

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

Further to amend the Transplantation of Human Organs and Tissues Act, 2010

WHEREAS it is expedient further to amend the Transplantation of Human Organs and Tissues Act, 2010 (VI of 2010), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Transplantation of Human Organs and Tissues (Amendment) Act, 2017.

(2) It shall come into force at once.

2. Insertion of section 4A, Act VI of 2010.- (1) In the Transplantation of Human Organs and Tissues Act, 2010 (VI of 2010), after section 4, the following new section shall be inserted, namely:-

"4A. Donation of human organs or tissues after accidental or brain death.- (1) The National Database and Registration Authority shall, for issuing National Identity Card, make a provision on front page of its application form to ask for consent for donation of an organ or tissue in case of accidental or brain death of the individual. The column shall also have provision to select any single or a combination of more than one organ or all organs, the individual consents to donate. Names of the organs to be donated shall appear in that column like kidney, liver, pancreas, lungs, heart, intestine or all.

(2) The National Identity Card may have a code displaying the words "Organ Donor" in red.

(3) Whoever consents to donate the organ or tissue in case of his accidental or brain death shall sign the undertaking that his consented organs or tissues may be transplanted to any individual in need of that organs irrespective of colour, creed, caste, religion or sect in case of accidental or brain death of the individual and removed for the purpose by nearest medical institute or hospital duly recognized to do so by the Monitoring Authority.

(4) The Monitoring Authority, National Database and Registration Authority or any such authority in the field of public health shall publicize the importance of deceased organs donation for welfare of humanity from different scientific and religious aspects so that the people may contribute through voluntary donation of organs and tissues in case of their accidental or brain death."

STATEMENT OF OBJECTS AND REASONS

There are so many accidental deaths while driving motor vehicles. During such deaths human body is mutilated, injured or damaged in such form that sanctity of human corpse like natural death is not possible and even routine rituals are also not performed. However, most of human organs or tissues are still active even after clinical death and some of such human organs or tissues may be transplanted to persons in need of such human organs or tissues. Such donation may give a new lease of life of person in need of such human organs or tissues. Therefore, there is need to make a provision to donate human organs or tissues in case of accidental death.

2. The Bill seeks to achieve the above aims and objects.

Ms. Kishwer Zehra,
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