



RAJASTHAN STATE LEGAL SERVICES AUTHORITY

RAJASTHAN HIGH COURT PREMISES, JAIPUR BENCH, JAIPUR

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No. F 16 ()/RSLSA/J.S./Writ Petition 1344/2019/ 3363

Date: 21.02.22

Circular

In **D.B. Spl. Appl. Writ No. 1344/2019** vide judgement dated **01.05.2020**, the Hon'ble Rajasthan High Court, in para 16 has directed that:-

"(ii) that no sooner, the factum of a victim of sexual assault having become pregnant is reported, the Medical Officer/SHO of the police station concerned, shall forthwith forward a report thereof to the Full Time Secretary, District Legal Service Authority concerned who, in turn shall, approach the victim with a female counsellor and sensitise her and her guardians about the remedies under the MTP Act;"

In the above judgment the Hon'ble Rajasthan High Court has further directed that :-

"(iv) in case, where the threshold of 20 weeks gestation has been crossed, the Full Time Secretary, District Legal Services Authority shall assist the victim and her guardians if they so desire for approaching the High Court to file a writ petition seeking direction for termination of pregnancy in light of decisions of Hon'ble the Supreme Court and of this Court."

"(vi) the identity of the victim shall not be disclosed at any stage during this process."

And in **S.B. Civil Writ Petition No. 2443/2022** vide order dated **15.02.2022**, the Hon'ble Rajasthan High Court has passed direction that in all such cases of pregnancy due to rape, where the pregnancy is within permissible limits and the order of Hon'ble High Court is not necessary, the Secretary of concerned District Legal Services Authority, should co-ordinate with competent authority and ensure the termination at District level itself, in order to save precious time and assuage the agony of the victim.

Therefore, the Secretary, DLSA, all Rajasthan are hereby directed to strictly comply with the aforesaid directions, while keeping in view the relevant provisions of the Medical Termination of Pregnancy Act, 1971 [as amended from time to time (lastly amended by Act 8 of 2021 with effect from 24.09.2021)] and read with the Medical Termination of Pregnancy Rules, 2003, [as amended from time to time, (lastly amended vide notification number G.S.R. 730 (E) of the Ministry of Health and Family Welfare, Government of India dated 12th October, 2021)].


(Dinesh Kumar Gupta)

Member Secretary

Rajasthan State Legal Services Authority
Jaipur