

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

**LOK SABHA  
UNSTARRED QUESTION NO. 893  
TO BE ANSWERED ON 26TH JULY, 2024**

**ORGAN TRANSPLANTATION**

**893. DR. BHOLA SINGH:**

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

- (a) whether the Government has fixed timeline for organ transplantation from living donors, if so, the details thereof;
- (b) if so, the steps taken/proposed to be taken by the Government to ensure compliance with this timeline under Transplantation of Human Organs and Tissues Act, 1994;
- (c) whether a dedicated task force or committee is proposed to be established to monitor adherence to these timelines, if so, the details thereof;
- (d) the measures being taken to address delays in organ transplantation, specifically in cases where patients have died waiting for permissions; and
- (e) whether any amendments are proposed to The Transplantation of Human Organs and Tissues Act, 1994 to improve the process and if so, the details thereof along with the other steps taken/proposed to be taken in this regard?

**ANSWER**

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

(a) to (e) The Ministry of Health and Family Welfare, Government of India has prescribed timelines for functioning of the Authorization Committee constituted under the Transplantation of Human Organs and Tissues Act (THOTA), 1994 for guidance of State / Union Territory for the purpose of expediting the decision-making process regarding living donor organ transplantation. A letter issued by this Ministry to all States/UTs circulating the timelines is available at following web-link:

[https://notto.mohfw.gov.in/WriteReadData/Portal/News/846\\_1\\_D.O\\_letter\\_from\\_Joint\\_Secretary\\_in\\_respect\\_of\\_Amar\\_Singh\\_Bhatia\\_and\\_An\\_r\\_vs\\_Sir\\_Gangar\\_Ram\\_Hospita\\_1\\_and\\_or\\_s\\_case.pdf](https://notto.mohfw.gov.in/WriteReadData/Portal/News/846_1_D.O_letter_from_Joint_Secretary_in_respect_of_Amar_Singh_Bhatia_and_An_r_vs_Sir_Gangar_Ram_Hospita_1_and_or_s_case.pdf)

It is for the State Government / UT Administration to implement and monitor while ensuring compliance with the aforesaid timelines. THOTA provides for an Appropriate Authority in

every State to be appointed by the State Government which is authorized to undertake such measures as may be prescribed. State Government is also authorized to constitute by notification the Authorization Committee at the State / district / hospital level. THOTA also provides for an Advisory Committee to be constituted by the State by notification to aid and advise the Appropriate Authority in discharging its functions. A letter issued by this Ministry to all States/UTs is available at following web-link:

[https://notto.mohfw.gov.in/WriteReadData/Portal/News/843\\_1\\_DO\\_letter\\_from\\_Direct\\_or\\_to\\_all\\_States\\_regarding\\_Advisory\\_Committee\\_.pdf](https://notto.mohfw.gov.in/WriteReadData/Portal/News/843_1_DO_letter_from_Direct_or_to_all_States_regarding_Advisory_Committee_.pdf)

To review the THOTA, 1994, a 'National Symposium on Legal and Ethical Aspects of Organ Donation and Transplantation' involving State/UT representatives, organ donation and transplantation experts, legal experts, NGOs and other relevant stakeholders was organised in January, 2024 by National Organ & Tissue Transplant Organization (NOTTO).

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