

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

**LOK SABHA
UNSTARRED QUESTION NO. 723
TO BE ANSWERED ON 26TH JULY, 2024**

ILLEGAL ORGAN TRADE

723. SHRI HIBI EDEN:

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

- (a) the number of cases have been registered in illegal organ trade during the last five years, State/UT-wise;
- (b) the conviction rate of such cases, State/UT-wise;
- (c) the steps taken/proposed to be taken by the Government to curb such illegal activities;
- (d) whether there are any recent regulations brought in place to prevent organ trafficking and ensure ethical organ transplantation practices; and
- (e) if so, the details thereof and if not, the reasons therefor?

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

(a) to (e) The Transplantation of Human Organs and Tissues Act, 1994 provides for an appropriate authority to be appointed by every State for investigating any complaint or breach of any of the provisions of this act, or any of the rules thereunder. 'Health' and 'Law & Order' are State subjects. Thus, it is primarily the responsibility of the State Government/ UT Administration to take action for prevention and control of organ trafficking and monitor the same. The State Appropriate Authority shall, for the purposes of this act, have all the powers of a civil court to try a suit under the Code of Civil Procedure, 1908(5 of 1908). Whenever any complaint regarding organ trafficking is received in this Ministry, the same is referred to the concerned State/UT for appropriate action. The data in this regard is not maintained in this Ministry.

National Organ and Tissue Transplant Organization (NOTTO) along with Regional Organ and Tissue Transplant Organizations (ROTTOs), State Organ and Tissue Transplant Organizations (SOTTOs) and other institutions organize awareness programs across the country to disseminate information about provisions of The Transplantation of Human Organs and Tissues Act and rules, so that people are cognizant towards the Government recognized process of organ donation permitted by the law, along with the

illegality and repercussions associated with indulgence in organ trafficking, in order to make it easy for them to comply with the provisions of law.

Also, following steps have been taken by the Government to curb illegal organ transplant activities:

- A letter was sent by Ministry of Health and Family Welfare to Ministry of External Affairs (MEA) after which, a note verbale has been circulated by MEA to all the Embassies/ Foreign Missions in India apprising them about the legal provisions of organ transplant Act in India so as to prevent illegal organ transplants involving foreigners. Rules for transplants involving foreigners have been shared with Ministry of External Affairs for dissemination to Indian Missions abroad and the same have also been displayed on ports and Airports.
- States/UTs have been requested to ensure that every hospital performing organ transplantation or retrieval needs to be linked to the website of National Organ & Tissue Transplant Organization (NOTTO) and data related to both deceased and living donors and recipients of transplants is required to be uploaded in the National Registry maintained by NOTTO. Further, each donor and recipient of human organ will have a unique NOTTO ID in cases of both deceased as well as living donor transplant and the same is to be generated by the concerned Hospitals.
- All States/UTs have been advised to constitute an Advisory Committee as per provisions of the Transplantation of Human Organs and Tissues Act (THOTA), 1994 to aid and advise the Appropriate Authority in discharging its functions of controlling illegal organ transplant activities.
