



Draft Bill to Raise Upper Limit for Abortion

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Why in News

The Union Cabinet has approved changes to the **Medical Termination of Pregnancy (MTP) Act, 1971** in order to increase the **upper limit for termination of a pregnancy from 20 weeks to 24 weeks.**

Present Abortion Law

- **The Medical Termination of Pregnancy (MTP) Act, 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.
- According to **Section 3 (2) of the MTP 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:** 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 Proposed Bill

- Requirement of 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).
- Requirement of opinion of **two** registered medical practitioners for termination of pregnancy of **20 to 24 weeks**.
- **Increase 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**.
- For **unmarried women**, the Bill seeks to relax the contraceptive-failure condition. 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

The Bill if passed will provide greater reproductive rights to women as abortion is considered an important aspect of the reproductive health of women. Deaths and injuries from unsafe abortions are largely preventable, provided services are performed legally by trained practitioners.

Source: IE