

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

**LOK SABHA
UNSTARRED QUESTION NO.1847
TO BE ANSWERED ON 30th JULY, 2021**

LACK OF AUTNOMY IN ORGAN TRANSPLANT POLICY

1847: DR. KALANIDHI VEERASWAMY

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

- (a) whether the Government is aware that the number of donors have declined post implementation of an organ donation/transplant policy failing to give autonomy to States/UTs in the management of organ donation/transplant, if so, the details thereof;
- (b) whether the loss of autonomy to States/UTs under the current policy have stymied the growth of organ donation/transplant thereby undermining the rapid growth achieved so far by States/UTs particularly Tamil Nadu;
- (c) if so, the details thereof;
- (d) whether the Government has received any proposal to give autonomy to States/UTs to establish the earlier policy; and
- (e) if so, the details thereof along with the action taken/being taken in this regard?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY
WELFARE
(DR. BHARATI PRAVIN PAWAR)**

(a) to (e) The Transplantation of Human Organs and Tissues Act 1994 (came into force after notification of Transplantation of Human Organs Amendment Act, 2011 on 10.01.2014) and Transplantation of Human Organs and Tissues Rules 2014 (notified on 27.03.2014), thereunder define the organ donation/transplant policy. The Act provides for Appropriate Authorities for each State to be appointed by the respective State Government for the purposes of the Act.

Health being a State subject and as per aforesaid provision, the implementation of the Act is within the remit of the respective State Governments.

In addition, under the aforesaid Act, the Central Government is required to establish a National Human Organs and Tissues Removal and Storage Network at one or more places and establish a Regional Network as well as maintain a National Registry of the donors and recipients of human organs and tissues.

For this purpose, a networking system between NOTTO (National Organ and Tissue Transplant Organisation) at national, ROTTO (Regional Organ and Tissue Transplant Organization) at regional and SOTTO (State Organ and Tissue Transplant Organization) at State level and Organ and Tissue Transplant and retrieval centres and tissue banks has been created. This facilitates a country wide efficient and transparent system of organ procurement from deceased donors and their allocation to the potential recipients in the waiting list. The aim is to improve the utilization of donated organs and minimizing any wastage.

Further, SOTTO is usually located in a State medical college and functions in close association with the State Government. The Transplantation of Human Organs and Tissues Rules, 2014 provide the flexibility in the allocation criteria, which may be State specific, finalized and determined by the State Government in consultation with the SOTTO.

Thus, various provisions of the aforesaid Act and Rules strengthen the role of States/Union Territories in the sphere of organ donation and organ transplant.

As per data received by NOTTO from the States/UTs, total number of deceased transplantation done in the country has increased from 4,990 in the year 2013 (i.e. before notification of above mentioned Act and Rules) to 12,746 in the year 2019.