
1. PCPNDT Act

Prelims Syllabus: Governance

Mains Syllabus: GS-II Government Policies and interventions for development in various sectors and Issues Arising out of their Design and Implementation.

Why in News?

- Ministry of Health and Family Welfare has clarified that it has not suspended the PC&PNDT Act, which prohibits sex selection before or after conception.

What's the Issue?

- In view of the ongoing lockdown, due of COVID19 pandemic, the Health Ministry has issued a Notification dated April 4, 2020 to defer/suspend certain provisions under the PC&PNDT Rules 1996.
- These Rules pertain to applying for renewal of registration if falling due in this period, submission of reports by diagnostics centres by 5th day of the following month and submission of quarterly progress report (QPR) by the States/UTs.
 - ✓ But, a section of the media is speculating that the PC&PNDT (Pre Conception and Pre Natal Diagnostic Techniques (Prohibition of Sex Selection)) Act 1994 has been suspended by the Ministry of Health and Family Welfare.

About PCPNDT Act:

- The Pre-conception & Pre-natal Diagnostics Techniques (PC & PNDT) Act, 1994 was enacted in response to the decline in Sex ratio in India, which deteriorated from 972 in 1901 to 927 in 1991.
- The main purpose of enacting the act is to ban the use of sex selection techniques before or after conception and prevent the misuse of prenatal diagnostic technique for sex selective abortion.
- 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.

Amendments Made:

- The act was amended in 2003 to improve the regulation of the technology used in sex selection.

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- The Act was amended to bring the technique of pre conception sex selection and ultrasound technique within the ambit of the act.
 - The amendment also empowered the central supervisory board and state level supervisory board to be constituted.

What are the Main Provisions in the Act?

- The Act provides for the prohibition of sex selection, before or after conception.
- It regulates the use of pre-natal diagnostic techniques, like ultrasound and amniocentesis by allowing them their use only to detect few cases.
- No laboratory or centre or clinic will conduct any test including ultrasonography for the purpose of determining the sex of the foetus.
- 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.
- 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.
- The Act mandates compulsory registration of all diagnostic laboratories, all genetic counselling centres, genetic laboratories, genetic clinics and ultrasound clinics.