



Study Of Indian Laws On Organ Transplantation, Its Ethical, Legal And Social Issues

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Introduction : The transplantation of an organ from one body to another is known as the organ transplant. The person who gives the organ is called the donor while the one who receives is called the recipient. Organ transplant is done to replace the recipient's damaged organ with the working organ of the donor so that the recipient could function normally.



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Organ Transplantation is a boon to medical industry as it has helped in saving the lives of those who would have died otherwise. There is a great need for human organs for transplantation. In fact, the need far exceeds the supply of transplantable organs. This disparity has led to the formulation of various legislations, attempting to regulate the scarce resources (transplantable human organs) and to help establish an equitable system to allocate the organs where they can do the most good.

Legally, organ donation can take place from living, genetically-related individuals; from living, unrelated individuals in special circumstances where no unauthorized payment is made to the donor; or from cadavers. Live donation of a single kidney was the first done in 1954, but live donation of parts of other organs is a relatively recent innovation in the 1990s.

Some of the organs that are mainly donated are kidney, Liver, heart, lung, pancreas, small bowel and sometimes skin along with the other things. In the earlier times illegal organ trafficking is a major problem because of corrupt and inefficient health care system. For stopping illegal organ transplant, the Government of India had come up with certain laws in 1994 that made organ sale a crime. The Human Organs Transplant Act, 1994 laid down certain rules and regulations that were to be followed while conducting organ transplant.

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