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GOVERNMENT OF PUNJAB
DEPARTMENT OF MEDICAL EDUCATION AND RESEARCH
(HEALTH-III BRANCH)

NOTIFICATION

AUTHORISATION COMMITTEES UNDER THE TRANSPLANTATION OF HUMAN
ORGANS ACT, 1994

No. 11/51/09-5HB-III/ 2914.

Dated Chandigarh the : 17/6/09.

1. District Level Authorisation Committees (DLAC) were last constituted vide Government Notification No. 11/235/02-1HBIII/2268-2284 dated 10/6/2005 under Section 9 (4) (b) of The Transplantation of Human Organs Act, 1994. The Committees were headed by Deputy Commissioners and comprised of Senior Superintendents of Police, Civil Surgeons, Medical Specialists and Non-Governmental Organizations. The Transplantation of Human Organs Rules, 1995 were amended by the Ministry of Health and Family Welfare, Government of India vide Notification dated 31/7/2008. The amended rules - The Transplantation of Human Organs (Amendment Rules, 2008) provide for fresh constitution of the State Level Authorisation Committee, District Level Authorisation Committee and Hospital Based Authorisation Committee.

2. The Governor of Punjab is therefore pleased to reconstitute for the State of Punjab, the following Authorisation Committees -

(A) STATE LEVEL AUTHORISATION COMMITTEE
[Rule 6A(B)]

- | | |
|---|----------|
| 1. Director, Research and Medical Education | Chairman |
| 2. Principal, Government Medical College, Patiala | Member |
| 3. Head of Department Medicine, Government Medical College, Patiala | Member |
| 4. Sh. Som Parkash, IAS (Retd.)
Kothi No. 22, Sector 71, Mohali | Member |
| 5. Dr. Prem Lata Sood, M.D., Retired Civil Surgeon
Kothi No. 14, Street No. 2, Baba Ram Lal Nagar,
Mallwal Road, Ferozpur City | Member |
| 6. Special Secretary/Joint Secretary as representative
of Secretary Medical Education & Research | Member |
| 7. Joint Director, Research and Medical Education,
Punjab as representative of Director, Research and
Medical Education, Punjab | Member |

(B) **DISTRICT LEVEL AUTHORISATION COMMITTEE**
[Rule 6A (B)]

1. Principal Government Medical College, Amritsar
(for the districts of Amritsar, Tarn Taran, Gurdaspur,
Jalandhar, Hoshiarpur and Kapurthala) Chairman
- Principal Government Medical College, Patiala
(for the districts of Sangrur, Barnala, Patiala, Fatehgarh Sahib,
Ludhiana, Mohali, Ropar & Nawanshehar)
- Principal Guru Gobind Singh Government Medical College,
Faridkot
(for the districts of Mansa, Barnala, Mukatsar, Faridkot, Moga &
Ferozepur)
2. Civil Surgeon of the concerned district Member
3. Medical Superintendent / Senior Medical Officer of the
Concerned District Hospital Member
4. Deputy Commissioner or his representative Member
5. Senior Superintendent of Police or his representative Member
6. Professor, Department of Medicine of concerned
Medical College Member
7. One more member to be nominated separately

(C) **HOSPITAL BASED AUTHORISATION COMMITTEE**
DAYA NAND MEDICAL COLLEGE AND HOSPITAL, LUDHIANA
[Rule 6A (A)]

1. Director Principal, DMC Ludhiana Chairman
2. Medical Superintendent (I), DMCH, Ludhiana Member
3. Medical Superintendent (II), DMCH, Ludhiana Member
4. Deputy Commissioner, Ludhiana or his representative Member
5. Senior Superintendent of Police, Ludhiana or his representative Member
6. Civil Surgeon, Ludhiana Member
7. Medical Superintendent, Civil Hospital Ludhiana Member

3. The Authorisation Committees shall work as per the provisions of amended rule. The Transplantation of Human Organs (Amendment Rules, 2008) wherein their role and functions have been clearly defined.

Satish Chandra
Satish Chandra
Secretary to Government of Punjab
Department of Research & Medical Education



L.C. Goyal IAS
Additional Secretary
& Director General (CGHS)
Tel. (O) : 011-23062985
Telefax : 011-23062579
E-mail : lc.goyal@nic.in



D.O.No.S-12011/1/2011-MS (Pt)

भारत सरकार
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
निर्माण भवन, नई दिल्ली - 110108
Government of India
Ministry of Health & Family Welfare
Nirman Bhavan, New Delhi - 110108

November 1, 2011

Dear Shri Chandra,

This relates to the Authorization Committees constituted under the Transplantation of Human Organs Act, 1994. Expressing its concern on the delay in granting NOC to the donor and recipient in a case for Organ Transplants, Hon'ble Delhi High Court in a Writ Petition (C) 6105/2011 has observed that for organ transplantation, a donor has to convince his native state authorities, then present himself before the state from which the organ recipient hails, often leading to long delays that may prove fatal for the patient. The domicile states are required to consider the cases of issue of NOC as per provisions contained in Rule 6B of amended Transplantation of Human Organ Rules, 2008 as follows:-


"The state level committees shall be formed for the purpose of providing approval or no objection certificate to the respective donor and recipient to establish the legal and residential status as a domicile state."

2. It has also come to the notice that some State Governments do not issue 'NOC' on the ground that there is no affection and attachment between the donor and recipient in spite of their valid domicile legal status in the respective states. In this regard, it is clarified that the Authorization Committee of the Hospital/Institution where the transplantation is going to take place, has to establish the reasons of affection and attachment between the donor and recipient. Therefore, State Governments need not go into the details of their relationship and reasons of donation, but have to consider granting 'NOC', based on the legal domicile status of the donor or recipient, as the case may be.


3. Further, I request you to ensure that State Level Authorization Committee is constituted immediately, if not constituted yet, so that delays could be averted for providing NOC. The existing committee may be directed to take expeditious action while dealing with such cases so that precious human lives could be saved.

With regards,

Yours sincerely,


(L.C. Goyal)

Shri Satish Chandra
Principal Secretary (H&FW)
Government of Punjab
Secretariat
Chandigarh


Secretary Medical Education & Research

**DIRECTORATE OF RESEARCH AND MEDICAL EDUCATION PUNJAB,
SCO 87, SECTOR: 40-C, CHANDIGARH**

Endstt. No. 5ME-3-Pb-2012/ 19252-64

Dated, Chd. 12-9-12

A copy is forwarded to the following for compliance :-

- 1 Astha Kidney and Super Speciality Hospital, Civil Lines, Ludhiana.
- 2 Christian Medical College, Ludhiana
- 3 Colmbia Asia Hospital, Pvt. Ltd., 22 No. Phatak, Bhupindra Road Patiala
- 4 Dayanand Medical College, Ludhiana
- 5 Fortis Hospital, Sec. 62, Mohali.
- 6 Ghai Hospital Neuro Surgery and Trauma Centre, 601- Sri guru Teg bahadur Nagar, Jalndher City.
- 7 IVY Hospital Multispecility Hospital and Cancer Research Institutte, Sector 71, Mohali
- 8 Kidney Hospital, waryam Nagar, Cool Road, Jalandher
- 9 New Ruby Hospital, Pvt. Limited, 26 Link Road, Jalandher
- 10 Patel Hospital Private limited, Civil Lines, Jalandher
- 11 Satguru Partap Singh Apolo Hospital, Sherpur Chowk, Garha Road, Ludhiana
- 12 Silver Oaks Hospital, Sec. 63, Mohali
- 13 Surya Kidney Care, Sivalk Hospital Sec. 69, Mohali

For, Director Research & Medical Education, Punjab.



L.C. Goyal IAS
Additional Secretary
& Director General (CGHS)
Tel. (O) : 011-23062985
Telefax : 011-23062579
E-mail : lc.goyal@nic.in



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स्वास्थ्य एवं परिवार कल्याण मंत्रालय
निर्माण भवन, नई दिल्ली - 110108
Government of India
Ministry of Health & Family Welfare
Nirman Bhavan, New Delhi - 110108

November 1, 2011

Dear Shri Chandra,

This relates to the role of Authorization Committees as envisaged in the Transplantation of Human Organs Act, 1994 and the Rules made there under. In cases where donor and recipient are not 'near relatives' and the donor donates his/her organ for transplant to the recipient due to 'affection and attachment', approval by the institution-based 'Authorization Committee' is required under section-9(3) of the Transplantation of Human Organs Act, 1994 (THOA). It has come to notice that in many instances the cases involving 'near relatives' as defined under the Act, are also routed through the Authorization Committees. In this regard, Sections 9 (2) and 9 (3) of the Act make it amply clear that the cases involving non-'near related' donor and recipient only need to go through the process of obtaining requisite approval from the Authorization Committee.

Further, Rule 6B of the Transplantation of Human Organ Rules, 2008 (as amended) is reproduced below :

"The State level committees shall be formed for the purpose of providing approval or no objection certificate to the respective donor and recipient to establish the legal and residential status as a domicile state. It is mandatory that if donor, recipient and place of transplantation are from different states, then the approval or 'no objection certificate' from the respective domicile State government should be necessary. The institution where the transplant is to be undertaken in such case the approval of Authorization Committee is mandatory."

3. The above matter has been examined in this Ministry and it is hereby clarified that clause 6B of Transplantation of Human Organs Rules, 2008 is applicable only for unrelated cases (and all foreigners) but not for the cases involving 'near relative' donor/recipient

4. I, therefore, request you to issue necessary instructions to all concerned to follow the law as laid down in the Transplantation of Human Organs Act, 1994 and Rules, 1995 (as amended in 2008) in both letter and spirit.

With regards,

Yours sincerely,

(L.C. Goyal)

Shri Satish Chandra
Principal Secretary (H&FW)
Government of Punjab
Secretariat
Chandigarh

Endst.No:PS/SMER-2011/7066

Dated:14.11.11

A copy of the above is forwarded to the Director, Research & Medical Education for information & further necessary action.

Secretary Medical Education & Research

**DIRECTORATE OF RESEARCH AND MEDICAL EDUCATION PUNJAB,
SCO 87, SECTOR: 40-C, CHANDIGARH**

Endstt. No. 5ME-3-Pb-2012/

19265-77

Dated, Chd.

12-9-12

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dr For, Director Research & Medical Education, Punjab.

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Government of Punjab
Department of Medical Education & Research
(Health-III Branch)

NOTIFICATION

Dated Chandigarh the 18 August 2000.

No.11/277/95-5HB3/3672 In partial modification of Punjab Govt. letter No.11/277/95-5HB3/4606, dated 8.5.98, the Governor of Punjab is pleased to revise and fix the following inspection fee, in Annexure 'B' of the said letter for granting essentiality certificate/No objection certificate for opening a school/college imparting medical education, to be payable by the private institutions, as mentioned above:-

Sr.No.	Name of college/course	Inspection fee payable
1)	For opening of Medical/Dental/Ayurvedic/Homoeopathic Degree.	Rs. 2.00 Lac.
ii)	Para-medical Degree.	Rs. 1.50 Lac.
iii)	Para-medical Diploma.	Rs. 1.00 Lac.
iv)	Human Organ Transplantation 1st Inspection.	Rs. 1.50 Lac.
	Renewal	Rs. 0.50 Lac.

2. The Governor of Punjab is further pleased to fix the following charges to be recovered from private institutions for part time services of the Medical/Dental Teachers :-

Rs. 10,000/- per teacher P.M.
(Out of this, 50% amount shall go to the teachers; and balance 50% to the Govt., to be deposited in the Treasury by the private institutions.)

3. The above fee/charges shall be payable from the date of issue of this notification.

Surjit Singh
Principal Secretary, Govt. of Punjab,
Deptt. of Medical Education & Research.
Dated Chandigarh the 18.8.2K

Endst.No.11/277/95-5HB3/3673

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Handwritten signatures and initials

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Government of Punjab
Department of Medical Education & Research
(Health-III Branch)

NOTIFICATION

Dated Chandigarh the 18 August 2000.

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Surjit Singh
Principal Secretary, Govt. of Punjab,
Deptt. of Medical Education & Research.
Dated Chandigarh the 18.8.2K

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Handwritten signatures and initials, including a large signature and the date 31.8.2000.