PONDICHERRY EYES (AUTHORITY FOR USE FOR THERAPEUTIC PURPOSES)RULES1989

of Newspapers for India LA GAZETTE DE L'ETAT DE PONDICHERY THE GAZETTE OF PONDICHERRY PART-11 EXTRAORDINAIRE EXTRAORDINARY GIL.fÅP publiée par Autorité Prix: Rs. 1-45 an 8 : U. 1-45 Published by Authority Price: Rs. 1-45 1 989 0) 8 a— NO • 33 Pondichéry Mardi Pondicherry Tuesday 8 8th 1989 Aoüt August 1989 (17 Sravana 1911) GOVERNMENT OF PONDICHERRY HEALTH AND WELFARE DEPARTMENT (Health) (G.O. Ms. No. 45, dated 29th May 1989) NOTIFICATION In exercise of the powers conferred by section 11 of the Pondicherry Eyes (Authority for Use for Therapeutic Purposes) Act, 988 (Act No. 11 of 1988), the Lieutenant-Governor, Pondicherry aereby makes the following rules, namely : [6211 Short title and conunenccntcnt.— (l) These rules may be called the Pondicherry Eyes (Authority for Use for Therapeutic Purposes Rules, 1989. (2) They shall come into force froin the date of their publicaticz in the oflicial gazette. .--- In these rules, unless the context otherv.iz requires,— of lnc re hc ex (a) "Act" means the Pondicherry Eyes (Authority for UE a for Therapeutic Purposes) Act, 1988 (Act No. 11 of 1988); (b) ' 'Board" means the Pondicherry Eyes Board constitutei under rule 9 of these rules , (c) " Form" means a form annexed to these rules , '(recognised eye bank" means an eye bank which is (d) recognised by the Board ; "recognised hospital" means a hospital, medical col— nursing home or other like institution which is recognised by Board; and "section" means section of the Act. at 3. Authority donor for removal of eyes.— The authority to b? given in writing under sub-section (l) of section 3 by any person to effect that after his/her death, his/her eyes be used for therapeutic purposes, shall be in

4. Revocation of authority given for removal of eyes.— The subsequent revocation to be made in writing under sub-section (l) section 3 by any person of an authority given by him/her earlier for th: removal of his/her eyes after his/her death to be used for therapeuta purposes, shall be in

5. Authorisation for removal of eyes by a person lawfully possession of the body QI a deceased person.—- The authority to given in writing under sub-section (l) or sub-section (2) of section 3 a person law:ully in possession of the body of a deceased persoæÅD authorising the removal of the eyes from lhe body of such decease: person for their use for therapeutic purposes, slYll be in

6. Authority for removal of eyes in case Qf unclaimned bodies hospital or prison.—- The authority to be given in writing under sus}t section (l) of section 5 by the person incharge for the time being the managenp.nt or control of the hospital or prison or by an employee Of such hosp'tal or prisons authorised in this behalf by the person ineharge of the management or control thereof, authorising the removal of the eyes from an unclaimed dead body lying in such hospital or prison, shall be in

Form-4

7. Authority for removal of eyes from bodies sent ror post-mortem exaniination.— The authority to be given in writing under section 6 by a competent person for the removal of the eyes from the body of a deceased person for their use for therapeutic purposes, shall be in Form-S. Explanation.— For the purposes of this rule, a competent person in respect of the body of a person means the medical officer authorised to perform the post-mortem examination on such dead body

8. Steps to be taken for the preservation of eyes removed from the dead bodies.— (l) The eyes from the body of a deteased person shall be removable in accordance with the provisions of the Act for Gheir use for therapeutic purposes by a registered medical practitioner, authorised by the Board in this behalf, of a recognised hospital only. (2) The eye-ball or balls, as the case may be, shall, after removed from the body of a deceased person, be preserved in appropriate preservation as recommended by the recognised eye bank and forwarded 10 the recognised eye bank or the recognised hospital for being utilised as early as possible. (3) Every recognised eye bank/hospital shall maintain proper -tcords of the eyes removed, received and utilised, in

Form-6. All ecords of such eye bank/hospital shall be open to inspection by any uu)fficer authorised by the Board at any time and the eye bank/hospital -hall furnish all such information as may be necessary to enable the overnment or the Board, as the case may be, to discharge its •bligations. (4) Such of the eyes removed and preserved as are not fit for Lherapeutic purposes, shall be destroyed after approval by the althorised registered medical practitioner incharge of the concerned eye bank/hospital. I 9. The Pondicherry Eyes Board, its constitution, dissolution. etc. — (t) There shall be constituted by the Governme-a- a Board. to be called the Pondicherry Eyes Board consisting of the following members, narnely (i) (ii) (iii) (iv) (v) (vi) (vii) (viii) The Director of Health and Family Welfare Services, Pondicherry Chairman The Medical Superintendent, General Hospital, Pondicherry The Medical Superintendent, JIPMER. Pondicherry The Professor of Ophthalmology, JIPMER, Pondicherry The Programme (Ophthalmology), Directorate of Health and Family Welfare Services, Pondicherry A practising Ophthalmologist to be nominated by the Government A Social Worker to be nominated by the Government Member The Senior Specialist (Ophthalmology), Member- Secretary General Hospital, Pondicherry (2) The Board shall regulate its own procedure of functioning. (3) It shall be the duty of the Board,— (a) to screen the applications received from— (i) (ii) (iii) any eye bank for the grant of recognition as recc- gnised eye bank , any hospital, medical college, nursing home or other like institution for the grant of recognition a recognised hospital for the use of eyes fez therapeutic purposes ; any registered medical practitioner of a gnised eye bank or recognised hospital, seeking the authorisation to remove eyes from the body a deceased person or to deal with them in the manner provided by or under the Act or the* rules • 3 IL VD L ElA (iv) any of the eye banks. hospitals, medical colleges, nursing homes or other like institutions and registeled medical practitioners of recognised eye bank's and recognised hospitals, as referred to at serial nutnbers (i) 'to (iii) above for any other purpose connected with the Act or these rules; and after having examined the applications to make such orders thereon either for the grant or refusal thereof, as it may deem fit; (b) to suspend or withdraw recognition or authorisation, as the case may be or to revoke permission already granted in the case of such a recognised eye bank, recogn ised hospital or r •gistered medical practitioner as has ceased to fulfil any requirement of the Act or these rules or any of the conditions specified at the time of the grant of such !ecognition, authorisation, or permission, after giving to such bank, or hospital or registered medical practitioner, a reasonable opportunity of showing cause against the proposed action and recording reasons in writing for its decision; and (c) to inspect the records of recognised eye banks and hoqpitals with respect to the eyes removed, received and utiliNed and any other matter connected therewith, and to receive from them such information as may be necessary, to enable the Government or the Board as the case may be, to discharge its obligations imposed by or under the Act or these rules. (4) In relation to other matters not otherwise expressly covered by this rule, the decisions of the Board shall be valid after obtaining the prior approval of the Government. (5) Any person aggrieved by any decision of the Board may appeal in writing to the Appellate Authority as may be notified by the Government, within fifteen days from the date of receipt by him of the copy of the order communicating such decision, and the Appellate Authority shall, arter giving such person and the Board an opportunity of being heard, give a decision thereon which shall be final. (6) If at any time the Government is satisfied that,—— (a) the Board has failed without reasonable cause or excuse to discharge the duties or to perform functions imposed or assigned by or under these rules; or (b) circumstances have is rendered or may be rendered unable to discharge to pezform functions imposed or assigned is otherwise expedient cr by ot under these rules ot it necessary to do so. it may by order dissolve the Board for a period to be specified, may be extended from time to time, and declare that the duties and functions of the Boa'd under these rules shall for the period for which it has beez dissolved be discharged and performed by such persons or authorities and subject to such restrictions as may be specifiez therein. (7) The Government may make orders providing for such incidental and consequential matters as may appear to it to be necessary for the purpose of this rule. to give directions.—The Government may, if it IO. Power is of opinion that it is necessary so to do, give such directions to the Board in relation to any matter not covered by these rules, as it may deem fit and the Board shall carw out these directions. FORM-I (See rule 3) Name of the recognised Eye Bank/Hospital Authority by Donor for Removal of Eyes 6, of residing at aged son/daughter/wife years, hereby express my free and frank consent for the removal of my eyes after my death from my body, by a registered medical practitioner for their use for therapeutic purposes. I have been explained and J understand all the aspects of such a donation. Place : Date : Signature : Time : a.m./p.m. l.

"Vitness (Next of kin)— 2. Signature Name Relationship Address Telephone No., Witness—— Signature Name Address if any Telephone No., if any Name of the nearest hospital Name of the family physician, if any FORM-2 (See rule 4) Name of the recognised Eye Bank/Hospital Revocation of Authority by Donor for Removal of Eyes 1, son/daughter/wife of aged hereby withdraw my death for their use Place Date : years, residing at earlier authority expressed on that my eyes be removed after my for therapeutic purposes. Signature : Time : a.m./pnn. l. Witness (Next of kin)—- 2. Signature and date Name Relationship Address Telephone No., if any Witness— Signature and date Name Address Telephone No., if any FORM-3 (See rule 5) Name of the recognised Eye Bank/Hospital Authority for Removal of Eyes by a Person Lawfully in Possession of the Body of a Deceased Person aged residing at son/daughter/wife of years, hereby give my free and frank consent for the removal of the eyes from the dead body of aged son/daughter/wife e: years, residing at by a registered medical practitionez for their use for therapeutic purposes. The said deceased person related to me as at of death). who expired on a.m./p.m. at (plae: f-NewsoaD@ßfor India 629 I give the above consent having reasons to believe to the best of my knowledge that,— (l) I am in •lawful possession of the body of the said deceased person and that the body has not been entrusted to me solely for the purpose of interment, cremation or other disposal; (2) the said deceased person had not subsequently revoked the authorisation for the removal of his/her eyes after his/her death; (3) no near relation of the said deceased person has objec- tion to the deceased person's eyes being used for therapeutic purposes ; (4) no objection was expressed by the said deceased person during the life time for giving such donation of eyes after his/her death; (5) no inquest is required to be held in relation to the body of the deceased in pursuance of the provisions of any law for the time being in force. Place : Date : 1. Witness (Next of kin)— Signature : Time: a.m./p.m

2. Signature Name Relationship Address Telephone No. Witness— if any Signature Name Address Telephone No., if any FORM-4 (Sce rule 6) Name of the Hospital/Prison.. Authority for Removal of Eyes in case of Unclaimed Body in 1, Thiru residing at Hospital or Prison son/daughter/wife of aged years, presently working as (Designation) at (Name of the hospital/prison) being the person incharge, for the time being, of the manage. ment or control of said hospital/prison. OR Being an employee of the said hospital/prison, authorised in this behalf by the person incharge of the management or control thereof, hereby, authorise the removal of the eyes, for their use for therapeutic purposes; from the unclaimed dead body of son/daughter/wife of Thiru aged who expired on time) in my custody (Ward). years, residing at at a. m./p. m. (Date, and presently under J, hereby, declare that no facility/faci!ity for cold storage of the dead body is available in the said hospital/prison and that half-an-hour has/two hours have expired from the time of the death of the said deceased. I, hereby, give this authority after satisfying myself to the best of my knou ledge and belief that the body has not been claimed by any of the near relatives of the said deceased and that no near relative of the said deceased is likely to come forward to claim the dead body. Place : Date : Signature : Designation : Seal : 631 FORM-5 (See rule 7) Name ot' the Hospital/Mortuary Authority for Removal of Eyes by a Medical Offcer Authorised to Perform the Post-mortem Examination, from the Body of a Deceased Person sent for Post-mortem Examination for Medico-legal Pathological Purposes of Thiru residing at presently working as at offcer authorised to perform the bodies of deceased persons hereby, eyes, for their use for therapeutic deceased Thiru residing at at sent for post-mortem examination son/daughter/wite aged years, and being the medical post, mortem examination on authorise the removal of the purposes, from the body of son/daughter/wife of aged years, who expired on a. m./p. m. which has been for medico-legal/patholcgical purposes and is presently under my custody. I have reason to believe that the eyes of the said deceased' will not be required for the purpose for which his/her body had been sent for post-mortem examination. I, hereby give, this authority after satisfying myself to the best of my knowledge and belief that,— (l) the deceased person had not expressed. before his/her death, any objection to his/her eyes being used for therapeutic purposes, after his/her death; or (2) having granted an authority for the use of his/her eyes for therapeutic purposes after his/her death, such authority had not been revoked by him/her before his/her death. Place : Date : Signature : Designation : Seal : FORM-6 [See sub-rule (3) of rule 8] Name of the recognised Eye Bank/Hospital Record of the Eyes Renloved, Received and Utilised Name, Sl. (1) Date and time of age, Death of person (2a) Address of the deceased person (4) Used for corneal grafting eyes (2b) Address of the hospital from which eyes received (5) Mode Long term preservation (8b) Receipt of Remmal of eyes in eye bank/hospital Cause of death (6) of use Distributed to other orga- nisations set o o. of eyes received (7) Destroyed (8d)

(By order of the LieutenanVGovernor) P. R. RAMANATHAN, I.A.S., Secretary to Government (Health).
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