

# Medical Termination of Pregnancy Regulations, 1976

PUNJAB

India

## Medical Termination of Pregnancy Regulations, 1976

### Rule

## MEDICAL-TERMINATION-OF-PREGNANCY-REGULATIONS-1976 of 1976

- Published on 7 April 1976
- Commenced on 7 April 1976
- [This is the version of this document from 7 April 1976.]
- [Note: The original publication document is not available and this content could not be verified.]

Medical Termination of Pregnancy Regulations, 1976Published vide Punjab Government Notification No. G.S.R. 29/C.A.34/71/Section 7/76, the 7th April, 1976Punjab GovernmentHealth and Family Planning DepartmentNo. G.S.R. 29/C.A.34/71/Section 7/76. - In exercise of the powers conferred by section 7 of the Medical Termination of Pregnancy Act, 1971 (34 of 1971), the Governor of Punjab hereby makes the following regulations, namely :-

### 1. Short title and extent.

- Section 7. - (1) These regulations may be called the Medical Termination of Pregnancy Regulations, 1976.(2)They shall extend to the whole of the State of Punjab.

### 2. Definitions.

- Section 7. - 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)"Approved place" means a place approved under Rule 4 of the Medical Termination of Pregnancy Rules, 1975;(d)"Chief Medical Officer of the State" means the Chief Medical Officer of the State, by whatever name called;(e)"Form" means a form appended to these regulations;(f)"Section" means a Section of the Act.

### 3. Form of Certifying opinion or opinions.

- Section 7(1)(a). - (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 Section 5, he or they shall certify such opinion in Form I.Section 7(1)(b). - (2) Every registered

Medical Practitioner who terminates any pregnancy shall, within three hours of the termination of the pregnancy, certify such termination in form I.

#### **4. Custody of forms.**

- Section 7(1)(a). - (1) The consent given by a pregnant woman for 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 of 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. Section 7(1)(a) and (b). - (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 No. 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". Section 7(1)(a) and (b). - (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. Section 7(1)(a). - (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. Section 7(1)(2). - (5) Every head of the hospital or owner of the approved place shall send to the Chief Medical Officer of the State, a weekly statement of cases where medical termination of pregnancy has been done in form II. Section 7(1)(a) and (b). - (6) On every envelope referred to in sub-regulation (1), pertaining to a termination of pregnancy under Section 5, 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 envelopes 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. Section 7(1)(2). - (7) Where the pregnancy is not terminated in any 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 working day next 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. Section 7(1)(a).**

(1) Every head of the hospital or owner of the approved place shall maintain a register in form III for recording therein the admission of women for the termination of their pregnancies. Section 7(1)(a). - (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. Section 7(1)(c). - (3) The 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.**

- Section 7(1)(c). - 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 to inspection by any person except under the authority of :-(i)in the case of a departmental or other enquiry the Chief Secretary to the Government of Punjab;(ii)in the case of an investigation into an offence, a Magistrate of the first class within the local limits of whose jurisdiction the hospital or approved place is situated;(iii)in the case of suit or other action for damages the District Judge, within the local limits of whose jurisdiction the Hospital or approved place is situated:Provided that the registered medical practitioner shall, 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.

## **7. Entries in registers maintained in Hospital or approved place.**

- Section 7(1)(a) and (c). - No entry shall be made in any case sheet, operation theatre register, follow-up card or any other document or register except the Admission Register maintained at any hospital or approved place indicating therein the name of the pregnant woman and reference to the pregnant woman shall be made therein by the serial number assigned to such woman in the Admission Register.

## **8. Destruction of Admission Register and other papers.**

- Section 7(1)(a). - Save as otherwise directed by the Secretary to Government of Punjab, Health and Family Planning Department or by a District Judge or a Magistrate of the First Class, in relation to any proceeding pending before him every Admission Register shall be destroyed on the expiry of a period of five years from the date of last entry in that Register and other papers shall be destroyed on the expiry of a period of three years from the date of the termination of the pregnancy concerned.

## **9. Repeal and Saving.**

- The Medical Termination of Pregnancy Regulations, 1972 are hereby repealed :Provided that any order made or any action taken under the regulations so repealed shall be deemed to have been made or taken under the corresponding provisions of these regulations. Secret Form I [See Regulation 3] \_\_\_\_\_ (Name and Qualifications of the Registered Medical Practitioner in Block Letters) \_\_\_\_\_ (Full address of the Registered Medical

Practitioner) \_\_\_\_\_ (Name  
 and Qualifications of the Registered Medical Practitioner in Block  
 Letters) \_\_\_\_\_ (Full  
 address of the Registered Medical Practitioner) Hereby certify that [I/We] [Strike out whichever is  
 not applicable.] am/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 woman in Block  
 letters) [For the reasons given below.] [[of the reasons specified items (i) to (v) write the one which is  
 appropriate :- (i) In order to save the life of the pregnant woman. (ii) In order to prevent grave injury  
 to the physical or mental health of the pregnant woman. (iii) In view of the substantial risk that if the  
 child was born it would suffer from such physical or mental abnormalities as to be seriously  
 handicapped. (iv) As the pregnancy is alleged by pregnant woman to have been caused by rape. (v) As  
 the pregnancy has occurred as a result of failure of any contraceptive device or method used by  
 married woman or her husband for the purpose of limiting the number of children.]] [I/We] [Strike  
 out whichever is not applicable.] hereby give intimation that [I/We] [Strike out whichever is not  
 applicable.] 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..... Registered Medical Practitioner. Place : Date : Signatures of the Registered Medical  
 Practitioners. Note. - Account may be taken of the pregnant woman's actual or reasonable  
 environment in determining whether the continuance of a pregnancy would involve a grave injury to  
 her physical or mental health. Signature of the Registered Medical Practitioner. Place : Dated  
 : Signature of the Registered Medical Practitioner. Form II [See Regulation 4(5)]

## 1. Name of the State.

## 2. Name of 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 Office-Incharge with date.Form IIISecret[See Regulation 5](To be destroyed on the expiry of five years from the date of the last entry in the register)

Date of Admission	Name of Patient	Wife/daughter of	Age	Religion	Address	Duration of Pregnancy
1	2	3	4	5	6	7
Reasons on which pregnancy is terminated	Date of termination of pregnancy	Date of discharge of patient	Result and remarks	Name of Registered Medical Practitioner by whom the opinion is formed	Name of Registered Medical Practitioner by whom pregnancy is terminated.	
8	9	10	11	12	13	