

Funeral embalming of dead body for transportation in India - a case report

Rajasekhar SSSN^{1,*}, K. Aravindhan², V. Gladwin³, Parkash Chand⁴

^{1,3}Assistant Professor, ²Additional Professor & HOD, ⁴Professor, Dept. of Anatomy, Jawaharlal Institute of Postgraduate Medical Education & Research, Pondicherry

*Corresponding Author:

Rajasekhar SSSN

Assistant Professor, Dept. of Anatomy, Jawaharlal Institute of Postgraduate Medical Education & Research, Pondicherry
Email: sekhar5883@gmail.com

Abstract

Embalming is a process of preservation of dead body by injecting preservative fluid through arteries. Embalming of dead bodies is done if the body is going to be used either for academic purpose or has to be transported. In the absence of near relative of the deceased, a medical social worker accompanying the deceased requested for funeral embalming to enable transportation through the aeroplane. There are no provisions for funeral embalming in any of the Anatomy Acts enacted in various States in India. So, there is a need to formulate guidelines for transportation of embalmed dead body through air, rail, and road as the procedure is not done routinely like in western countries.

Keywords: Funeral embalming, Anatomy Act, Medical social worker, Near relative.

Introduction

Embalming is a process of preservation of dead body by injecting preservative fluid through arteries. Embalming of dead bodies is not done as a part of the routine in India, like western countries. But it is done only if the body is going to be used either for academic purpose or has to be transported. Embalmed bodies are transported across the States or sometimes across the countries for the funeral, if the place of death of the deceased is different from that of his native place. Such situations are encountered with soldiers if they die in the battle zone or travellers, who die in a distant land. All cases which involve transportation of the dead body, embalming is mandatory to prevent decomposition. But, there are no guidelines for such funeral embalming in any of the Anatomy Acts in India; regarding the requisition and consent for funeral embalming or the procedure for transportation. The present reported case highlights the lacunae and the necessity for such guidelines.

Case Report

A 32 years old male, with a poor socioeconomic background, was referred from a hospital in Andaman Nicobar Islands to a government tertiary care hospital in the mainland (India), for treatment. During the consultation and further treatment as an inpatient in the hospital, he was not accompanied by any family members except a medical social worker from Andaman Nicobar Islands. The young adult succumbed to his illness during the treatment. On behalf of the family of the deceased, the said medical social worker has requested for the funeral embalming of the body of the deceased to enable transportation of the body by air for the completion of last rites at Andaman Nicobar Islands. A written undertaking was obtained from the

said medical social worker, that he is the only person available and responsible for the body of the deceased and that he is acting on behalf of the family of the deceased, before accepting the body for funeral embalming. The body of the deceased was embalmed in the Department of Anatomy, and an embalming certificate was issued to that effect. The said embalmed body was handed over to the concerned medical social worker for transportation by air.

Discussion

Bombay Anatomy Act 1949 was one of the earliest Anatomy Acts enacted in India.^[1] This Act was later repealed as Maharashtra Anatomy Act 2014 which is the most recently amended Act among all the State Anatomy Acts in India.^[2] Provisions in the Anatomy Acts of the different states in India are more or less similar to the provisions of the Bombay Anatomy Act 1949 with very few exceptions. Hence, the Maharashtra Anatomy Act 2014 is taken as a reference Act during the discussion of the present case which has similar provisions as Tamil Nadu Anatomy Act, that our institution follows.^[3]

Anatomy Act was formulated to cater to the voluntary donation of the whole body after death and for enabling the unclaimed dead bodies to be utilised for teaching in the medical colleges and hospitals.^[1]

According to Section 5(2) and Section 5(3) of the Act, the authorised officer is empowered to hand over the unclaimed body of a person to the authorities of teaching medical institutions, if the person had died in a prison or a private hospital or a public place in an area where he does not have permanent residence.^[2]

In the present reported case, the family members of the deceased had communicated to the accompanying medical social worker, to request for embalming of the

body of the deceased, on their behalf, to enable transportation by aeroplane.

Section 2(3), for the purpose of the Act describes the term "near relative" as spouse, parents, children and siblings of the deceased including any other person who is related by lineal consanguinity, (within three degrees) and collateral consanguinity (within six degrees), or anyone who is associated by marriage to any of the above discerned relations. The Act empowers the near relative of the deceased to claim the dead body or give consent for body donation. However, in the present case, the said medical social worker does not come under the definition of the term "near relative", who is authorised to give consent for body donation, by derivation, consent for embalming.^[2] Yet, he was the only person available in the given situation, who was in-charge of the body of the deceased person. This leaves us in no man's land with a question regarding the validity of the consent given by the person accompanying the body of the deceased, especially, if the accompanying person is neither a relative nor a friend of the deceased.

According to of the Section 5B, subsection (1) and (2) of the Maharashtra Anatomy Act 2014, the donation can be made by the person in lawful possession of the body, if there is a prior intention to donate the body, expressed by the deceased before his death.^[2] But there is no provision in any of the Anatomy Acts enacted in different States in the Union of India, which discerns the authority to request for funeral embalming by any near relative, or an authorised officer or any other concerned person.^[4,5,6,7,8,9,10,11,12,13,]

Documents like the death certificate, or postmortem autopsy certificate, embalming certificate, consular mortuary certificate issued by consular officer, export authorization issued by health officer, and an affidavit by the undertaker attesting the contents, embalming, hermetical sealing of the casket are required before the body is transported internationally by air to the United States of America.^[14]

In the case of domestic transfer of dead body between cities in India through by air, rail, road, then certificates like death certificate from the doctor, police clearance certificate, embalming certificate, coffin certificate, and PNR number of booking for the passenger with whom the dead body will be booked as cargo should accompany the dead body.^[15]

However, such procedures should be incorporated into the Anatomy Act to dispel any confusion. So, there is a need to formulate a provision for funeral embalming in the Anatomy Acts of India with respect to the persons who are eligible to request for funeral embalming, like the near relatives or any other responsible persons like friends and guardians of the deceased or any authorised officer, especially during the absence of near relatives. Guidelines for funeral embalming and transport should be incorporated in the Anatomy Act, which will be applicable in common to

all the States in the Union of India for embalming, packing of the embalmed body and transportation by air, rail and road including the necessary documents required to be possessed during such transportation.

Conclusion

Funeral embalming is essential for transportation of the dead body for long distance for conducting the last rites. There are no provisions which deal with funeral embalming in the contemporary Anatomy Acts enacted in India. Hence, there is a need to formulate guidelines such as who can request for funeral embalming in the absence of the family members accompanying the body of the deceased. It is necessary to create guidelines for transportation of embalmed dead body by air, rail and road.

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