

THE PRENATAL DIAGNOSTIC TECHNIQUES (REGULATION AND PREVENTION OF MISUSE) Act, 1994

- This Act provides for the regulation of the use of prenatal diagnostic techniques for the purpose of detecting genetic or metabolic disorder or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of the misuse of such techniques for the purpose of prenatal sex determination leading to female feticide: and for matters connected therewith or incidental thereto. The Act defines following terms (Sec. 2):
 1. Genetic Counseling centre: an institute, hospital, nursing home or any place, by whatever name called, which provides for genetic counseling to patients.
 2. Genetic Clinic: A clinic, institute, hospital, nursing homes or any place, by whatever name called, which is used for conducting prenatal diagnostic procedures.
 3. Prenatal diagnostic procedures and techniques: All gynecological or obstetrical or medical procedures and techniques such as ultrasonography, foetoscopy, taking or removing samples of amniotic fluids, chronic vile, blood or any tissue of a pregnant woman for being sent to a genetic laboratory or genetic clinic for conducting prenatal diagnostic test.
 4. Prenatal Diagnostic Test: Any test or analysis carried out to detect genetic or metabolic disorders or chromosomal abnormalities or congenital anomalies, haemoglobinopathies or sex-linked diseases.
- No genetic counseling centre, genetic clinic or medical geneticist, gynecologist or registered medical practitioner shall conduct such test unless specified by the Central Supervisory Board at a place other than a place registered under the Act (Secs. 4-6). In following conditions these test can be conducted.
 1. Age of the pregnant woman is above 35 years;

2. The pregnant woman has undergone two or more spontaneous abortions or fetal loss;
 3. The pregnant woman has been exposed to potentially teratogenic agents such as drugs, radiation, infection or chemicals;
 4. The pregnant who has a family history of mental retardation or physical deformities such as spasticity or any other genetic diseases; and
 5. Any other disease specified by the Central Supervisory Board.
- No test will be conducted on the willingness of husband or without written informed consent of the woman (Sec 3). Secs 7-16 explained the procedures of the establishment of a Central Supervisory Board, appropriate authority and advisory committee. Registration of generic counseling centre/ laboratories/ clinics are explained in Secs. 18-21. Even any advertisement or publication on these facilities is an offense and severe penalties are defined in Secs 22-28. Anybody who violate this law may be punished with imprisonment for a term which may extend to three years and with a fine which may extend to ten thousand rupees or both.
 - The Census 2001 reported the most disturbing and alarming aspects of sharp fall in sex ratio of children (0-6) from 945 in 1991 to 927 in 2001. Punjab (793), Haryana 820), Delhi 865, Gujarat 878 are the worst states. This indicates that mere enactment of Act is not enough. It needs involvement of people, and serious efforts to implement legislation (Census of India 2001) provisional results Jan-April 2001). A central supervisory Board has been constituted under the chairmanship of Minister of Health & Family Welfare. The Supreme Court of India is monitoring the implementation of this Act. CSB has constituted two more sub-committees to give more teeth to the Act, for better implementation. Many mass awareness programmes have been started to highlight the adverse sex ration and provision of the Act.