

**GOVERNMENT OF INDIA  
MINISTRY OF HEALTH AND FAMILY WELFARE  
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA  
STARRED QUESTION NO.186  
TO BE ANSWERED ON THE 10<sup>TH</sup> DECEMBER, 2021**

**MEDICAL TERMINATION OF PREGNANCY (AMENDMENT ) RULES, 2021**

**\*186. SHRI KOMATI REDDY VENKAT REDDY:  
SHRIMATI RANJANBEN DHANANJAY BHATT:**

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the Government has notified Medical Termination of Pregnancy (Amendment) Rules, 2021 and if so, the details thereof;
- (b) whether the new abortion rules recognise minors as a vulnerable category and seek to make services more accessible to them and if so, the details thereof;
- (c) whether social stigma and conflict with the POCSO Act, 2012 or the law against child sexual abuse, pose hurdles in recognising minors for medical termination of pregnancy and if so, the details thereof;
- (d) whether the Medical Termination of Pregnancy (Amendment) Rules, 2021, define new categories of vulnerable women who are allowed termination of pregnancy on meeting certain conditions and with the permission of two doctors; and
- (e) if so, the details of implementation status thereof including violations noticed and action taken thereon?

**ANSWER  
THE MINISTER OF HEALTH AND FAMILY WELFARE  
(DR MANSUKH MANDAVIYA)**

(a) to (e) A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO LOK SABHA  
STARRED QUESTION NO. 186\* FOR 10<sup>TH</sup> DECEMBER, 2021**

(a) Yes, the Medical Termination of Pregnancy (Amendment) Rules, 2021 have been notified on 12<sup>th</sup> October, 2021. The link to access the MTP (Amendment) Rules, 2021 is as follows:

<https://egazette.nic.in/WriteReadData/2021/230390.pdf>

(b) & (c) Yes, as per Rule 3B of the Medical Termination of Pregnancy (Amendment) Rules, 2021, minors are recognized as a vulnerable category for termination of pregnancy beyond 20 weeks till 24 weeks of gestation and services are made more accessible to them.

The Rule 6 (7) (medical aid and care) under the POCSO Rules, provides that if a minor is found to be pregnant, then the Registered Medical Practitioner shall counsel the minor, and her parents or guardians, or support person, regarding the various lawful options available to the minor as per the Medical Termination of Pregnancy Act 1971, and the Juvenile Justice (Care and Protection of Children) Act 2015 (2 of 2016)

(d) & (e) Yes, the Medical Termination of Pregnancy (Amendment) Rules, 2021 define new categories of vulnerable women who are eligible for termination of pregnancy beyond 20 weeks till 24 weeks of gestation with the permission of two doctors, as follows:

- i. Survivors of sexual assault or rape or incest
- ii. Minors
- iii. Change of marital status during the ongoing pregnancy (widowhood and divorce)
- iv. Women with physical disabilities [major disability as per criteria laid down under the Rights of Persons with Disabilities Act, 2016 (49 of 2016)]
- v. Mentally ill women including mental retardation
- vi. 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
- vii. Women with pregnancy in humanitarian settings or disaster or emergency situations as may be declared by the Government

MTP (Amendment) Act & Rules, 2021 have been disseminated to all the State/UTs, and the officials have been oriented and sensitized to the amendments in the Act and Rules.

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