

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO. 1926
TO BE ANSWERED ON 21ST DECEMBER, 2018**

SALE OF KIDNEYS AND LIVER

1926. SHRI PRAHLAD SINGH PATEL:

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

- (a) whether it is a fact that the sale of kidneys and liver are still being done by tribals and poor people in India and if so, the details thereof and the reasons therefor;
- (b) the names of hospitals found involved in this racket along with the action taken by the Government against the accused; and
- (c) other measures being taken by the Government to check the said practice?

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SMT. ANUPRIYA PATEL)**

(a) & (b): Public health and hospitals being State subjects, come under the purview of State Government. whenever, instances of illegal organ trade come to the notice of the Ministry of Health and Family Welfare through complaints/media reports, these cases are forwarded to concerned State Governments for investigation and further action as per provisions of Transplantation of Human Organs and Tissues Act, 1994 (as amended in 2011). Therefore, details of all the cases are not available centrally.

(c): Central Act named Transplantation of Human Organs and Tissues Act (THOTA), 1994 (as amended in 2011) has been enacted. Further, Government of India has made Transplantation of Human Organs and Tissues Rules, 2014 thereunder for regulation of removal, storage and transplantation of human organs and tissues for therapeutic purposes. THOTA has provisions for imprisonment upto 10 years and fine upto Rs. 1.00 crore for commercial dealings in human organs. However, the enforcement of provisions of the Act is within the orbit of the respective State Government. Under National Organ Transplant Programme (NOTP), all stakeholders including private hospitals are sensitized regarding provisions of the Act and to prevent commercial dealings in human organs and criminal acts related to organ transplantation.

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