

## **DELHI EYES (AUTHORITY FOR USE FOR THERAPEUTIC PURPOSES) RULES, 1984**

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## **DELHI EYES (AUTHORITY FOR USE FOR THERAPEUTIC PURPOSES) RULES, 1984**

DELHI EYES (AUTHORITY FOR USE FOR THERAPEUTIC PURPOSES) RULES, 1984

### **1. Short title and commencement :-**

(1) These rules may be called the Delhi Eyes (Authority for Use for Therapeutic Purposes) Rules, 1984.

(2) They shall come into force at once.

### **2. Definitions :-**

In these rules, unless the context otherwise requires

(a) "Act" means the Eyes (Authority for Use for Therapeutic Purposes) Act, 1982 (29 of 1982);

(b) "Board" means the Delhi Eyes Board constituted under rule 9 of these rules;

(c) "Form" means a Form annexed in these rules;

(d) "Recognized Eye Bank" means an eye bank which is recognized by the Board;

(e) "Recognized Hospital", means a hospital medical college, nursing home or other like institution which is recognized by the Board; and

(f) "Section" means section of the ACL

**3. Authority by donor for removal of eyes :-**

The authority to be given in writing under submission (1) of section 3 by any person to the effect that after that his/her death his/her eyes be used for therapeutic purposes, shall be in Form 1.

**4. Revocation of authority given for removal of eyes :-**

The subsequent revocation to be made in writing under sub-section (1) of section 3 by any person of an authority given by him/her earlier for the removal of his/her eyes after his/her death to be used for therapeutic purposes, shall be in Form 2.

**5. Authorization for removal of eyes by a person lawfully in possession of the body of a deceased person :-**

The authority to be given in writing under sub-section (1) or sub-section (2) of section 3 by a person lawfully in possession of the body of a deceased person, authorizing the removal of the eyes from the body of such deceased person for their use for therapeutic purposes, shall be in Form 3.

**6. Authority for removal of eyes in case of unclaimed bodies in hospital or prison :-**

The authority to be given in writing under sub-section (1) of section 5 by the person in-charge for the time being, of the management or control of the hospital or prison or by an employee of such hospital or prison authorized in this behalf by the person in-charge of the management or control thereof, authorizing for 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 for postmortem examination :-**

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 the use for therapeutic purposes, shall be in Form 5.

Explanation For the purposes of this rule, a competent person in

respect of the body of a person means the medical officer authorized to perform the postmortem examination on such dead body.

#### **8. Steps to be taken for the preservation of eyes removed from the dead bodies :-**

(1) The eyes from the body of a deceased person shall be removable in accordance with the provisions of the Act for their use for therapeutic purposes by a registered medical practitioner (Ophthalmic), authorized by the Board in this behalf, of a recognized hospital only.

(2) The eye ball or balls, as the case may be, shall, after having been removed from the eyes of the body of a deceased person, be preserved in appropriate preservation as recommended by the recognized eye bank and forwarded to the recognized eye bank or the recognized hospital for being utilised as early as possible.

(3) Every recognized eye bank/hospital shall maintain proper records of the eyes removal, received and utilised, in Form 6. All records of Such eye bank/hospital shall be open to inspection by any officer authorized by the Board at any time and the eye bank/hospital shall furnish all such, information as may be necessary to enable the Administrator or the Board to discharge his or its obligations, as the case may be:

(4) Such of the eyes removed and preserved as are not fit for therapeutic purposes, shall be destroyed by the authorized registered medical practitioner (Ophthalmic) in charge of the concerned eye bank/hospital in the presence of another registered medical practitioner (Ophthalmic).

#### **9. The Delhi Eyes Board its constitution, functions, dissolution, etc :-**

(1) There shall be constituted by the Administrator a Board, to be called the Delhi Eyes Board, consisting of the following members namely

(i) the Director of Health Services, Delhi Administration, who shall be the Chair man of the Board;

(ii) the Adviser or Ophthalmology, Delhi Administration;

(iii) the Professor of Ophthalmology the Chief, Rajendra Prasad

Centre, All India Institute of Medical Sciences, New Delhi;

(iv) the Medical Superintendent, Ram Manohar Lohia Hospital, New Delhi;

(v) the Civil Surgeon, Civil Hospital, Rajpur Road, Delhi;

(vi) the Professor and Head of Forensic Medicine, Maulana Azad Medical College, New Delhi; and

(vii) the Professor and Head of Department of Ophthalmology, Maulana Azad College, New Delhi, who shall be the Convenor and Member-Secretary of the Board.

(3) It shall be the duty of the Board

(a) to screen the applications received from

(i) any eye bank for the grant of recognition as recognized eye bank;

(ii) any hospital, medical college, nursing home or other like institution for the grant of recognition at a recognized hospital;

(iii) any registered medical practitioner (Ophthalmic) of a recognized eye bank or recognized hospital, seeking for the authorization to remove eyes, from the body of a deceased person or to deal with them in the manner as provided by or under the Act or these rules; and

(iv) any of the eye banks, hospitals, medical colleges, nursing homes or other like institutions and registered medical practitioners (Ophthalmic) of recognized eye banks and recognized hospitals, as referred to at serial numbers (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 authorization, as the case may be, or to revoke permission already granted in the case of such of a recognized eye bank, recognized hospital or registered medical practitioner (Ophthalmic) 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 recognition, authorization, or permission, after giving to such bank, or hospital, or registered medical practitioner, a reasonable opportunity of showing causes against the proposed action and recording reasons in writing for its

decision; and

(c) to inspect the records of recognized eye banks and hospitals with respect to the eyes removed, received, utilized, etc. and to receive from them such information as may be necessary to enable the Administrator or the Board to discharge his or its obligations as the case may be, 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 Administrator.

(5) Any person aggrieved by any decision of the Board may appeal in writing to the Appellate Authority, as may be notified by the Administrator, within 15 days from the date of receipt by him of the copy of the order communicating such decision, and the Appellate shall, after 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 Administrator 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 so arisen that the Board is rendered or may be rendered unable to discharge duties or to perform functions imposed or assigned by or under these rules, or it is otherwise expedient or necessary to do so, he may by order dissolve the Board for a period to be specified which may be extended from time to time and declare that the duties and functions of the Board under these rules shall for the period for which it has been dissolved be discharged and performed by such persons or authorities and subject to such restrictions as may be specified therein.

(7) The Administrator may make orders providing for such incidental and consequential matters as may appear to him to be necessary for the purposes of this rule.

#### **10. Power to give directions :-**

The Administrator, if he is of opinion that it is necessary so to do, give such directions to the Board in relation to any matter, as he may deem fit not covered by these rules, and the Board shall carry out these directions.

