

MAHARASHTRA KIDNEY TRANSPLANTATION RULES, 1989

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MAHARASHTRA KIDNEY TRANSPLANTATION RULES, 1989

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1. Short title :-

These rules may be called the Maharashtra Kidney Transplantation Rules, 1989.

2. Definitions :-

In these Rules, unless the context otherwise requires:

- (a) "Act" means the Maharashtra Kidney Transplantation Act, 1982(Mah. XII of 1983):
- (b) "Director" means the Director of Medical Education and Research of the Government of Maharashtra, Bombay;
- (c) "Form" means a form appended to these rules;
- (d) "Section" means the section of the Act;
- (e) words and expressions used but not defined in these rules shall have the meanings respectively, assigned to them under the Act.

3. Manner in which a person may authorise the removal of kidneys for therapeutic purposes :-

- (1) Any person during his life time may express a request in form 'A' that his kidneys be used to thereapeutic purposes after his death. It shall be signed or bear a thumb impression of the donor with two or more witnesses.

(2) The person lawfully in possession of his body after; his death shall, unless he has reason to believe that the request was subsequently withdrawn authorise the removal of the kidney from the body of the deceased for therapeutic purposes in accordance with the provisions of the Act. in Form 'B'.

4. Form and manner of authorisation etc :-

(1) An authorisation for the removal of kidneys for thereapeutic purposes to be given the person lawfully in possession of the body of a deceased person under clause (a) of sub-section (2) of section 10, shall be in Form 'B'.

(2) An application for obtaining authorisation on behalf of the person having the control or management of an approved institution by any offices or person designated in that behalf by the person having control or management of the approved institution, under clause (c) of sub-section (2) of section 10, for the removal and transplantation of kidneys, shall be in Form 'C'.

(3) The certificate of authorisation to be granted to a medical practitioner by an approved institution for removal or transplantation of kidneys shall be in Form 'D'.

(4) In the case of a body lying unclaimed in an approved isntitution, the person having the control or management of such approved institution, shall give authorisation for removal and transplantation of kidneys from such unclaimed dead body, in Form 'E'.

5. Form and manner of objection :-

(1) Any objection to the deceased person's kidneys being used for therapeutic purposes may be taken by a near relative of the deceased or a person lawfully in possession of the body of the deceased person, in Form 'F',

(2) The reasons for the objection relating to the removal and transplantation of kidneys of the deceased person shall be mentioned in the said objection.

6. Manner lor giving consent or directions by Coroner :-

(1) The consent or directions of the Coroner or any other person performing similar functions as Coroner, for the removal of kidneys from the body of the deceased person as required under section 5,

may be given in Form 'G'.

(2) Such consent or directions of the Coroner or any other officer referred to in sub-rule (1), may be given subject to such conditions as may be specified in Form 'G'.

(3) If such consent or directions are given orally by the Coroner or such other officer, the same shall be confirmed in Form 'G' in writing by him as required under sub-section (3) of section 5.

7. Maintenance of records and register :-

(1) Every head of the approved institution and the Coroner or any other officer performing similar functions as the Coroner, shall maintain a register in Form 'H' for recording therein the particulars and details of removal and transplantation of kidneys, enlistment of donors, recipients of kidneys and the conditions under which the approval of consent for removal and transplantation of kidney is given.

(2) The entries in the register shall be made serially and a fresh serial number shall be started at the commencement of each calendar year.

(3) The approved institution and the Coroner shall produce such register whenever required by the State Government or by any officer authorised by it in this behalf.