

**Minutes of the 21st Meeting of the Central Supervisory Board
held under the Chairmanship of Hon'ble Union Minister of Health & Family Welfare
on 23rd July, 2013 at 5.00 pm at Vigyan Bhawan Annexe, New Delhi.**

The 21st 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 23.07.2013 under the Chairmanship of Shri. Ghulam Nabi Azad, Union Minister for Health & Family Welfare. The list of participants is **annexed**.

2. The meeting commenced with the welcome address given by Ms. Anuradha Gupta, Additional Secretary & Mission Director (NRHM). While felicitating the Chair for his gracious presence, AS & MD informed that the meetings of the Board are held regularly and lauded active and productive participation of the members of CSB. AS & MD apprised the members of the progress made by States like Maharashtra and Gujarat in the implementation of the PC & PNDT Act and emphasised that similar efforts would be required for implementation of the Act in other States. AS & MD opined that a National Plan of Action for Declining Child Sex Ratio, presently under consideration in the Ministry of Women and Child Development, will augment the achievements made under PC & PNDT Act. AS & MD, however, cautioned that implementation of the PC & PNDT Act by States is a challenge and that efforts to intensify action against sex determination have to be a continuous process.

3. **Minister of State (I/C) for Women and Child Development** was unable to attend the meeting but sent a message for the CSB Members reiterating therein commitment of the Ministry of Women and Child Development to address the cause of declining child sex ratio. It was also mentioned that the Ministry has taken a lead in addressing the issue in a comprehensive manner by formulating a National Plan of Action for Improving the Child Sex Ratio based on the inputs from all concerned Ministries, State Governments and other stake holders. It was stated that thrust of the National Plan of Action is on the effective implementation of the concerned laws and legislations and creation of an enabling environment through policy advocacy and communication.

4. The Chair stated that the Ministry is engaged in a dialogue with the States and other stakeholders including civil society and medical professionals to understand the bottlenecks in implementation of the PC & PNDT Act. The Chair underlined that a combination of strategies like attention to gender equality in laws and policies, advocacy, media campaigns and effective implementation of PC & PNDT Law is the key to addressing this alarming situation.

5. The Chair urged members representing medical profession to join hands with the Government to counter the unethical practice of gender biased sex selection. He further said that the active support of all the CSB members will go a long way in influencing public opinion and shaping a positive environment to save and protect the girl child.

6. The Chair opined that in order to encourage more participation of CSB members in creating awareness about the issue, we could empanel all CSB members

as subject experts in “Swasth Bharat” programme, a regular feature on Doordarshan dedicated to the Public Health issues.

7. After the opening remarks by the Chair, JS (RCH) presented the agenda for discussions by the Board.

Agenda No.1:

Confirmation of the Minutes of the 20th meeting of the Central Supervisory Board

8. Minutes of the 20th meeting were confirmed with consensus of all CSB members.

Agenda Item No.2:

Action Taken Report on decisions taken in the 20th Meeting of the Central Supervisory Board held on 16.01.2013

9. **JS (RCH)** presented the Action Taken Report on decisions of the 20th CSB meeting. As regards action taken on the decision to devise suitable mechanism to retire/ dispose of functional/ non-functional ultrasound machines, it was informed that the Expert Committee recommended constitution of a sub-committee comprising of Ministry of Science and Technology, DGHS, Central Board of Excise and Customs, Ministry of Finance, Directorate General of Foreign Trade, Ministry of Commerce and Industry and MOHFW that would suggest appropriate policy inputs in the Draft Medical Devices Regulation Bill, 2006 for ultrasound medical device. Regarding the pending draft Medical Devices Regulation Bill, 2006, Dr. Paul informed that it is not clear whether this bill is still active with Ministry Science and Technology or has been transferred to Ministry Health and Family Welfare and requested that it may be confirmed.

10. As regards the notification of Ultrasound Six Month Training Rules, JS (RCH) apprised the CSB that it is in its final stage and has been sent to MCI for Hindi translation. He also informed that the recommendation to introduce chapters on the issue of declining of Child Sex Ratio in the MBBS curriculum for sensitization of MBBS doctors has been accepted by the MCI.

11. The CSB members recommended that these chapters may be appropriately incorporated in school curricula as well and that the Ministry may take up the issue of their inclusion with the Department of School Education, Ministry of Human Resource Development.

12. JS(RCH) further informed that the Expert Committees on Form ‘F’ and Code of Conduct for Appropriate Authorities have concluded their deliberation on the respective matters and proposed draft of revised Form ‘F’ and the Code of Conduct, which are being placed for consideration before the CSB.

13. It was informed that as per the 20th CSB recommendation, Chairman, BOG-MCI has been notified as Special Invitee in the Central Supervisory Board.

Agenda Item No. 3:

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

14. JS (RCH) detailed the progress made with regard to the status of implementation of the PC & PNDT Act as per the Agenda Note.

15. The Board noted the consistent improved progress in effective implementation of the Act as 288 & 279 cases has been filed in 2012-13 & 2011-12 respectively. It was also noted that action by MCI with regard to the cancellation of licenses following conviction of doctors has improved in Maharashtra as State Medical Council has suspended medical licenses of 20 convicted doctors in the last six months.

16. On sharing the update on NIMC inspections and monitoring visits, members suggested that the Ministry may ask for action taken report regarding the NIMC inspections and reasons thereof in case no action has been taken by the States. Members also suggested that Ministry should devise some mechanism that can help to ensure appropriate follow-up action on the recommendation of NIMC. State Nodal Officer, Himachal Pradesh responding to the matter explained that the main reason behind the inaction in most of the cases is that the State Appropriate Authority does not have any power to override the decision of District Appropriate Authority, in case the non-complying clinic identified by the NIMC is de-sealed. Responding the issue, AS & MD assured that the Ministry will internally examine the matter.

17. Raising the point of non-compliance of manufactures/ dealers / refurbishing companies regarding submission of sales reports, the members were of the opinion that there should be strict action against the persons/ companies that are not reporting to Appropriate Authorities or selling ultrasound machines to unregistered clinics. It was also suggested that whatever sales reports submitted by the companies to the appropriate authorities, may be used to identify the unregistered machines on the field besides using their intelligence. The CSB recommended that Ministry may issue guidelines in this regard to the appropriate authorities

18. Discussing the issue of sealing/ de-sealing of unused machines it was informed that it is very difficult to de-seal the sealed unused machine, whenever an owner decides to use it. Appropriate Authorities generally show inability to de-seal a machine without Court Order. Responding to the matter, Dr. Neelam Singh informed that such temporary sealing are not against any violations and does not require any Court Order as the Appropriate Authorities in UP are de-sealing such machines on request. Endorsing the practice State Appropriate Authority, Haryana also shared the same experience in his State. In this regard, it was recommended that such specific directions will be sent to State Governments for further action. The members also suggested that to avoid any confusion, a different nomenclature may be used such as *Suspended Animation* in this regard.

Agenda Item No. 4:

Rules for six months training in ultrasound for MBBS Doctors

19. The CSB was apprised of the notification of the Rules of Six Months Training in ultrasound for MBBS Doctors. It was informed that the Rules have to be notified bilingually. The approved Rules have been sent for Hindi translation to MCI.

Agenda Item No. 5:

Revised format of Form F submitted by the expert committee

20. The revised format of Form 'F' was discussed at length. Dr. Neelam Singh made an observation regarding the incorporation of Unique ID Number in Form F. Responding to the observation, it was informed that Expert Committee on Form F decided against it, as it may prove to be a hurdle for women to access the diagnostic services and may also lead to the victimization of women.

Revised Form F was approved.

Agenda Item No. 6:

Draft Code of Conduct for Appropriate Authorities

21. The proposed Draft Code of Conduct for Appropriate Authorities was discussed in detail. Ms Ena Singh suggested that a clause that Appropriate Authorities shall ensure that there are no violations of MTP Act and Rules while implementing the PC&PNDT Act, may also be incorporated in the draft Code of Conduct. The CSB also proposed that the provision to empower State Appropriate Authorities to review the decision of District Appropriate Authority may be also included in the Code of Conduct for Appropriate Authorities. It was decided that the Ministry would incorporate the proposed suggestions and circulate the revised draft among the members for final commendation.

Agenda Item No. 7:

Proposed Amendments to the PC& PNDT Act

22. The CSB was informed that the Expert Committee constituted to evaluate the provisions of the Act and the Rules, deliberated upon the proposed amendments compiled after thorough consultations in first two meetings of the Committee. It was further informed that the Committee is presently deliberating on suitable changes in the preamble, insertions of appropriate provisions and few amendments in the existing provisions. Referring to the under consideration proposals, Ms Ena Singh appreciated that the Ministry is considering the use of appropriate and functional vocabulary for the terms like female foeticide and abortion in the PC&PNDT Act. She further suggested that the Ministry may ensure using same language for developing communication material for the issue.

Agenda Item No. 8:

Review of the Definition of Medical Geneticist

23. It was suggested that the recommended definition would be further deliberated along with other proposed amendments to the Act.

Agenda Item No. 9:

State Specific Issues

24. It was decided that the issues raised by States would be examined by the Ministry and specific directions would be sent to the States for further action.

Agenda Item No. 10:

Future strategies for effective implementation of PC & PNDT Act

25. During the course of discussion, following suggestions were made:

- Dr. V. K. Paul suggested that young doctors may be outreached for mass sensitisation and awareness during the annual fest held at Institutions like AIIMS.
- It was suggested that monitoring of IVF centres and ART centres should be geared up under PC&PNDT Act as such centres provide pre-conception diagnostic services.
- The meeting ended with a welcome suggestion from the Chair that all the CSB members may do brainstorming and come up with out-of -box solutions and suggestions before next CSB meeting that could be shaped up in mass campaign to address the problem.

26. The meeting ended with a vote of thanks to the Chair.

LIST OF PARTICIPANTS

1. Shri Ghulam Nabi Azad, Hon'ble Union Minister for Health &FW
2. Smt. Jayshreeben Patel, Member of Parliament (LS)
3. Dr. Vijaylaxmi Sadho, Member of Parliament (RS)
4. Shri Keshaw Desiraju, Secretary (H&FW)
5. Dr. Jagdish Prasad, DGHS
6. Smt. Anuradha Gupta, AS & MD (NRHM)
7. Dr. Rakesh Kumar, Joint Secretary (RCH)
8. Dr. Girija Wagh, Pune
9. Dr. Sanjay A. Gupte, Pune
10. Dr. Rajiv Yeravdekar, Symbiosis Institute of Health Sciences, Pune
11. Dr. Neelam Singh, Vatsalya, Lucknow
12. Dr. O. P. Bansal, President, IRIA
13. Dr. Narendra Saini, Secretary General, IMA
14. Dr. Nozer Sheriar, Secretary General, FOGSI
15. Dr. Ratna Jain, Mayor, Kota
16. Dr. Neelam Singh, Advocate, Supreme Court of India
17. Ms. Ena Singh, UNFPA
18. Dr. Karanjit Singh, Director (Health Services), Govt. of Punjab
19. Dr. Parveen K. Garg, Director (Health Services), Govt. of Haryana
20. Sh. B. Narzary, MoHFW
21. Dr. Surekha Chopra, Govt. of Himachal Pradesh
22. Dr. Sudhakar Kokane, Dy. Director, Govt. of Maharashtra
23. Dr. Narinder Arora, Govt. of Haryana
24. Dr. Sanjay Goel, Director (H&FW), Govt. of Madhya Pradesh
25. Sh. Krishna Ram, Govt. of Rajasthan
26. Dr. V. S. Salhotra, DC (RCH), MoHFW
27. Sh. D. N. Sahoo, Under Secretary (PNDT)