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Title: Introduction of the Assisted Reproductive Technology (Regulation) Bill, 2020.

**THE MINISTER OF HEALTH AND FAMILY WELFARE, MINISTER OF SCIENCE AND TECHNOLOGY AND MINISTER OF EARTH SCIENCES (DR. HARSH VARDHAN):** Respected Sir, I beg to move for leave to introduce a Bill for the regulation and supervision of the assisted reproductive technology clinics and the assisted reproductive technology banks, prevention of misuse, safe and ethical practice of assisted reproductive technology services and for matters connected therewith or incidental thereto.

**माननीय अध्यक्ष :** प्रस्ताव प्रस्तुत हुआ:

“ कि समर्थित प्रजनन क्लिनिकों और समर्थित प्रजनन प्रौद्योगिकी बैंकों के विनियमन और पर्यवेक्षण के लिए और समर्थित प्रजनन प्रौद्योगिकी सेवाओं का दुरुूपयोग रोकने और इसके सुरक्षित तथा नैतिकतापूर्ण उपयोग के लिए तथा उससे संबंधित और उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए ।

**DR. SHASHI THAROOR (THIRUVANANTHAPURAM):** Thank you very much, hon. Speaker. I do wish to oppose the introduction of the Assisted Reproductive Technology (Regulation) Bill on six grounds, very briefly. Firstly, the Bill violates the right to equality provided under Article 14 of the Constitution as it discriminates against unmarried couples and those belonging to the LGBT community by limiting access

to assisted reproductive technology only to married heterosexual couples. Secondly, it stipulates an arbitrary restriction by only allowing ever married women who are mother to at least one child to be oocyte donors. Thirdly, it does not create adequate safeguards for the donor. It remains silent on the health risks associated with participation in this process and does not provide for any compensation in the case of mishap. Fourthly, it promotes arbitrariness by permitting the Central and State Governments to issue directions to the entities established under the Bill without placing an onus on the Governments to specify reasons for issuance of such directions. Fifthly, it lacks proportionality while penalising offences. For instance, the same punishment of a minimum of eight years of imprisonment has been prescribed for serious offences as well as for any contravention of the Bill's provisions or the rules made thereunder. Finally, the Bill will give rise to inconsistencies in practices governing the subject because there is no synchronisation in this Bill between the provisions of this Bill and that of the Surrogacy (Regulation) Bill, 2019.

For these reasons, I wish to oppose the motion of introduction for this Bill. It is not ready for submission. I would urge the Minister to undertake a detailed discussion with experts, incorporate recommendations, look at the Surrogacy Bill that he himself passed here and bring the new Bill back to the House with necessary amendments.

Thank you, Mr. Speaker.

**माननीय अध्यक्ष :** माननीय मंत्री जी, क्या आप कुछ कहना चाहते हैं?

**DR. HARSH VARDHAN:** Dear Shashi Tharoor *ji* is talking about the merits of the Bill. You see, when we were discussing the Surrogacy Bill, many Members used to say that why do you not bring the Assisted Reproductive Technology Bill prior to that. This was the general observation. Now, when the Bill has been brought, if he had mentioned about the legislative competence, I think we are very much within the legislative competence to introduce this Bill. When the discussion will take place about this Bill, I will answer all the queries which have been posed by Mr. Shashi Tharoor.

**माननीय अध्यक्ष :** प्रश्न यह है:

“कि समर्थित प्रजनन क्लिनिकों और समर्थित प्रजनन प्रौद्योगिकी बैंकों के विनियमन और पर्यवेक्षण के लिए और समर्थित प्रजनन प्रौद्योगिकी सेवाओं का दुरुूपयोग रोकने और इसके सुरक्षित तथा नैतिकतापूर्ण उपयोग के लिए तथा उससे संबंधित और उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति प्रदान दी जाए ।

प्रस्ताव स्वीकृत हुआ ।

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**माननीय अध्यक्ष :** माननीय मंत्री जी, अब विधेयक को पुरःस्थापित कीजिए ।

**DR. HARSH VARDHAN:** Sir, I introduce\* the Bill.

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**12.05 hrs**