

The U.P. Corneal Grafting Rules, 1974

UTTAR PRADESH

India

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Rule THE-U-P-CORNEAL-GRAFTING-RULES-1974 of 1974

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1. Short title and commencement.

(1) These rules may be called the Uttar Pradesh Corneal Grafting Rules, 1974. (2) They shall come into force with effect from the date of their publication in the Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires-(i)'Act' means the Uttar Pradesh Corneal Grafting Act, 1964 (U.P. Act No. XXIII of 1964);(ii)'Section' means a section of the Act;(iii) words and expressions used but not defined in the rules shall have the meaning assigned to them in the Act.

3. Lawful possession of the body.

- A near relative of the deceased who may be available at the time of his death or immediately thereafter shall be deemed to be a person lawfully in possession of the dead body.

4.

A registered medical practitioner working in recognition of a registered medical practitioner an approved institution shall be deemed to be recognised by the State Government for removal of eyes from dead bodies provided he is permitted by the head of his institution, if he is himself not the Head of that Institution, to undertake such work: Provided that no such permission shall be given unless the Head of the Institution is satisfied that the medical practitioner is well conversant with the basic technique required for removal of eye balls from cadaver.

5.

The authority required under the Act from a person in lawful possession of a dead body for removal of eyes, or from the parents/parent for removal of eyes of a still-born child shall be given in the form prescribed in the Schedule.

6. Authority in respect of unclaimed bodies.

- The Superintendent of Police of a district may permit the head of an approved institution in his district to remove eyes from an unclaimed dead body lying at a public place provided that the person concerned has died a natural death.

7. Authority when near relatives are not known [Section 5].

- In case of a person dying in an approved institution, the fact of the death shall be communicated immediately to the relative or relatives. In case there is no trace of the near relatives for two hours from the time of death of the deceased or if one known is not willing to take it over for disposal, the person having control or management of such institution or by any other person authorised by him in this behalf, may give authority for removal of eyes of the deceased through a recognised registered medical practitioner, and inform the Superintendent of Police of the district for its disposal thereafter in accordance with the provisions of Paras 135-A of the Police Regulations.

8. Approved institution [Section 2 (1)].

- A hospital or medical teaching or research institution may be approved by Government under sub-section (1) of Section 2 of the Act for the following purposes:(a)Enucleating eye ball from cadaver, and/or(b)Using donor's cornea for therapeutic and/or research purposes :Provided that an institution shall not be approved for use of donor's cornea for therapeutic or research purposes, unless it is fully equipped to the satisfaction of the Director of Medical and Health Services, Uttar Pradesh and its recognition shall be withdrawn if it is found at any time lacking in any essential equipment and facilities required for the purposes mentioned above.

9. Collection and despatch of donor's cornea.

- An institution approved for enucleating eye ball from cadaver, shall collect the donor's cornea and despatch by the quickest means available, to the nearest institution approved for its use for therapeutic or research purposes or to any other institution if so directed by the State Government.

10. Payment of cost.

- The institution receiving donor's cornea shall pay for the cost of its supply to the institution from where received according to the scale as may be laid down for this purpose by the State Government from time to time.The Schedule(See Rule 5)Authority Under Section 3 of the U.P. Corneal Grafting

Act, 1964[U.P. Act No. XXIII or 1964]I, (Name) resident of village/mohalla
..... thana district bearing relationship of
..... to (name of deceased) resident of village/mohalla
thana district being in lawful possession of the dead body of the deceased
do hereby authorise (here enter the name of head of approved institution) the
right/left or both the eyes for use for therapeutic or research purposes-*(a) In pursuance of the
written or oral **request of the deceased enclosed in original.(b)In pursuance of the fact that any of
the near relatives has no objection to his eyes being so dealt with and also that the deceased of its
own had not expressed, to best of my knowledge and belief, any objection during his lifetime to the
eyes being so dealt with and if ever objected had withdrawn later on.Dated
.....Signature of the person in lawful possession of the
dead body.* (a) and (b) to be deleted in case authority is given by parents or parent in respect of
minor or still-born child.** N.B. - In case of oral request, it must be recorded in the presence of the
two or more witnesses, one of whom should be a near relative of the person making oral request and
it must specify that the request was made before death and the deceased was in proper senses at the
time of making such request.Declaration(To be signed by two other relatives or neighbours of the
deceased. It is, however, not required in case the above authority is given by parents/parent of a
minor or still-born child)We hereby declare that Sri..... is in lawful possession of the
body of the deceased late and the authority given above is bonafide.

(1) Name in full with address..... Signature.....

(2) Name in full with address..... Signature.....

(For use in the office of the Head of the Approved Institution)In pursuance of the above authority, I
hereby declare my permission to the removal of the right/left eye or both the eyes by the recognised
registered medical practitioner (Name) employed in this institution, after
satisfying myself that the provisions of Section 4 of the Act shall not be infringed in doing so.*Dated
.....(Signature of the Head of the Approved
Institution)* N.B. - If the removal of eyes from the dead body is effected by head of approved
institution himself, the above permission is not required to be signed. He may, however record this
fact in writing in the above form that the removal of eye was effected by him after satisfying himself
that the provision of Section 4 of the Act shall not be infringed in doing so.