

Who does 20-week abortion limit help?

Divya A | TNN

It took a gutsy, 24-week-pregnant Niketa Mehta to prompt our health minister to review the law that prescribes a 20-week limit on abortions. Heavily-pregnant Mehta had discovered the fetus had a heart problem, but the might of the Indian state refused to allow her to make the decision to abort it. Going by the letter and not the spirit of the law, the Bombay high court turned down Mehta's plea last month. It has set off a lively debate about the need to raise the abortion limit in India.

Now, a month after the court's order, a committee of medical experts led by health secretary Naresh Dayal has been asked to recommend ways to "update" the 1971 Medical Termination of Pregnancy (MTP) Act. The committee is expected to submit its report by February.

Were the committee to go by the views of infertility and gynaecological experts, it would be hard to argue against a raft of changes. Ex-



WAKE-UP CALL

- The point at which an abortion becomes late-term is often related to the "viability" (ability to survive outside the uterus) of the fetus
- Most pregnancies are viable after 27th week, and almost none is viable before the 20th week
- The UK allows abortions up to 24 weeks of pregnancy, and so does Holland, while Canada sets no time limit

perts say there were no hi-tech gadgets and procedures to detect fetal abnormalities when the law was formulated, nearly 40 years ago.

But now that such technology is available, the rules, too, need to be changed. Dr Anuradha Kapoor, senior gynaecological consultant at Max Healthcare, adds that "the Level-II ultrasound, which is also known as the anomaly test, can be conducted only after the pregnancy is in the advanced stages - be-

tween 22 and 24 weeks".

It is this Level-II scan, she says, that detects abnormalities in vital organs, such as heart or kidneys but doctors continue to face "legal issues whenever it comes to getting rid of such fetuses and couples have to bear babies even if there isn't much chance of their survival later".

So who does the 20-week limit for aborting a fetus help?

The mother, says consultant gy-

naecologist Mala Srivastava of Delhi's Gangaram Hospital. This, because "risk to the mother's health increases if we abort an advancing pregnancy".

But some other gynaecologists disagree. They say the 1971 "MTP Act already says that a pregnancy can be legally aborted only if its continuance is a threat to the woman's physical or mental health, or if there were a substantial risk that if the child would suffer physical or mental abnormalities or be seriously handicapped."

"Raising the bar won't endanger the mother's health in any way because the clause is already clear. We don't need to change the statute, we just need to alter the lower bar to match the limits set the world over," says a senior gynaecologist.

India has one of the lowest limits for aborting fetuses in the world. The UK allows abortions right up to 24 weeks of pregnancy. Till the '90s, it had a 28-week limit. Just two months ago, the British parliament

scuttled attempts to reduce the limit to 22 weeks.

The debate on raising the limit for abortion may have only just started in India but it has long raged in the West. In Catholic countries, such as Ireland, abortion is a deeply controversial concept. In 2007, a 17-year old Irish girl had to be flown to Britain for an abortion when it was diagnosed the fetus she was carrying would not survive longer than a few days after birth.

Likewise, an 11-year-old Romanian girl, allegedly raped by her 19-year-old uncle, had to be flown to the UK to terminate her 21-week pregnancy because the laws in her home country did not permit abortions after 14 weeks.

It is hardly viable for hapless prospective Indian parents such as the Mehtas to do likewise and fly to the UK. Gynaecologist Kapoor says the only hope is for India's 37-year-old law to be amended to "make life less stressful for many like the Mehtas."

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