

## **1. Draft Bill for Abortion**

**Prelims Level:** Rights Issues

**Mains Level:** GS-II Issues relating to development and management of Social Sector or Services relating to Health, Education, Human Resources.

### **Why in News?**

- Recently, the Union Cabinet has approved changes to the Medical Termination of Pregnancy (MTP) Act, 1971.

### **Present laws in Abortion process**

- The **Medical Termination of Pregnancy (MTP) Act of 1971**, provides for termination of pregnancy only up to 20 weeks.
- If an unwanted pregnancy has proceeded beyond 20 weeks, women have to approach a medical board and Courts to seek permission for termination, which is extremely difficult and cumbersome process.
- In Section 3 (2) of the Act, 1971 a pregnancy may be terminated by a registered medical practitioner-
  - ✓ Where the length of the pregnancy does not exceed twelve weeks, or
  - ✓ Where the length of the pregnancy exceeds twelve weeks but does not exceed twenty weeks.
- In this case, the abortion will take place, if not less than two registered medical practitioners are of opinion, that the continuance of the pregnancy would involve a risk to the life of the pregnant woman (her physical or mental health); or there is a substantial risk that if the child were born, it would suffer from some physical or mental abnormalities to be Seriously Handicapped.

### **Issue in the MTP, 1971:**

- The law does not accommodate non-medical concerns over the economic costs of raising a child, effects on career decisions, or any other personal considerations.
- The law says, for minors- written consent from guardian is required, and
- The unmarried women cannot cite contraceptive failure as a reason for abortion.

### **Provisions of the Abortion Bill:**

- It requires opinion of one registered medical practitioner instead of two or more, for termination of pregnancy up to **20 weeks** of gestation time between conception and birth.

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- It requires opinion of two registered medical practitioners for termination of pregnancy of **20 to 24 weeks**.
  - It increases the upper gestation limit (for abortion) from 20 to 24 weeks for survivors of rape, victims of incest (human sexual activity between family members or close relatives) and other vulnerable women, Including Minor Girls.
  - It seeks to relax the contraceptive-failure condition for unmarried women. Earlier “only married woman or her husband” were allowed to medically terminate the pregnancy, but the Bill proposes the same for “**any woman or her partner**”.

**Conclusion:**

- This Bill will provide greater reproductive rights to women as abortion is considered an important aspect of the reproductive health of women, if passed.
- The unsafe abortions cause death and injuries which can be largely prevented by trained practitioners legally.

