

## THE ANATOMY ACT

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### ABSTRACT:

Anatomy act is defined as an act to provide for supply of unclaimed bodies of deceased person to medical and teaching authorized institution for purpose of anatomical examination and dissection and other similar purposes. Anatomy learning without dissection of dead body is never considered perfect. In this article, the sources of unclaimed bodies, process of anatomy act, rules and regulations regarding handling of unclaimed bodies are discussed.

**Key Words:** Anatomy, Unclaimed.

### INTRODUCTION:

Anatomy is branch of science which deals with study of structures of human body. Every medical student or doctor while studying anatomy as a basic subject has to dissect human dead body thoroughly. Cadaveric dissection is the base for teaching and research in Anatomy. In ancient India *Sushruta* dissected human bodies. <sup>[1]</sup> Sound knowledge is obtained through dissection of human body. With increase in medical institution in the country, there is increase in demand of cadavers for dissection. <sup>[2]</sup> So to overcome this demand, the Anatomy Act was enacted by various states in India to provide the supply of unclaimed bodies to medical and teaching institutes for purpose of anatomical examination and dissection. Many persons are not aware of the anatomy act, its legal process, rules and regulations. So we must know about the anatomy act.

### HISTORY

Anatomy Act is the state act promoted by legislature and published in the state Government Gazette. The act regulates the use of dead bodies for medical purpose.

In India, Anatomy Act was enacted in 1948. In Maharashtra, the Anatomy Act was adopted as Bombay Anatomy Act 1949. It provides for the collection of dead bodies for teaching purpose, only if death occurs in a state hospital or public place within the prescribed zone of medical institution. Also, the police have declared a lapse of 48 hrs that there are no claimants for the body and it could be used for medical purpose. <sup>[3]</sup> The Delhi Anatomy Act, 1953 provides for supply of unclaimed bodies to teaching medical institution, it also provides for procedure for the disposal of unclaimed bodies. <sup>[4]</sup> The Punjab Anatomy Act of 1963 makes provision for supply of bodies. This act provides to take possession of unclaimed dead bodies in hospital, prison, public places

for purpose of aforesaid. <sup>[5]</sup> The Mysore Anatomy Act 1957 later amended as the Karnataka Anatomy Act 1988 enacted by Karnataka States defines unclaimed body. <sup>[6]</sup>

### THE ACT

**Definition:** An Anatomy Act to provide for the supply of unclaimed bodies of deceased person (and for donation before death by a person of his body or any part thereof after his death) to hospital and medical teaching institution (for therapeutic purpose or) for the purpose of (medical education or research including) anatomical examination and dissection. <sup>[3]</sup>

**Unclaimed body** - It means the body of deceased person who has no near relative or whose body has not been claimed by any of his near relatives within prescribed period.

**Near relatives** - Any of following relatives of deceased namely a wife, husband, parent, son, daughter, brother, sister and includes any other person who is related to deceased.

**Approved institution-** means a hospital or a medical or teaching institution approved by State Government.

**Authorized officer-** In the act, the State Government may notify in official Gazette, one or more officers to

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whom report shall be made for area in which the act comes into force. This authorized officer is known as 'Coroner'. So, Coroner is Government official officer who confirms and certified death of an individual within a Jurisdiction. A Coroner may also conduct or order an investigation into the manner and cause of death.<sup>[7]</sup>

When person dies under treatment in Government Hospital or in prison and that body is unclaimed then, that authorities in charge of such Hospital or Prison shall report the fact to authorized officer of that area and then this officer hand over the unclaimed body to authorities in charge of approved institution.

When person having no permanent place of residence in the area where his death has taken place or dies in any public place in such area and the body is unclaimed, then authorized officer shall take possession of body and shall hand it over to the authorities in charge of an approved institution.

When there any doubt regarding the cause of death or any other reason, the authorized officer shall forward the unclaimed body to police officer of Code of Criminal Procedure.

If any doubt or disputes arises that whether person claiming body of deceased is a near relative of deceased or not, then this matter shall be referred to the Executive Magistrate and his decision shall be the final and conclusive. If such decision is pending, the authorized officer shall take care of all reasonable care and steps to preserve the body of deceased person from decay.

Any person in either writing or orally in presence of two or more witness during his last illness where of he dies has expressed a request of body donation or any part of body to authorized institution, then after his death, body shall be given to authorized institution according to his will. If the person lawfully in possession of his body believes that request was subsequently withdrawn can authorize the removal of dead body.

The person lawfully in the possession of the dead body may authorize the removal of the body if any near relative of deceased objects to the body being so dealt with.

In no case shall the body be removed for any purpose until after 48 hrs from time neither of such person's death nor until after 24 hrs notice to executive magistrate.

A certificate stating the cause of death signed by RMP (Registered Medical Practitioner) attending the deceased or RMP called in after the death of such person is necessary. This certificate shall be delivered together with the body to authority in charge of an approved institution.

If the postmortem examination of body may be required to be held, the authority for the removal of body or any part, there of shall not be given possession except with the consent of authority empowered to hold an inquest or order a post mortem.

Nothing in that act shall extends or prohibit any postmortem examination of body required. There will be no authority for removal of body or parts there of when body is entrusted to another only for interment or cremation.

In case of body lying in any hospital, nursing home or other institution, any authority for removal of body or any parts of body may be given to any officer or person designated for that purpose.

The authority in charge of institution on receiving the body shall demand and receive the certificate as aforesaid. He shall then within 24 hrs transmit a copy of such certificate to the Executive Magistrate or officer appointed and the written stating the details of date, time, place of body received, date of death, place, sex, age etc.

Every body which is removed for anatomical examination under this act shall before such removal be placed in a decent coffin or shell and shall be removed there in. After the body being dealt with, it should be decently cremated and certificate of cremation shall be transmitted to executive magistrate or officer in charge.

The person not following the instruction mentioned in the act shall on conviction be punished with fine up to Rs. 500. All officers and servants of Police, Medical and Public Health Department, employ of local authority and all village officers shall be bound to take all reasonable measures to assist the authorities and officers authorized under this act.

All officers appointed or authorized to act under this act shall be consider being public servant. The Government may by notification in official Gazette make rules for carrying out the purpose of this act.

#### **Process to get an institution registered under Anatomy Act**

- Institution should be CCIM, AYUSH approved, Government recognized and affiliated to University for Medical course.
- Institution should be educational or research institute.
- Curriculum should have dissection part or need of dead body for purpose of study.
- They should apply to secretary and Director of State Government under Medical Education and Drug Department for permission of Anatomy Act.

- The institute should take NOC'S from Civil Surgeon and Medical Health Officer of Municipal Corporation and Police Commissioner after their local inspection.
- Notification is passed by Government regarding declaration and approved for Anatomy Act for institution.
- Government notification should be published in State Government Gazette.
- After the notification letter published in Gazette with this permission letter, you have to approach demand of dead body to the Coroner's Court with undertaking that body will be used for the educational purpose and will be disposed of as per the norms.

### IMPORTANCE

Anatomy Act is related with providing the unclaimed bodies to authorized institution for specific need. As there is increases in demand of unclaimed bodies, Anatomy Act is very necessary at national level to fulfill the need of unclaimed bodies in medical institution which will boost up the teaching and research activities.

According to this act, every person who contravenes the provisions of this act shall be guilty of an offence. Unless you have a legal permission of Anatomy Act by Government authorities, no institution or person can dissect a dead body for research or study purpose. If it happens, it is an offence so it is mandatory to get the written permission.

Due to this act, unclaimed bodies are used legally in authorized institution and after the use that bodies are cremated properly without disturbing any social and religious beliefs.

### ANATOMY ACT AND BODY DONATION

Anatomy act is act related to fulfill the need of unclaimed bodies at required institution. Now a day, there is increase demand of cadavers, but required amount of bodies are not found as unclaimed. So body donation is one of the best sources to overcome this demand of bodies. Under the anatomy act one must register for the will of body donation prior to his/her death. Any hospital/medical institution approved by state government for medical education and research can accept the body. The willingness form available at approved institution. Body can be donated even if the willingness form is not filled. Various organizations works for body donation program. Under that organization one can will to donate body .This donated

body now forward for embalming procedure and then forwards in the required institution which is registered under Anatomy Act. In the institution all legal rules and regulation and ethics related to body are followed which are mention under the act. This body is used as per the purpose and then cremated at proper place without disturbing other local environment. Institution updates all document and certificates regarding the body.<sup>[8]</sup>

### CONCLUSION:

Anatomy act is needful act for fulfillment of unclaimed bodies in medical and teaching institution. It will help to meet the increasing demand of cadavers in the medical institutions which further will help students for learning anatomy and research purposes. Use of human cadaver in learning and research is an important part and anatomy act provides with protocols, ethical procedures and guidelines for it.

### REFERENCES:

1. K.R.Srikantha Murthy; Sushruta Samhita; Sharirsthana; Chapter 5; Verse no. 49; 3<sup>rd</sup> edition; Varanasi; Chaukhambha Orientalia 2007;101
2. Archana Mishra. *A noble way to live after death*. <http://timesofindia.indiatimes.com/city/kanpur/A-noble-way-to-live-after-death/articleshow/6083640.cms> (accessed 7 January 2015).
3. Bombay High Court, India. *Bombay Anatomy Act, 1949*. <http://bombayhighcourt.nic.in/libweb/acts/1949.11.pdf> (accessed 13 December 2014).
4. *Delhi Anatomy Act, 1953 Complete Act - Bare Act*. <http://www.legalcrystal.com/act/134716/delhi-anatomy-act-1953-complete-act> (accessed 6 January 2015).
5. *The Punjab Anatomy Act, 1963*. <http://www.lawsofindia.org/statelaw/3481/ThePunjabAnatomyAct1963.html> (accessed 1 January 2015).
6. *The Karnataka Anatomy Act, 1957*. <http://www.lawsofindia.org/statelaw/2318/TheKarnatakaAnatomyAct1957.html> (accessed 1 January 2015).
7. Bombay High Court, India. *Coroners Act, 1871*. [bombayhighcourt.nic.in/libweb/acts/1871.04.pdf](http://bombayhighcourt.nic.in/libweb/acts/1871.04.pdf) (accessed 26 December 2015).
8. Ajita R, Singh Y. Body donation and its relevance in Anatomy learning – a review. *JASI*; 2007; 56(1):44-47.

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