

Medical Termination of Pregnancy Act, 1971

Presented By

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Background :

- Worldwide about 25 millions of unsafe abortions each year.
- Out of which 7 millions of unsafe abortions in INDIA.
- Affecting Maternal Morbidity and Mortality.

OUR GOAL



WHAT OUR LAWS SAID?

- **Indian Penal Code (IPC,1860)**

Section 312:

Anyone voluntarily causing miscarriage to a woman with child, other than in good faith for the purpose of saving her life is PUNISHABLE by Imprisonment (simple / rigorous) &/or a Fine.

Sections 313-316: (for DEATH due to procedure)

Upto 10 years imprisonment and fine, extending upto Life Imprisonment where the abortion was conducted without consent.

Introduction to MTP act:

- ❑ 'An act to provide rules & regulations for the termination for certain pregnancies by RMP & for matters connected therewith & incidental thereto.'
- ❑ Act Legislated by the Parliament on August 10th, 1971.
- ❑ Act enforced nationwide from April 1st, 1972.
- ❑ Adopted by Kashmir & Mizoram in 1980
- ❑ The Medical Termination of Pregnancy (Amendment) bill in 2017

MTP act specifies :-

- A. The Indications for legal Termination.
- B. Who can Terminate pregnancy.
- C. The Place where such termination can be allowed.
- D. Most important – ‘**CONSENT**’ requirement

Legal Indications :

- ❑ Continuation of pregnancy is a **risk to life of pregnant woman** or such continuation of pregnancy can cause grave injury to her physical & Mental health.
- ❑ Substantial risk that the **child , if born, would be seriously handicapped** due to physical or mental abnormalities.
- ❑ Pregnancy caused by **Rape**.
- ❑ **Failure of Contraceptive** in married woman.

Who can terminate ?

- ❑ RMP: A Registered Medical Practitioner who has a recognized Medical qualification as defined in clause (b) of Sec 2 of Indian Medical Council Act, 1956.
- ❑ Whose Name is registered in state Medical register
- ❑ Who has training experience as per MTP rules

CONDITION for RMP

- If Pregnancy < 12 weeks of Gestation ---- Opinion of One RMP is sufficient

- If Pregnancy > 12 weeks but < 24 weeks ---- Opinion of Two RMP is required

Experience of RMP:-

For Pregnancy up to 12 weeks of gestation only

- ❑ PG Degree or Diploma in OB & Gynae
- ❑ Who is registered in state medical register --- with 6 months of house surgeon ship in gynae
- ❑ Or experience of working in dept of gynae --- for 1 year.
- ❑ A practitioner who has assisted RMP in 25 cases of MTP, at least 5 of which have been performed independently in a hospital established or maintained by govt. or a training institute approved for this purpose by the govt.

For pregnancy more than 12 weeks and up to 24 weeks(as per amendment of 2017)

- ❑ PG degree or Diploma in OB & Gynae.
- ❑ Completed 6 months as House Surgeon in OB & Gynae.
- ❑ At least 1 year experience in dept. of OB & Gynae at any hospital that has all facilities.

PLACE where pregnancy can terminate:

- ❑ A Hospital established or maintained by govt.
- ❑ A place for the time being approved for the purpose of this Act by Government or a District Level Committee constituted by that Government

CONSENT ----- Form C

- Only the consent of a women is required
- If age of woman < 18 years or woman is mentally ill, then consent of Guardian is required.



Violation of Act :

- Any person doing MTP and not a RMP can be punished with rigorous imprisonment for 2 – 7 years.
- If Terminated at place which is not approved can be punished with rigorous imprisonment for 2 – 7years.
- The owner of unapproved place, performing termination can also be punished with rigorous imprisonment 2 – 7 years.

Legal Abortion Means :-

- Termination done at a place approved under the Act.
- Termination done for conditions & within the gestation prescribed by act.
- Termination done by RMP approved by act.
- Other requirements of the rules & regulations are complied with.

THANK
YOU!



NATIONAL
ABORTION
FEDERATION

*"Thanks for supporting
safe women's care!!!"*

— Jeffrey, KY

bit.ly/thanksprovs