
**PRECONCEPTION AND PRENATAL DIAGNOSTIC
TECHNIQUES (PROHIBITION OF SEX SELECTION
ACT) (PC-PNDT ACT)**

The Prenatal Diagnostic Techniques (Regulation & Prevention of Misuse) Bill having been passed by both the houses of Parliament received the assent of the President on 20th September, 1994. It came on the Statute Book as the Prenatal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (57 of 1994). By section 3 of the Prenatal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Act, 2002 (14 of 2003) the nomenclature of the Act has been amended and now it stands as THE PRECONCEPTION AND PRENATAL DIAGNOSTIC TECHNIQUES (PROHIBITION OF SEX SELECTION) ACT, 1994 (57 OF 1994).

Chapter III: REGULATION OF PRENATAL DIAGNOSTIC TECHNIQUES

4. Regulation of prenatal diagnostic techniques: On and from commencement of this Act,

1. No place including a registered Genetic Counselling Centre or Genetic Laboratory or Genetic Clinic shall be used or caused to be used by any person for conducting prenatal diagnostic techniques except for the purposes specified in clause (2) and after satisfying any of the conditions specified in clause (3);
2. No prenatal diagnostic techniques shall be conducted except for the purposes of detection of any of the following abnormalities, namely:
 - (i) Chromosomal abnormalities
 - (ii) Genetic metabolic disease
 - (iii) Haemoglobinopathies
 - (iv) Sex-linked genetic diseases
 - (v) Congenital abnormalities
 - (vi) Any other abnormalities or diseases as specified by the Central Supervisory Board
3. No prenatal diagnostic techniques shall be used or conducted unless the person qualified to do so is satisfied for reasons to be recorded in writing that any of the following conditions are fulfilled, namely:
 - (i) Age of the pregnant woman is above thirty-five years

- (ii) The pregnant woman has undergone two or more spontaneous abortions or fetal loss
- (iii) The pregnant woman has been exposed to potentially teratogenic agents such as drugs, radiation, infection or chemicals
- (iv) The pregnant woman or her spouse has a family history of mental retardation or physical deformities such as spasticity or any other genetic disease any other condition specified by the Board

Provided that the person conducting ultrasonography on a pregnant woman shall keep complete record thereof in the clinic in such as manner, as may be prescribed, and any deficiency or inaccuracy found therein shall amount to contravention of provisions of section 5 or section 6 unless contrary is proved by the person conducting such ultrasonography.

4. No person including a relative or husband of the pregnant woman shall seek or encourage the conduct of any prenatal diagnostic techniques on her except for the purposes specified in the clause (2)
5. No person including a relative or husband of a woman shall seek or encourage the conduct of any sex-selection technique on her or him or both.

5. Written consent of pregnant woman and prohibition of communicating the sex of fetus:

1. No person referred to in clause (2) of section 3 shall conduct the prenatal diagnostic procedures unless
 - (a) He has explained all known side and after effects of such procedures to the pregnant woman concerned,
 - (b) He has obtained in the prescribed form her written consent to undergo such procedures in the language which she understands,
 - (c) A copy of her written consent obtained under clause (b) is given to the pregnant woman.
2. NO person including the person conducting prenatal diagnostic procedures shall communicate to the pregnant woman concerned or her relatives or any other person the sex of the fetus by words, signs, or in any other manner.

6. Determination of sex prohibited—On and from the commencement of this Act:

- (a) No Genetic Counselling Centre or Genetic Laboratory or Genetic Clinic shall conduct or cause to be conducted in its Centre, Laboratory or Clinic, pre-natal diagnostic techniques including ultrasonography, for the purpose of determining sex of the fetus
- (b) No person shall conduct or cause to be conducted any prenatal diagnostic techniques including ultrasonography, for the purpose of determining sex of the fetus
- (c) No person shall, by whatever means, cause or allow to be caused selection of sex before or after conception.

Form prescribed for the requisite data recording by a Genetic Clinic/Ultrasound Clinic/Imaging Centre is Form F, which has to be filled at the time of antenatal ultrasound. A copy of the form is shown below:

**FORM FOR MAINTENANCE OF RECORD IN RESPECT OF
PREGNANT WOMEN BY GENETIC CLINIC/ULTRASOUND
CLINIC/IMAGING CENTRE**

[Strike (✓) whichever is applicable]

FORM 'F'

[See Provision to Section 4(3), Rule 9(4) and Rule 10(1A)]

1. Name and Address of the Genetic Clinic/ Ultrasound Clinic/ Imaging Centre _____
2. Registration No. _____
3. Patient's name and her age _____
4. Number of children with sex of each child _____
5. Husband's/Father's name _____
6. Full address with Tel. No. if any _____
7. Referred by: Full name and address of Doctor(s)/ _____
Genetic Counselling Centre (Referral note to be _____
preserved carefully with case papers)/ self referral _____
8. Last menstrual period/weeks of pregnancy _____
9. History of geriatric/medical disease in the family _____
(specify) Basis of diagnosis:
 - (a) Clinical
 - (b) Biochemical
 - (c) Cytogenetic
 - (d) Other (e.g. radiological, ultrasonography etc. specify)
10. Indication for pre-natal diagnosis
 - A. Previous child/children with
 - i) Chromosomal disorders
 - ii) Metabolic disorders
 - iii) Congenital anomaly
 - iv) Mental retardation
 - v) Haemoglobinopathy
 - vi) Sex linked disorders
 - vii) Single gene disorder
 - viii) Any other (specify) _____
 - B. Advanced maternal age (35 years) _____
 - C. Mother/father/sibling has genetic disease (specify) _____
 - D. Other (specify) _____
11. Procedures carried (with name and registration No. of
Gynaecologist/Radiologist/Registered Medical
Practitioner) who performed it _____
Non-Invasive
 - (i) Ultrasound (specify purpose for which ultrasound
is to be done during pregnancy) [List of indications _____
for ultrasonography of pregnant women are given _____
in the note below _____

- Invasive
- (i) Amniocentesis
 - (ii) Chorionic Villi aspiration
 - (iii) Foetal biopsy
 - (iv) Cordocentesis
 - v) Any other (specify) _____
12. Any complication of procedure – please specify _____
13. Laboratory tests recommended
- (i) Chromosomal studies
 - (ii) Biochemical studies
 - (iii) Molecular studies
 - (iv) Preimplantation genetic diagnosis
14. Result of
- (a) Pre-natal diagnostic procedure (give details) _____
 - (b) Ultrasonography (specify abnormality detected, if any) _____
15. Date(s) on which procedures carried out _____
16. Date on which consent obtained. (In case of invasive) _____
17. The results of pre-natal diagnostic procedure were conveyed to _____ on _____.
18. Was MTP advised/conducted? _____
19. Date on which MTP carried out. _____

Date: _____
Place: _____

Name, Signature and Registration Number of the
Gynaecologist/Radiologist/Director of the Clinic

DECLARATION OF PREGNANT WOMAN

I, Ms. _____ (name of the pregnant woman)
declare that by undergoing ultrasonography/image scanning etc. I do not want to know
the sex of my foetus.

Signature/Thumb impression of pregnant woman

DECLARATION OF DOCTOR/PERSON CONDUCTING

ULTRASONOGRAPHY/IMAGE SCANNING

I, _____ (name of the person conducting ultrasonography/
image scanning) declare that while conducting ultrasonography/image scanning on
Ms. _____ (name of the pregnant woman), I have neither detected
nor disclosed the sex of her foetus to any body in any manner.

Name and signature of the person conducting Ultrasonography/image
scanning/Director or owner of genetic clinic/ultrasound clinic/imaging centre

Important Note:

- (i) Ultrasound is not indicated/advised/performed to determine the sex of foetus except for diagnosis of sex-linked diseases such as Duchenne muscular dystrophy, Hepatitis A and B, etc.
- (ii) During pregnancy, ultrasonography should only be performed when indicated. The following is the representative list of indications for ultrasound during pregnancy:
 - (1) To diagnose intrauterine and/or ectopic pregnancy and confirm visibility
 - (2) Estimation of gestational age (dating).
 - (3) Detection of number of fetuses and their chorionicity.
 - (4) Suspected pregnancy with IUCD in-situ or suspected pregnancy following contraceptive failure/MTP failure
 - (5) Vaginal bleeding/leaking
 - (6) Follow-up of cases of abortion.
 - (7) Assessment of cervical canal and diameter of internal os.
 - (8) Discrepancy between uterine size and period of amenorrhoea.
 - (9) Any suspected adnexal or uterine pathology/abnormality.
 - (10) Detection of chromosomal abnormalities, foetal structural defects and other abnormalities and their follow-up.
 - (11) To evaluate foetal presentation and position.
 - (12) Assessment of liquor amnii.
 - (13) Preterm labour/premature rupture of membranes.
 - (14) Evaluation of placement position, thickness, grading and abnormalities (placenta praevia, retroplacental haemorrhage, abnormal adherence, etc.)
 - (15) Evaluation of umbilical cord – presentation, insertion, nuchal encirclement, number of vessels and presence of true knot.
 - (16) Evaluation of previous Caesarean section scars.
 - (17) Evaluation of foetal growth parameters, foetal weight and foetal well being.
 - (18) Colour flow mapping and duplex Doppler studies.
 - (19) Ultrasound guided procedures such as medical termination of pregnancy, external cephalic version, etc. and their follow-up.
 - (20) Adjunct to diagnostic and therapeutic invasive interventions such as chorionic villus sampling (CVS), amniocenteses, foetal blood sampling, foetal skin biopsy, amnio-infusion, intrauterine infusion, placement of shunts, etc.
 - (21) Observation of intrapartum events.
 - (22) Medical/surgical conditions complicating pregnancy
 - (23) Research/scientific studies in recognized institutions.

Person conducting ultrasonography on a pregnant woman shall keep complete record thereof in the clinic/centre in Form – F and any deficiency or inaccuracy found therein shall amount to contravention of provisions of section 5 of section 6 of the Act, unless contrary is proved by the person conducting such ultrasonography.