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**Madhya Pradesh Anatomy Act, 1954****23 of 1958****[12 April 1954]****CONTENTS**

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**Madhya Pradesh Anatomy Act, 1954****23 of 1958****[12 April 1954]**

An Act 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. Whereas it is expedient 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 : 1. Received the assent of the Governor on the 12th April, 1954; assent first published in the Madhya Pradesh Gazette on the 23rd April, 1954.

**1. Short Title, Extent And Commencement :-**

- (1) This Act may be cited as The Madhya Pradesh Anatomy Act, 1954.
- (2) It extends to the whole of 1[Madhya Pradesh].

1[(3) It shall be in force in all such areas of Madhya Pradesh in which it was in force immediately before the commencement of the Madhya Pradesh Extension of Laws Act, 1958 (23 of 1958) and shall come into force in such other areas and on such dates<sup>2</sup> as the State Government may, by notification in the official Gazette, direct].

1. Substituted by MP. Act No. 23 of 1958.

2. Sections 2 to 10 of the Act brought into force immediately in the whole of Madhya Pradesh vide Public Health Department Notfn. No. 7921-2165-XIV, dated the 12th September, 1955, published in Madhya Pradesh Gazette dated the 16th September, 1955, Part 1. p. 827.

## **2. Definitions :-**

In this Act, unless there is anything repugnant in the subject or context,--

(a) "approved institution" means a hospital or a medical or teaching institution approved by the State Government to carry on anatomical examination and dissection;

(b) "authorized officer" means an officer authorized by the State Government to perform the functions of an unauthorized officer under this Act;

(c) "prescribed " means prescribed by rules made under this Act;

(d) "unclaimed 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 such time as may be prescribed.

## **3. Doubt Or Dispute As To Unclaimed Body To Be Referred To Officer Appointed By State Government :-**

If any doubt or dispute arises, whether the body of any deceased person is an unclaimed body, the matter shall be referred to such officer as the State Government may, by notification, appoint for any area in this behalf and the decision of such officer shall be final and conclusive.

## **4. Power Of State Government To Authorize Officers To Act Under Section 5 :-**

The State Government may, by notification authorize for the area or any part thereof in which this Act comes into force one or more officers to whom a report shall be made under Section 5 and who

shall be competent to act under the said section.

## **5. Unclaimed Bodies To Be Used For Anatomical Examination :-**

(1) Where a person under treatment in a hospital whether established by or vesting in, or maintained by the State Government or any local authority, dies in such hospital and his body is unclaimed, the authorities in charge of such hospital shall with the least practicable delay report the fact to the authorized officer and such officer shall then hand over the unclaimed body to the authorities in charge of an approved institution for the purpose of conducting anatomical examination and dissection.

(2) Where a person dies at a hospital other than a hospital referred to in sub-section (1) or in a prison and his body is unclaimed, the authorities in charge of such hospital or prison shall with the least practicable delay report the fact to the authorized officer, and the said officer shall hand over the unclaimed body to the authorities in charge of an approved institution for the purpose specified in sub-section (1).

(3) Where a person having no permanent place of residence in the area where his death has taken place dies in any public place in such area and his body is unclaimed, the authorized officer shall take possession of the body and shall hand it over to the authorities in charge of an approved institution for the purpose specified in sub-section (1).

## **6. Penalty :-**

Whoever disposes of, or abets the disposal of, an unclaimed body save as permitted by this Act or obstructs any authority in charge of an approved institution or an authorized officer from handing over, taking possession of, removing or 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 Unclaimed Bodies :-**

All officers of the Departments of Police and Public Health and all officers in the employ of a local authority and all village officers shall be bound to 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 lie against any person for anything which is in good faith done or intended 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 Section 21 of the Indian Penal Code (XLV of 1860).

### **10. Rules :-**

(1) The State Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for--

(a) the time within which the body of a deceased person may be claimed; and

(b) the embalming of dead bodies.