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The Transplantation of Human Organs Act, 1994. (Central Act 42 of 1994) -
Addition of member to the Authorization Committees - Orders - Issued.

Health and Family Welfare (Z1) Department

G.O.(Ms) No.330

Dated: 10.9.2007.

Read:

- 1 G.O.(Ms) No.287 Health and Family Welfare Department dated 5.5.1995.
- 2 G.O.(Ms) No.341 Health and Family Welfare Department dated 29.10.2003,
- 3 From the Government of India, Ministry of Health and Family Welfare, New Delhi Ref.No.S.12011/5/02-MS dated 29.10.2004.
- 4 Judgement of the Supreme Court of India, New Delhi dated 31.3.2005 in Writ Petition (Civil) No.156 of 2005.
- 5 Letter No.8533/PO.VII/2007-7 Home Department dated 7.2.2007.
- 6 From the Director of Medical Education letter No.99449/MEII/2/2004 dated 30.4.2007.

Order:-

In the G.O. first read above an Authorization Committee at Chennai with the following members was constituted as per clause (b) of sub-section (4) of section 9 of the Transplantation of Human Organs Act, 1994 (Central Act 42 of 1994) to give approval to the applications for removal and transplantation of Human Organs:-

- The Director of Medical Education - Chairman
- The Director of Medical and Rural Health Services - Member
- The Dean, Madras Medical College - Member

2. In the G.O. second read above, two more Authorization Committees were constituted at Madurai and Coimbatore with the following members.

1. Dean of the Medical College
2. Joint Director of Health Services,
3. Representative from the Collectorate not lower than the rank of Deputy Collector (or) Revenue Divisional Officer.

3. The Government of India, Ministry of Health and Family Welfare their letter third read above have requested the State Government nominate two more official members to the Authorization Committee improve the quality of verification in cases of unrelated donors. Supreme Court of India in the reference fourth read above have observed that as the Authorization Committee has to decide both on medical regarding the need for transplantation and the existence or otherwise the essential ingredients stipulated in the Act, the presence of an administrative official in the Authorization Committee would be helpful in deciding the issue more effectively.

4. In this connection during a meeting held regarding preventive commercial dealings in human organs and specifically illegal trade of kidneys it was decided to include a Police Officer in the Authorization Committee.

5. Based on the above request of the Government of India and in light of the views of the Supreme Court of India in the matter, the Director of Medical Education in the letter sixth read above has sent a proposal to the Government for nomination of official members in the Authorization Committees.

6. The Government have examined the matter in detail taking account of the structure of the existing three Authorization Committees. In the light of the request of the Government of India and considering the views of the Supreme Court of India in the matter, it has been decided to nominate the Deputy Director of Medical Education (Administration), Chennai, as a member of the Authorization Committee at Chennai. It has also been decided to nominate the Deputy Commissioner of Police (Headquarters), Chennai, Madurai and Coimbatore as a member of the respective Authorization Committees.

7. The following notification will be published in the Tamil Nadu Government Gazette.

Notification

In exercise of the powers conferred by clause (b) of sub-section (4) of section 9 of the Transplantation of Human Organs Act, 1994 (Central Act 42 of 1994), the Governor of Tamil Nadu hereby nominates the following additional members to the three Authorization Committees at Chennai, Madurai and Coimbatore for the purposes of, the said section, namely:-

(i) Authorization Committee, Chennai

Joint

- (a) Deputy Commissioner of Police (Headquarters) Chennai Police, Chennai
- (b) Deputy Director of Medical Education, (Administration), Office of the Director of Medical Education, Chennai-10,

(ii) Authorization Committee, Madurai

Deputy commissioner of Police (Headquarters) Madurai city.

(iii) Authorization Committee, Coimbatore

Deputy commissioner of Police (Headquarters) Coimbatore city.

(By Order of the Governor)

V.K.SUBBURAJ,
SECRETARY TO GOVERNMENT

To

- ✓ The Director of Medical Education, Chennai-600 010,
The Director of Medical and Rural Health Services, Chennai - 600 006.
The Director General of Police, Chennai - 600 004,
The Deputy Director of Medical Education (Administration)
Office of the Director of Medical Education, Chennai-10, through Director
of Medical Education, Chennai-10,
The Dean, Madras Medical College, Chennai - 600 003,
The Dean, Coimbatore Medical College, Coimbatore,
The Dean, Madurai Medical College, Madurai,
The Director of Stationery and Printing, Chennai - 600 002,
(for Publication in the Government Gazette)

The Secretary to Government of India,
Ministry of Health and Family Welfare, Department of Health,
Nirman Bhavan, New Delhi,

Copy to:

The Home Department, Chennai 600 009,
The Sr.P.A. to Minister (Health) Chennai - 600 009,

/Forwarded by order/

Selva
Secti

12/19/07