

[Dr. Laxminaryan Pandeya]

to enable us to put before the country a useful Bill. Then only a regulatory and deterrent Bill can be brought. All provisions should be made to check misuse of the scientific knowhow. It is possible only if clear cut provisions are made in this regard.

Before passage of Bill by the House I would like to have a categorical assurance from the hon. Minister to the effect that in future all the lacunae will be somehow removed. He may explain that now he is going to do so, so that for the welfare of the society the rights of women are safeguarded; social equality and protection is ensured and we may feel assured that checks are there to stop misuse the Bill in future. In view of the spirit of the Bill it should be definitely passed. However, I would like to urge the hon. Minister to give clarifications on the points raised by me to enable unanimous smooth passage of the Bill, which has been brought from the social point of view and for providing social protection to women.

[English]

MR. DEPUTY SPEAKER: There are still some more hon. Members who want to participate in this debate. I think they can do so after the lunch.

The House stands adjourned to meet at 02.05 p.m.

13.05 hrs.

*The Lok Sabha then adjourned for
Lunch till Five Minutes past Fourteen
of the Clock*

14.09 hrs.

*The Lok Sabha re-assembled after
Lunch at Nine Minutes past Fourteen
of the Clock.*

[MR. DEPUTY-SPEAKER in the Chair]

PRE-NATAL DIAGNOSTIC
TECHNIQUES (REGULATION AND
PREVENTION OF MISUSE) BILL
- Contd.

As Reported by Joint Committee -
Contd.

DR. VASANT NIWRUTTI PAWAR
(Nasik): Thank you, Mr. Deputy Speaker
Sir, for allowing me to speak on this Pre-
Natal Diagnostic Techniques Bill, 1994.

At the outset I will like to congratulate the Government for bringing out this legislation and also my compliments to all the women welfare organisations for creating a pressure on the Government for bringing this legislation.

Mr. Deputy Speaker, Sir, in Maharashtra there is already a Bill to this effect and that is why the pre-natal diagnostic techniques were restricted in Maharashtra. But the people are used to go out of that State to get this sex determination test done in the nearby States and that is how the importance of this Bill is there so that it will be effective all over our country.

This Bill provides for the regulation of the use of pre-natal diagnostic techniques and to detect that genetic and the metabolic disorders, the chromosomal abnormalities and certain congenital

malformation or sex-linked disorder or haemoglobinopathies. This regulation is very important because we have to provide diagnostic techniques, which are through the amniocentesis, through the chorionic villi biopsy or the foetoscopy or the ultrasonography. But this was being misused. And that is why, to prevent the misuse of such techniques for sex determination, to avoid and to stop the female foeticide, this Bill has been brought in.

The main object of this Bill is to stop the female foeticide as well as to improve and to maintain the dignity and the status of our Indian women.

Mr. Deputy-Speaker, Sir, this Bill provides for the regulation and for the registration of all the genetic clinics, all the genetic laboratories as well as the Genetic Counselling Centres. There are certain conditions for a woman who can undergo this diagnostic technique and they are : she has to be above the age of 35 years; there has to be a history of spontaneous abortions or foetal loss twice or thrice; if there is any exposure to the drugs or radiation to the chemicals; and to prevent the mental retardation. Only then she can be allowed to undergo this pre-natal diagnostic technique in the Genetic Counselling Centre or the Laboratory.

There is a provision that there cannot be any compulsion by the husband on the wife to undergo this technique and that is very important. A written consent as well as the briefing of a patient by the doctor is the most important one and that provision has already been made.

I appreciate the provision made for a Central Supervisory Board, where the

hon. Minister, the Government Secretary, two Geneticists and a Gynaecologist and social workers will be there. The most important part of this Bill is the work of the Central Supervisory Board. Their function is to advise and to review the implementation, to create a public awareness about the female foeticide in the country as well as to maintain the code of conduct for all the clinics and the laboratories.

There is going to be an Appropriate Authority appointed by the Central Government in the Union Territories as well as by the State Government in their respective States, which will grant the registration or enquire about the matters of registration for the Counselling Centres, Clinics and Laboratories. They will maintain the standards of the Genetic Counselling Centres. Also if there are any complaint, they will investigate. And there is also an Advisory Committee to help this Appropriate Authority, where two Gynaecologists and three social workers will be there out of which one has to be from the women organisation. That is very important. This will definitely facilitate the work of the Appropriate Authority.

There is an provision in the Bill for offences and the penalties. Even if there is an advertisement or even if there is any lacuna in the Genetic Counselling Centre or the Laboratory, the person is subjected to the three years' imprisonment and Rs. 10,000 fine or it can be extended to five years' imprisonment and Rs. 50,000 fine.

If the guilty person is a doctor his name will be debarred from the medical register for two years. This is what the Bill has provided for. But even though we

[Dr. Vasant Niwrucci Pawar]

14.22 hrs.

are passing this legislation unless and until there is public awareness, nothing can be done. The society's preference is for a son, which has to be tackled properly. The society must be taught the importance, the dignity of a woman or of a girl child. Then only this Bill will be of some use. Otherwise, the people are going to find out a number of lacunae and they will use Pre-natal Diagnostic Techniques for determination of the sex and it will continue for the female foeticide.

So, I request the hon. Minister for Health to devise a review and the monitoring system where every two years we review as to what is happening to this Bill and whether the records of the Genetic Counselling Centres, Genetic Laboratory or Genetic Clinic are being properly maintained and if there is any need for amendments, the hon. Minister should not hesitate to come forward to Parliament again. This is a very important Bill. We are all thinking in terms of maintaining the dignity and the status of women in our country and this Bill definitely curtail the female foeticide in our country. There are regular advertisements that within Rs. 100/- one can get amniocentesis. The amniotic Fluid is tested and the sex is being told and if it is a female sex, foeticide is being done. That will be prevented because of this Bill. So, I welcome this Bill and I support all the measures which have been suggested in this Bill.

Once again, I congratulate the Government for bringing forward this Bill.

ANNOUNCEMENT RE:
ADJOURNMENT MOTION ON
ALARMING SITUATION IN
ASSAM – *Contd.*

MR. DEPUTY SPEAKER: In the morning it has come to our notice that the names of the Members who gave notices of Adjournment Motion are being balloted. I shall just read the result and then we proceed to the same subject.

I have to inform the House that the hon. Speaker has received four notices of Adjournment Motion to discuss the alarming situation in Assam and the failure of the Central Government to intervene timely from the following Members:—

1. Shri Atal Bihari Vajpayee
2. Shri Chandrajeet Yadav
3. Shri Mohan Singh
4. Shri Sharad Yadav

Hon. Speaker has given his consent to Shri Chandrajeet Yadav who has secured first place in the ballot to seek leave of the House.

SHRI CHANDRA JEET YADAV (Azamgarh): I seek leave of the House for moving the Adjournment Motion to discuss the alarming situation in Assam and the failure of the Central Government to intervene timely.

MR. DEPUTY SPEAKER: Is the leave opposed?