

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**RAJYA SABHA
UNSTARRED QUESTION NO. 3648
TO BE ANSWERED ON 27TH MARCH, 2018**

LAXITY IN IMPLEMENTATION OF PC AND PNDDT LAW

**3648. CH. SUKHRAM SINGH YADAV:
SHRIMATI CHHAYA VERMA:
SHRI VISHAMBHAR PRASAD NISHAD:**

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether laxity is being shown in strict implementation of the Law regarding gender testing and selection of embryo due to which the difference between gender ratio is continuing unchecked;
- (b) the details of steps taken by the Ministry to end the difference between gender ratio during the last three years;
- (c) the number of cases registered under the Pre-Conception and Pre-Natal Diagnostic Techniques Law during the last three years and the current status thereof; and
- (d) whether it is a fact that the difference of gender ratio is less in States which are close to nature?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SMT. ANUPRIYA PATEL)**

(a): The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 is being implemented in all the States and UTs. As per the Quarterly Progress Reports (QPRs) up to December, 2017 submitted by States/ UTs the implementation of the Act in the States and UTs has resulted in the filing of total 3986 court cases and sealing and seizing of total of 2007 ultrasound machines by the District Appropriate Authorities for the violation under the PC&PNDDT Act across the country. Till December 2017, 449 convictions have been secured under the PC&PNDDT Act and following convictions, the medical licenses of 136 doctors have been suspended/ cancelled.

(b): Besides enactment of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 Ministry of Health and Family Welfare has adopted a multi-pronged strategy entailing schemes and programmes for awareness generation and advocacy measures to build a positive environment for the girl child through gender sensitive policies, provisions and legislation. The details of important measures taken by Government of India are at Annexure – I.

(c): Total 132 cases were filed during 2014-15, 190 during 2015-2016 and 133 during 2016-17. Till December 2017, total 1273 cases have been decided and 2713 court cases are pending in various courts of the country.

(d): As per the information received from Registrar General of India, Sex Ratio and Child Sex Ratio of States/UT is at Annexure II.

Various steps taken by the MOHFW for removing the gap of Child Sex Ratio

- The Government has intensified effective implementation of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 and amended various provisions of the Rules.
- The Government of India has notified several important amendments in Rules under the Act including the Rules for Six Months Training in ultrasound, simplified revised form F, Rules for Code of conduct for Appropriate Authorities, exemption of registration fee for Government Diagnostic Facilities and manner of appeal to the Appellate Authority under the Act.
- Inspections by the National Inspection and Monitoring Committee (NIMC) have been scaled up. During 2015-16, 22 NIMC inspections have been undertaken in the States of Punjab, Puducherry, Tripura, Sikkim, Uttar Pradesh, Odisha, Bihar, Mizoram, Andhra Pradesh, Haryana, Rajasthan, Maharashtra, Gujarat, Telangana, Chhattisgarh, Jharkhand, Assam, Uttarakhand, Karnataka, Tamilnadu, Madhya Pradesh and West Bengal. During 2016-17, 12 NIMC inspections have been undertaken in the States of Arunachal Pradesh, Jammu & Kashmir, Himachal Pradesh, Rajasthan, Delhi, West Bengal, Karnataka, Uttar Pradesh, Tamil Nadu, Bihar, Haryana and Madhya Pradesh. During 2017-18, 20 NIMC visits has been conducted in States of Punjab, Gujarat, Uttarakhand, Kerala, Andhra Pradesh, Manipur, Maharashtra, Jharkhand, Odisha, Assam, Chhattisgarh, Jammu & Kashmir, Sikkim, Karnataka, Uttar Pradesh, Delhi, Rajasthan, Tamil Nadu West Bengal and Chandigarh.
- State/ UTs/ district Inspection and Monitoring Committees have been constituted in the States/ UTs and are conducting regular inspections on the ground. Up to December 2017, the State of Maharashtra conducted maximum inspections (184354) followed by Punjab (42993) and Uttar Pradesh (24565).
- The Ministry of Health and Family Welfare is rendering financial support to strengthen implementation structures under National Health Mission (NHM) for setting up of dedicated PNDT Cells, capacity building, monitoring, and advocacy campaigns etc. In 2014-15, 2015-16 and 2016-17 Rs. 23.11 cores, Rs. 34.71 cores and Rs. Rs. 23.79 cores have been approved respectively for PNDT cells, monitoring and capacity building and IEC campaigns. Further, in 2017-18 total Rs 26.14 cores have been allocated for PNDT activities.
- National Capacity Building Programmes for State Appropriate Authorities and State Nodal Officers have being organized regularly.
- A comprehensive Standard Operating Guidelines (SOGs) for District Appropriate Authority has been prepared by Ministry of Health & Family Welfare for better clarity for implementation of the PC&PNDT Act.
- Program review at the State/UTs level has been intensified. During 2014-15, 2015-16 and 2016-17 total 14 Regional Review workshops were organized for Northern, Western, Eastern Southern and North-Eastern States.

- A national level consultation meeting for the standardisation of online Form F and to minimise clerical errors for preventing unwarranted cases against the doctors was conducted on 13th January 2017. As an outcome of the consultation an advisory has been sent to all the States/UTs specifying common minimum standards for developing 'Form F' software.
- Directions given by the Hon'ble Supreme Court in the matter of WP(C) 349/2006 (Voluntary Health Association of Punjab vs. UOI & others), were communicated to the States/ UTs/and concerned Ministries/Departments for ensuring compliance.
- The Government has also set up a Nodal Agency to regulate and remove the e-advertisements on internet relating to pre-conception and prenatal determination of sex or sex selection, prohibited under the PC&PNDT Act, 1994 as per the directions of Hon'ble Supreme Court vide order dated 16.11.2016 in Writ Petition (Civil) No. 341 of 2008.
- The orientation and sensitisation of judiciary has been conducted through National Judicial Academy. A two day orientation and sensitisation of judiciary was organised by National Judicial Academy on 4th & 5th February 2017 in Bhopal. Further the National Judicial Academy also conducted special PC & PNDT Act session in two orientation programmes for High Court Judges in the current financial year 2017-18.
- States have been advised to focus on Districts/Blocks/Villages with low Child Sex Ratio to ascertain the causes, plan appropriate behaviour change communication campaigns and effectively implement provisions of the PC & PNDT Act.

State/ UTs wise Sex Ratio and Child Sex Ratio as per 2011 Census			
S.No	State/ UTs	Sex Ratio	Child Sex Ratio
	INDIA	943	918
1	Jammu and Kashmir	889	862
2	Himachal Pradesh	972	909
3	Punjab	895	846
4	Chandigarh	818	880
5	Uttaranchal	963	890
6	Haryana	879	834
7	Delhi	868	871
8	Rajasthan	928	888
9	Uttar Pradesh	912	902
10	Bihar	918	935
11	Sikkim	890	957
12	Arunachal Pradesh	938	972
13	Nagaland	931	943
14	Manipur	992	936
15	Mizoram	976	970
16	Tripura	960	957
17	Meghalaya	989	970
18	Assam	958	962
19	West Bengal	950	956
20	Jharkhand	949	948
21	Orissa	979	941
22	Chhatisgarh	991	969
23	Madhya Pradesh	931	918
24	Gujarat	919	890
25	Daman & Diu	618	904
26	Dadra & Nagar Haveli	774	926
27	Maharashtra	929	894
28	Andhra Pradesh	993	939
29	Karnataka	973	948
30	Goa	973	942
31	Lakshadweep	947	911
32	Kerala	1084	964
33	Tamil Nadu	996	943
34	Pondicherry	1037	967
35	A & Nicobar Islands*	876	968