

MP ANATOMY ACT, 1954

•frHE The MADHYA PRADESH ANATOMY EN cc. NOX . ACT, 1954 Madhya Pradesh Anatomy Rules, Bhopal GO'd. Central press, 2006 • -€39...i• 1966 e. i Sees. 1. 2. 3. 4. S. 6. 7. 8

9. THE MADHYA PRADESH ANATOMY .ACT, 1954 (No. XVI of 1954) CONTENTS Shon tide, extent and commencement Definitions Doubt or dispute as to unclaimed body to be referred to officer appointed by State Government. Power of 'State Government to authorize officers to act under Section 5 Unclaimed bodies to used for anatomical examination• Penalty Duty of police and other officers to assist in obtaining possession of unclaimed bodies. Protection of persons acting under Act Officers to be public servant .Rules THE MADHYA PRADESH ANATOMY ACT, 1954 (No. XVI or 1954) AMENDING ACT M. P. Act 23 of 958 [12th April", 1954) An Act to provide for the supply of unclaiined bodies of deceased Fons to hospitals and medical and teaching institutions for the purpose of anatomical examination and dissection. Whereas it is expdient to provide for the supply. of unclaimed bodies of deceased persons to hospitals and medical and teaching institutions for the purpose of anatomical •examination and dissection; It is hereby* enacted as follows: Statement of Objects and Reasons—For the teaching of medicine ind surgery, dissection and post-mortem examination of dead are essential. It is, therefore, necessary that medical' institutions aro ensured an adequate supply Of dead bodies. But in the absence of some legal sanction, the utilization by medical institutions of dead bodies even in cases in which there are no kno.wn relatives, is attended with risk nie Bill is designed so remove the difficulty. 1. Short tide. extept-and This Act may be cited as The Madhyq Pradesh Anatomy Act, 1954. Received assent of the Covemoc On the 12th April. hadcsh Gazeue on the 23rd AoriL iQS4. 1954; asseat first pub&d in be 0 (2) It extends to the whole of. 1[Madhya Pradesh}. at(3) shall be in force in all such areas of Madhya Pradesh in which it was in immdiately before the commencement of the Madhya Pradesh' Extension of Laws Act, 1958 (23 Of 1958) and shall come into fore in such Other arcas and on such dates* as æ State Govanment may. by notification in the Official Gaze?tes direct)

2. Denrlttons.—In this Act, unless there is anything repugnant in the subject or context,— (a) (d) "approved institution" means a hospital •or a medical oi teaching institut.ion on anatomical "authorized officer" means an officer authorized by . the State Government to perform the functions of an unauthorized officer under this act; means prescribed by rules and under {his Act; "unclaimed body" means the body of a deceased person which is not claimed by any of his near relaüves or by any person of his caste, creed religion within such time as may be prescribed, sul stk au in; hii 09. in: ini or. •to in ur niss 'ien 3. Doubt or dispute as to unclaimed body to be referred to officer nppointed by State Government—If any doubt or dispute arises, whether the body of any d#ea.sed Frson is an unclaimed b«xly, the matter shall be referred to such officer as the Sute Government may, by notification. appoint for any area in this behalf raad the decision of such officer shall be final and conclusive

4. Power or State Government to authorize officers to act under Section 5.— may, by notification authorize for the area or any part thereof in which this Act comß into force one or more officers to whom a report shall be mde under Section S and who shall be competent to Act under thc said section. Unclaimed bodies to be used for anatomical Where a F0A in a hospital whether established by or vesting in, or maintained by übe State Government or any local authority, dies •in such hospitål and his body is uxIaim4 the authorities in charge of such hospital shall with the icast practicable delay report the fact to the authorized officer ad such officer shaiTTer_1 upciaimd body to the authorities in chage of an approved institution for the purpose Of anatomical examination and dissection

3. Suba M.23 or 1958 by. M. P. 23 of 1958. 2 IO Ot tbc Act into force inunediatcly. in• the whole of Madhya Pradesh vide Pubüc No. 7921-2165-XSV. dated •12± September, 'i9SS publiished in M*öya Pndeh Oazetted dated the 16th Part P. 827. (2)' Where a person dies at a hospital other than a hospital referred to ii (1) or in a person and his body is unclaimed. the authorities •in charge of hospital Ot person shall with the least practicable delay roort the- fact to the :thorized offcet and the said omcer shall handover the unclaimed body to the authorities •charge of ins'itution for the purpose specified in sub-sectiog (1). (3) Where a person having no permanent place of residence in the. area where death has taken place dies in any public place in such' afea and "is body iä t!aimed. the a•flhorized officer, shall takf

possession of the and shall hand it over to the authorities in charge of an approved institution for the purpose specified • Esab-section (1)

6. Penalty.—Whoever disposes of, or abets the disposal of, an unclaimed body as permitted by this Act or obstructs any authority in charge of an approved institution or an authorized officer from handing over, taking, possession removing using, such body for the purpose specified in the Act, shall on conviction be punished with fine which may extend to five hundred rupees

7. Duty of police and other officers to assist in obtaining possession of • Rialmed officers of the Departments of Police and Public Health and officers in •the employ of a local authority and all village officers shall, be bound •take all reasonable measures to assist any authority or officer authorized:under this Act to obtain the possession of an unclaimed body

8. Protection of persons acting under Act.—No suit, prosecution or other legal proceedings shall be against any person for anything which is in good faith done or tended to be done under this Act

9. Officers to be public servants.—All officers appointed or authorized to act, • under this Act shall be deemed to be public servants within the meaning of 21 •of the Indian Penal Code (1860). IO. Rules.—(1) The State Government may, be notified, make rules for carrying out the purposes of this Act. (2) In particular and without prejudice to the generality of • the foregoing power the rules may provide for — Ead the in the day an Icr he Ite ay of (a) (b) the time within which the body of a deceased person may and the embalming of dead bodies. Contd 4 MADHYA PRADESH ANATOMY RULES, 1966 Notification No. 5580-1593.XV11-Med. Iv. dated 24th December, 1964.—In exercise of the power conferred by Section 10 of the Madhya Pradesh Anatomy Act, 1954 (No. 15 of 1954), the State Government hereby makes •the following rules, namely:— 1. These rules may be called The Madhya Pradesh Anatomy Rules, 1966

2. In these rules, unless the context otherwise requires,— 'Act' means the Madhya Pradesh Anatomy Act, 1954. 3. (b) "Unclaimed dead body" means the body of a deceased person which is not claimed by any of his near relatives or by any person of his caste, creed and religion within 72 hours of his death. (1) Every officer and servant of the Police, Medical and Public Health every officer and servant in the Service of a authority and every village and servant who comes to know of the death of any person in the service of a authority, and every village officer and servant in any public place in any area in which he has no permanent place of residence shall report the fact to the officer-in-charge of the nearest Police Station with the least practicable delay. (2) On receipt of the report under sub-rule (1) the officer-in-charge of the Police Station shall immediately make arrangement for the removal of the dead body for preservation from decay and also report the fact to the authorized officer. (3) Notwithstanding anything contained in sub-rule (2), it shall be the duty of the Patil or Sarpanch of the village in or near which the dead body may be found to arrange for the removal of the dead body to the nearest hospital for preservation from decay and also to report the fact to the officer-in-charge of the nearest Police Station. (4) The bills for the cost of removal of the dead body to hospital shall be sent to the officer-in-charge of the hospital concerned which shall be paid by him. The said officer shall also inform the authorized officer of the dead body having been brought to hospital in his charge and of its preservation. 4. (1) Where a person dies in a hospital or in a prison the officer-in-charge of such hospital or prison shall immediately report the fact to •the nearest relative mentioned in records of the patient or prisoner. If the said relative does not claim the body, within 72 hours, the dead body shall be disposed of in the manner laid down in Section 5 of the Act. 5 (2) On receipt of the claim, if any, in pursuance of sub-rule (1) the dead body shall be removed to the hospital or the teaching medical institution, as the case may be, for preservation from decay. (3) If such is not claimed within •the period specified in sub-rule (1) the authorized officer shall proceed to dispose of the •body in the manner laid down in Section 5 of the Act. (4) If any of the approved institutions does not require the dead body for the anatomical examination and dissection, the authorized officer concerned shall deliver it to the rightful claimant or if no such claim is forthcoming, dispose of the dead body by cremation or burial, as the case may be

5. The person intending to dedicate his dead body for the purpose of anatomical examination intention in written to the authorized officer. The authorized officer shall maintain a record of all applications received and forwarded to these rules. 6. (1) Any matter under Section 3 of the Act relating to any doubt or dispute in respect of a dead body shall be referred to the officer appointed thereunder, by an application

in writing and shall be delivered personally to the said officer. (2) On receipt of the application under sub-rule (1) the officer appointed under Section 3 of the Act shall immediately fix a date for hearing within two days of the receipt of such reference and inform the parties accordingly. (3) After hearing the parties concerned, the officer appointed by the State Government under Section 3 of the Act may make such further enquiry as he may think fit to dispose of the case and shall give his decision on the date of hearing and his decision shall be final and conclusive.

7. The authorised officer shall make arrangement dead in ice or mortuary cooler so as to preserve it from decay until — (a) (b) (c) a decision has been taken under Section 3 of the Act; or it is handed over to his relative, friend or servant; or it is handed over to a medical institution for anatomical examination or dissection. 8. Nothing contained in these rules shall apply to cases where death has taken place under suspicious circumstances and the body is required for medico-legal examination. In such case, if the Police have not taken possession of it themselves, the body shall be handed over to the Police. 6 9. The Madhya Bharat Pathology and Anatomy Rules, 1956 and all other rules subsisting in force in any region of the State of Madhya Pradesh immediately before the commencement of these rules are hereby repealed: Provided that anything done or any action taken under any of the rules so repealed shall, unless such thing or action inconsistent with any of the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules. For (See Rule 5) Register or persons intending to dedicate their dead bodies for the purpose of anatomical examination and dissection. 1 i i S.No. (1) Name and address of person intending to dedicate his dead body for the purpose of anatomical examination and dissection (2) District . . . Date of receipt of application (3) Name of the approved institution to which the dead body will be sent (4) Date of handing over the dead body (5) Remarks (6) 4 vr Professor, f 9—57/2014/55—1 28 2014 Ili - (Unclaimed dead bodies) (Unclaimed dead bodies) 1954 1966, 1966 3(1) (QTÄ) 1966 3(2) 4—2/05/ I—qqq-q, .14 2005 1966 2 (b) body" means the body of a person which is not claimed, by any of his near relatives or by any person of his caste, creed and religion within 72 hours of his death. PIL wp No. 3312.12006 03/04/2014 ANn VERMA PA To DS qra 72 72 24 AND VERMA PA To DS gtF 03 2006 2 (g) (iii) -qR--a Z'RT 3. VERMA PA To DS 1. 3. 4. 5. 6. 7. 8. 9. 10. 11. 13. 14. 15. 16. gtF 9--57/2014/55—1 (wqq-u), @RTT 5 16 ga 28 2014 rvedic P. G. ANTI VERMA PA to DS mzz:— gaff, 9—57/2014/ 55—1 28 2014. 72 72 (72 i-a 24 ftqsré ANn To DS sa 41 .312.l@T ZIT tt j! 1. 2. 3 4. ANU VERMA PA To OS (ft-q) (Dead Body) ft-q