Current Regulatory Requirements for Conducting Clinical Trials in India for IND/NEW Drug Version 2.0

Prof. Dhananjay k Sable
Department of Biotechnology
Indian Institute of Technology, Madras

Lecture – 11
Ethics Committee Registration and Re-registration

Hello, friends. Welcome back to the course that is Current Regulatory Requirement for Conducting Clinical Trial for New Drug and Investigational New Drug in India. Up to this we have seen many of the lectures up to lecture 8, and in the lecture 7 and 8 we have seen that the ethics committee which is registered with the central licensing authority required to oversee the BA BE study conduct and the clinical trial study conduct.

So, in this lecture that is lecture 9, it is related to the Ethics Committee Registration and Re-registration we are going to see what is means by this exactly Ethics Committee we have referred in our lecture 7 and lecture 8.

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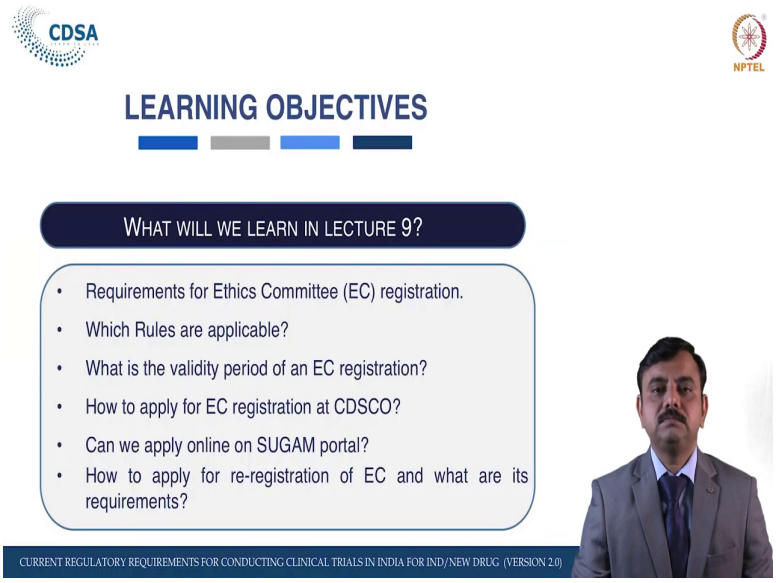

So, after completion of this lecture the learners will come to know the requirement for ethics committee registration; what is ethics committee; which rules as per New Drug and Clinical Trial are applicable; once it has been registered what is the validity period; then how to apply for ethics committee registration at CDSCO that in central licensing authority and whether it is the in the hard copy that is offline or online that will also see. Further, how to apply for the registration and re-registration these things will cover.

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So, let us start first with what is ethics committee. So, if you recall in our first course, we have given all the schedule wise related rules and the 1945 D and C rules wherein the definition in the rule 122 has been given which is related to the ethics committee.

As per these definition an ethics committee is a committee comprising of medical, scientific, non-medical, non-scientific members whose responsibility is to ensure the protection of the right safety and well being of human subject involved in clinical trial and it shall be responsible for reviewing and approving the protocol, the suitability of the investigators facilities method and adequacy of information to be used for obtaining and documenting informed consent of the study subject and adequacy of confidentiality safeguard.

So, this is little bit and the definition of the ethics committee. Now, let us see why it is required to have the ethics committee and why its registration is mandatory.

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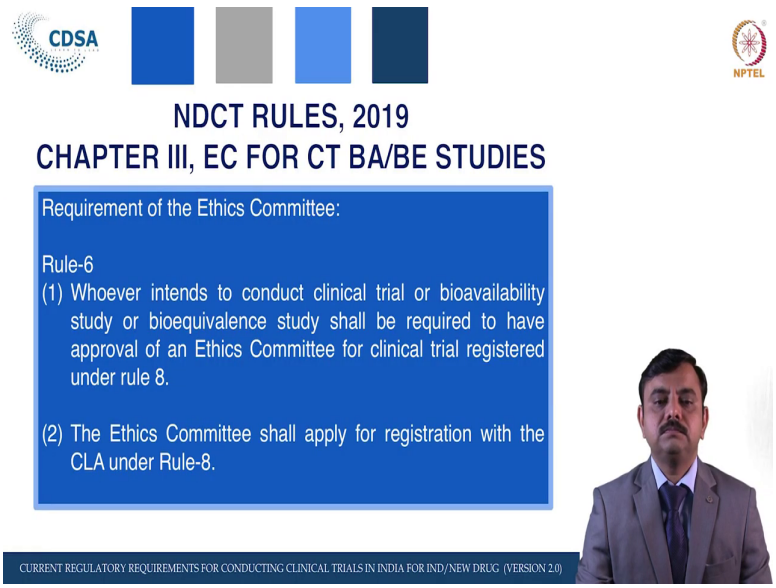

So, as per the rule 6 of New Drug and Clinical Trial Rule, whoever intend to conduct clinical trial or bioavailability study or the bioequivalence study what we have seen in our previous lecture. It shall be required to have approval of an ethics committee for clinical trial register under rule 18. So, in this rule it has been stipulated that the registered ethics committee approval is acceptable.

So, the ethics committee shall apply for registration with the Central Licensing Authority it is mentioned under Rule 8.

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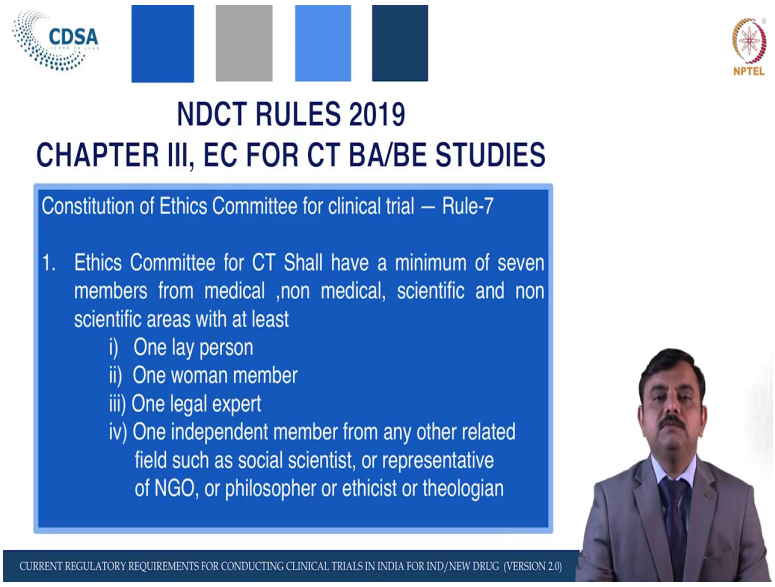

Let us see what should be the composition or the constitution of the ethics committee for clinical trial rule. So, dear friends I would like to mention here in this New Drug and Clinical Trial rule, we have mentioned about two ethics committee that is one for the ethics committee which is for clinical trial, as per the definition we have seen what is clinical trial. So, if it is fit in that definition then ethics committee has to be registered with the CDSCO and one more ethics committee that is committee related to the biomedical and health research that will see in our subsequent slides. So, there are two types of ethics committee.

Let us have a look for the constitution of ethics committee for clinical trial. So, it is given under rule 7. The ethics committee for clinical trial shall have minimum of seven members and these members from medical, non-medical, scientific, and non-scientific areas with at least one lay person should be there, then one woman representative should be there, then to handle the legal matters one legal experts, one independent member from any other related field such as

social scientists or representative of the non-government organization or philosopher this should be there so, one member from this.

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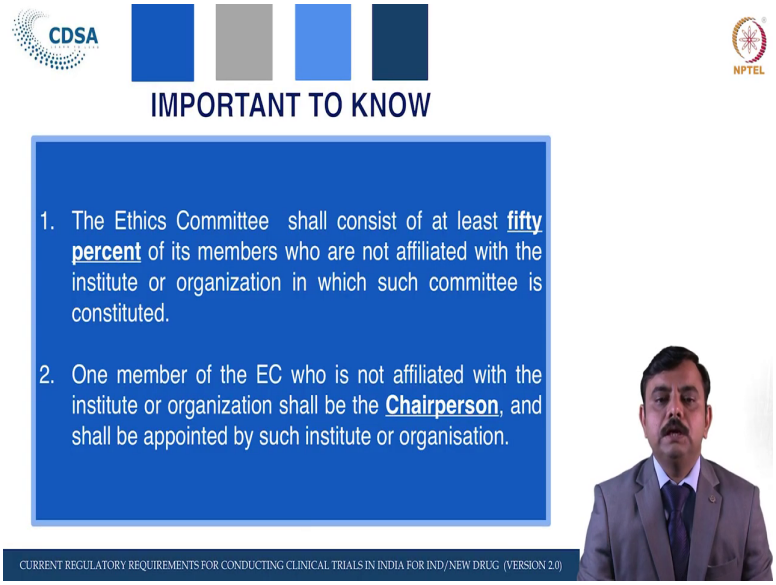

And, the important things to know that the ethics committee they shall consist of at least 50 percent of its members who are not affiliated with the institute or organization in which such committee is constituted.

The one member of ethics committee who is not affiliated with the institute or organization shall be the chairperson. The chairperson should not be affiliated to the institution.

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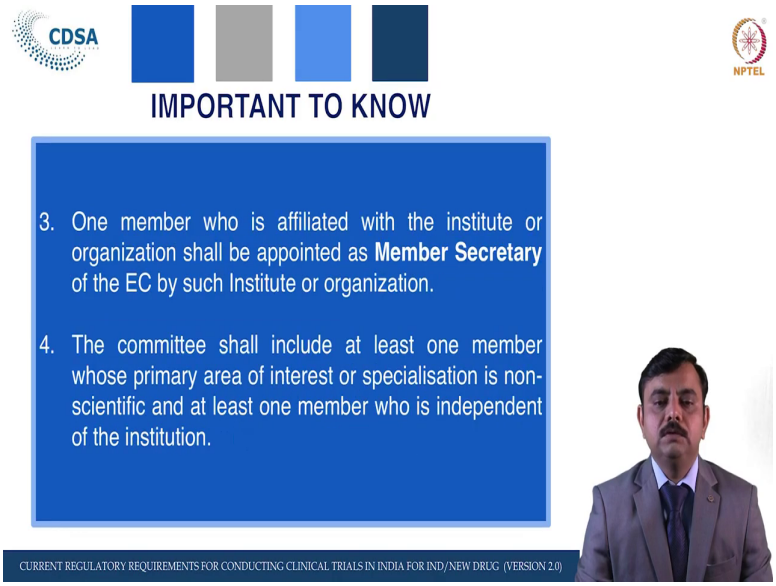

The one member who is affiliated with the institution shall be appointed as a member secretary. Then the committee shall con include at least one member whose primary area of interest or the specialisation is non-scientific. So, that he can think it properly and without involving the science and at least one member who is independent of the institution.

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The members of ethics committee shall follow the provision of the rules. So, the whosoever the member they should be conversant with the rules regulation of related to the ethics committee. They should be aware about the rules regulation and good clinical practices guideline so that they can safeguard the right safety and well being of a trial subject.

The every member of ethics committee shall require to undergo such training. So, not only the when (Refer Time: 06:39) the certificate of root that they have undergone such training that should be there.

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The members representing the medical scientists and clinicians shall possess at least post graduate qualification in their respective area of specialization. They should have further adequate experience in the respective field and requisite knowledge about the gcp guideline and rules and regulations.

As far as possible, based on the requirement of research areas such as HIV or genetic disorder specific patient group may also be represented in the ethics committee. If it is the trial is related to the aids drug or the HIV drug in the; for that the ethics committee they can have a if possible the patient from such community.

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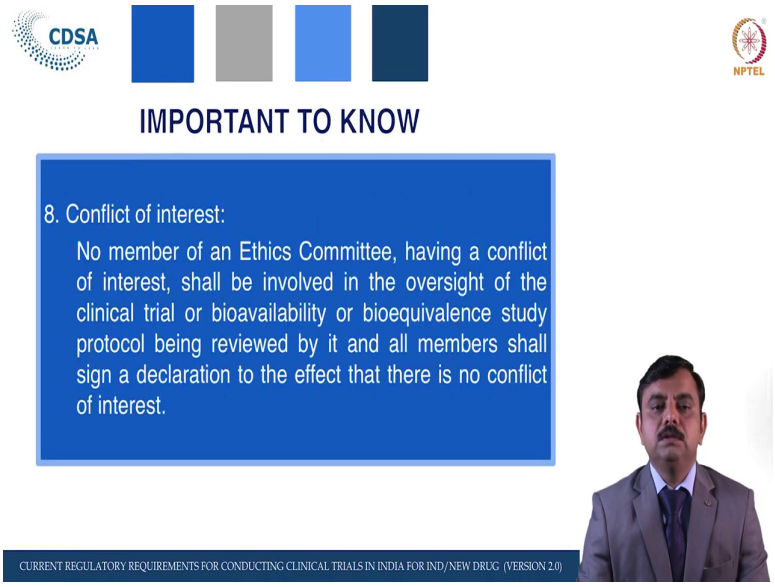

Then, regarding the conflict of interest of these members so, as per the rules no member of the ethics committee having conflict of interest shall be involved in the oversight of the clinical trial or BA BE study protocol and in this regard they have to sign a declaration that there is no conflict of interest.

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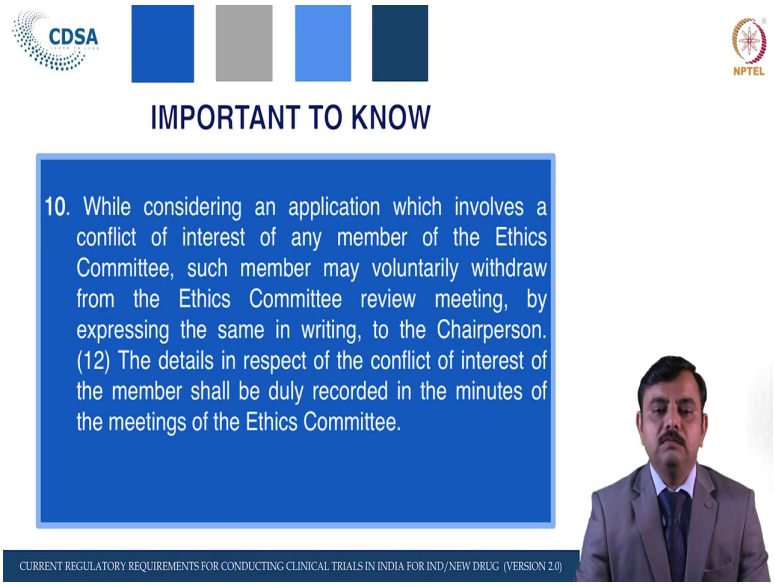

While considering an application which involves a conflict of in interest of any member of ethics committee such member may voluntarily withdraw from the ethics committee review meeting. If any member for example, if PI is involve in such a study then he may withdraw from that study. And, the details in respect of such conflict of interest shall be recorded in the minutes of the meeting, why he has not attended the minutes of meeting that should be mentioned in the minutes of the meeting.

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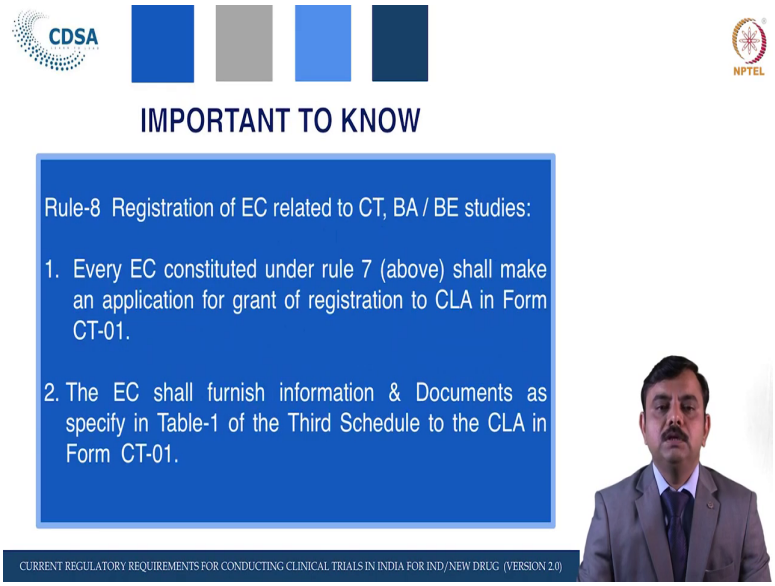

Let us have a look about registration of ethics committee related to the clinical trial BA BE studies.

So, this is given in the rule 8 of New Drug and Clinical Trial rule. So, as per this rules every ethics committee constituted under rule 7, as we have seen, shall make an application for a grant of registration to central licensing authority in form CT-01. So, those who are willing to register the ethics committee required to apply in CT-01 form and the document information required that is given in the Table 1 of the third schedule. We will see that in the later.

Also, we have covered in our another lecture which is exclusively for the tables given in the NDCT rules.

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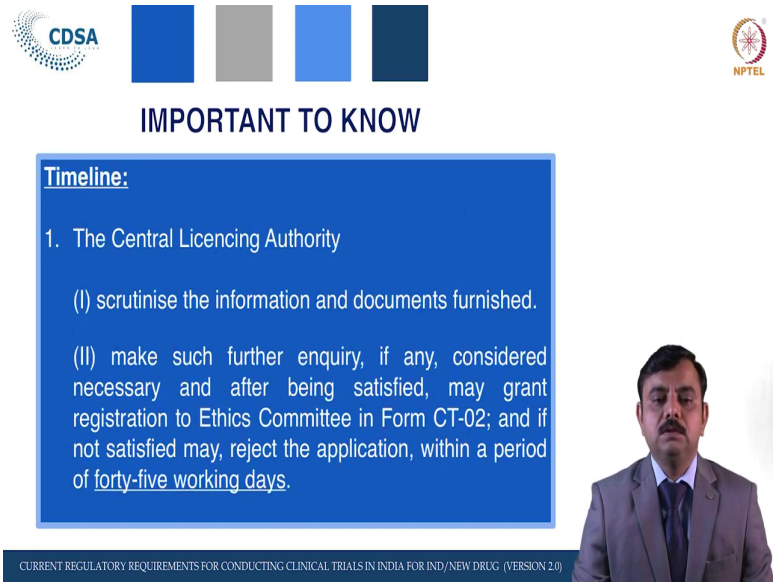

The Central Licensing Authority after scrutinizing such submitted information, document which are furnished by the application if require they can make an entry and if considered and after being satisfied that the requirement of these rules have been complied with may grant registration to the ethics committee in form CT-02.

And, in case if the central licensing authority is not satisfied with the compliance of these rules by the applicant ethics committee it may reject the application, but in that case the licensing authority has to be given the reason why they have rejected it. And, they have to give the communication in this regard within a period of forty-five working days to the applicant from the date of receipt of the application.

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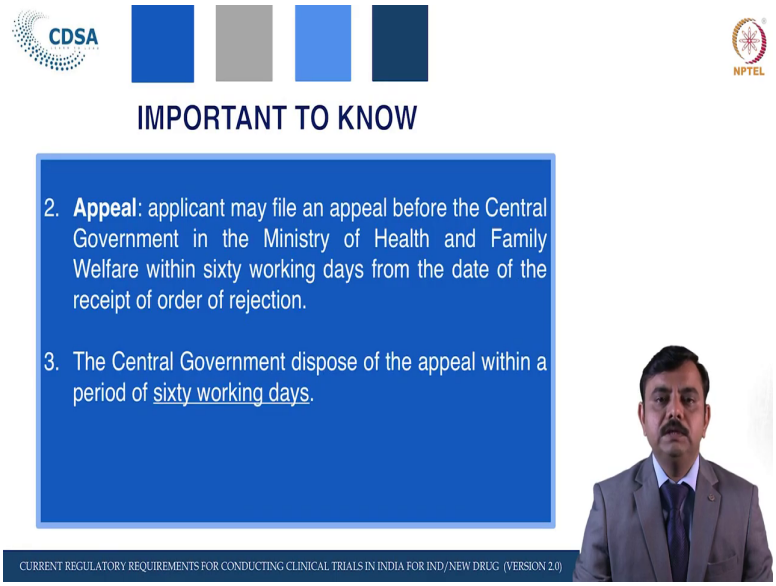

If in case the applicant is not satisfied with the decision taken by the licensing authority he can appeal and he may file an appeal before the Central Government in the Ministry of Health and Family Welfare. That appeal should be within a sixty working days from the date of receipt of order of rejection.

And, Central Government after scrutinizing his appeal they have to dispose this appeal within a sixty working days. If they have found that the applicant who is registration has been cancel was not proper, then they can revoke that order and if the found that it is consistent with the rules and regulation and it has not followed the stipulated condition they can continue this registration.

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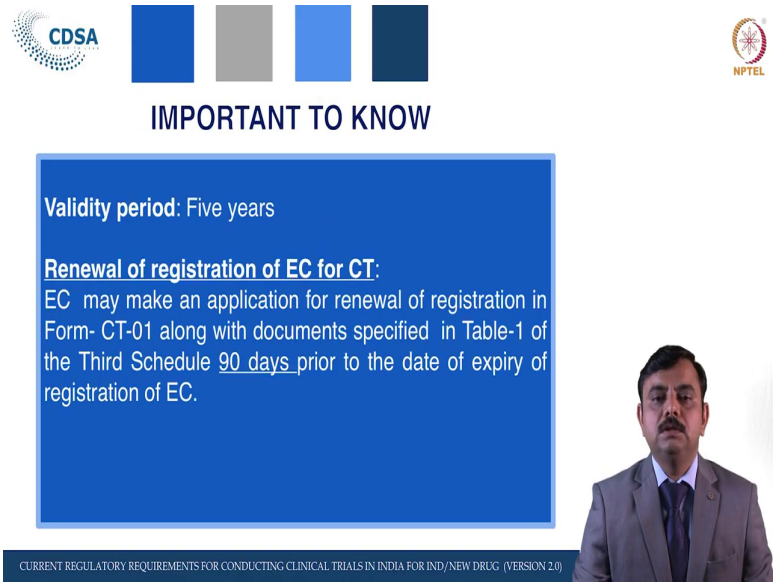

The validity period was the registration has been granted, it is valid for five years unless it is suspended or cancel and it is from the date of issue. Then for the renewal of registration of ethics committee on expiry of validity period, the applicant can make an application for renewal of registration in the same form that is CT-01 and the document which are mention in the table-1. And, this has to be applied within the 90 days prior to the date of the expiration of the registration certificate.

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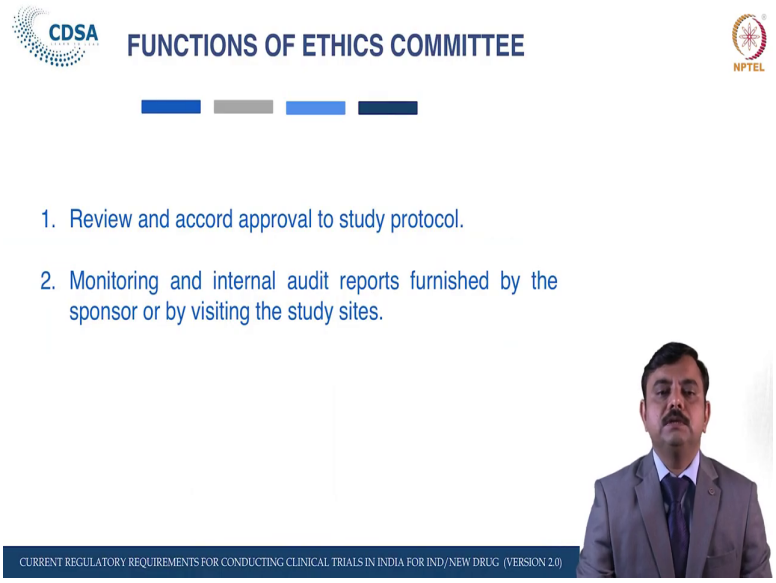

Let us have the look for the functions of the ethics committee which are given in rule 11 of New Drug and Clinical Trial. So, the function of ethics committee is to review and accord approval to clinical trial bioavailability, bioequivalence, study protocol.

The first is that they have to review the protocol submitted by the sponsor to them. Then after approval from the ethics committee and approval after approval from the central licensing authority, it is the responsibility of ethics committee to monitor and have internal audit report furnished by the sponsor or by visiting the study style. They can have the internal audit also or they can they can verify the report of the internal audit or they can directly go and inspect the study also.

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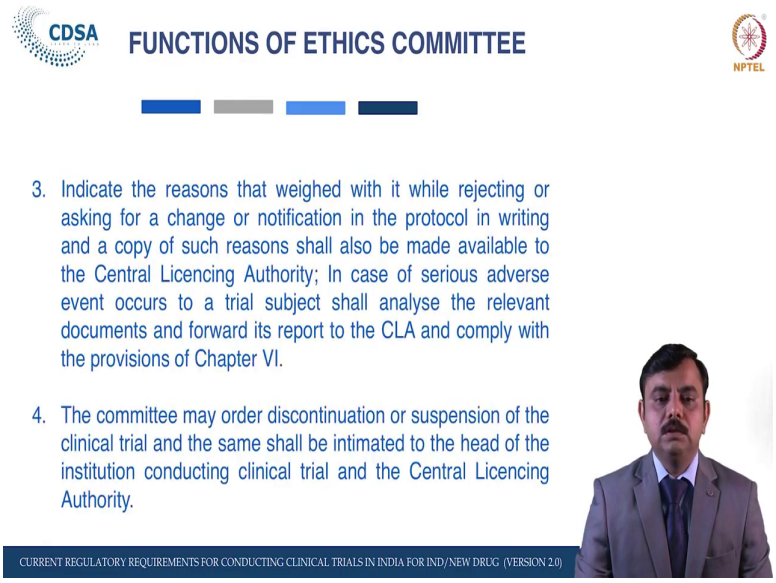

They have to indicate the reason that weighted with the while rejecting or asking for a change or notification the protocol in writing and copy of such reason shall also be made available to the central licensing authority. So, in case of the serious adverse events which occurs to a trial subject or study subject during this trial, the ethics committee shall analyse the relevant documents pertaining to such an event and forward its report to the central licensing authority and comply with the provision of the chapter 6. So, if any SAE is there then it is the duty of the ethics committee to analyse all this document in documentations and results and whatever the outcome or whatever the opinion they are having they are forwarding to the central licensing authority.

Where at any stage of clinical trial it comes to conclusion that the trial is likely to compromise the right safety or well being of trial subject the committee may order discontinuation. So, the ethics committee is also having the power to order such a sponsor to discontinue or suspend

or suspend this clinical trial and whatever the order given that same shall be intimated to the head of the institution conducting the clinical trial and the BA BE study and also to the centralization of authority.

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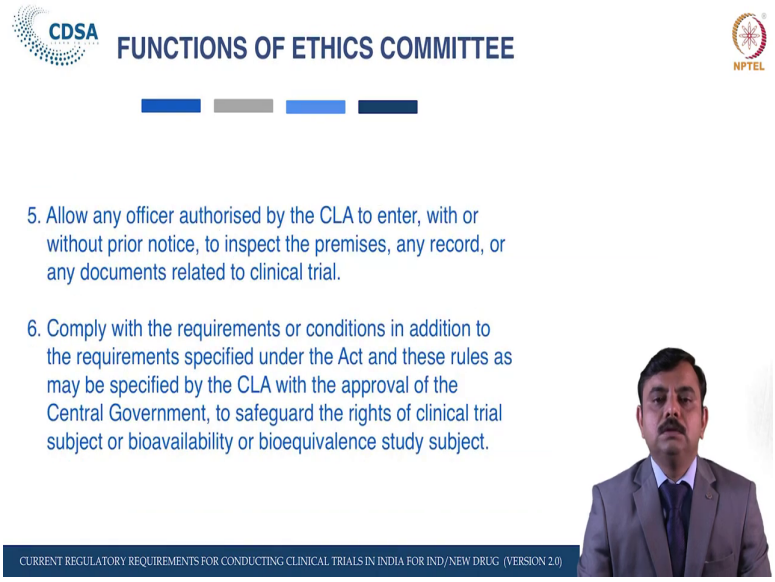

The committee as we have seen in the BA BE study centre, the centre should allow the auditor, in the same manner the ethics committee also should allow an officer authorized by the central licensing authority to inspect any record or premises any document related to the clinical trials or furnish information to any query raised. They comply with the requirement or condition in addition to the requirements specify. The ethics committee also has been stipulated with certain condition that they are required to comply with.

Let us see the proceeding of ethics committee and members requirement.

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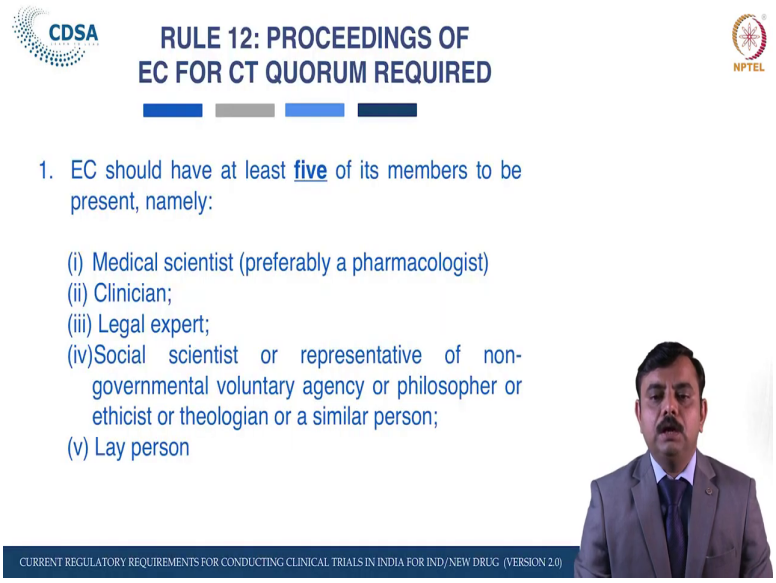

So, the no clinical trial or BA BE protocol and deleted document shall be reviewed by ethics committee unless at least five of its member are available. So, we have seen at least seven members should be there, but for the quorum or to review this protocol at least five members should be there. And, this five member should be one should be the medical scientist, preferably it should be a pharmacologist, then clinician, one legal experts, social scientists or representative of any NGO or ethicist and one lay person who is not related to all this and we can think it critically the lay person should be there.

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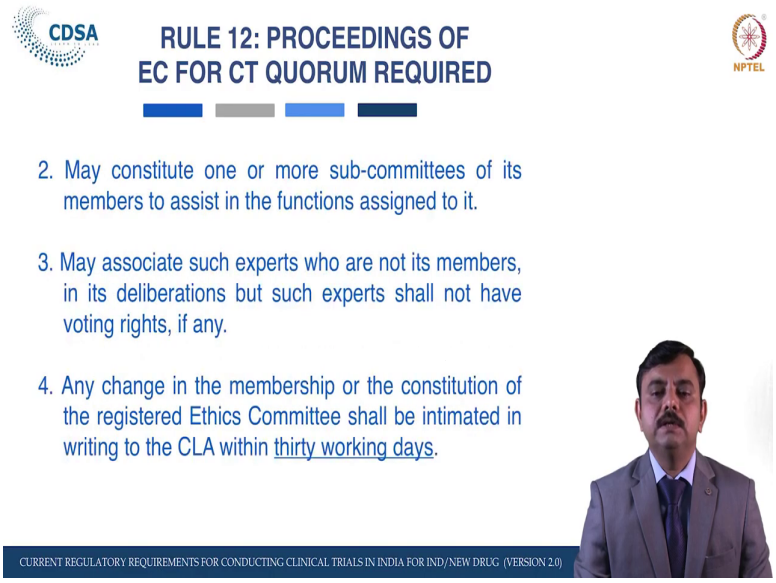

The ethics committee if require they can constitute a sub-committee to assist its function assigned to it and it may associate such expert who are not its member in its deliberation. So, they can take a help of you in case of for example, there is a case or there is a protocol for the HIV drugs so, they can take a assistance from those who are expert in that field. But, in this case, the expert shall not have voting rights if any. So, they cannot work in case of an agreement or disagreement.

Further any change in the membership or constitution of the registered ethics committee that shall be intimated in writing to the Central Licensing Authority within thirty days.

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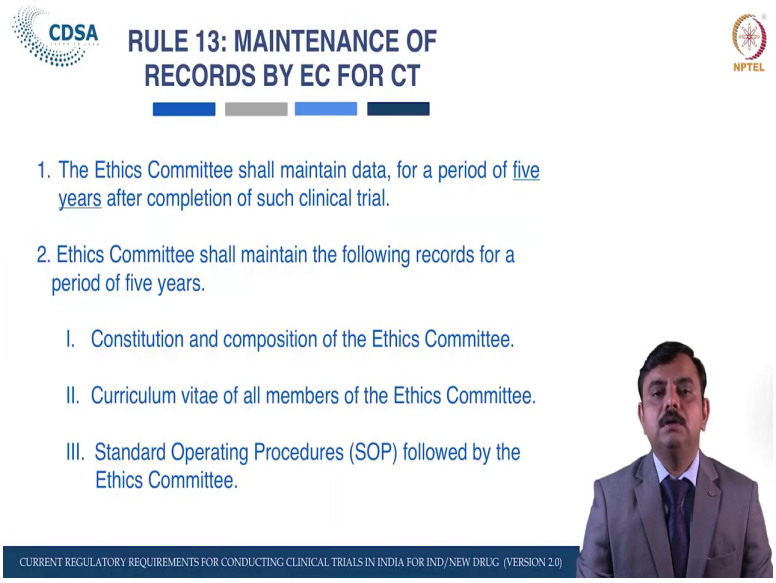

The ethics committee shall maintain a record like data of all the protocol reviewed, then registered another document and they have to keep it for five years after completion of such clinical trial.

In particular and without prejudice to the generate of sub rule the ethics committee shall maintain the record for period of five years and these records what are the record to be maintained it is given here the constitution and composition of the ethics committee. So, the record of the constitution who were the members and what were their qualification, their (Refer Time: 17:09) that has to be maintained.

Then the SOPs which are followed for the proceeding SOPs which are followed for other things that has to be maintained.

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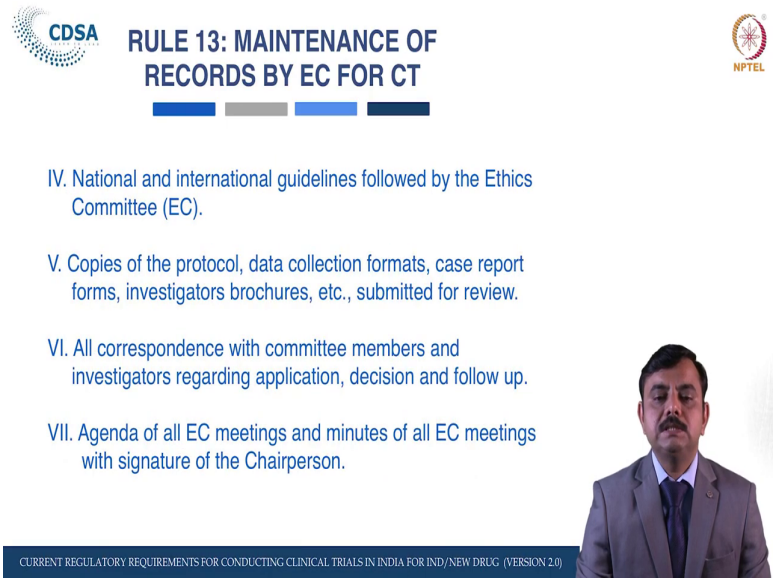

Then national and international guideline followed by the ethics committee which are the guidelines they are followed whether it is ICH guidelines, CDSCO guideline, WHO guidelines, the record of that also required to be follow. Then copies of the protocol, data collection format, case report form, investigator brochure whatever submitted by the sponsor for the review and whatever they have accorded the approval that everything they are to maintain the record.

Then all correspondence with the committee members investigator regarding application decision and follow up whether it is through the mail or by hard copy the all the records whatever the correspondence they have made in case of if they are having any doubt and if they require to ask it to the sponsor or to the investigator that should that communication

should be through either mail or document and whatever these communication whatever the reply obtained that has to be maintained.

Agenda of all ethics committee meetings: so, whenever there is a conduct of myth in meeting the agenda and the minutes of the meeting that should be signed with the chairperson has to be maintained.

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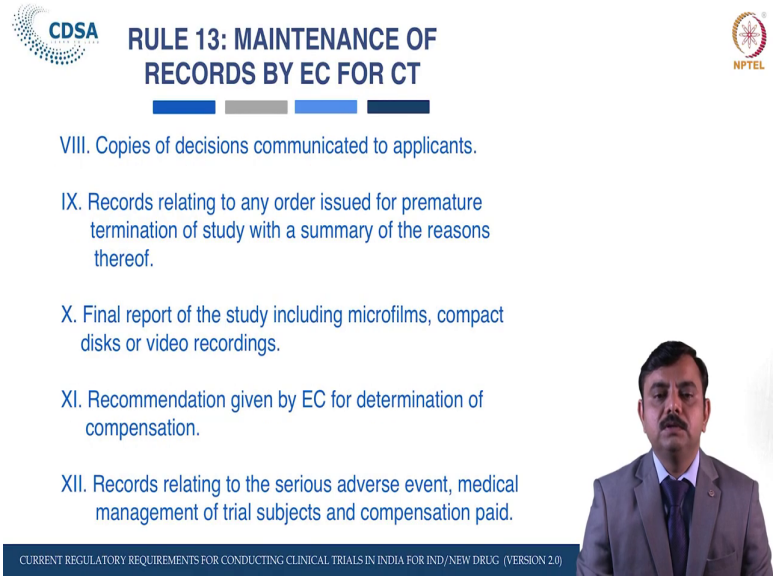

Copies of decision communicated to the applicant whatever the copies of decision communicated applicant that is required to be maintained. Records relating to any order issued for premature termination; in case if ethics committee is found that the conduct is not as per the rule and there is a major deviations they can order we have seen to the suspension or premature of the conduct of the study and in this case they have to maintain the record of such orders.

Recommendation given by the ethics committee for determination of the compensation, in case of any SAE is there then ethics committee we have seen has to evaluate the report and the final outcome has to be given to the central licensing authority and head of the institution within 14 days. So, record of these required to be maintained. Then after giving the compensation what compensation the sponsor has given the; they have to inform it to the ethics committee and ethics committee also required to maintain the record related to the compensation paid.

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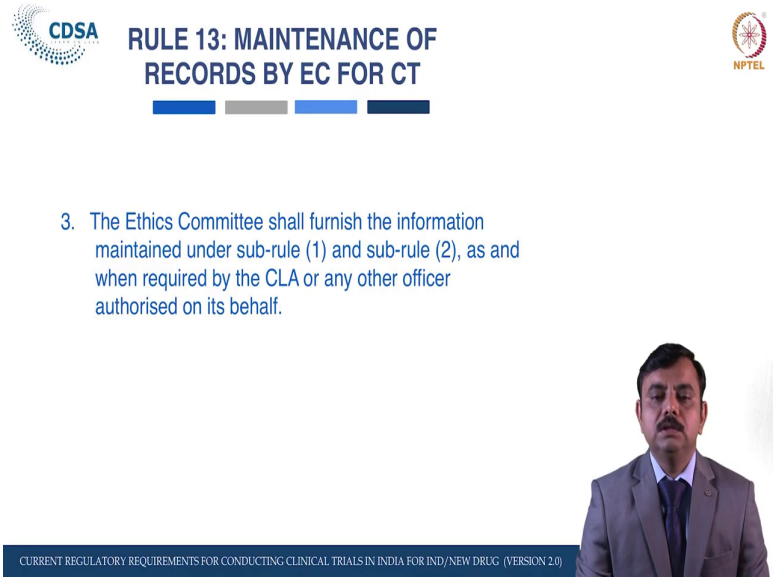

Now, Ethics Committee shall furnish the information maintained as and when required by the central licensing authority. So, this is one of the condition that the whenever the central licensing authority requires such information whether they have conducted meeting or not,

what the compensation they are paid – so, everything they require to produce to the licensing authority as and when it is required.

Now, let us see what is the procedure for suspension or cancellation of ethics committee.

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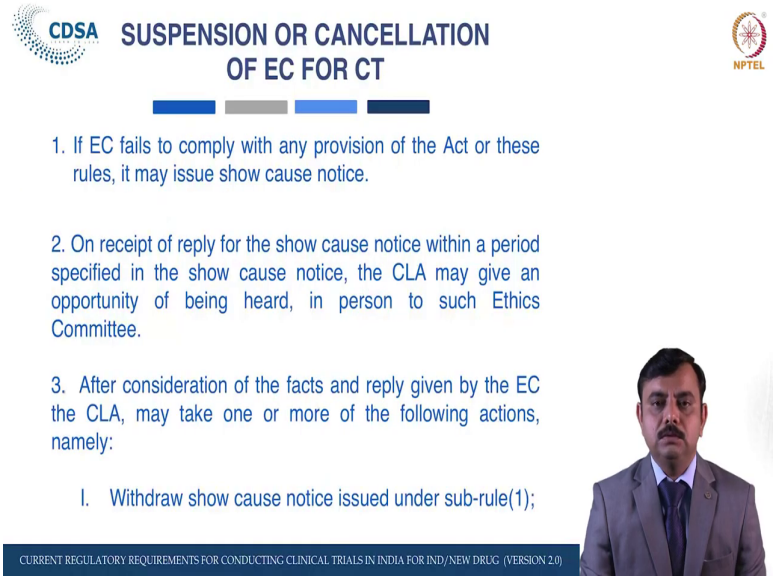

So, this right is with the central licensing authority where the central licensing authority is of the opinion that any ethics committee if it fails to comply with any provision of the act or this rule or the condition stipulated while giving the registration to this ethics committee, then the ethics committee for the ethics committee the central licensing authority may issue shape show cause notice to such ethics committee. And, the reason should be mentioned there and whatever the base for giving the show cause notice that is non-compliances observed or the violation observed that that should be mentioned in to the show cause notice. While giving

such show cause notice the licensing authority may stipulate some period within which the ethics committee required to reply.

On receipt of such reply for the show cause notice within a period specified in the show cause notice, the central licensing authority can also give an opportunity of being heard, in person to such ethics committee. And, after consideration of the fact and reply given by the ethics committee the central licensing authority, may take one or more of the actions. And, this action are like they can withdraw the show cause notice if the ethics committee has replied properly to the show cause notice.

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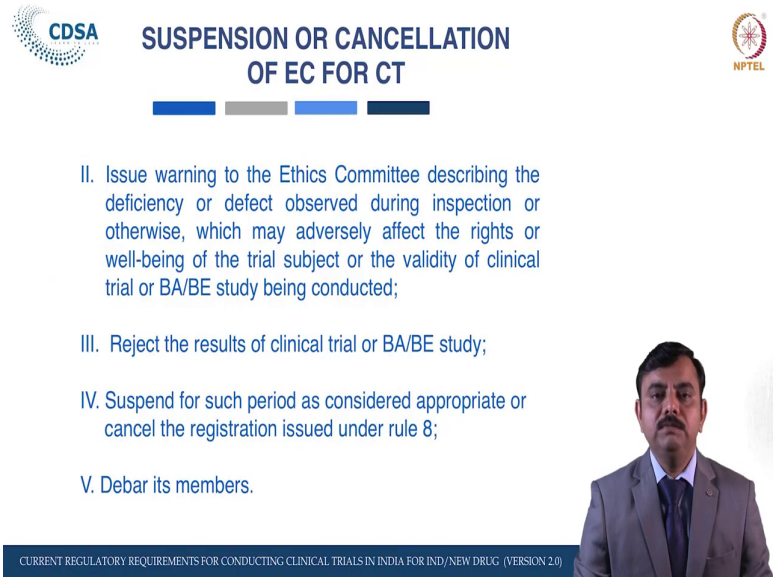

If it is not replied properly they can issue a warning to the ethics committee and in that warning they have to describe the deficiency or defect observed during the inspection or

otherwise which may adversely affect the right or well being of the trial subject or validity of the clinical trial BA BE study conducted.

The licensing authority can reject the result of clinical trial or BA BE study. So, for those which I have been accorded by the ethics committee and if it is not proper then that also can be suspended. It can suspend for such a period as consider appropriate by the licensing authority. The licensing authority can debar its member to oversee any clinical trial in future for period as maybe consider appropriate.

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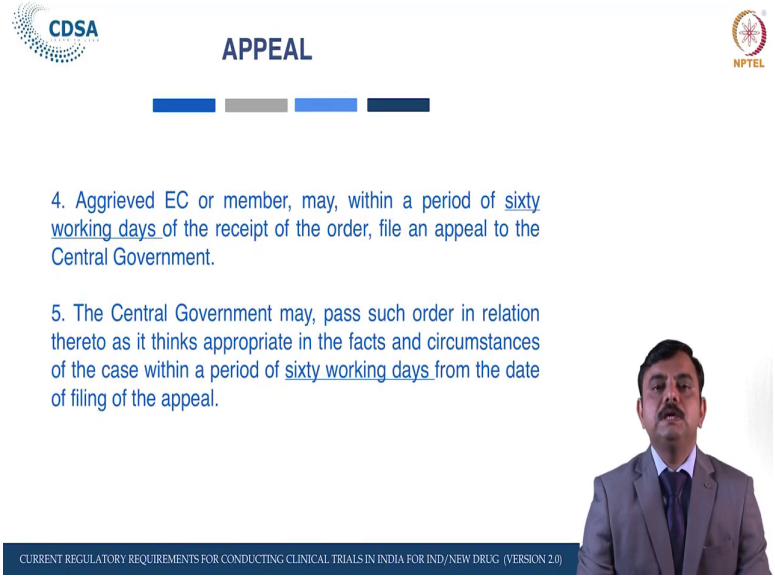

Then after cancellation an by cancellation, rejection or suspension, debar whatever the action if the licensing authority has taken and if the applicant is not satisfied with the decision taken by the licensing authority, then there is a provision for appeal where the ethics committee or any member of the committee is aggrieved by such an order, they may within period of 60

working days of the receipt of the order they can appeal to the central government that is the Ministry of Health and Family Welfare.

And, after filing such approval or after making such inquiry as it things necessary and after giving the opportunity of being heard to the applicant the Central Government may pass such an order in relation there to as it thinks appropriate. If they found that rejection is inappropriate they can revoke that rejection and if they find the rejection is inconsistent with the provision of D and C act and rules where under they can continue this. So, this decision is communicated to the applicant within a sixty working days from the filing and appeal.

Now, as I have mention there are two ethics committees, one is for the clinical trial of new drug and IND, and the ethics committee to be constituted for those research which is which is not it comes under the clinical trial and this is for the biomedical and health research.

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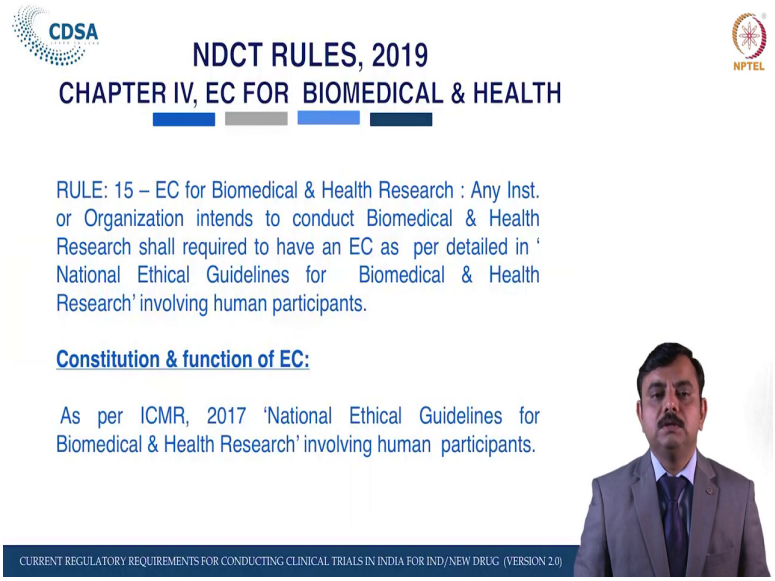

So, in the chapter IV it is given the ethics committee for biomedical and health research let us see what are the rule position.

So, ethics committee for biomedical and health research – any institution or organization intend to conduct such type of results shall require to have an ethics committee approval as per the detail in National Ethical Guideline for Biomedical and Health Research involving participants. So, any research which is going to be happen on the human subject which is not a part of the clinical trial or new drugs or IND, they also required to take a approval from the ethics committee which is exclusively prepared for the such type of biomedical and health research.

The constitution and composition we have seen for the ethics committee in this regard the constitution and function of the ethics committee it should be as per the national ethical guideline for biomedical and health research involving human participant which is a prepared by the ICMR in 2017.

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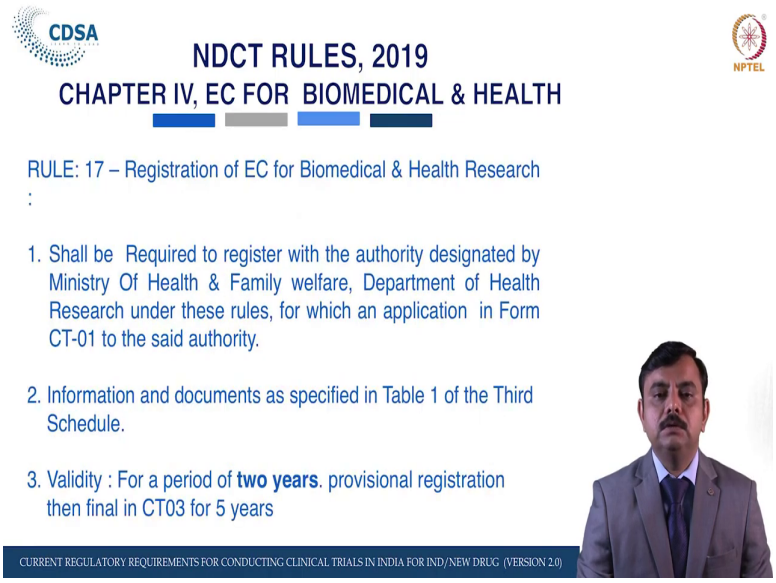

So, the registration of such type of Biomedical and Health Research ethics committee, they shall be required to register with the authority designated by the Ministry of Health and Family Welfare, Department of Health and Research. So, earlier it was not designated, now it has been designated that the Department of Health and Research will register such type of ethics committee and the applicant has to apply in form CT-01.

Information and document these are same as what we require for the ethics committee for the clinical trial and a new drug which is stipulated in the Table 1. In this case the validity period for such type of ethics committee is for the two years provisionally and after having the inquiry about the documentation and the whether the ethics committee has followed the rules regulation that can be continue for a 5 years.

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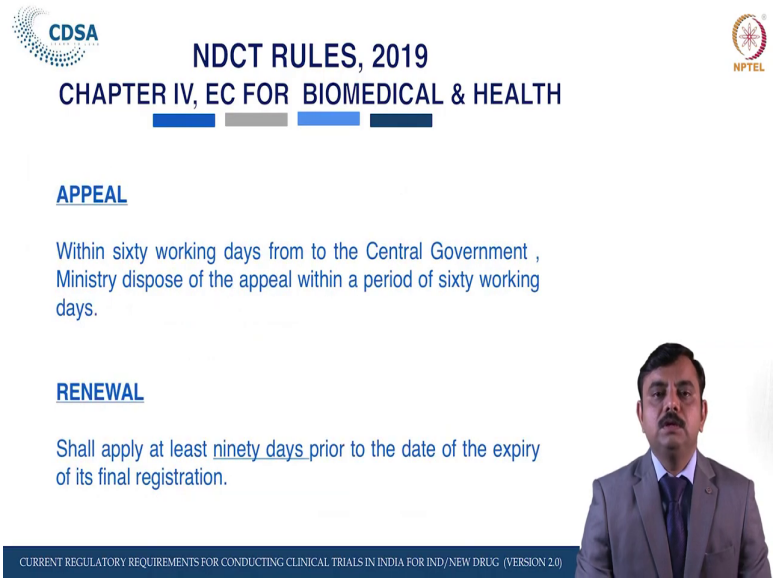

In case the rejection of the registration of such ethics committee there is also provision for the appeal. Within 60 working days the applicant has to appeal to the central government and after receiving the appeal the Ministry of Health form Family Welfare that is central government has to dispose of the application within period of sixty working days.

In case, after the expiration of the registration of such as ethics committee, there is provision for renewal and that renewal for the renewal the applicant has to apply to the concern authority at least ninety days prior to the expiration. So, if there is a; if there is no action or the file is spending with the designated of a authority then if it has been applied prior to the 90 days, the existing RC would continue to be work and this would not be null and void.

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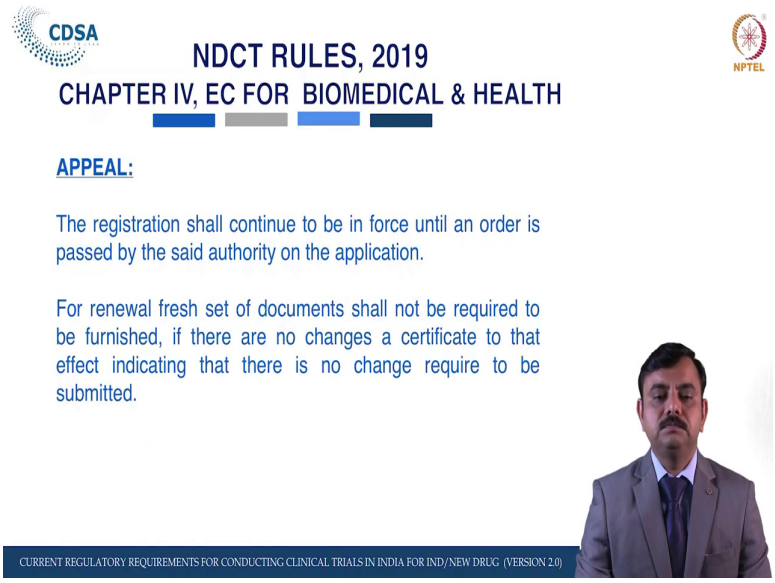

For renewal of fresh set of document, the information and the documents for you have to seen for the registration, all this document may not be required to be furnished if there is a no change. And, if there is no change the certificate in to that effect has to be given by the applicant that there is no change in the ethics committee.

So, in case of non-compliance of rules and regulation as life for the other ethics committee which we have seen for clinical trial new drug, here also there is provision for suspension and cancellation.

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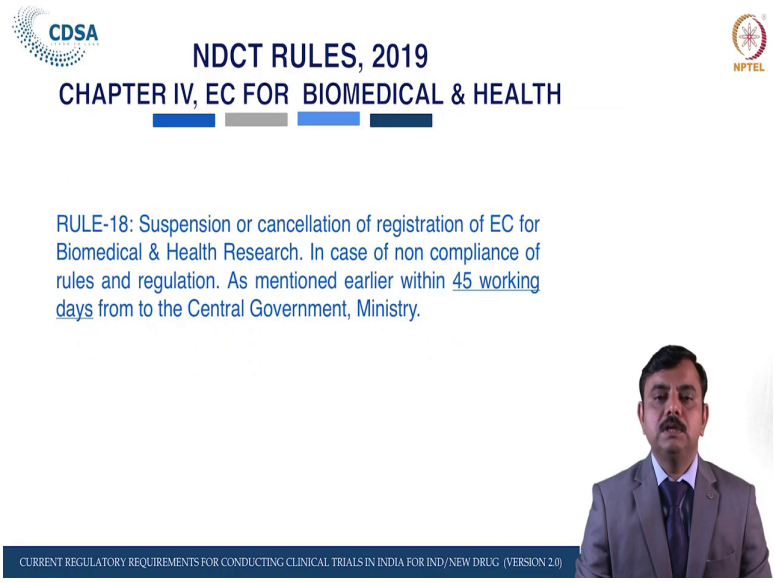

So, the level the authority who has given the registration to the biomedical and health research ethics committee can cancel or suspend the registration. After cancellation there is a provision we have seen within 45 working days, he has to appeal for that.

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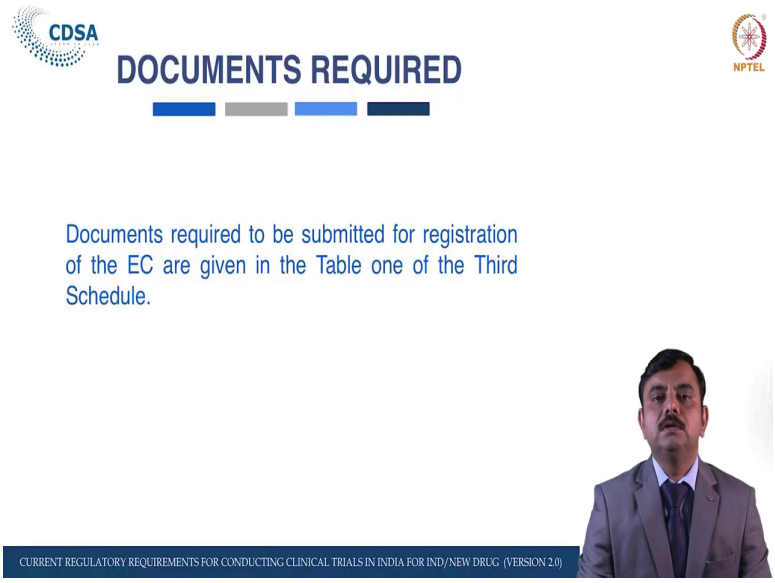

Now, let us see what are the documents required to be submitted for registration of the ethics committee as given in the Table 1 of the third schedule.

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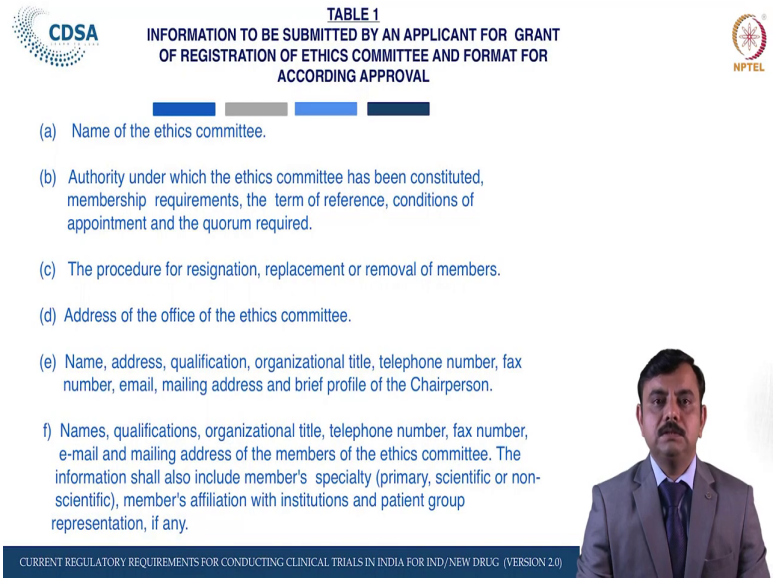

So, the information to be submitted by the applicant for grant of registration of ethics committee, in the first, he has to submit name of the ethics committee. Then authority under which it has been constituted, who are the members, the requirement for the membership, then the what are the TOR the term of references, conditions of appointment, the quorum required. Then the procedure for resignation; if any member would like to resign from the ethics committee what the procedure has to follow.

Then address of the office of the ethics committee, then detail real like name address qualification mail address brief profile of the chairperson. Then name qualification organizational title and further other detail like telephone number tax etcetera of the members of the ethics committee.

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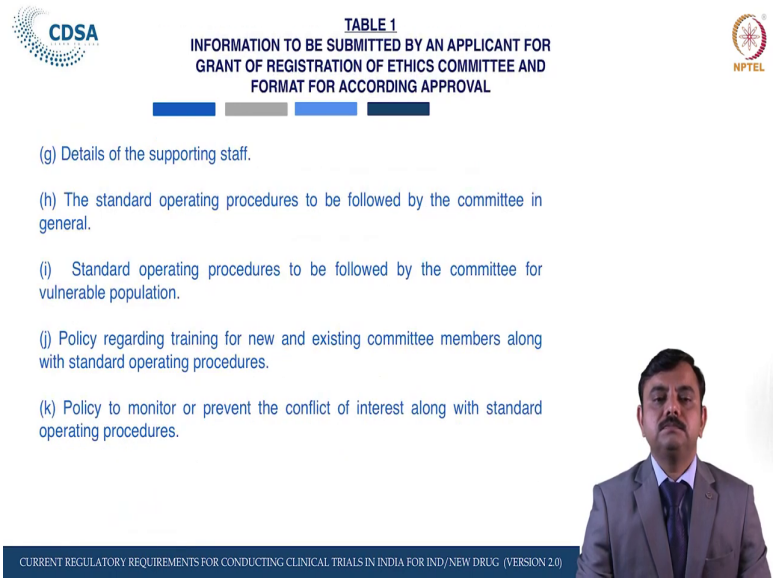

Then detail of the supporting staff also has to be given. Then the SOPs to be followed, the list of the SOPs and the copy of SOP is required to be given. Then policy regarding training of new and existing committee members; we have seen the ethics committee member required to undergo training, then the what policy they have made to train the educate the members that is required to be given.

Then, policy to monitor or prevent the conflict of interest along with the SOP; we have seen there should be no conflict of interest of the any members while living in the protocol. So, what is the policy they have adhered to be that required to be submitted.

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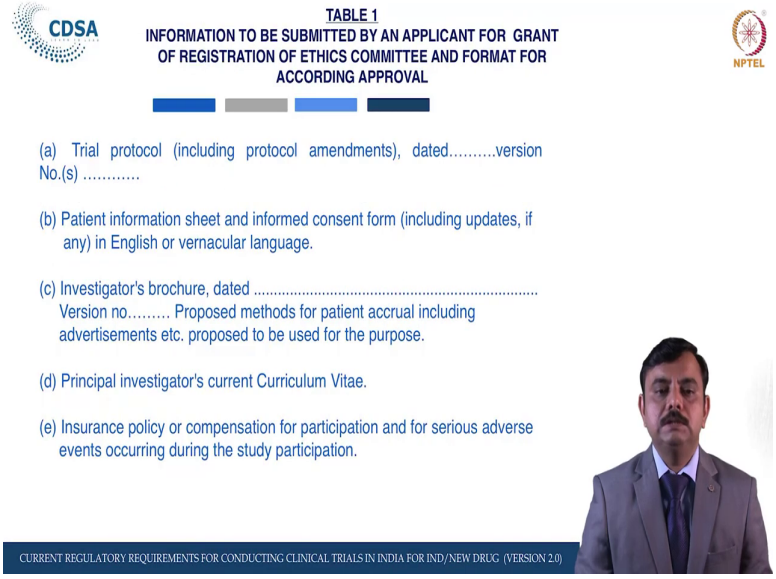

Now, let us see what are the format for according approved to clinical trial protocol by the ethics committee. So, the format has been given the New Drug and Clinical Trial rule. You can see this is the format for recording approval to clinical trial protocol by the ethics committee.

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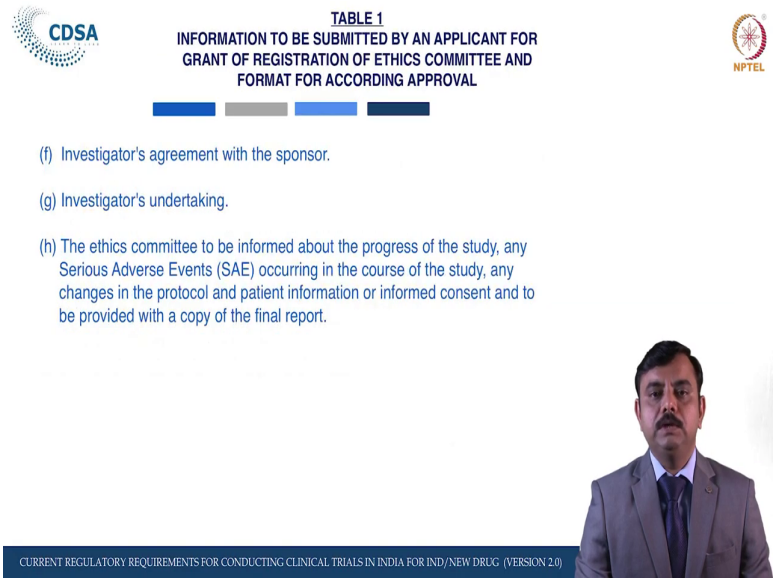

So, in this format they have to accord the approval and they have to accord the approval and communicated communicate in this format to the sponsor. So, this is the format.

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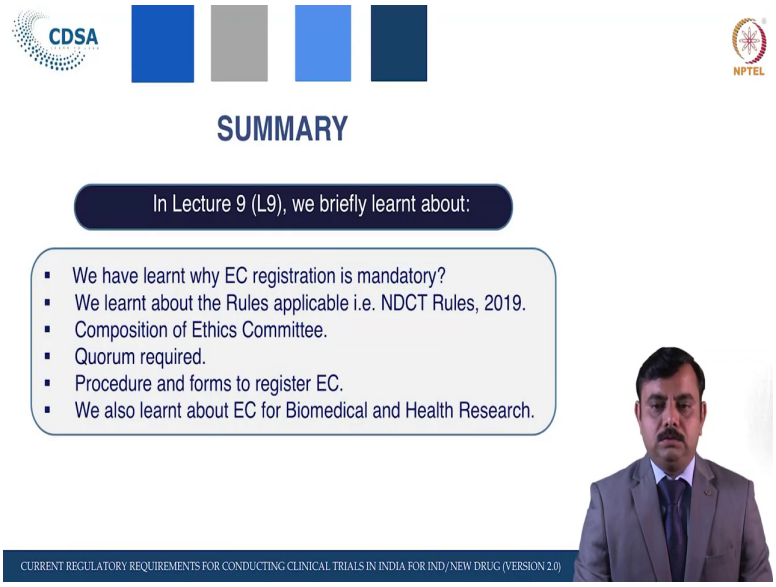

So, this is about the ethics committee and now, let us see what we have learned from this lecture. So, in this lecture we have learned briefly about what is ethics committee as per rule 122 DD.

And, what is the procedure to register this ethics committee? There are two types of ethics committee we have seen. One is for the clinical trial new drug and IND and another is for the biomedical and health research. Then, we have seen what is the procedure for registration, re-registration; then procedure for inspection and what in case of the cancellation, what is the time period for renewal; then again we have seen its appeal and the composition of these committees.

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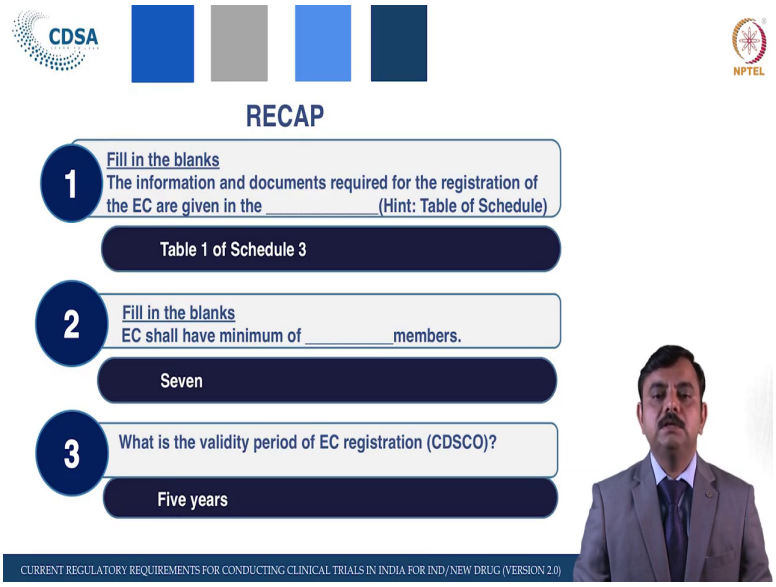

Now, it is your time to recall your memory. So, the question for you, for this lecture; the first question – the information and documents required for the registration of ethics committee are given in the which table of schedule? So, you have to mention the table also and schedule also in which it is given. So, it is a table 1 of schedule 3.

The next question which is very easy, ethics committee shall have minimum of dash members. How many members should be there at least ? So, we have seen there are there should be minimum of seven members. Good.

Then what is the validity period of ethics committee register for the CDSCO? We have seen there are two ethics committee registered under DHR and registered under the CDSCO. So,

you have to tell validity period for the ethics committee registered with CDSCO that is central licensing authority. So, it is a 5 years.

So, this is about the ethics committee registration, re-registration. We will see in our next lecture. Till then you take care, all the best and thank you for paying the attention.

Bye.