018 /7

Copy to:

1. The Commissioner & Secretary to the Governor of Nagaland, Raj Bhavan, Kohima.
2. The Principal Secretary to the Chief Minister, Nagaland, Kohima.
3. The Sr.P.S. to the Hon'ble Minister, H & FW, Nagaland, Kohima.
4. The Deputy Secretary to Chief Secretary, Nagaland, Kohima.
5. The AHODs/HODs, Nagaland, Kohima.
6. The Principal Director, H & FW, Nagaland, Kohima.
7. The Project Director, NSACS, Nagaland, Kohima.
8. The Publisher, Nagaland Gazette, Kohima, for publication in the State Gazette.
9. Office copy.
10. Guard file.



(KHONTHUNGO LOTH)

Deputy Secretary to the Government of Nagaland