

**Minutes of the 19<sup>th</sup> Meeting of the Central Supervisory Board held under the Chairmanship of Hon'ble Union Minister of Health & Family Welfare, 20<sup>th</sup> July, 2012, 3.00 pm at Vigyan Bhawan Annexe, New Delhi.**

The 19<sup>th</sup> Meeting of the Central Supervisory Board (CSB), constituted under the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, was held on 20.07.2012 under the Chairmanship of Shri. Ghulam Nabi Azad, Union Minister for Health & Family Welfare. The list of participants is at Annexure.

**Mrs. Anuradha Gupta, Additional Secretary & Mission Director NRHM**, welcomed the members of Central Supervisory Board to the meeting and thanked the Hon'ble Ministers for their presence. Thanking the members for the positive and creative suggestions in the drive against sex determination, she emphasized the need to bring the issue of female foeticide to centre-stage, within the larger context of gender equity. She highlighted the various decisions taken by the Ministry to plug the loopholes in effective implementation of the PC & PNDT Act and reiterated the resolve of the Ministry to step up action against unscrupulous service providers without hindering the interests of genuine medical professionals. She elaborated on the intensification of efforts for sensitisation of judiciary and capacity building of Appropriate Authorities under the PC & PNDT Act.

**Smt. Krishna Tirath**, Hon'ble Minister of State (Independent Charge), Ministry of Women & Child Development, commended the efforts made by the States of Maharashtra and Haryana in cracking down the sex determination centres and booking the errant doctors and paramedics. She emphasized that the problem of declining child sex ratio must be seen in the context of the low status of women and the girl child as a whole, within the home and outside.

She mentioned various initiatives undertaken by Ministry of Women and Child Development for empowerment of women and emphasized that all sectors would need to work in a harmonised manner to ensure that the girl child takes birth, does her schooling and functions as a productive member of society.

**Shri Ghulam Nabi Azad**, Hon'ble Minister Health & Family Welfare informed that several new initiatives were undertaken to address the issue of low Sex Ratio at Birth (SRB) and efforts to strengthen enforcement of the law have been scaled up at national, state, district and sub-district levels. Outlining the progress made in effective implementation of the PC & PNDT Act, he stressed the need to improve the civil registration system and registration of pregnancies in the first trimester.

He added that Capacity building of the Appropriate Authorities has gained momentum in States, while efforts to galvanize the Judiciary into pro-active action have also been undertaken. National Inspection and Monitoring Committee have stepped up inspections in the field and efforts are underway to rein in violators including ultrasound companies who flout the law and hold them accountable in regulating the misuse of ultrasound machines under the PC & PNDT Act. He exhorted all the members to double their efforts to strengthen effective enforcement of

the law and emphasized that blacksheep among doctors need to be identified to ensure genuine service providers are not harassed.

He emphasized the need to build supportive alliances with civil society partners, local bodies, and religious leaders and also strengthen media advocacy, to promote positive attitudes for ensuring survival and protection of the girl child. He stated that a comprehensive and innovative Information, Education and Communication (IEC) strategy is essential for a shift in the deeply entrenched mindset that encourages son preference.

**Secretary (H&FW)**, while welcoming the members, mentioned that the CSB meeting was being held as per stipulated schedule which indicates the importance attached to the issues. He emphasized the need for a coordinated drive against violators of the Act and for addressing gender discrimination in the long run.

After the opening remarks by the HFM, the discussion was held as per agenda which were circulated in advance.

#### **Agenda No.1:**

##### **Confirmation of the Minutes of the 18th meeting of the Central Supervisory Board**

Some members and invitees to the Board expressed their concern with regard to the recent amendment to the Rules notified in the Gazette, dated 5<sup>th</sup> June, 2012. It was pointed out that limited issue at the time of confirmation of minutes was whether they faithfully captured the decisions of the Board.

It was clarified by the Chair that the minutes are based on the decisions of the Board and do not reflect individual opinion.

After detailed deliberations, the minutes of the 18th meeting of the Central Supervisory Board were confirmed subject to the following observations made by Dr. Sanjay Anant Gupte and Dr. Ravinder Kaur as under:

*Item 7 in the minutes circulated to be read as under:*

“Development of a mechanism at National and State level, by which any doctor can report the names of centers indulging in sex determination to the Appropriate Authorities, in an anonymous fashion. A check list for Appropriate Authorities needs to be drawn up, including a helpline or mechanism to report any wrongdoing by Appropriate Authorities.”

*Item 16 in the minutes circulated to be read as follows:*

“There was divergence or lack of understanding of the provisions of the Act by various Appropriate Authorities; this could be overcome by preparing simple guidelines for them. A code of conduct for medical fraternity regarding the issue of sex determination and sex selection should be developed by the MCI.”

## **Agenda Item No.2:**

### **Action Taken Report on decisions taken in the 18<sup>th</sup> Meeting of Central Supervisory Board held on 14.01.2012**

JS (P) presented the Action Taken Report with regard to decisions of the 18<sup>th</sup> CSB meeting. As regards action taken on the decision to examine the need to make changes in the Rules to ensure monitoring of sale / disposal of second hand/ re-assembled ultrasound machines, it was informed that consultations were held with key stake holders e.g. Ultrasound Machine Manufacturers, Ultrasound Facility Owners and State Appropriate Authorities etc. It was felt that provisions already existed in the law to regulate the sale and use of any machine, including second-hand and refurbished machines, capable of detecting sex of the foetus. Therefore, what was needed was essentially effective enforcement of those provisions, by devising suitable mechanisms to check violations of provisions of the Act.

After detailed deliberations, it was decided that the Ministry would constitute an expert group to devise suitable mechanism so that sale of second-hand/ refurbished ultrasound machines could be effectively monitored and the misuse checked. The Committee may also explore possibility to incorporate technology based solutions to facilitate effective tracking of the machines.

## **Agenda Item No. 3:**

### **A review of the status of implementation of PC & PNDT Act in States and future strategies**

JS (P) detailed the progress made with regard to status of implementation of the PC & PNDT Act as per the agenda note.

The Board noted the improved progress in effective implementation of the Act.

## **Agenda Item No. 4:**

### **Guidelines developed by the Core-Committee constituted to re-evaluate the syllabus for 6 months training of MBBS doctors, including criteria for accreditation of institutions, competency based evaluation etc. under the PC & PNDT Act.**

The guidelines submitted by the Core-Committee constituted for re-evaluation of the syllabus proposed by MCI, with a view to impart broad based skills in ultrasonography, were discussed and the board approved the following:

- Syllabus developed for six months training for the purpose of using ultrasound machines under the PNDT Act.
- Norms for accreditation of the training institutions

- Eligibility for enrolment and fee structure. It was however decided to give preference to doctors posted at the government facilities below district level.
- Assessment mechanism for the accredited training institutions with provision of nomination of an independent examiner for final evaluation by Director, Medical Education Department of the concerned State.
- Registered Medical Practitioners already operating ultrasound machines for the purpose of PNDT Act on the basis of one year experience or six months training would not be required to undergo above stated 6 month training. They would, however, mandatorily be required to qualify the Competency Based Evaluation conducted by the accredited training institutions before renewal of registration to be able to continue to work on USG machines for PNDT purposes.

#### **Agenda Item No. 5:**

**Institutionalize and make mandatory, online filing of Form- Fs as a part of maintenance and preservation of records under Rule 9 of the PC & PNDT Act.**

The Board approved the proposal to incorporate a suitable provision in the PC & PNDT Rules to facilitate online submission of Form-F on Government of India web-site to be suitably hyperlinked to related State Government PNDT portals.

#### **Agenda Item No. 6:**

**Deletion of deemed renewal within a period of ninety days as prescribed under Rule 8 (6) of the PC & PNDT Act.**

The proposal was discussed at length. It was decided to make it mandatory for District Appropriate Authorities to report details of all deemed renewals to the State Appropriate Authority on a quarterly basis. Mechanism for web-based system that would provide triggers to DAA and SAA regarding pending applications after the lapse of 60 days from the date of submission of application should also be explored.

#### **Agenda Item No. 7:**

**Code of Conduct and Guidelines to be observed by State and District Appropriate Authorities for ensuring transparency and effective compliance of the provisions of the PC & PNDT Act**

The proposal was deliberated and approved.

During the course of CSB meeting, following issues were also raised:

- Simplification and improvement of Form F
- Provision of graded punishment for the violations of provisions of the Act: Certain violations essentially of technical nature should receive only minor punishment in comparison to the offences of actual sex determination leading to female foeticide.

- Improving the efficacy of the provisions of the Act and the Rules to fulfill the mandate of the Act of preventing misuse of technologies leading to female foeticide
- Non-registration of facilities employing gynecologist under PC & PNDT Act in some states and insistence on certificate of experience or training even for Gynecologists by District Appropriate Authorities in certain States.

After detailed discussion, it was decided to constitute two expert committees. One will look into the aspect of simplification and improvement of the Form F while the other committee will look into the provisions of the Act to make them more effective in preventing female foeticide. This committee will, among other things, look into the issue of graded punishment also. It was also decided that an advisory to the effect that gynecologists are permitted to use ultrasound machines for PC&PNDT purposes would be issued to all States and the matter would be further explicated in the proposed amendments to Rule 3(3) (1) B of the PNDT Rules.

The meeting ended with thanks proposed by Secretary (H& FW) to the members and Chairman CSB.

## Annexure

### List of Participants

1. Shri. Ghulam Nabi Azad  
Hon. Minister for Health & Family Welfare - In Chair
2. Smt. Krishna Tirath  
Hon. Minister of State, Ministry of Women and Child Development - Co-Chair
3. Dr. (Smt). Prabha Kishore Taviad  
Member of Parliament (Lok Sabha)
4. Shri P. K. Pradhan  
Secretary (H&FW)
5. Dr. Jagdish Prasad  
DGHS, MOHFW
6. Ms. Anuradha Gupta  
Additional Secretary & Mission Director (NRHM), MOHFW
7. Shri. Manoj Jhalani  
Joint Secretary, MOHFW
8. Ms. Anuradha Vemuri  
Director, MoHFW
9. Ms. Aditi S. Ray  
Sr. Advisor, Ministry of Women & Child Development
10. Shri Anshu Prakash  
Principal Secretary (H&FW), Delhi.
11. Ms. Vinni Mahajan  
Principal Secretary (H&FW), Punjab
12. Shri. P. K. Taneja  
Secretary (PH), Gujarat
13. Dr. Narveer Singh,  
DGHS, Haryana

14. Dr.Karanjeet Singh  
Director(FW),Punjab
15. Shri Gaurang Shah,  
State Appropriate Authority, Gujarat
- 16 Dr.N.Sreedhar,  
Director of Health Services, Kerala
- 17 Dr. Renu Pahal, Govt. of Haryana
- 17.Dr. Prakash Vaghela,  
Asstt. Director (FW), Gujarat
- 18.Dr. Rajiv Yeravdekar  
Director, Symbiosis Institute of Health Sciences, Pune
- 19.Dr. Gayatri Thaker  
Gynaecologist & Obstetrician, Siddhivinayak Hospital, Jamnagar, Gujarat
- 20.Dr. Sanjay Anant Gupte,  
Former President, FOGSI
- 21.Dr. D.R.Rai  
Secretary General, Indian Medical Association
- 22.Dr.Nozer Sheriar,  
General Secretary, FOGSI
- 23.Dr. Harsh Mahajan  
President, Indian Radiological & Imaging Association
- 24.Dr. Girija Wagh,  
HOD (Gyno.), Vidya Peeth University Medical College, Pune
- 25.Dr. Neelam Singh,  
Secretary, Vatsalya, Lucknow
- 26.Dr.Ratna Jain,  
Mayor, Nagar Nigam, Kota
- 27.Dr.Neelam Singh  
Advocate, New Delhi
28. Smt. Rashmi Singh. OSD, Ministry of WCD
29. Shri. D. N. Sahoo, US(PNDT)
29. ADG (PIB), New Delhi