

“ Appropriate Authority”

(As per The Transplantation of Human Organs (Amendment) Act, 2011)

(1) The Central Government shall appoint, by notification, one or more officers as Appropriate Authorities for each of the Union Territories for the purposes of this Act.

(2) The State Government shall appoint, by notification, one or more officers as Appropriate Authorities for the purposes of this Act.

(3) The Appropriate Authority shall perform the following functions, namely :-

(i) To grant registration under sub-section (1) of section 15 or renew registration under sub-section (3) of that section;

(ii) To suspend or cancel registration under sub-section (2) of section 16;

(iii) To enforce such standards, as may be prescribed,-

(A) for hospitals engaged in the removal, storage or transplantation of any human organ;

(B) for Tissue Banks engaged in recovery, screening, testing, processing, storage and distribution of tissues;

(iv) To investigate any complaint of breach of any of the provisions of this Act or any of the rules made thereunder and take appropriate action;

(iva) To inspect Tissue Banks periodically.

(v) To inspect hospitals periodically for examination of the quality of transplantation and the follow-up medical care to persons who have undergone transplantation and persons from whom organs are removed.

(vi) To undertake such other measures as may be prescribed.



NATIONAL ORGAN & TISSUE TRANSPLANT ORGANISATION (NOTTO)

“ Advisory Committees to Advise Appropriate Authority”

(As per The Transplantation of Human Organs (Amendment) Act, 2011)

1) The Central Government and the State Government, as the case may be, by notification, shall constitute an Advisory Committee for a period of two years to aid and advise the Appropriate Authority to discharge its functions.

(2) The Advisory Committee shall consist of-

(a) One administrative expert not below the rank of Secretary to the State Government, to be nominated as Chairperson of the Advisory Committee;

(b) Two medical experts having such qualifications as may be prescribed;

(c) One officer not below the rank of a Joint Director to represent the Ministry or Department of Health and Family Welfare, to be designated as Member-Secretary;

(d) Two eminent social workers of high social standing and integrity, one of whom shall be from amongst representatives of women's organisation;

(e) One legal expert who has held the position of an Additional District Judge or equivalent;

(f) One person to represent non-government organisations or associations which are working in the field of organ or tissue donations or human rights;

(g) One specialist in the field of human organ transplantation, provided he is not a member of the transplantation team;

(3) The terms and conditions for appointment to the Advisory Committee shall be such as may be prescribed by the Central Government.



NATIONAL ORGAN & TISSUE TRANSPLANT ORGANISATION (NOTTO)

“ Power of Appropriate Authority”

(As per The Transplantation of Human Organs (Amendment) Act, 2011)

The Appropriate Authority shall for the purposes of this Act have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 and, in particular, in respect of the following matters, namely:-

- (a) Summoning of any person who is in possession of any information relating to violation of the provisions of this Act or the rules made thereunder;
- (b) Discovery and production of any document or material object;
- (c) Issuing search warrant for any place suspected to be indulging in unauthorised removal, procurement or transplantation of human organs or tissues or both;
- (d) Any other matter which may be prescribed;

“National Human Organs and Tissues Removal and Storage Network”

The Central Government may, by notification, establish a National Human Organs and Tissues Removal and Storage Network at one or more places and Regional Network in such manner and to perform such functions, as may be prescribed.

“National Registry”

The Central Government shall maintain a national registry of the donors and recipients of human organs and tissues and such registry shall have such information as may be prescribed to an ongoing evaluation of the scientific and clinical status of human organs and tissues.

