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अपर सचिव एवं मिशन निदेशक (रा.स्वा.मि.)
Additional Secretary & Mission Director (NHM)



भारत सरकार
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
निर्माण भवन, नई दिल्ली - 110011

Government of India
Ministry of Health & Family Welfare
Nirman Bhavan, New Delhi - 110011

D.O..No.H.11016/02/2021-MS

Dated 24th January, 2022

Dear Colleague,

As you are aware the Government of India enacted Transplantation of Human Organs and Tissues Act, 1994 to provide for the regulation of removal, storage and transplantation of human organs and tissues for therapeutic purposes and for the prevention of commercial dealings in human organs and tissues and for matters connected therewith or incidental thereto.

2. As per provisions of Transplantation of Human Organs and Tissues Act, 1994 (as amended in 2011) for purposes of live donation, permission of the Competent Authority (in case of Indian near relative defined under Section 2(i) of the Act) and Authorization Committee (in case when the donor is other than near relative) is required.

3. It has been observed that in many cases the process to grant approval for organ donation from a living donor gets substantially delayed, at times leading to demise of the recipient. The matter is of grave concern and as such has also been raised in the Parliament. To streamline the process for timely outcomes the matter has been considered in this Ministry in consultation with Directorate General of Health Services (Dte.GHS) and the following is advised to the States/Union Territories for implementation:

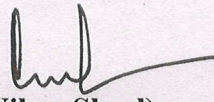
- i. Authorization Committee/Competent Authority should decide the case of a transplant from a living donor within 7 working days after the receipt of all required documents, as per THOTA, 1994 and rules thereunder, in respect of proposed transplant. As per Rule 23(3) of Transplantation of Human Organs and Tissues Rules, 2014 "Every authorized transplantation centre must have its own website and the Authorisation Committee is required to take final decision within twenty four hours of holding the meeting for grant of permission or rejection for transplant."
- ii. Appeal preferred under Section 17 of the Act in respect of case of rejected donor must be heard within 7 working days after the receipt of all required documents, as per THOTA, 1994 and rules thereunder in respect of proposed transplant.

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4. I request you to kindly take note of the matter and direct all concerned authorities/committees for ensuring that the above mentioned timelines are strictly adhered to in processing of cases of organ transplants.

Warm regards
Yours sincerely,


(Vikas Sheel)

To,
Principal Secretary (Health)
All States/UTs