

ITEM NO.27

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

WRIT PETITION (CIVIL) Diary No(s).32106/2022

GIFT OF LIFE ADVENTURE FOUNDATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

**(FOR ADMISSION and IA No.181776/2022-CONDONATION OF DELAY IN
REFILING / CURING THE DEFECTS)**

Date : 05-12-2022 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s)

Ms. Mohini Priya, AOR

For Respondent(s)

**UPON hearing the counsel the Court made the following
O R D E R**

- 1 Delay condoned.
- 2 The petitioner has invoked the jurisdiction of this Court under Article 32 of the Constitution seeking diverse reliefs in the context of the Transplantation of Human Organs Act 1994, which was enacted on 8 July 1994 with the object of regulating the removal and transplantation of human organs. The Transplantation of Human Organs Rules 1995 were notified in February 1995 and have since been replaced by the Transplantation of Human Organs and Tissues Rules 2014.
- 3 The grievance of the petitioner is that the requirement of obtaining a domicile certificate for registering an organ transplantation is being imposed by many

States, in terms of which patients have to submit a domicile certificate, if they wish to register in the cadaver transplant registry.

- 4 Having due regard to the above grievance, we are of the considered view that it would be appropriate if the matter is examined by the Union Ministry of Health and Family Welfare. We permit the petitioner to submit a representation to the Secretary in the Union Ministry of Health and Family Welfare. The matter may be examined at an appropriate level and a policy decision taken on the appropriate course of action to be adopted to remedy the grievance expeditiously.
- 5 The petition is accordingly disposed of.
- 6 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR