

# THE MEDICAL TERMINATION OF PREGNANCY ACT, 1971

[34 of 1971, dt. 10-8-1971]<sup>1</sup>

[As amended by the Medical Termination of Pregnancy (Amdt.) Act, 2021  
(8 of 2021), dt. 25-3-2021, w.e.f. 24-9-2021]

---

---

An Act to provide for the termination of certain pregnancies by registered medical practitioners and for matters connected therewith or incidental thereto

Be it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:

## 1. Short title, extent and commencement

(1) This Act may be called the Medical Termination of Pregnancy Act, 1971.

(2) It extends to the whole of India <sup>2</sup>[xxx].

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

## 2. Definitions

In this Act, unless the context otherwise requires,—

(a) “guardian” means a person having the care of the person of a minor or a <sup>3</sup>[mentally ill person];

<sup>4</sup>(aa) “Medical Board” means the Medical Board constituted under sub-section (2C) of section 3 of the Act;

<sup>5</sup>(b) “mentally ill person” means a person who is in need for treatment by reason of any mental disorder other than mental retardation;

(c) “minor” means a person who, under the provisions of the Indian Majority Act, 1875 (9 of 1875), is to be deemed not to have attained his majority;

(d) “registered medical practitioner” means a medical practitioner who possesses any recognised medical qualification as defined in clause (h) of section 2 of the Indian Medical Council Act, 1956 (102 of 1956), whose name has been entered in a State Medical Register and who has such experience or training in gynaecology and obstetrics as may be prescribed by rules made under this Act.

<sup>4</sup>(e) “termination of pregnancy” means a procedure to terminate a pregnancy by using medical or surgical methods.]

## COMMENTS

### **Guardian**

A guardian is a person lawfully invested with the power, and charged with the duty of taking care of the person and managing the property and rights of another person, who, for some

1 Received the assent of the President on 10-8-1971, and published in Gazette of India, Extra, Part II, Section I, dt. 10-8-1971, pp. 237-240.

2 Words “except the State of Jammu and Kashmir” omitted by the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), dt. 9-8-2019, w.e.f. 31-10-2019 vide SO 2889(E), dt. 9-8-2019.

3 Substituted for “lunatic” by Amendment Act, 2002 (64 of 2002), dt. 18-12-2002, w.e.f. 18-6-2003.

4 Inserted by the Medical Termination of Pregnancy (Amdt.) Act, 2021 (8 of 2021), dt. 25-3-2021, w.e.f. 24-9-2021.

5 Substituted by Amendment Act, 2002 (64 of 2002), dt. 18-12-2002, w.e.f. 18-6-2003.

peculiarity of status, or defect of age, understanding, or self-control, is considered incapable of administering his own affairs.—*Bass v. Cook*, 4 Port, Ala., 392

Guardian is one who legally has the care and management of the person, or the estate, or both, of a child during his minority. A testamentary guardian is one appointed by the deed or last Will of the child's father; while a guardian by election is one chosen by the infant himself in a case where he would otherwise be without one. A general guardian is one who has the general care and control of the person and estate of his ward; while a special guardian is one who has special or limited powers and duties with respect to his ward, e.g., a guardian who has the custody of the estate but not of the person, or *vice versa*, or a guardian *ad litem*.

A domestic guardian is one appointed at the place where the ward is legally domiciled; while a foreign guardian derives his authority from appointment by the courts of another State, and generally has charge only of such property as may be located within the jurisdiction of the power appointing him.

A guardian *ad litem* is a guardian appointed by a court of justice to prosecute or defend for an infant in any suit to which he may be a party.—2 *Steph. Comm.* 342

The word "guardian" is used in a very wide sense and does not necessarily mean a guardian duly appointed or declared by court. Any person who has the care of the person of the minor is a guardian of the person and any person who has the care of the property of the minor is a guardian of the property within the meaning of the Act.—*AIR 1984 Mad. 186*

The definition of the word "guardian" in s. 4(2) of the Guardians and Wards Act, 1890 means a person having the care of the person of a minor or his property, or of both his person and property.—*Sri Chandra Prabhuji Jain Temple v. Harikrishna AIR 1973 SC 2565*.

The definition of "guardian" given in s. 4 is wide and includes within its meaning all kinds of guardians. Thus, natural guardians, *de facto* guardians, testamentary guardians and certificated guardians are all guardians within the meaning of the Act.—*AIR 1946 Cal 272*

### ***Mentally ill person***

A person is said to be mentally ill when it is established that there exists an essential privation of reasoning faculties, or when a person is incapable of understanding and acting with discretion in the ordinary affairs of life. He is incapacitated by mental disorder, i.e., mental illness, arrested or incomplete development of mind, psychopathic disorder, and any other disorder or disability of mind. He is insane who, reason being thrown away, may do everything with violence and rage.

The term "insanity" is a social and legal term rather than a medical one, and indicates a condition which renders the affected person unfit to enjoy liberty of action because of the unreliability of his behaviour with concomitant danger to himself and others. The term is more or less synonymous with mental illness or psychosis. In law, the term is used to denote that degree of mental illness which negates the individual's legal responsibility or capacity.—*Black's Law*

Mental handicap or illness is a condition in which the intellectual capacity of a person is permanently lowered or underdeveloped to an extent which prevents normal function in society.

Prior to amendment of the Medical Termination of Pregnancy Act, 1971 by the Medical Termination of Pregnancy (Amendment) Act, 2002, the word "lunatic" was used in section 2(b). By the amending Act the words "mentally ill person" have been substituted for the word "lunatic". The clause as it stood before the amendment read:

"(b) "lunatic" has the meaning assigned to it in section 3 of the Indian Lunacy Act, 1912 (4 of 1912)."

Sec. 2(5) of the 1912 Act defines "lunatic" as an idiot or person of unsound mind.

An idiot is a stupid person, a mentally handicapped, a feeble-minded person; a silly or foolish person. An idiot is (out a mind; a lunatic is a person who has lost it)—*Wartons Law Lexicon*. Idiocy is a congenital condition due to defective development of the mental faculties. All grades of this condition exist from the helpless life of a mere vegetable organism to one which can be compared with the life of young children as far as mental development is concerned—*Saha on Marriage and Divorce, 4th Ed. P. 53*.

Idiots represent the lowest grade of mental deficiency, and there is no clear dividing line between them and severe cases of imbecility. Their I.Q. is estimated to be below 20—*Modi's Medical Jurisprudence and Toxicology, 21 Ed. P. 454*.

**Minor**

"Minor" means any person subject to the Indian Majority Act, 1875, who has not attained his majority within the meaning of that Act, and any other person who has not completed the age of eighteen years—*Vide section 2(e) of Indian Succession Act, 1925.* (Secs. 2 to 5; Indian Majority Act, 1875 may be referred to). A minor is defined as a person who has not attained eighteen years of age. Under section 3 of the Indian Majority Act, it is provided that when a guardian is appointed by a court except under Order 32 of the Code of Civil Procedure, or in the case of a ward under the Court of Wards, a person is deemed to have attained majority on the completion of 21 years. The said section 3 further gives overriding effect to the said Act as against all other enactments which are inconsistent with the provisions of that Act.

The Public Provident Fund Act, 1955 vide its section 2(b) defines minor to mean a person who is not deemed to have attained majority under the Indian Majority Act, 1875.

Under section 2(d) of the Child Marriage Restraint Act, 1929, "minor" is defined as a person of either sex who is under 18 years of age. Secs. 4(a) and 3(c) of the Hindu Minority and Guardianship Act, 1956 and Hindu Adoptions and Maintenance Act, 1956, respectively define "minor" to mean a person who has not completed the age of 18 years. But the Indian Christian Marriage Act, 1872 by its section 3 defines "minor" as a person who has not completed the age of 21 years and who is not a widower or widow.

Sec. 2(ff) of the Workmen's Compensation Act, 1923 as well as s. 2(e) of the Citizenship Act, 1955 also defines minor to be a person who has not attained the age of 18 years.

The Public Provident Fund Act, 1955 vide its s. 2(b) defines minor to mean a person who is not deemed to have attained majority under the Indian Majority Act, 1875.

**Registered medical practitioner**

Under s. 2(h) of the Indian Medical Council Act, 1956, "recognised medical qualification" means any of the medical qualifications included in the Schedules to that Act. Sec. 2(j) of that Act defines "State Medical Council" to mean a medical council constituted under any law for the time being in force in any State regulating the registration of practitioners of medicine. *Vide s. 2(k) of the said Act, "State Medical Register" means a register maintained under any law for the time being in force in any State regulating the registration of practitioners of medicine.*

Practitioner is he who is engaged in the exercise or employment of any art or profession as contrasted with one who teaches such. Under s. 2(f) of the Pharmacy Act, 1948, "Medical Practitioner" means a person:

- (i) holding a qualification granted by an authority specified or notified under s. 3 of the Indian Medical Degrees Act, 1916, or specified in the Schedules to the Indian Medical Council Act, 1956; or
- (ii) registered or eligible for registration in a medical register of a State meant for the registration of persons practising the modern scientific system of medicine; or
- (iii) registered in a medical register of a State, who although not falling within sub-clause (i) or sub-clause (ii) is declared by a general or special order made by the State Government in this behalf as a person practising the modern scientific system of medicine for the purposes of this Act; or
- (iv) registered or eligible for registration in the register of dentists for a State under the Dentists Act, 1948; or
- (v) who is engaged in the practice of veterinary medicine and who possesses qualification approved by the State Government.

Within the meaning of s. 3 (8) of the Indian Lunacy Act, 1912, 'Medical Practitioner' means a holder of qualification to practise medicine and surgery which can be registered in the United Kingdom in accordance with the law for the time being in force for the registration of medical practitioners, and includes any person declared by general or special order of the State Government to be a Medical Practitioner for the purposes of that Act.

An accepted medical practice is also known as scientific medical practice, for in legal terms "practice" denotes the application of science to the wants of men. Scientific medical practice is mentioned in the standard text books or in various issues of leading medical journals or is recognised by a responsible body of medical profession. In many instances, there may be more

than one accepted method. In cases of medical negligence, the outcome of treatment is of secondary importance. It is imperative that the doctor uses one of the recognised or acknowledged methods of treatment currently accepted by the medical profession at that time. In case, the medical practitioner fails to follow one of the accepted methods and instead departs from the conventional course of treatment, the burden of proof lies upon him to show whether he had taken all proper factors into account before deciding to depart from the conventional methods and that he had informed the patient of this departure, and obtained the patient's consent.

### 3. When pregnancies may be terminated by registered medical practitioners

(1) Notwithstanding anything contained in the Indian Penal Code (45 of 1860), a registered medical practitioner shall not be guilty of any offence under that Code or under any other law for the time being in force, if any pregnancy is terminated by him in accordance with the provisions of this Act.

<sup>1</sup>[(2) Subject to the provisions of sub-section (4), a pregnancy may be terminated by a registered medical practitioner,—

- (a) where the length of the pregnancy does not exceed twenty weeks, if such medical practitioner is, or
- (b) where the length of the pregnancy exceeds twenty weeks but does not exceed twenty-four weeks in case of such category of woman as may be prescribed by rules made under this Act, if not less than two registered medical practitioners are,

of the opinion, formed in good faith, that—

- (i) the continuance of the pregnancy would involve a risk to the life of the pregnant woman or of grave injury to her physical or mental health; or
- (ii) there is a substantial risk that if the child were born, it would suffer from any serious physical or mental abnormality.

*Explanation 1* : For the purposes of clause (a), where any pregnancy occurs as a result of failure of any device or method used by any woman or her partner for the purpose of limiting the number of children or preventing pregnancy, the anguish caused by such pregnancy may be presumed to constitute a grave injury to the mental health of the pregnant woman.

*Explanation 2* : For the purposes of clauses (a) and (b), where any pregnancy is alleged by the pregnant woman to have been caused by rape, the anguish caused by the

<sup>1</sup> Substituted by the Medical Termination of Pregnancy (Amdt.) Act, 2021 (8 of 2021), dt. 25-3-2021, w.e.f. 24-9-2021. Prior to substitution, sub-section (2) read as under:

“(2) Subject to the provisions of sub-section (4), pregnancy may be terminated by a registered medical practitioner,

(a) where the length of the pregnancy does not exceed twelve weeks, if such medical practitioner is, or  
(b) where the length of the pregnancy exceeds twelve weeks but does not exceed twenty weeks, if not less than two registered medical practitioners are,

of opinion, formed in good faith, that—

(i) the continuance of the pregnancy would involve a risk to the life of the pregnant woman or of grave injury to her physical or mental health, or  
(ii) there is a substantial risk that if the children were born, it would suffer from such physical or mental abnormalities as to be seriously handicapped.

*Explanation I* : Where any pregnancy is alleged by the pregnant woman to have been caused by rape, the anguish caused by such pregnancy shall be presumed to constitute a grave injury to the mental health of the pregnant woman.

*Explanation II* : Where any pregnancy occurs as a result of failure of any device or method used by any married woman or her husband for the purpose of limiting the number of children, the anguish caused by such unwanted pregnancy may be presumed to constitute a grave injury to the mental health of the pregnant woman.”

pregnancy shall be presumed to constitute a grave injury to the mental health of the pregnant woman.

(2A) The norms for the registered medical practitioner whose opinion is required for termination of pregnancy at different gestational age shall be such as may be prescribed by rules made under this Act.

(2B) The provisions of sub-section (2) relating to the length of the pregnancy shall not apply to the termination of pregnancy by the medical practitioner where such termination is necessitated by the diagnosis of any of the substantial foetal abnormalities diagnosed by a Medical Board.

(2C) Every State Government or Union territory, as the case may be, shall, by notification in the Official Gazette, constitute a Board to be called a Medical Board for the purposes of this Act to exercise such powers and functions as may be prescribed by rules made under this Act.

(2D) The Medical Board shall consist of the following, namely:—

- (a) a Gynaecologist;
- (b) a Paediatrician;
- (c) a Radiologist or Sonologist; and
- (d) such other number of members as may be notified in the Official Gazette by the State Government or Union territory, as the case may be.]

(3) In determining whether the continuance of a pregnancy would involve such risk of injury to the health as is mentioned in sub-section (2), account may be taken of the pregnant women's actual or reasonably foreseeable environment.

- (4) (a) No pregnancy of a woman, who has not attained the age of eighteen years, or, who, having attained the age of eighteen years, is a <sup>1</sup>[mentally ill person], shall be terminated except with the consent in writing of her guardian.
- (b) Save as otherwise provided in clause (a), no pregnancy shall be terminated except with the consent of the pregnant woman.

#### COMMENTS

Prior to amendment of the 1971 Act by the Medical Termination of Pregnancy (Amendment) Act, 2002, cl. (a) of sub-s. (4) of s. 3 contained the word "lunatic," which has been substituted by the words "mentally ill person" by the amendment Act. This amendment is consequential to the amendment of cl. (b) of s. 2 by the same amendment Act.

#### ***Pregnancy***

Pregnancy is the condition resulting from the fertilized ovum. The existence of the condition beginning at the moment of conception and terminating with delivery of the child. Extra uterine or ectopic pregnancy is the development of the ovum outside the uterine cavity, as in the fallopian tubes or ovary. Extra uterine pregnancy commonly terminates by rupture of the sac, profuse internal haemorrhage, and death if not relieved promptly by a surgical operation. Pregnancy is most likely to occur between the age group of 14 and 45 years, but has been reported much earlier and later. A plea of pregnancy is a plea which a woman capitally convicted may plead in stay of execution; for this, though it is no stay of judgment, yet operates as a respite of execution until this is delivered. This position is statutorily recognised by s. 416 of the Code of Criminal Procedure, 1973 which says that if a woman sentenced to death is found to be pregnant, the High Court shall order the execution of the sentence to be postponed, and may, if it thinks fit, commute the sentence to imprisonment for life.

<sup>1</sup> Substituted for "lunatic" by Amendment Act, 2002 (64 of 2002), dt. 18-12-2002 w.e.f. 18-6-2003.

**Termination of pregnancy**

Abortion is the spontaneous or artificially induced expulsion of an embryo or foetus. As used in legal context, it usually refers to induced abortion. According to *Webster's Ninth New Collegiate Dictionary*, "abortion is the expulsion of a non-viable foetus; a spontaneous expulsion of a human foetus during the first 12 weeks of gestation; illegal abortion." It is contrasted with miscarriage which is the expulsion of the human foetus before it is viable and especially between the 12th and 28th weeks of pregnancy. The distinction between abortion, miscarriage, and premature labour is not recognised in law and all are referred to as abortion. These are terms sometimes used to signify expulsion of the contents of a pregnant uterus during the 1st, 2nd and 3rd trimesters of pregnancy respectively.

**Criminal and legal abortions**

Sec. 312 of the Indian Penal Code, 1860 under the heading "Causing miscarriage" says that whoever voluntarily causes a woman with child to miscarry, shall, if such miscarriage be not caused in good faith for the purpose of saving the life of the woman, be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both; and, if the woman be quick with child, shall be punished with imprisonment of either description for a term which may extend to seven years and shall also be liable to fine. By the Explanation to that section, a woman who causes herself to miscarry, is also made punishable thereunder. In *Dr. Akhil Kumar v. State of M.P., 1992 Cri. LJ 2029 (MP)*, a woman living separately from her husband for 3 to 4 years got conceived as a result of illicit intercourse with her distant cousin. Where her pregnancy was for 24 weeks she approached a Medical Practitioner who pushed Menstrogen Forte injection into her which caused her death. The literature of Menstrogen Forte clearly stated that the effect of such injection could be miscarriage. The plea of the accused physician that he had pushed that injection to determine if she was pregnant was not believed because the 6 months old pregnancy was writ large on her abdomen discernible from outside and the doctor was convicted for attempt to cause miscarriage. In *Moideen Sab v. State of Karnataka, 1993 Cri LJ 1430 (Kar)*, the deceased mother of 4 children, having become pregnant was taken by her son-in-law to a quack for abortion. She was later found dead and was buried. The dead body was exhumed after about 12 days and the quack was prosecuted under s. 314 and convicted thereunder on circumstantial evidence.

Sec. 314, IPC provides that whoever, with intent to cause the miscarriage of a woman with child, does any act which causes the death of such woman, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine. If the act is done without the consent of the woman, shall be punished either with imprisonment for life, or with punishment abovementioned. The Explanation to that section says that it is not essential to this offence that the offender should know that the act is likely to cause death. A person who attempted to cause miscarriage of a pregnant woman but unsuccessful in the process and when pregnant girl died several weeks later having developed septicemia without it having been established that the person was responsible for septicemia, the person cannot be held guilty under s. 314, IPC.—*Vatchhalabai Maruti Kshirsagar v. State of Maharashtra, 1993 Cri LJ 702 (Bom)*.

Under the Medical Termination of Pregnancy Act, pregnancy can be legally terminated on (i) Therapeutic, (ii) Eugenic, (iii) Humanitarian, and (iv) Social grounds. Therapeutic grounds apply when the continuance of pregnancy would endanger the life of the woman, or would cause grave injury to her physical or mental health. Eugenic grounds involve the risk of the child being born with serious physical or mental abnormalities, Termination of pregnancy may be on Humanitarian grounds when it is caused by rape. Social grounds apply for termination in the case of a married woman, where (a) pregnancy has been resulted due to failure of contraceptive methods adopted that may likely to cause serious mental injury, or (b) social or economic environment can injure the woman's health.

**<sup>1</sup>4. Place where pregnancy may be terminated**

No termination of pregnancy shall be made in accordance with this Act at any place other than—

- (a) a hospital established or maintained by Government, or

<sup>1</sup> Substituted by Amendment Act, 2002 (64 of 2002), dt. 18-12-2002 w.e.f. 18-6-2003.

- (b) a place for the time being approved for the purpose of this Act by Government or a District Level Committee constituted by that Government with the Chief Medical Officer or District Health Officer as the Chairperson of the said Committee:

PROVIDED that the District Level Committee shall consist of not less than three and not more than five Members including the Chairperson, as the Government may specify from time-to-time.]

#### COMMENTS

Under s. 4, before its substitution by the present section by the Medical Termination of Pregnancy (Amendment) Act, 2002, no termination of pregnancy could be made in accordance with the Act at any place other than (a) a hospital established or maintained by the government, or (b) a place for the time being approved for the purpose of the Act by the government.

#### **5. Sections 3 and 4 when not to apply**

(1) The provisions of section 4, and so much of the provisions of sub-section (2) of section 3 as relate to the length of the pregnancy and the opinion of not less than two registered medical practitioners, shall not apply to the termination of a pregnancy by a registered medical practitioner in a case where he is of opinion, formed in good faith, that the termination of such pregnancy is immediately necessary to save the life of the pregnant woman.

<sup>1</sup>(2) Notwithstanding anything contained in the Indian Penal Code (45 of 1860), the termination of pregnancy by a person who is not a registered medical practitioner shall be an offence punishable with rigorous imprisonment for a term which shall not be less than two years but which may extend to seven years under that Code, and that Code shall, to this extent, stand modified.

(3) Whoever terminates any pregnancy in a place other than that mentioned in section 4, shall be punishable with rigorous imprisonment for a term which shall not be less than two years but which may extend to seven years.

(4) Any person being owner of a place which is not approved under clause (b) of section 4 shall be punishable with rigorous imprisonment for a term which shall not be less than two years but which may extend to seven years.

*Explanation 1* : For the purposes of this section, the expression "owner" in relation to a place means any person who is the administrative head or otherwise responsible for the working or maintenance of a hospital or place, by whatever name called, where the pregnancy may be terminated under this Act.

*Explanation 2* : For the purposes of this section, so much of the provisions of clause (d) of section 2 as relate to the possession, by registered medical practitioner, of experience or training in gynaecology and obstetrics shall not apply.]

#### COMMENTS

Prior to amendment of s. 5 by the 2002 Amendment Act, the section contained only two sub-sections and a single Explanation. After the amendment it contains four sub-sections and two Explanations, the old Explanation being renumbered as Explanation 2.

<sup>1</sup> Substituted by Amendment Act, 2002 (64 of 2002), dt. 18-12-2002 w.e.f. 18-6-2003.

**<sup>1</sup>[5A. Protection of privacy of a woman**

(1) No registered medical practitioner shall reveal the name and other particulars of a woman whose pregnancy has been terminated under this Act except to a person authorised by any law for the time being in force.

(2) Whoever contravenes the provisions of sub-section (1) shall be punishable with imprisonment which may extend to one year, or with fine, or with both.]

**6. Power to make rules**

(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the experience or training, or both, which a registered medical practitioner shall have if he intends to terminate any pregnancy under this Act; and
- <sup>1</sup>[(aa) the category of woman under clause (b) of sub-section (2) of section 3;
- (ab) the norms for the registered medical practitioner whose opinion is required for termination of pregnancy at different gestational age under sub-section (2A) of section 3;
- (ac) the powers and functions of the Medical Board under sub-section (2C) of section 3;]
- (b) such other matters as are or may be, provided by rules made under this Act.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification, in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

COMMENTS

In exercise of the powers conferred by s. 6 of the Act, the Central Government has framed the Medical Termination of Pregnancy Rules, 2003 vide Notification G.S.R. 485(E), dated 13-6-2003, published in the Gazette of India, Part II, Section 3(i), dated 13-6-2003. The Rules are reproduced infra.

**7. Power to make regulations**

(1) The State Government may, by regulations—

- (a) require any such of opinion as is referred to in sub-section (2) of section 3 to be certified by a registered medical practitioner or practitioners concerned, in such form and at such time as may be specified in such regulations, and the preservation or disposal of such certificates;
- (b) require any registered medical practitioner, who terminates a pregnancy, to give intimation of such termination and such other information relating to the termination as may be specified in such regulations;

<sup>1</sup> Inserted by the Medical Termination of Pregnancy (Amdt.) Act, 2021 (8 of 2021), dt. 25-3-2021, w.e.f. 24-9-2021.

(c) prohibit the disclosure, except to such persons and for such purposes as may be specified in such regulations, of intimations given or information furnished in pursuance of such regulations.

(2) The intimation given and the information furnished in pursuance of regulations made by virtue of clause (b) of sub-section (1) shall be given or furnished, as the case may be, to the Chief Medical Officer of the State.

<sup>1</sup>[(2A) Every regulation made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.]

(3) Any person who wilfully contravenes or wilfully fails to comply with the requirements of any regulation made under sub-section (1) shall be liable to be punished with the fine which may extend to one thousand rupees.

#### COMMENTS

In exercise of the powers conferred by s. 7 of the Act, the Central Government has framed the Medical Termination of Pregnancy Regulations, 2003, vide Notification No. G.S.R. 486(E), dt. 13-6-2003, which also are reproduced infra.

#### **8. Protection of action taken in good faith**

No suit or other legal proceeding shall lie against any registered medical practitioner for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.

---

1 Inserted by the Delegated Legislation Provisions (Amdt.) Act, 2004 (4 of 2005), dt. 11-1-2005.

# THE MEDICAL TERMINATION OF PREGNANCY RULES, 2003

[GSR No. 485(E), dt. 13-6-2003]

*(As amended vide GSR 730(E), dt. 12-10-2021, w.e.f. 12-10-2021)*

---

In exercise of powers conferred by section 6 of the Medical Termination of Pregnancy Act, 1971 (34 of 1971), the Central Government hereby makes the following rules, namely:—

**1. Short title and commencement**

- (1) These rules may be called the Medical Termination of Pregnancy Rules, 2003.
- (2) They shall come into force on the date of their publication in the Official Gazette.

**2. Definitions**

In these rules, unless the context otherwise requires,—

- (a) "Act" means the Medical Termination of Pregnancy Act, 1971 (34 of 1971);
- (b) "Chief Medical Officer" means the Chief Medical Officer of a District, by whatever name called;
- (c) "Form" means a form appended to these rules;
- (d) "owner" in relation to a place means any person who is the administrative head or otherwise responsible for the working or maintenance of a hospital or place, by whatever name called, where the pregnancy may be terminated under this Act;
- (e) "Committee" means a committee constituted at the district level under the proviso to clause (b) of section 4, read with rule 3;
- <sup>1</sup>(f) "Medical Board" means the Medical Board constituted under sub-section (2C) of section 3 of the Act.]

**3. Composition and tenure of District Level Committee**

(1) One member of the District Level Committee shall be the Gynaecologist/Surgeon/Anesthetist and other members from the local medical profession, non-Governmental organisations, and Panchayati Raj Institution of the District:

PROVIDED that one of the members of the Committee shall be a woman.

(2) Tenure of the committee shall be for two calendar years and the tenure of the non-Government members shall not be more than two terms.

**<sup>1</sup>[3A. Powers and functions of Medical Board**

For the purposes of section 3,—

- (a) the powers of the Medical Board shall be the following, namely:—
  - (i) to allow or deny termination of pregnancy beyond twenty-four weeks of gestation period under sub-section (2B) of the said section only after due consideration and ensuring that the procedure would be safe for the woman at that gestation age and whether the foetal malformation

---

<sup>1</sup> Inserted vide GSR 730(E), dt. 12-10-2021, w.e.f. 12-10-2021.

has substantial risk of it being incompatible with life or if the child is born it may suffer from such physical or mental abnormalities to be seriously handicapped;

- (ii) co-opt other specialists in the Board and ask for any additional investigations if required, for deciding on the termination of pregnancy;
- (b) the functions of the Medical Board shall be the following, namely:—
  - (i) to examine the woman and her reports, who may approach for medical termination of pregnancy under sub-section (2B) of section 3;
  - (ii) provide the opinion of Medical Board in Form D with regard to the termination of pregnancy or rejection of request for termination within three days of receiving the request for medical termination of pregnancy under sub-section (2B) of section 3;
  - (iii) to ensure that the termination procedure, when advised by the Medical Board, is carried out with all safety precautions along with appropriate counselling within five days of the receipt of the request for medical termination of pregnancy under sub-section (2B) of section 3.

**3B. Women eligible for termination of pregnancy up to twenty-four weeks**

The following categories of women shall be considered eligible for termination of pregnancy under clause (b) of sub-section (2) of section 3 of the Act, for a period of up to twenty-four weeks, namely:—

- (a) survivors of sexual assault or rape or incest;
- (b) minors;
- (c) change of marital status during the ongoing pregnancy (widowhood and divorce);
- (d) women with physical disabilities [major disability as per criteria laid down under the Rights of Persons with Disabilities Act, 2016 (49 of 2016)];
- (e) mentally ill women including mental retardation;
- (f) the foetal malformation that has substantial risk of being incompatible with life or if the child is born it may suffer from such physical or mental abnormalities to be seriously handicapped; and
- (g) women with pregnancy in humanitarian settings or disaster or emergency situations as may be declared by the Government.]

**4. Experience and training under clause (d) of section 2**

For the purpose of clause (d) of section 2, a Registered Medical Practitioner shall have one or more of the following experience or training in gynaecology and obstetrics, namely:—

- (a) In the case of a medical practitioner, who was registered in a State Medical Register immediately before the commencement of the Act, experience in the practice of gynaecology and obstetrics for a period of not less than three years;
- (b) In the case of a medical practitioner, who is registered in a State Medical Register:
  - (i) if he has completed six months of house surgency in gynaecology and obstetrics; or

- (ii) unless the following facilities are provided therein, if he had experience at any hospital for a period of not less than one year in the practice of obstetrics and gynaecology; or
- (c) if he has assisted a Registered Medical Practitioner in the performance of twenty-five cases of medical termination of pregnancy of which at least five have been performed independently, in a hospital established or maintained, or a training institute approved for this purpose by the Government.
  - (i) This training would enable the Registered Medical Practitioner (RMP) to do only 1st Trimester terminations (upto 12 weeks of gestation).
  - (ii) For terminations upto <sup>1</sup>[twenty-four weeks] the experience or training as prescribed under sub-rules (a), (b) and (d) shall apply.
- <sup>2</sup>[(ca) A Registered Medical Practitioner shall have the following experience and training for conducting termination of pregnancy upto nine weeks of gestation period by medical methods of abortion, namely:—
  - (i) experience at any hospital for a period of not less than three months in the practice of obstetrics and gynaecology; or
  - (ii) has independently performed ten cases of pregnancy termination by medical methods of abortion under the supervision of a Registered Medical Practitioner in a hospital established or maintained, or a training institute approved for this purpose, by the Government.]
- (d) in case of a medical practitioner who has been registered in a State Medical Register and who holds a post-graduate degree or diploma in gynaecology and obstetrics, the experience or training gained during the course of such degree or diploma.

<sup>2</sup>[4A. (1) For the purposes of sub-section (2A) of section 3 of the Act, the opinion of Registered Medical Practitioner which is required for termination of pregnancy at different gestation ages shall be the following, namely:—

- (a) till nine weeks of gestation period, by Medical Methods of Abortion: Registered Medical Practitioner eligible under clauses (a), (b), (c), (ca) and (d) of rule 4;
- (b) till twelve weeks of gestation period, by surgical method: Registered Medical Practitioner eligible under clauses (a), (b), (c) and (d) of rule 4;
- (c) beyond twelve weeks till twenty weeks of gestation period : Registered Medical Practitioner eligible under clauses (a), (b) and (d) of rule 4.

(2) For the purposes of sub-section (2A) of section 3 of the Act, the opinion of two Registered Medical Practitioners eligible under clauses (a), (b) and (d) of rule 4, which is required for termination of pregnancy beyond twenty weeks till twenty-four weeks of gestation period, shall be in Form E.

(3) For the purposes of sub-section (2B) of section 3, the opinion for medical termination of pregnancy beyond twenty-four weeks gestation period: Shall be given by a Medical Board duly constituted by the respective State Government or Union territory Administration at approved facilities and two Registered Medical Practitioners eligible under clauses (a), (b) and (d) of rule 4, shall perform the termination of pregnancy based on the decision of such Medical Board.]

<sup>1</sup> Substituted for "twenty-weeks" vide GSR 730(E), dt. 12-10-2021, w.e.f. 12-10-2021.

<sup>2</sup> Inserted, *ibid.*

**5. Approval of a place**

(1) No place shall be approved under clause (b) of section 4,—

(i) Unless the Government is satisfied that termination of pregnancies may be done therein under safe and hygienic conditions; and

(ii) Unless the following facilities are provided therein, namely:—

in case of first trimester, that is, upto 12 weeks of pregnancy:

a gynaecology examination/labour table, resuscitation and sterilization equipment, drugs and parental fluid, back up facilities for treatment of shock and facilities <sup>1</sup>[for transportation;]

in case of second trimester, that is upto <sup>2</sup>[twenty-four weeks] of pregnancy:

(a) an operation table and instruments for performing abdominal or gynaecological surgery;

(b) anaesthetic equipment, resuscitation equipment and sterilization equipment;

(c) drugs and parental fluids for emergency use, notified by <sup>3</sup>[the Central Government from time to time; and]

<sup>4</sup>[in case of termination beyond twenty-four weeks of pregnancy:—

(a) an operation table and instruments for performing abdominal or gynaecological surgery;

(b) anaesthetic equipment, resuscitation equipment and sterilisation equipment;

(c) availability of drugs, parental fluids and blood for emergency use, as may be notified by the Central Government from time to time; and

(d) facilities for procedure under ultrasound guidance.]

*Explanation* : In the case of termination of early pregnancy up to <sup>5</sup>[nine weeks] using RU-486 with Misoprostol, the same may be prescribed by a Registered Medical Practitioner (RMP) as defined under clause (d) of section 2 of the Act and section 4 of MTP Rules, at his clinic, provided such a Registered Medical Practitioner has access to a place approved under section 4 of the MTP Act, 1971 read with MTP Amendment Act, 2002 and Rule 5 of the MTP Rules. For the purpose of access, the RMP should display a Certificate to this effect from the owner of the approved place.

(2) Every application for the approval of a place shall be in a Form A and shall be addressed to the Chief Medical Officer of the District.

(3) On receipt of an application under sub-rule (2), the Chief Medical Officer of the District may verify any information contained, in any such application or inspect any such place with a view to satisfying himself that the facilities referred to in sub-rule (1) are provided, and that termination of pregnancies may be made under safe and hygienic conditions.

(4) Every owner of the place which is inspected by the Chief Medical Officer of the District shall afford all reasonable facilities for the inspection of the place.

(5) The Chief Medical Officer of the District may, if he is satisfied after such verification, enquiry or inspection, as may be considered necessary, that termination of pregnancies may

1 Substituted for "for transportation; and" vide GSR 730(E), dt. 12-10-2021, w.e.f. 12-10-2021.

2 Substituted for "20 weeks" vide GSR 730(E), dt. 12-10-2021, w.e.f. 12-10-2021.

3 Substituted for "Government of India from time to time", *ibid*.

4 Inserted, *ibid*.

5 Substituted for "seven weeks", *ibid*.

be done under safe and hygienic conditions, at the place, recommend the approval of such place to the Committee.

(6) The Committee may after considering the application and the recommendations of the Chief Medical Officer of the District approve such place and issue a certificate of approval in Form B.

(7) The certificate of approval issued by the Committee shall be conspicuously displayed at the place to be easily visible to persons visiting the place.

(8) The place shall be inspected within 2 months of receiving the application and certificate of approval may be issued within the next 2 months, or in case any deficiency has been noted, within 2 months of the deficiency having been rectified by the applicant.

(9) On the commencement of these rules, a place approved in accordance with the Medical Termination of Pregnancy Rules, 1975 shall be deemed to have been approved under these rules.

#### **6. Inspection of a place**

(1) A place approved under rule 5 may be inspected by the Chief Medical Officer of the District, as often as may be necessary with a view to verify whether termination of pregnancies is being done therein under safe and hygienic conditions.

(2) If the Chief Medical Officer has reason to believe that there has been death of, or injury to, a pregnant woman at the place or that termination of pregnancies is not being done at the place under safe and hygienic conditions, he may call for any information or may seize any article, medicine, ampoule, admission register or other document, maintained, kept or found at the place.

(3) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974), relating to seizure, so far as it may, apply to seizure made under sub-rule (2).

#### **7. Cancellation or suspension of certificate of approval**

(1) If, after inspection of any place approved under rule 5, the Chief Medical Officer of the District is satisfied that the facilities specified in rule 5 are not being properly maintained therein and the termination of pregnancy at such place cannot be made under safe and hygienic conditions, he shall make a report of the fact to the Committee giving the detail of the deficiencies or defects found at the place and the committee may, if it is satisfied, suspend or cancel the approval provided that the committee shall give an opportunity of making representation to the owner of the place before the certificate issued under rule 5 is cancelled.

(2) Where a certificate issued under rule 5 is cancelled, the owner of the place may make such additions or improvements in the place and thereafter, he may make an application to the Committee for grant of approval under rule 5.

(3) In the event of suspension of a certificate, of approval, the place shall not be deemed to be an approved place during the suspension for the purposes of termination of pregnancy from the date of communication of the order of such suspension.

#### **8. Review**

(1) The owner of a place, who is aggrieved by an order made under rule 7, may make an application for review of the order to the Government within a period of sixty days from the date of such order:

PROVIDED that the Government may condone any delay in case it is satisfied that applicant was prevented by sufficient cause to make application within time.

(2) The Government may, after giving the owner an opportunity of being heard, confirm, modify or reverse the order.

**9. Form of consent**

The consent referred to in sub-section (4) of section 3 shall be given in Form C.

**10. Repeal and saving**

The Medical Termination of Pregnancy Rules, 1975, are hereby repealed except as respects things done or omitted to be done before such repeal.

**<sup>1</sup>FORM A**

*[Refer sub-rule (2) of rule 5]*

FORM OF APPLICATION FOR THE APPROVAL OF A PLACE UNDER  
CLAUSE (b) OF SECTION 4 OF THE ACT

Category of approved place:

- (A) Pregnancy can be terminated upto twelve weeks
- (B) Pregnancy can be terminated upto twenty-four weeks
  - (i) Name of the place (in capital letters):
  - (ii) Address in full:
  - (iii) Non-Government or Private or Nursing Home or Other Institutions:
  - (iv) State, if the following facilities are available at the place:

## CATEGORY A

- (i) Gynaecological examination or labour table.
- (ii) Resuscitation equipment.
- (iii) Sterilization equipment.
- (iv) Facilities for treatment of shock, including emergency drugs.
- (v) Facilities for transportations, if required.

## CATEGORY B

- (i) An operation table and instruments for performing abdominal or gynaecological surgery.
- (ii) Drugs and parental fluids in sufficient supply for emergency cases.
- (iii) Anaesthetic equipment, resuscitation equipment and sterilization equipment.

Place :

Date : Signature of the owner of the place]

**FORM B**

*[Refer sub-rule (6) of rule 5]*

## CERTIFICATE OF APPROVAL

The place described below is hereby approved for the purpose of the Medical Termination of Pregnancy Act, 1971 (34 of 1971).

As read within upto ..... weeks

Name of the Place

Address and other descriptions

Name of the owner

Place :

Date : To the Government of the .....

<sup>1</sup> Substituted vide GSR 730(E), dt. 12-10-2021, w.e.f. 12-10-2021.

**FORM C***[Refer rule 9]*

I ..... daughter/wife of .....  
 aged about ..... years of ..... (here state  
 the permanent address) at present residing at ..... do hereby give my  
 consent to the termination of my pregnancy at ..... (state the  
 name of place where the pregnancy is to be terminated)

Place :

Date :

Signature

(To be filled in by guardian where the woman is a mentally ill person or minor)

I ..... son/daughter/wife of ..... aged about ..... years of  
 ..... at present residing at (Permanent address) ..... do hereby give my  
 consent to the termination of the pregnancy of my ward ..... who is a minor/lunatic  
 at ..... (Place of termination of my pregnancy)

Place :

Date :

Signature

**<sup>1</sup>FORM D***[Refer sub-clause (ii) of clause (b) of rule 3A]*

**REPORT OF THE MEDICAL BOARD FOR PREGNANCY TERMINATION  
 BEYOND 24 WEEKS**

Details of the woman seeking termination of pregnancy:

1. Name of the woman:
2. Age:
3. Registration/Case Number:
4. Available reports and investigations:

<i>S. No.</i>	<i>Report</i>	<i>Opinion on the findings</i>

5. Additional Investigations (if done):

<i>S. No.</i>	<i>Investigations done</i>	<i>Key findings</i>

<sup>1</sup> Inserted vide GSR 730(E), dt. 12-10-2021, w.e.f. 12-10-2021.

6. Opinion by Medical Board for termination of pregnancy:

- (a) Allowed
- (b) Denied

Jurisdiction for the decision:

7. Physical fitness of the woman for the termination of pregnancy:

- a. Yes
- b. No

Members of the Medical Board who reviewed the case:

<i>S. No.</i>	<i>Name</i>	<i>Signature</i>

Date and Time: .....

**FORM E**

*[Refer sub-rule (2) of rule 4A]*

**OPINION FORM OF REGISTERED MEDICAL PRACTITIONERS**

***(For gestation age beyond twenty weeks till twenty-four weeks)***

I.....  
 (Name and qualifications of the Registered Medical Practitioner in block letters)

.....  
 (Full address of the Registered Medical Practitioner)

I.....  
 (Name and qualifications of the Registered Medical Practitioner in block letters)

.....  
 (Full address of the Registered Medical Practitioner)

hereby certify that we are of opinion, formed in good faith, that it is necessary to terminate the pregnancy of .....

(Full name of pregnant woman in block letters)

resident of.....  
 (Full address of pregnant woman in block letters)

which is beyond twenty weeks but till twenty-four weeks under special circumstances as given below\*.

\*Specify the circumstance(s) from (a) to (g) appropriate for termination of pregnancy beyond twenty weeks till twenty-four weeks:

- (a) Survivors of sexual assault or rape or incest
- (b) Minors
- (c) Change of marital status during the ongoing pregnancy (widowhood and divorce)
- (d) Women with physical disabilities [major disability as per criteria laid down under the Rights of Persons with Disabilities Act, 2016 (49 of 2016)]

- (e) Mentally ill women including mental retardation
- (f) The foetal malformation that has substantial risk of being incompatible with life or if the child is born it may suffer from such physical or mental abnormalities to be seriously handicapped.
- (g) Women with pregnancy in humanitarian settings or disaster or emergency situations as declared by Government

We hereby give intimation that we terminated the pregnancy of the woman referred to above who bears the Serial No. .... in the Admission Register of the hospital/approved place.

Signature of the Registered Medical Practitioner

Signature of the Registered Medical Practitioner

Place:

Date:

**Note:** Account may be taken of the pregnant woman's actual or reasonably foreseeable environment in determining whether the continuance of her pregnancy would involve a grave injury to her physical or mental health.]

## FORM II

[Refer Regulation 4(5)]

1. Name of the State
2. Name of the Hospital/approved place
3. Duration of pregnancy (give total No. only)
  - (a) Upto 12 weeks.
  - (b) Between 12 - 20 weeks
4. Religion of woman
  - (a) Hindu
  - (b) Muslim
  - (c) Christian
  - (d) Others
  - (e) Total
5. Termination with acceptance of contraception.
  - (a) Sterilisation.
  - (b) I.U.D.
6. Reasons for termination:
 

(give total number under each sub-head)

  - (a) Danger to life of the pregnant woman.
  - (b) Grave injury to the physical health of the pregnant woman.
  - (c) Grave injury to the mental health of the pregnant woman.
  - (d) Pregnancy caused by rape.
  - (e) Substantial risk that if the child was born, it would suffer from such physical or mental abnormalities as to be seriously handicapped.
  - (f) Failure of any contraceptive device or method.

Signature of the Officer In-charge with date

**FORM III***[Refer Regulation 5]***ADMISSION REGISTER**

[To be destroyed on the expiry of five years from the date of the last entry in the Register]

<i>S. No.</i>	<i>Date of Admission</i>	<i>Name of the Patient</i>	<i>Wife/Daughter of</i>	<i>Age</i>	<i>Religion</i>	<i>Address</i>
<i>1.</i>	<i>2.</i>	<i>3.</i>	<i>4.</i>	<i>5.</i>	<i>6.</i>	<i>7.</i>

<i>Duration of Pregnancy</i>	<i>Reasons on which Pregnancy is terminated</i>	<i>Date of termination of Pregnancy</i>	<i>Date of discharge of patient</i>	<i>Result and Remarks</i>	<i>Name of Registered Medical Practitioner(s) by whom the opinion is formed</i>	<i>Name of Registered Medical Practitioner(s) by whom Pregnancy is terminated</i>
<i>8.</i>	<i>9.</i>	<i>10.</i>	<i>11.</i>	<i>12.</i>	<i>13.</i>	<i>14.</i>

# THE MEDICAL TERMINATION OF PREGNANCY REGULATIONS, 2003

[GSR No. 486(E), dt. 13-6-2003]

---

---

In exercise of powers conferred by section 7 of the Medical Termination of Pregnancy Act, 1971 (34 of 1971), the Central Government hereby makes the following regulations, namely:—

**1. Short title, extent and commencement**

(1) These regulations may be called the Medical Termination of Pregnancy Regulations, 2003.

(2) They extend to all the Union Territories.

(3) They shall come into force on the date of their publication in the Official Gazette.

**2. Definitions**

In these regulations, unless the context otherwise requires,—

(a) "Act" means the Medical Termination of Pregnancy Act, 1971 (34 of 1971);

(b) "Admission Register" means the register maintained under regulation 5;

(c) "Chief Medical Officer" means the Chief Medical Officer of a District by whatever name called;

(d) "Form" means a form appended to these regulations;

(e) "Hospital" means a hospital established or maintained by the Central Government or the Government of Union Territory;

(f) "section" means a section of the Act.

**3. Form of certifying opinion or opinions**

(1) Where one registered medical practitioner forms or not less than two registered medical practitioners form such opinion as is referred to in sub-section (2) of section 3 or 5, he or she shall certify such opinion in Form I.

(2) Every registered medical practitioner who terminates any pregnancy shall, within three hours from the termination of the pregnancy certify such termination in Form I.

**4. Custody of forms**

(1) The consent given by a pregnant woman for the termination of her pregnancy, together with the certified opinion recorded under section 3 or section 5, as the case may be, and the intimation of termination of pregnancy shall be placed in an envelope which shall be sealed by the registered medical practitioner or practitioners by whom such termination of pregnancy was performed and until that envelope is sent to the head of the hospital or owner of the approved place or the Chief Medical Officer of the State, it shall be kept in the safe custody of the concerned registered medical practitioner or practitioners, as the case may be.

(2) On every envelope referred to in sub-regulation (1), pertaining to the termination of pregnancy under section 3, there shall be noted the serial number assigned to the pregnant woman in the Admission Register and the name of the registered medical practitioner or

practitioners by whom the pregnancy was terminated and such envelope shall be marked "Secret".

(3) Every envelope referred to in sub-regulation (2) shall be sent immediately after the termination of the pregnancy to the head of the hospital or owner of the approved place where the pregnancy was terminated.

(4) On receipt of the envelope referred to in sub-regulation (3), the head of the hospital or owner of the approved place shall arrange to keep the same in safe custody.

(5) Every head of the hospital or owner of the approved place shall send to the Chief Medical Officer of the State, in Form II a monthly statement of cases where medical termination of pregnancy has been done.

(6) On every envelope referred to in sub-regulation (1), pertaining to the termination of pregnancy under section 5, there shall be noted the name and address of the registered medical practitioner by whom the pregnancy was terminated and the date on which the pregnancy was terminated and such envelope shall be marked "Secret".

*Explanation* : The columns pertaining to the hospital or approved place and the serial number assigned to the pregnant woman in the Admission Register shall be left blank in Form I in the case of termination performed under section 5.

(7) Where the pregnancy is not terminated in an approved place or hospital, every envelope referred to in sub-regulation (6) shall be sent by registered post to the Chief Medical Officer of the State on the same day on which the pregnancy was terminated or on the next working day following the day on which the pregnancy was terminated:

PROVIDED that where the pregnancy is terminated in an approved place or hospital, the procedure provided in sub-regulations (1) to (6) shall be followed.

#### **5. Maintenance of Admission Register**

(1) Every head of the hospital or owner of the approved place shall maintain a register in Form III for recording therein the details of the admissions of women for the termination of their pregnancies and keep such register for a period of five years from the end of the calendar year it relates to.

(2) The entries in the Admission Register shall be made serially and a fresh serial shall be started at the commencement of each calendar year and the serial number of the particular year shall be distinguished from the serial number of other years by mentioning the year against the serial number, for example, serial number 5 of 1972 and serial number 5 of 1973 shall be mentioned as 5/1972 and 5/1973.

(3) Admission Register shall be a secret document and the information contained therein as to the name and other particulars of the pregnant woman shall not be disclosed to any person.

#### **6. Admission Register not to be open to inspection**

The Admission Register shall be kept in the safe custody of the head of the hospital or owner of the approved place, or by any person authorised by such head or owner and save as otherwise provided in sub-regulation (5) of regulation 4 shall not be open for inspection by any person except under the authority of law:

PROVIDED that the registered medical practitioner on the application of an employed woman whose pregnancy has been terminated, grant a certificate for the purpose of enabling her to obtain leave from her employer:

PROVIDED FURTHER that any such employer shall not disclose this information to any other person.