



## GOVERNMENT OF KERALA

### Abstract

Health & Family Welfare Department - Organ transplantation - Constitution of State Level Technical Committee for consideration of appeal petitions preferred against the decision of District Level Authorization Committees and Appropriate Authority - Sanctioned - Orders issued.

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### HEALTH & FAMILY WELFARE (B) DEPARTMENT

G.O.(Ms)No.242/2024/H&FWD Dated,Thiruvananthapuram, 25-09-2024

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Read:- Letters No. 542/A/2024/K-SOTTO dated 06.08.2024 and 23.08.2024 from the Executive Director, Kerala State Organ and Tissue Transplant Organization.

### ORDER

As per Rule 33 of The Transplantation of Human Organs and Tissues Rules, 2014, any person aggrieved by an order of the Authorization Committee under subsection (6) of section 9 or by an order of the Appropriate Authority under subsection (2) of section 15 or subsection (2) of section 16 of the Act, may within thirty days from the date of the receipt of the order, prefer an appeal to the State Government. Since Government needs technical advice on the matters related to the decisions taken by the District Level Authorization Committee and Appropriate Authority to dispose off appeal petitions, an expert committee needs to be constituted. Accordingly, the Executive Director, Kerala State Organ and Tissue Transplant Organization, as per the letters read above, has submitted a proposal for the constitution of State Level Technical Committee for consideration of appeal petitions preferred against the decision of District Level Authorization Committee and Appropriate Authority.

2. Government have examined the matter in detail and are pleased

to constitute a State Level Technical Committee with the following members, for consideration of appeal petitions preferred against the decision of District Level Authorization Committee and Appropriate Authority:-

<b>Sl. No.</b>	<b>Designation</b>	<b>Status in the Committee</b>
1.	Additional Secretary ( ME) /Joint Secretary ( ME), Health & Family Welfare Department	Chairperson (Ex-officio)
2.	Executive Director, Kerala State Organ and Tissue Transplant Organization (K-SOTTO)	Convener (Ex-officio)
3.	Additional Director of Health Services (Medical)	Member (Ex-officio)
4.	Joint Director of Medical Education (Medical)	Member (Ex-officio)
5.	Head of Department or Representative, Clinical Psychiatry, Government Medical College, Thiruvananthapuram	Member
6.	Expert in Medical and Bio-ethics	Member
7.	Expert in Public Health and Bio-ethics	Member

### **Responsibilities of the Committee**

- i. The Committee shall examine and decide on appeals against the decisions of District Level Authorization Committees and decide by issuing a speaking order attaching all the relevant documents as annexure.
- ii. The Committee shall report their decisions to the Government as and when called for.
- iii. The Committee shall provide a thorough technical evaluation of each case, ensuring that the decisions are based on sound medical and legal principles as envisaged in the Act.
- iv. The Committee shall submit recommendations from time to time to State Government on improving the procedures and guidelines under the THOT Act 1994.

- v. The Executive Director K SOTTO shall submit the decisions of the appeal cases to the Government and overall functioning of K SOTTO.

### **Operational Guidelines**

- i. The Committee shall meet at least once a month or as needed based on the number of appeals and depending the urgency of the case.
- ii. The meetings of the Committee can be convened on online mode or offline mode at the convenience of the Chairperson and the members. The Convener shall intimate every member about the time and mode of the meeting through e-mail at least 24 hours prior to the scheduled time of the meeting.
- iii. A minimum of four members must be present to constitute a quorum for meetings.
- iv. The decisions shall be made by a majority vote. In case of a tie, the Chairperson will have the casting vote.
- v. The Kerala State Organ and Tissue Transplantation Organization shall provide necessary administrative support including a secretariat to manage records and correspondence.

### **Expenses of the Committee**

- i. The Committee members are not eligible for any honorarium, other than usual claims of TA and DA admissible in their parent department.
- ii. The administrative costs including office supplies, meeting arrangements, and secretarial support shall be met by K-SOTTO
- iii. Miscellaneous expenses such as travel, accommodation and other incidental expenses incurred by the Committee members shall be met by K-SOTTO.

(By order of the Governor)  
Dr. Rajan Namdev Khobragade I A S  
ADDITIONAL CHIEF SECRETARY

The Director of Medical Education, Thiruvananthapuram  
The Director of Health Services, Thiruvananthapuram

The Advocate General,Ernakulam, (with C/L)  
The Principal, Government Medical College, Thiruvananthapuram/  
Alappuzha/Kottayam/Ernakulam/Thrissur/Kozhikode.  
The Executive Director, Kerala State Organ and Tissue Transplant  
Organization, Government Medical College, Thiruvananthapuram  
The Committee members (Through Executive Director, K-SOTO)  
The Principal Accountant General (A&E/Audit), Kerala,  
Thiruvananthapuram  
Information & Public Relations Department (Web & New Media)  
Information officer, Press release,I and PRD , Secretariat (For  
publishing in all Newspapers)  
Stock File

Forwarded/By order

Section Officer

*Copy to:- The PS to Minister (Health and Women & Child Development)  
The PA to Additional Chief Secretary, Health & Family Welfare Department  
The CA to Additional Secretary, Health & Family Welfare Department*