

# PRE-NATAL DIAGNOSTIC TECHNIQUE ACT

Solanki Vishwaraj

# PRE-NATAL DIAGNOSTIC TECHNIQUE ACT

- Year of Passing : 20 September 1994
- Act number: 57
- Section : 34
- Chapter: 8
- Aim: To stop female foeticides and arrest the declining sex ratio in India



# OBJECTIVES

- Prohibition of the misuse of prenatal diagnostic technique for determination of sex of foetus, leading to female foeticide.
- Prohibition of advertisement of the techniques against, the detection and determination of sex.
- Regulation of the techniques only for the specific purpose of detecting genetic abnormalities or disorder.

# Continue...

- Permission to use such techniques only under certain condition by registered institutions.
- To provide deterrent punishment to stop such inhuman acts of female foeticide.
- Detecting genetic abnormalities or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders.

# HISTOR

## Y

- Female foeticide began in the early 1990's by the emergence of ultrasound techniques.
- There was a tendency for families to continuously produce children until a male child was born.
- Social discrimination against women and a preference for sons have promoted.

# FEATURES

- Embryo: Developing human organism, after fertilisation till the fifty-sixth day.
- Foetus: Developing human organism, from the fifty-seventh day after fertilization till birth.
- Regulation of genetic counselling clinics, genetic laboratories and genetics clinics.
- Registration of societies.
- All medical professionals employed must have the appropriate qualification to conduct pre-natal diagnostic technique.

# Continue...

## Genetic abnormalities

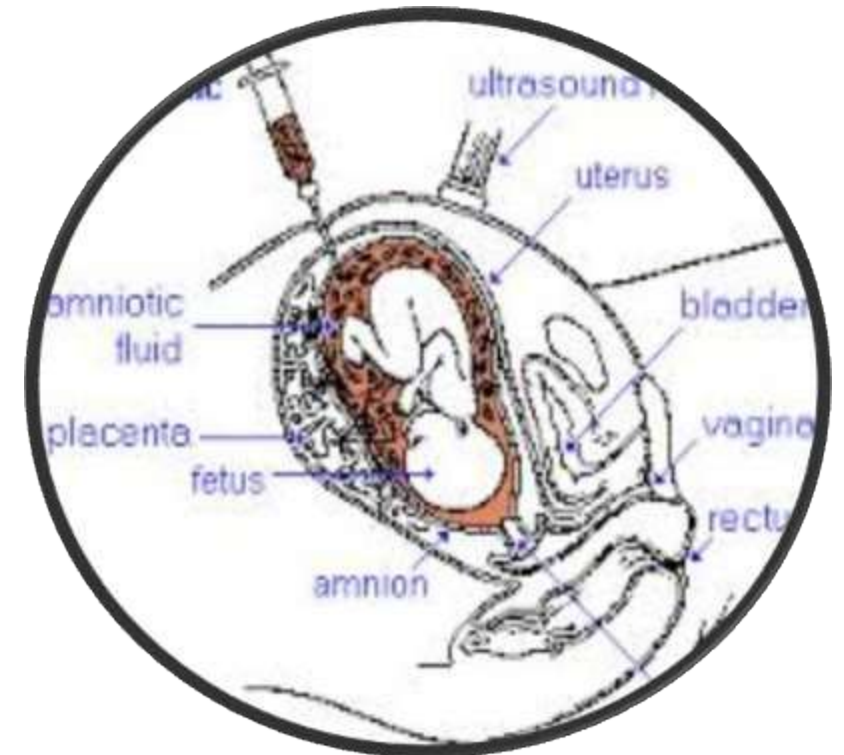
Chromosomal abnormalities

Haemoglobinopathies

## Metabolic disorders

congenital malformations

Sex linked disorders



# Continue...

- No laboratory or centre or clinic will conduct any test including ultrasonography for the purpose of determining the sex of the foetus.
- 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.



# DEFINITIONS

## □ **Section 2 (c) defines Genetic Counselling Centres**

Genetic counselling Centres means an institute, hospital, nursing home or any place, by whatever name called, which provides for genetic counselling to patients.

## □ **Section 2(e) defines genetic laboratory**

Genetic Laboratory means laboratory and includes a place where facilities are provided for conducting analysis or tests of samples received from Genetic Clinic for pre-natal diagnostic tests.

# Continue...

## □ **Section 2 (i) defines pre-natal diagnostic procedures**

Pre-natal diagnostic procedure means all gynaecological or obstetrical or medical procedures such as ultrasonography, foetoscopy, taking or removing samples of amniotic fluid, chorionic villi, blood or any tissue of pregnant women for being sent to a Genetic Laboratory or Genetic Clinic for conducting pre-natal diagnostic tests.

# Continue..

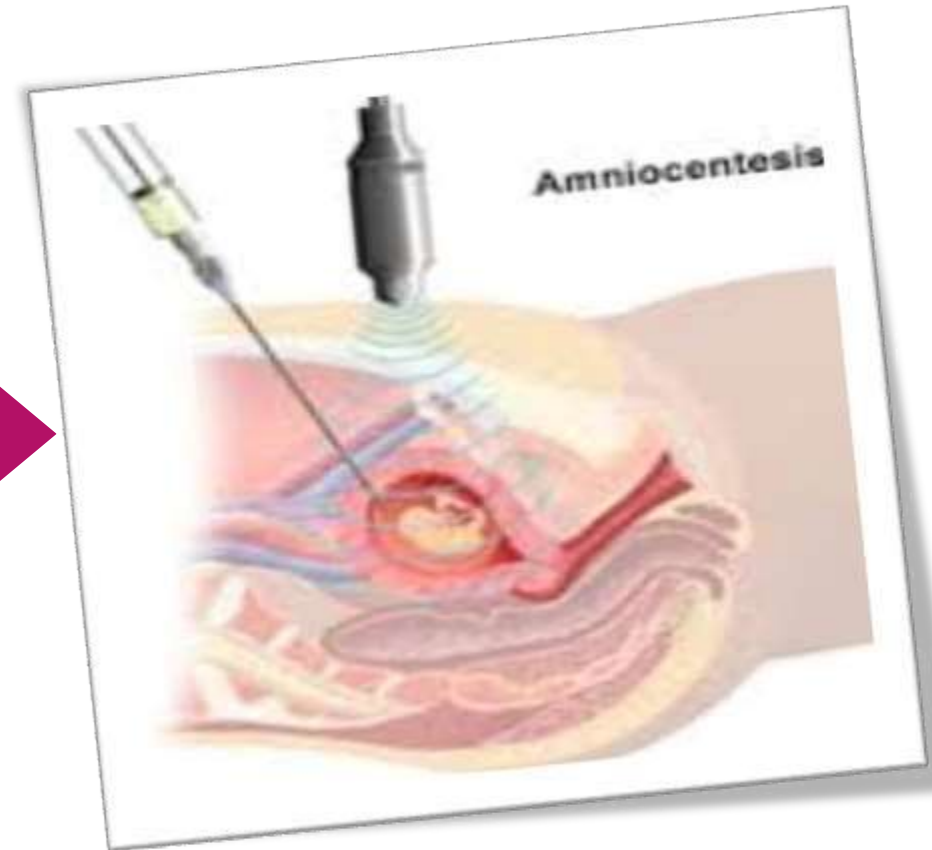
## □ Section 2(k) defines Pre-natal Diagnostic Act

Pre-natal diagnostic test means ultrasonography or any test or analysis of amniotic fluid, chorionic villi, blood or any tissue of pregnant women conducted to detect genetic or metabolic disorders or chromosomal abnormalities or congenital anomalies or haemoglobinopathies or sex linked diseases.

# PROHIBITIONS

**Determination  
of the sex of  
foetus**

**Communication  
of the sex of  
foetus**



# GUIDELINES

- Section 5 lays down certain condition which has to be fulfilled before carrying out a prenatal diagnostic technique on pregnant women. They are:
  - ❖ Obtain her consent after giving her an explanation in the language she understands.
  - ❖ Give her a copy of her written consent.
  - ❖ Explain the side effects and consequences of using the technique on the pregnant women.

# ADVISORY COMMITTEE

- Three medical experts who may be gynaecologists, obstetricians, paediatricians and medical geneticists.
- One legal expert.
- One officer from the department of information and publicity of the State Government/ Union Territory.
- Three eminent social workers, and at least one out of these three to be from a women's organization.

# PROHIBITION OF ADVERTISEMENT RELATING TO SEX DETERMINATION

- Section 22 of the Act provides that, no person, organization or Genetic Centre should advertise in any form facilities available for pre-natal determination of sex at such centre or laboratories. Therefore, no publicity can be given as to the existence or availability of the facility.

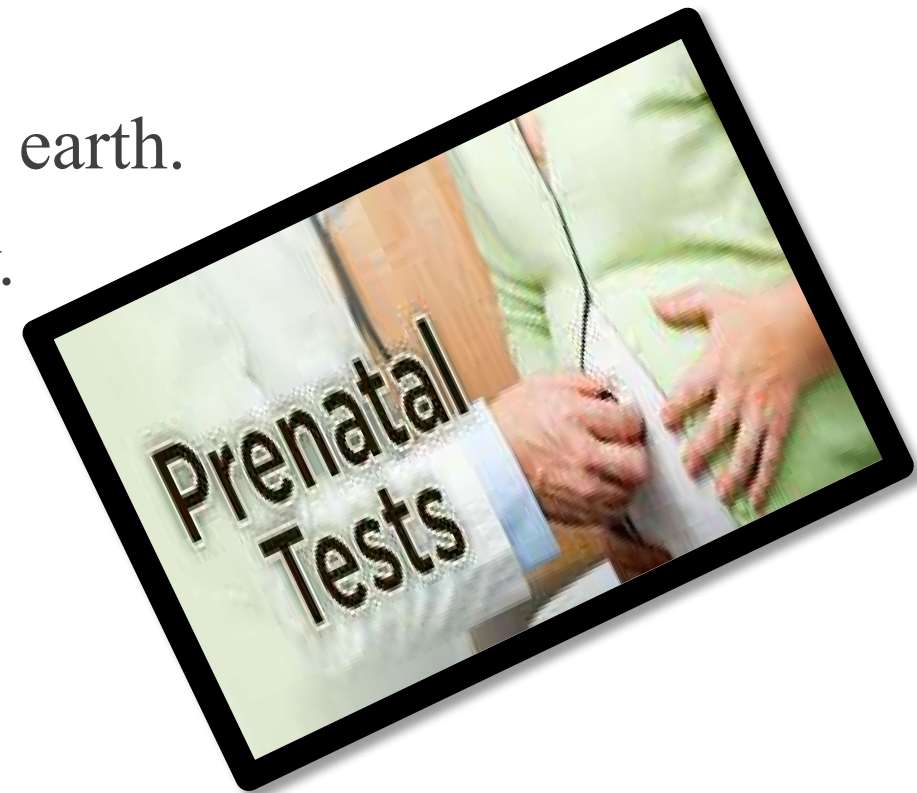
# OFFENCES AND PENALTIES

- Special protection to mothers.
- Power to search and seize records.
- Power to examine any record, register, document, book, pamphlet, advertisement or any other material.
- Ban the sale of medical instrument without license.



# CONCLUSION

- Basic right of pregnant women.
- It helps them to give birth a female child to earth.
- Balance in sex ratio for population stability.



Thank you

