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HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

The 6th January 2016

No. 410—DC & MA (Misc.)-06/2015-H.—The following Resolution adopting the provisions of the Transplantation of Human Organs (Amendment) Act, 2011 for its application in the State of Odisha with effect from the 20th August 2015 is hereby published for general information.

RESOLUTION

“Whereas, the Parliament had enacted the Transplantation of Human Organs Act, 1994 (Act 42 of 1994) providing for the regulation of removal, storage and Transplantation of Human Organs for therapeutic purposes and for prevention of commercial dealing in the human organs and for matters connected therewith or incidental thereto;

And, whereas, the Odisha Legislative Assembly had adopted the said Act on the 6th August 1998 by passing a resolution under Article 252(1) of the constitution of India for its application in the State of Odisha;

And, whereas, the said Act has been amended by Parliament as the “Transplantation of Human Organs (Amendment) Act, 2011 (Act 16 of 2011);

And, whereas, the said Amendment Act though enacted by the Parliament, cannot be applied and come into force in this State unless it is adopted by Resolution passed in that behalf under Clause (1) of Article 252 of the Constitution of India by the Odisha Legislative Assembly ;

And, whereas, the subject matter of such of law is relatable to entry - 6 (Public Health) of List - II (State List) of the Seventh Schedule to the Constitution of India ;

And, whereas, it appears to this Lagislative Assembly that the said Amendment Act should also be regulated in this State ;

Now, therefore, in exercise of the powers conferred by Clause (1) of Article 252 of the Constitution of India, the Odisha Legislative Assembly hereby resolves that the Transplantation of Human Organs (Amendment) Act, 2011 (Act 16 of 2011) passed by the Parliament be adopted for its application in this State of Odisha.”

By order of the Governor

ARTI AHUJA

Principal Secretary to Government