

Pre-conception And Pre-natal Diagnostic Techniques (Prohibition Of Sex Selection) Act, 1994.

Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994 is an Act of the Parliament of India enacted to stop female foeticides and arrest the declining sex ratio in India.

PCPNDT is an important topic in the Polity section of the IAS Exam.

Brief Introduction to PCPNDT

The Pre-Conception and Pre-Natal Diagnostic Techniques Act of 1994 has banned pre-natal sex-determination. Every genetic counselling centre, genetic laboratory or genetic clinic engaged in counselling or conducting pre-natal diagnostics techniques, like in vitro fertilisation (IVF) with the potential of sex selection (Preimplantation genetic diagnosis) before and after conception comes under preview of the PCPNDT Act and are banned. The main objective of the act is the arrest the declining sex-ratio in India due to rampant female foeticide.

Owing to the patrilineal line of succession regarding property rights as well as cultural practices, the male child has always been preferred instead of the female child. As such there was a tendency for families to continue producing children until a male child was born, which only magnified India's overpopulated demographics. This was the norm until the 1990's when the availability of ultrasound techniques lead to widespread practice of pre-natal sex-determination. This lead to a rise of a Rs.1000 crore industry where medical professionals practice selective abortion for a price

Social discrimination against women and a preference for sons have promoted female foeticide in various forms skewing the sex ratio of the country towards men. Thus necessitating the passing of the PCPNDT act.

Salient features of the act

As per the act, sex selection is any act of identifying the sex of the foetus and elimination of the foetus if it is of the unwanted sex.

Offences under this act include conducting or helping in the conduct of prenatal diagnostic technique in the unregistered units, sex selection on a man or woman, conducting PND test for any purpose other than the one mentioned in the act, sale, distribution, supply, renting etc. of

any ultra sound machine or any other equipment capable of detecting sex of the foetus. Main provisions in the act are

1. The Act provides for the prohibition of sex selection, before or after conception.
2. It regulates the use of pre-natal diagnostic techniques, like ultrasound and amniocentesis by allowing them their use only to detect: Genetic abnormalities, metabolic disorders, chromosomal abnormalities, certain congenital malformations, haemoglobinopathies and sex linked disorders.
3. No laboratory or centre or clinic will conduct any test including ultrasonography for the purpose of determining the sex of the foetus.
4. No person, including the one who is conducting the procedure as per the law, will communicate the sex of the foetus to the pregnant woman or her relatives by words, signs or any other method.
5. Any person who puts an advertisement for pre-natal and pre-conception sex determination facilities in the form of a notice, circular, label, wrapper or any document, or advertises through interior or other media in electronic or print form or engages in any visible representation made by means of hoarding, wall painting, signal, light, sound, smoke or gas, can be imprisoned for up to three years and fined Rs. 10,000.

Amendment of PCPNDT Act 2003

Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (PNDT), was amended in 2003 to The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition Of Sex Selection) Act (PCPNDT Act) to improve the regulation of the technology used in sex selection.

Implications of the amendment are:

- Amendment of the act mainly covered bringing the technique of pre conception sex selection within the ambit of the act.
- Bringing ultrasound within its ambit.
- Empowering the central supervisory board, constitution of state level supervisory board
- Provision for more stringent punishments.

UPSC questions related to PCPNDT Act,1996

Who is the appropriate authority under the Pcpndt Act 1994?

The Central Government shall appoint, by notification in the Official Gazette, one or more Appropriate Authorities for each of the Union territories for the purposes of this Act.

Is ultrasound legal in India?

In partnership with the police, the state government has been cracking down on illegal ultrasound centres which tell parents the sex of unborn babies, leading to the abortion of girls. India made it illegal to test the sex of fetuses in 1994.

What is Pndt registration?

The PC-PNDT registration certificate has to be displayed in original form in the reception area and the USG room. A copy of the PC-PNDT Act should be maintained in the center and needs to be displayed in the waiting room/reception area as well as in the USG room