

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2211
ANSWERED ON:10.03.2015
TRAFFICKING OF HUMAN ORGANS
Ray Dr. Ravindra Kumar

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the cases of smuggling of human organs are rampant in the country;
- (b) if so, the details of such cases reported during each of the last three years and the current year, State-wise; and
- (c) the punitive measures taken against the offenders?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a) to (c): Health being a State subject, such information is not maintained centrally. However, in order to curb such practice, the Central 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. 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.