

# PCPNDT Act

The PCPNDT Act banned pre-natal sex determination. The main motive of the act was to prevent the misuse of sex determination for sex-selective abortion.

The PCPNDT Act bans the general counselling centre from conducting pre-natal diagnostics techniques like IVF with potential sex selection before and after conception. This act aims to maintain the sex ratio in India due to female foeticide.

## Need for PCPNDT Act

The preference for sons over females has resulted in female foeticide in various forms. patrilineal line of succession, the male child has always been preferred instead of a female child.

- It has skewed the sex ratio in the country towards men. Due to cultural practices
- Before the invention of the sex-determination technique, families continuously produced children until a male child was born.
- The foetal sex-selective abortion and sex determination industry has grown into Rs. 1,000 crore industry today.
- In addition, social discrimination against women has also promoted female foeticide.
- These reasons show the importance of the Pre-Conception and Pre-Natal Diagnostic Techniques Act.

## Salient Features of the PCPNDT Act

According to the Pre-Conception and Pre-Natal Diagnostic Techniques Act, sex selection is the technique of identifying the foetus's sex. If the foetus is of unwanted sex, then eliminate it.

Offences under the PCPNDT Act are conducting or helping to conduct sex-determination techniques, sex selection on a man or woman, conducting PND tests etc. The main provisions of this Act are

- It put a ban on sex selection before or after conception.
- No laboratory or clinic has the right to conduct tests for determining the sex of the foetus.
- The person conducting the procedure is not allowed to say the sex of the foetus to the pregnant woman or relatives.
- The PCPNDT Act only allows pre-natal diagnostic techniques to detect genetic abnormalities, chromosomal abnormalities, metabolic disorders, etc.

- Who put advertisements for sex determination facilities in any form will be imprisoned for up to 3 years and fined Ten Thousand INR.

## PCPNDT Act Amendment 2003

Pre-Natal Diagnostic Techniques Act 1994 was amended in 2003 to Pre-Conception and Pre-Natal Diagnostic Techniques Act. The objective was to improve the technology used in sex selection.

The Implication of the amendment of PCPNDT Act 2003 are:

- Brining ultrasounds within its ambit
- The sale of ultrasound machines is only regulated by the registered bodies.
- Empowering the right authorities to search, seize, and seal the machines and equipment of those who violate the rules.
- Empowering the supervisory board at the central level.

## Is PCPNDT Act a Failure of Success?

This PCPNDT Act has been appreciated for its success in restricting sex-selective abortions. However, the numbers have a different story to tell.

- As per the 2011 Census, the overall female-to-male ratio has increased marginally compared to the 2001 Census.
- However, the child sex ratio has declined from 927 females per 1000 males in 2001 to 919 in 2011, as per the 2011 census.
- It shows that the policy has failed to achieve its goals.
- In various regions of the country, illegal sex determination still exists.
- Since 1994, only 143 people have been punished in India.
- Families prefer to go to Thailand, where there is no such law. Loopholes like this have a negative impact on the PCPNDT Act.
- The intention of the Pre-Conception and Pre-Natal Diagnostic Techniques Act is great, but without an institutional mechanism, the ideal results haven't been achieved.