



IMPORTANCE OF "HUMAN ORGAN DONATION," TRANSPLANTATION AND ITS ACT

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ABSTRACT

Transplantation of organs in the human body represents a notable advance in medical science and has tremendous life saving potential transplantation of Human organs Act 1994. It come into force in 1995 and deals with the regulation of removal storage and transplantation of human organs for therapeutic purpose and for the prevention of commercial trade in human organs, As per the Act the organs that can be donated include the Kidneys, heart, lungs, liver, Pancreas, eyes, eardrums and ear bones. Presently data of organ Transplantation sources from Indian express more than 10000 people in the country need organ transplant and every year around one thousand people die waiting one cadaver can save at least eight lives. There has been a gradual rise in transplantation in India. So we should create awareness by media, Rally, News Papers, Schools, Hording at crowded aria in all states. Recently uterus transplantation has been done successful in India at Pune first time in 18th May and second on 19th May 2017 and Jan. 2018. All organs are very important for donation because it gives now life. So we should promote this type of activities and create awareness for organ donation.

KEYWORDS: Organ, Human, Law, Act, Transplantation, Rules.

INTRODUCTION

Human organ and tissue transplantation was started in India in 1962 Initially, the organ transplant was unregulated, and organ trafficking was rampant. The act governing the transplantation was passed in 1994. This has been subsequently amended in 2011, and new rules came into force in 2014. Many of the students as well as practicing physician are not aware of the act as it is generally not a part of the curriculum. The main aim of this article is to create awareness among physician, students and General public about legal aspects of transplantation and about knowledge of organ Donation. And this is the requirement of organ to save the life of others.

So our aim is very clear "Save life of needy person with the help of organ.

LITERARY REVIEW

1. The transplantation of human organs act 1994 the act provides for the regulation of removal storage and transplantation of human organs for thereputic purposes and for the presentation of commercial

dealings in human organs and for connected matters. There are three main aspects of the Act^[1] it aims at putting a stop to live unrelated transplants.

2. In the case of a live related transplant, It defines that the donor and recipient are genetically related with an exception it the transplant is done with prior approval of the Authorization committee in an application jointly made by the donor and recipient.
3. It accepts the brain stem death criterion. Certification of death by a panel of experts consisting of medical officer incharge of the Hospital, an independent medical specialist, a neurologist or neurosurgeon, and the doctor treating the patient is essential. The act defined human organ as any part of the human body consisting of a structured arrangement of tissue, which it wholly removed cannot be replicated by the body. Bone marrow transplant is outside the purview of the act. The organs that can be donated after death are Kidney, Heart, Liver, Lungs, Pancreas, Eyes eardrums, and ear bones.
4. The organ can be removed from the dead body of any donor at any place. Removed of the organs from

the donors may be done on his authorization or that of the person lawfully in possession of the body. In case of unclaimed bodies in the hospital or prison, organs can be removed after 48 hours. The organ can be removed should be preserved according to current and accepted scientific methods to ensure viability. The human organs cannot be removed for any purpose other than therapeutic purpose. The doctor should not remove organs unless he had explained all possible efforts, complications and hazards connected with the removal. Transplantations to the donor and recipient respectively. The act imposes for compulsory registration of hospital engaged in the removal, storage or transplantation of human organs. The central and state Governments are empowered to appoint, appropriate authority which can grant registration of hospital, renew, suspend or cancel the registration, and to specify conditions for the same. The Government is also empowered to appoint authorization committee or committees which nominated members for the purpose of imposing restrictions on the removal and transplantation of human organs. This act also provides a side provision for appeal/punishments for unauthorized removal of human organs or for commercial dealings thereof or for contravention of any other provisions of the act, such punishment ranges from removal of names of the erring medical practitioners from the registers of the state medical council for 2 years for the first offence and permanently for subsequent offence, or imprisonment up to 5 years and fine of Rs. 10000/- based on the nature of the degree of the offence: the Ear Drums, ear bone Act 1982, and eyes act 1982 have been repealed.

5. Rule:- Any person between 1 year and 60 years can become a potential donor. However to donate a kidney during life, the donor has to be not less than 18 years. Normally, the right of possession of a dead body lies with the serving spouse or the next of kin. In case of death in a hospital the hospital is the legal possessor until someone with a better claim to possess it turns up. If nobody turns up to claim the body for 48 hours after death the body may be disposed of by the hospital authorities. If the deceased had left any directions about the manner in which the body is to be disposed of, or the manner in which the tissues are to be used such directions must be respected.

Any transplant must be effective in its own right to be useful. A donation from a living person is more likely to succeed than from a dead donor and the latter case, success will be inversely proportional to the length of the time between death and donation.

Potential donations are of three types: Donations of tissues that are readily replaceable (e.g. blood). These do not cause any serious problems. Donations of organs that are not essential to the life of the donor.

Donations of one of the paired organs, the other one being capable of maintaining life, as long as it is healthy (it e.g. kidney).

Consent to such donations should be properly obtained, after giving a complete explanation.

During the course of his lifetime, a donor can give his consent for the removal of organs from his body after his death. However, such a consent becomes invalid if the next of kin refuses to allow organs to be removed for transplantation. On the other hand, the legal heir can direct the removal of organs from the dead body, even if the person, while alive, had not made any such commitment.

The ultimate success of transplantation rests on the quality of the donated organ, and this depends on the warm anoxia time to which it is subjected. This is the time between the cessation of arterial oxygen supply and the refrigeration of the isolated organ.

Donation in Medicolegal Cases

After the authority for removal of organs and / or tissues and consent to donate from brainstem dead are obtained, the Registered medical Practitioner should make a request to the SHO of the area, either directly or through the police post located in the hospital to agree for retrieval of organs from the donor. It has to be ensured that, by retrieving organs, the determination of the cause of death is not jeopardized.

In cases where the definite cause of death is established clinically by the RMP, the post mortem may be waived off by the competent officer on the request of RMP and Investigating officer (IO) of the case.

The RMP who is designated to do the post mortem can do the organ retrieval also. Otherwise, he should be present at the time of retrieval of organs / tissues by retrieval team. The post mortem report in respect of organs / tissues being retrieved should be prepared at the time of retrieval. Rest of the post mortem procedure should take place at the autopsy room for the purpose of organ (s) tissue (s) retrieval request for post mortem beyond specified timings can be made by the RMP and IO of the case.

AIM AND OBJECTIVES

1. To study the importance of human organ transplantation.
2. To study the transplantation of Human organ Act 1994.
3. To study rule and procedure of Human organ transplantation.
4. To create awareness about Human organ transplantation.
5. To create awareness about organ Donation among the society

6. To create awareness about organ and its Importance in the body.

MATERIAL AND METHODS

This is conceptual study, data is collected from text books of forensic medicine and toxicology and Internet (Web) and published article.

CONCLUSION

1. After studying the all the aspect we came to conclusion that Human organ is very important for saving other needy person.
2. We can save other life by Donating organ.
3. For Human organ Donation every person should be aware about no loss in the Body after donation.
4. Before going to Human organ donation consent should be very important in alive condition. After complete explanation b Doctor team.
5. Any person between 1 years and 60 years can become a potential Donor. However to donate a Kidney during life, the donor has to be not less than 18 years.
6. Organ donation should be done as per guide line of Govt. Norms and related acts.

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