

The Medical Termination of Pregnancy Regulations, 1975

RAJASTHAN

India

The Medical Termination of Pregnancy Regulations, 1975

Rule

THE-MEDICAL-TERMINATION-OF-PREGNANCY-REGULATIONS-1975 of 1975

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The Medical Termination of Pregnancy Regulations, 1975 Published vide Notification No. G.S.R. 299/F. 11(16)/FD/71, dated 11-12-1975, published in Rajasthan Gazette, Part 4-C (1), Ordinary dated 1-1-1976 In exercise of the powers conferred by section 7 of the Medical Termination of Pregnancy Act, 1971 (34 of 1971), the State 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, 1975. (2) They extend, to whole of the State of Rajasthan. (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) "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 Director of and Health Services of the State Government; (e) "Form" means a Form appended to these Regulations; (f) "Hospital" means a hospital established or maintained by the State Government.

3. Form of certifying opinion or opinions.

(1) Where on 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 of section 5 of the Act he or they 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 1.

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 of section 5 of the Act, as the case may be and the intimation of termination of pregnancy shall be placed in an envelope which shall be sealed by a registered medical practitioner or practitioner by whom such termination of pregnancy was Performed and until that envelope is sent to the head of the hospital or owner or the approved place or the Chief Medical Officer. It shall be kept in the safe custody of the concerned registered medical practitioners, or practitioners, as the case may be. (2) On every envelope referred to in sub-regulation (1), pertaining to a termination of pregnancy under section 5 of the Act, 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 the date on which 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 a weekly statement of cases where medical termination of pregnancy has been done in Form II. (6) On every envelope referred to in sub-regulation (1), pertaining to a termination of pregnancy under section 5 of the Act, shall be noted the name and address of the registered medical practitioners 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 no 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 of the Act. (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 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.

(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 woman for the termination of their pregnancies. (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, the example, serial number 5 of 1972 and serial number 5 of 1973 shall be mentioned as 5/1972 and 5/1973.(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 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 to inspection by any person except under the authority of:-(i)in the case of a departmental or other inquiry, the Chief Secretary to the Government of Rajasthan:(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 a 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.

- 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 Registers.

8. Destruction of Admission Register and other papers.

- Save as otherwise directed by the Chief Secretary to the Government of Rajasthan or for in relation to any proceeding pending before him, as directed by a District Judge or a Magistrate of the First Class, every Admission Register shall be destroyed on the expiry of a period of five years from the date of the last entry in that Register and other papers on the expiry of period of three years from the date of the termination of the pregnancy concerned.

9. Repeal and Savings.

- The Medical Termination of Pregnancy Regulations, 1972 are hereby repealed except as respects things done or omitted to be done before such repeal.Form I Secret(See Regulation 3)

(Name and qualifications of the Registered Medical Practitioner in
Block Letters).....

(Full address of the Registered Medical Practitioner).....I.....(Name and qualification of the registered Medical Practitioner in Block Letters).....

(Full address of the Registered Medical Practitioner).....Hereby certify that I/we/am/are of opinion, Formed in good faith, that it is necessary to terminate the pregnancy of.....resident of(Full Address of woman in Block letters) for the reasons given below xx(Full name of pregnant woman in Block Letters)

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

Place: Date:

Signature of
Registered Medical Practitioner/Signature
of Registered
Medical Practitioners.....

* Strike out whichever is not applicable. ** Of the reasons specified in items (i) to (ii) 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 has 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. Note:- Account may be taken of the pregnant woman's actual or reasonable forcible environment in determining whether the continuance of a pregnancy would involve a grave injury to her physical or mental health. Signature of Registered Medical Practitioner. Place: Date: Signatures of the Registered Medical Practitioners.....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) Sterilization. (b) I.U.D.

6. Reasons for termination (give total number under each subhead):

(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 Incharge with date..... Form III (See Regulation 5) Admission Register (To be destroyed on the expiry of five years from the date of the last entry in the Register.)

S. No.	Date of Admission	Name of patient	Wife daughter	Age	Religion
1	2	3	4	5	6
Address		Duration of pregnancy	Reasons on which pregnancy is terminated	Date of terminated of pregnancy	
Date of discharge of patient	Result and Remarks	Name of Registered Medical Practitioner (a) by whom the opinion is formed		Name of Registered Medical Practitioner by whom pregnancy is terminated	
11	12	13		14	