

## Violations under the MTP Act and the penalties

VIOLATIONS	SECTION/RULE OF THE PC & PNDT ACT	PENALTIES
<p><b>1.</b> Termination of pregnancy by a person, who is not a Registered Medical Practitioner</p>	<p>(Sec. S (2) (Explanation- 2). The possession by RMP of experience or training in Gynecology and Obstetrics i.e. provisions of Sec.2, (d) shall not apply (Sec. S (2) (Explanation- 2)</p>	<p>Termination of pregnancy in violation of provisions of the Act 19 is an offence punishable with Rigorous Imprisonment (R.I.) for a term which shall not be less than 2 years but which may extend To 7 years. {Sec.5 (2), (3), (4)}</p> <p>Note: It is important and worth wise to mention here that it is now a cognizable offence for which a police officer can arrest a doctor for violations without Warrant.</p>
<p><b>2.</b> Whoever terminates pregnancy in a place that is 'unapproved'</p> <p>Any person, being 'owner' of a place that is not approved, and doing or allowing the termination of Pregnancy at such place (Sec. 5(4). The expression "owner" means any person who is the administrative head or otherwise responsible for the working or maintenance of a hospital or place, by whatever name (DM, MS, DP etc.) called. {Sec.5 (4) Explanation- 2}</p>	<p>Section 5(3),5(4)</p>	<p>Termination of pregnancy in violation of provisions of the Act 19 is an offence punishable with Rigorous Imprisonment (R.I.) for a term which shall not be less than 2 years but which may extend to 7 years. {Sec.5 (2), (3), (4)}</p> <p>Note: It is important and worth wise to mention here that it is now a cognizable offence for which a police officer can arrest a doctor for violations without Warrant.</p>

<p><b>3.</b> If a person willfully contravenes or willfully fails to comply with the requirements of any regulation made</p> <p>.</p>	Section 7(3)	Penalty of One Thousand Rupees.
<p><b>4. Irregularities in registered center</b></p> <p><b>a)Display of Certificate</b></p> <p>It should be conspicuously displayed at the place to be easily visible to persons visiting the Place.</p>	Rule 5(7)	
<p><b>5. Record Keeping</b></p> <p>a)Forms of Certifying Opinion</p> <p>b)Custody of Forms</p> <p>c)Maintenance of Admission Register</p> <p>d)Admission Register not be open to inspection</p> <p>e)Entries in registers maintained in Hospital or approved place</p>	Section 3, 4, 5,6,7,8 of GSR 2544 dated 10 <sup>th</sup> October 1975 and Rule-9.	

**Note:-**

1. All offences under the Act are cognizable, non-bailable and non-compoundable.