

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

UNSTARRED QUESTION NO:912

ANSWERED ON:01.03.2013

ILLEGAL TRADING OF HUMAN ORGANS

Panda Shri Prabodh;Singh Shri Bhola;Tarai Shri Bibhu Prasad

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) the number of cases of illegal trading and smuggling of human organs came into the notice of the Government in the country during each of the last three years and the current year, State/UT-wise;
- (b) whether the Government has taken any steps against the unscrupulous persons indulging in such activities;
- (c) if so, the details thereof; and
- (d) the further steps taken by the Government to strictly deal with such unscrupulous persons in order to check illegal human organs trading?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABIAZAD)

(a) to (c) Health being a state subject, such information is not maintained centrally. However, some incidents of illegal transplant of human organs have come to the notice. Information supplied by various states during the last few years is at Annexure. One complaint has been received regarding a website by the name of www.abroadkidney.com offering kidney transplantation in India through illegal trading. The complaint has been forwarded to Delhi Police and Ministry of Home Affairs, Government of India on 22-11-2012 for appropriate action as per law.

(d) Government has enacted Transplantation of Human Organs Act (THOA) 1994 to provide a system of removal, storage and transplantation of Human Organs for therapeutic purposes and for the prevention of commercial dealings in human organs. The Act has defined near relatives who can donate the organ. No Indian donor can donate to a foreigner except in near relative cases. Appropriate authority has been provided for registration and monitoring the transplant centres. The relationship in case of foreigners has to be certified by the concerned embassy in India.

Authorization Committees have been formed under the Transplantation of Human Organs Act and Rules for approval of unrelated and foreigner cases of organ transplantation.

IEC activities are carried out to improve deceased organ donation rate in the country, which is likely to decrease the illegal organ donation.

The Transplantation of Human Organ (Amendment) Act 2011, provides that whoever contravenes any provision of the Act or any rule made or any condition of the registration granted there under for which no punishment is separately provided, shall be punishable with imprisonment for a term which may extend to five years or with fine which may extend to twenty lakh rupees.