

1	2	3	4	5
23	Madhya Pradesh	4,280,924	2,091,793	2,189,131
24	Gujarat	3,499,063	1,628,474	1,870,589
25	Daman and Diu	8042	3322	4720
26	Dadra and Nagar Haveli	8814	3882	4932
27	Maharashtra	8454660	3932201	4522459
28	Andhra Pradesh	5788078	2757588	3030490
29	Karnataka	4062022	1923730	2138292
30	Goa	112273	49676	62597
31	Lakshadweep	3729	1884	1845
32	Kerala	3335675	1484212	1851463
33	Tamil Nadu	5507400	2735800	2771600
34	Pondicherry	81016	36461	44555
35	Andaman and Nicobar Islands	17366	9834	7532
TOTAL		76,622,321	37,768,327	38,853,994

#### Amendment of Organ Transplantation Act

1345.DR. JANARDHAN WAGHMARE:

PROF. ALKA BALRAM KSHATRIYA:

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

(a) whether Government has been actively considering stringent amendments to the Organ Transplantation Act;

(b) if so, the facts and details thereof;

(c) whether illegal organ trade is still thriving in many parts of the country and the Organ Transplantation Act has completely failed to check such trade; and

(d) if so, the steps taken by Government to check such illegal organ trade in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI PANABAKA LAKSHMI): (a) to (d) The Honorable High Court of Delhi in CWP No. 813/2004 *vide* its order dated 06.09.2004 had set up a Committee to examine the provisions of Transplantation of Human Organs Act, 1994 and the Transplantation of Human Organs Rules, 1995. The report was submitted on 25.05.2005. A National Consultation was held on 18.05.2007 and the report was submitted in the second fortnight of August 2007. The recommended changes required amendments in the Transplantation of Human Organs Act, 1994 (THOA) and the Rules framed thereunder. The amended Rules have been notified *vide* Gazetted Notification No. G.S.R.571(E) dated 04.08.08.

These changes are intended to facilitate genuine cases and to increase transparency in transplantation procedures. In so far as the Act is concerned the following amendments have been proposed:

- i) To allow swap operations between the related donor and recipients who do not match themselves but match with other similar donors/recipients.
- ii) To empower Union Territories, specially Government of NCT of Delhi to have their own appropriate authority instead of DGHS and/or Additional DG (Hospitals).
- iii) To make the punishments under the Act harsh and cognizable for the Illegal transplantation activities to deter the offenders from committing this crime.
- iv) To provide for registration of the centres for removal of organs from the cadavers and brain stem dead patients for harvesting of organs instead of registration of centres for transplantations only.

Sale/purchase of human organs is already prohibited under Transplantation of Human Organs Act, 1994. Appropriate authorities established under this Act are responsible and empowered to check the illegal activities of human organs trafficking.

#### **Amendment of drugs and cosmetics act**

1346.PROF. ALKA BALRAM KSHATRIYA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that his Ministry had agreed in the inter-ministerial meeting held in the Ministry of Finance on 7 June, 2007 to amend Rule 43A of the Drugs and Cosmetics Act in order to remove the grievances and harassment to the importers of the Drugs at the Inland Container Depots in Delhi; and

(b) if so, whether the amendment has been made and if not, by when these amendments will be put into effect to remove the illusory obstacles created in import and export of drugs through Inland Container Depots in Delhi?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI PANABAKA LAKSHMI): (a) Yes, Sir.

(b) The draft rules for inviting comments of the public are being published through a Gazette Notification. The final amendment would be published after examination of the comments received on the proposed amendment as provided under the Drugs and Cosmetics Rules, 1945.

#### **Port officers under DCGI**

1347.PROF. ALKA BALRAM KSHATRIYA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) what are the responsibilities/functions of the Port Officers of Drug Controller General of India at IGIA;

(b) whether it is a fact that clearance of Drugs at IGIA, Delhi is the responsibility of the Port Officers of Drug Controller General of India;

(c) if so, whether further amendments of Rule 43A of the Drugs and Cosmetics Act is needed to clear the import of drugs at the IGIA; and