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Assisted Reproductive Technology Regulation Bill, 2020

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Why in News

The Union Cabinet has approved the **Assisted Reproductive Technology (ART) Regulation Bill, 2020** to monitor medical procedures used to assist people to achieve pregnancy.

The Bill will **regulate the Assisted Reproductive Technology services** in the country. Consequently, infertile couples will be more ensured/confident of the ethical practices in ARTs.

Assisted Reproductive Technology

- ART is used to **treat infertility**. It includes fertility treatments that handle both a woman's egg and a man's sperm. It works by removing eggs from a woman's body. The eggs are then mixed with sperm to make embryos. The embryos are then put back in the woman's body.
 - **In Vitro fertilization (IVF)** is the most common and effective type of ART.
- ART procedures sometimes use donor eggs, donor sperm, or previously frozen embryos. It may also involve a **surrogate carrier**.

Key Features of the Bill

- **Safe ART**
 - The bill makes provisions for safe and ethical practice of assisted reproductive technology services in the country.
 - The Bill will ensure confidentiality of intending couples and protect the rights of the child born through ART.
- **Pre-Genetic Implantation Testing Mandatory:** The test allows doctors to test embryos for any possible abnormal chromosomes before they are transferred to the uterus. This is **to avoid any genetic diseases** in the population born through these technologies.

- **A National Board** which will lay down a code of conduct to be observed by those operating ART clinics.
 - The Board will also formulate minimum standards for laboratory and diagnostic equipment and practices to be followed by human resources employed by clinics and banks.
 - **ART Bank** means an organization that is set up to supply sperm/semens, oocytes/oocyte donor and surrogate mothers to Assisted Reproductive Technology clinics or the patients.
- **Regulatory Boards at State Level**
 - The States and Union Territories will have to form State Boards and State authorities within three months of the notification of the proposed legislation.
 - The State Board shall have the responsibility to follow the policies and plans laid by the National Board for clinics and Banks in the State.
- **A national registry and registration authority**, which will maintain a database to assist the national Board to perform its functions.
- **Punishment**
 - The Bill proposes for a stringent punishment for those practising sex selection, sale of human embryos or gametes, running agencies/rackets/organisations for such unlawful practices.
 - The bill has a provision that those involved in trafficking and sale of embryos will be fined Rs 10 lakh at first instance and in second instance the person could be imprisoned for up to 12 years.

Need for the Bill

- **Exponential Growth:** Assisted reproductive technology (ART) has grown by leaps and bounds in the last few years. India is among countries that have seen the highest growth in the number of ART centres and ART cycles performed every year. Clinics in India offer nearly all the ART services—gamete donation, IntraUterine Insemination (IUI), In Vitro Fertilization (IVF), IntraCytoplasmic Sperm Injection (ICSI), Preimplantation Genetic Diagnosis (PGD) and gestational surrogacy.
- **India has become one of the major centres of the global fertility industry (ART)**, with reproductive medical tourism becoming a significant activity. This has also introduced a plethora of legal, ethical and social issues; yet, there is **no standardisation of protocols** and reporting is still very inadequate.

- The select committee of the Parliament that examined **the Surrogacy Regulation Bill, 2019** has said that it would be prudent to bring the ART Bill before the Surrogacy Bill, 2019, to establish a regulatory mechanism for ART clinics.
 - The ART Regulation Bill is supposed to be more overarching and the first step to regulate the sector. Without registration and a proper database of medical institutions and clinics providing such services, it is impossible to regulate services like surrogacy and abortion (**Medical Termination of Pregnancy Amendment Bill, 2020**).
 - It needs to be noted that all the three Bills are designed around **protecting and recognizing women's reproductive rights**.

Source: TH