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## ILLEGAL KIDNEY TRANSPLANT CASE

# NHRC directs Odisha to suspend or cancel hospital's registration

**SAMPAD PATNAIK**

BHUBANESWAR, SEPT 11

THE NATIONAL Human Rights Commission (NHRC) has directed Odisha's Chief Secretary to begin the process to suspend or cancel the registration of Apollo Hospital in Bhubaneswar "as it has breached the provisions of the said Act (Transplantation of Human Organs and Tissues Act 1994)" during a kidney transplantation in 2013.

The NHRC also slammed the state government, stating that its authorisation committee for organ transplantation had approved or granted a no objection certificate (NOC) for transplantation of kidney from an individual Jayaram Dora to recipient Raghava Ram Dora "without verifying or conducting proper enquiry", which led to removal and transplantation of kidney from unauthorised donor Anil Swamy.

According to 2014 Rules under the Transplantation of Human Organs Act, the authorisation committee is required to vet the integrity of the organ donation process and sanction the transplant only after a thorough inquiry

if the donor and recipient are not close relatives.

The FIR filed over Anil Swamy's complaint alleges that he was duped by the Dora family, who allegedly took advantage of his chronic stomach problem and financial condition to convince him that his kidney was affected. The FIR alleges that the family persuaded Swamy to donate his kidney to Raghava in return for bearing the wedding expenses of the donor's daughters and promising to provide him a house.

Following a CID-Crime Branch investigation, a complaint had been filed in court over the incident by the Bargarh Sub Divisional Judicial Magistrate in 2017.

"There is a connivance of Apollo Hospital for obtaining the NOC," the NHRC said in its order. "The Government of Odisha is vicariously liable for such lapse of the Authorisation Committee," it stated.

A spokesperson for the hospital said it cannot comment on the matter as it is sub judice.

Dr P K Meherda, Commissioner-cum-Secretary of Odisha's Health Department, did not respond to requests for comment.