

1957 from the Secretary, Department of Agriculture, Government of Kerala, and vesting the same in the Director (Agriculture) Government of Kerala. [Placed in Library. See No. LT-4313/83].

REVIEW ON AND ANNUAL REPORT OF ORISSA AGRO INDUSTRIES CORPORATION LTD CUTTACK FOR 1974-75 AND STATEMENT FOR DELAY.

THE MINISTER OF STATE IN THE MINISTRIES OF AGRICULTURE AND RURAL DEVELOPMENT (SHRI R. V. SWAMINATHAN): I beg to lay on the Table.

(1) A copy each of the following papers (Hindi and English versions) under section 619A of the Companies Act, 1956:—

(i) Review by the Government on the working of the Orissa Agro Industries Corporation Limited, Cuttack, for the year 1974-75.

(ii) Annual Report of the Orissa Agro Industries Corporation Limited, Cuttack, for the year 1974-75 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above. [Placed in Library. See No. LT-4314/82].

12.12 hrs.

#### MESSAGE FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha.

"In accordance with the provisions of Rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am

[Rao-Birendra Singh]

directed to enclose a copy of the Navy (Amendment) Bill, 1982, which has been passed by the Rajya Sabha at its sitting held on the 20th July, 1982."

#### NAVY (AMENDMENT) BILL

AS PASSED BY RAJYA SABHA

Secretary: Sir, I lay on the Table of the House the Navy (Amendment) Bill, 1982, as passed by Rajya Sabha.

12.13 hrs.

#### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED SEX DETERMINATION TESTS

MR. SPEAKER: Shri M. M. Lawrence—absent.

Shrimati Suseela Gopalan.

SHRIMATI SUSEELA GOPALAN (Alleppey): Sir, I call the attention of the Minister of Health and Family Welfare to the following matter of urgent public importance and request that he may make a statement thereon:

"The reported sex determination tests carried on by private doctors in the country resulting in large scale destruction of female foetuses which will bring down the already declining female sex ratio, harm the mothers' health and cause deformity to the children."

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI B. SHANKARANAND): Mr. Speaker Sir, The Government shares the serious concern of the Hon'ble Members of this House on the subject of alleged abortion of female foetus on the basis of sex determination tests conducted by some private doctors.

2. Tests are sometimes conducted in order to detect congenital deformities and sex-linked genetic disorders

and also to monitor the proper growth and well-being of the foetus. Tests relating to sex-linked genetic disorders reveal the sex of the foetus. Such tests are carried out in various countries of the world where adequate facilities are available. They are normally taken up only after 14 weeks of pregnancy and are to be conducted by experienced and properly trained personnel who have the necessary facilities for the purpose.

3. In India, the sex determination tests have been conducted generally for research purposes only. The number of institutions that can perform these tests are also few. As there has not been any programme for training doctors specially for performing sex determination tests, the availability of trained persons in this field is very limited. It would not, therefore, be correct to say that these tests are being performed in a large scale manner.

4. The procedure leading to the tests, if done properly by specialists, has usually no adverse effect on the mother and does not cause any deformity to the foetus. Such tests alone will also not result in lowering the female sex ratio. In fact, as per 1981 Census figures, the number of females per thousand males went up from 930 in 1971 to 935 in 1981 in the country.

5. As I have mentioned, the facilities for sex determination tests in the country are highly limited. Some private doctors are reported to be indulging in dubious activities of encouraging pregnant women to come forward for such tests, by exploiting the social prejudice against a female child, and thus inducing them to go for female foeticide. This is absolutely unethical, immoral and inhuman.

6. Keeping in view the possible abuse of sex-determination tests by unscrupulous Medical Practitioners, the Governments of the States and Union Territories were cautioned by the Central Government, as far back as

1977, against carrying out such tests except for the purpose of research and detection of sex-linked genetic disorders. We are reiterating the need for vigilance in the matter to all concerned.

7. The abortion of female foetus on the mere ground of sex should be condemned. Such abortions arise not due to any particular lacunae in the existing laws or scientific norms, but essentially due to social prejudices about a female child. It is in this field that the conscience of the nation has to be aroused. After all, who are the culprits in this social crime? not only the doctors but also the persons engaged in media advertisement for such practices, the people who pressurise and persuade the pregnant woman and the mother herself. As a matter of fact, the entire society, which has permitted such prejudices to survive, is responsible. It is a serious challenge to all of us to change the society and its outlook through education and social awakening to raise the status of women. Then alone we will be able to eliminate such malpractices fully.

12.15 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]  
(Interruptions)

AN HON. MEMBER: Now there is power failure. But the generator to supply power to the House should never fail.

SHRI SATYASADHAN CHAKRABORTY (Calcutta South): It only shows the shape of things to come.

MR. DEPUTY SPEAKER: Because you have made this point just now, the lights are again on.

SHRI SATYASADHAN CHAKRABORTY: It only proves that the Opposition keeps the Government going.

SHRIMATI SUSEELA GOPALAN: Mr. Deputy-Speaker, Sir, I am sorry the hon. Minister has not treated this

[Shrimati Suseela Gopalan]

subject with the seriousness it deserves. Because, what is his reply? He says:

"In India, the sex determination tests have been conducted generally for research purposes only. The number of institutions that can perform these tests are also few. As there has not been any programme for training doctors specially for performing sex determination tests, the availability of trained persons in this field is very limited. It would not, therefore, be correct to say that these tests are being performed in a large scale manner."

Then coming to the other things, about restraining these tests, he says:

"Keeping in view the possible abuse of sex-determination tests by unscrupulous medical practitioners, the Governments of the States and Union Territories were cautioned by the Central Government as far back as 1977 against carrying out such tests except for the purpose of research and detection of sex-linked genetic disorders. We are reiterating the need for vigilance in the matter to all concerned."

Then what is the solution for these crimes? He says:

"As a matter of fact, the entire society, which has permitted such prejudices to survive, is responsible. It is a serious challenge to all of us to change the society and its outlook through education and social awakening to raise the status of women. Then alone we will be able to eliminate such malpractices fully."

This is the solution that he has suggested. Actually what is the problem that has been brought forward? It is that sex-determination tests are going on in various parts of the country: in Bombay it is being done, in Delhi it is done, in Amritsar, Kanpur, Lucknow in all these areas, these tests are being conducted. Also in places where such facilities which he has mentioned are not there. They are advertising in papers. You know, sir, we are all

living in a sex-biased society. Naturally even women will say 'all right' because when they have to marry off their daughters, they have to give dowry and other things; girl is actually a burden at present therefore, even women may say that the female foetus can be destroyed.

In 1974-76, this test was conducted in the All India Institute of Medical Science, and there was a hue and cry and people raised the same objection that the female foetus are being destroyed in large numbers. So, the Medical Council had to issue a circular asking the Medical Institute to discontinue this.

The Minister says that, because of lack of facilities, this is not done in a large scale. In Bombay it is done. The fluid is flown to Bombay from various parts of India and they are testing it there. There are many malpractices. Even from Delhi 50 gynaecologists are referring these cases to Bombay; they are sending the fluid to Bombay and are having the tests done. In Amritsar, publicity is given in a large scale. In the cinema houses it is shown in slides. When our people were going in train, they got the advertisement; it was distributed in the train. Publicity in a large scale is going on. It is very much evident from the advertisement itself that this is not done for detecting sex-linked genetic disorder or any such thing. It is particularly mentioned that this is done to destroy the female foetus. What does the advertisement say?

"Most perspective couples in quest of a male child, as the social set-up in India demands, keep on giving birth to a number of female children which in a way not only enhances the increasing population but also leads to a chain reaction of many social economical and mental stresses on these families."

Amniocentesis and Antenatal sex determination has come to our rescue and can help in keeping some check over the accelerating popula-

tion as well as give relief to the couples requiring male child."

So it is quite evident that this is nothing but female infanticide and the Minister has seen it in the advertisement and also in the papers and so many women's organisations have objected to it. With all these things he now says that it is a question of changing the society alone. This legislation, which you mentioned, was these since 1977 onwards but tests are carried on in the country on a large scale. That is our complaint. We are not against the amniocentesis for finding out the abnormalities in the foetus but this is not used for that and according to doctors this is not a simple test. The Minister says that it has not harmed the child or the mother but investigations in Britain and other countries have come out with reports that it is harmful and it can cause harm to the child and the mother. This is what the MEDICAL WORLD NEWS of UK has to say in this regard about the studies of the Medical Research Council:

"Even in the hands of skillful well-equipped specialists, the procedure kills as many as 1.5 per cent of the unborn babies it is used to study, the British researchers conclude. Their fetal loss was 2.6 per cent with needle and 1.1 per cent among the controls, compared with 3.5 per cent and 3.2 per cent respectively in the smaller, older American study. Perinatal deaths, on the other hand, scored statistically identical percentages on both sides of the Atlantic 0.8 per cent with amniocentesis and 0.5 per cent without it. But unlike the Americans, the MRC group found significantly increased rates of maternal antepartum hemorrhage plus neonatal respiratory distress and major orthopedic deformities associated with amniocentesis."

This is the medical opinion but the Minister says that it will not cause any harm to the child or the mother.

So even for finding out the abnormalities in the foetus it has to be done in a well-equipped institution where all the facilities are available and where the competent doctors are there, but this is done in a place where not much facilities are there.

The Statesman has come out with a report that even the procedure they are adopting is not at all satisfactory and it is a very crude method. Actually they are not adopting the requisite tests and not only that, in several cases it has been established that the tests are not at all foolproof. In Kanpur two cases have come out where they said that it was a female foetus but later on it was found that it was a male foetus and the mother actually went mad because she was thinking it was a daughter but when it was a boy, naturally the lady will go mad. Likewise in Amritsar also in several cases the findings went wrong. This is going on and, since last year, nearly 500 cases were done by the Amritsar Bhandaris' clinics. The Minister is saying that sex determination tests are not allowed from 1977 onward. Then how are they conducting these tests? The Indian Medical Association is silent over this. The Minister is also silent. If at all, the amnio-centesis is to be done, it should be for the other purpose for finding out genetic disorders and not for the purpose of sex determination. At present these amnio-centesis test that is conducted in our country is mainly to destroy the female child.

Sir, the Minister is saying that the ratio in 1981 has gone up by 5 per cent. What was the ratio in 1901? In 1901, for every 1,000 males, the female was 972. Every census shows that it has come down. Just now there is a slight increase. The Minister is very much satisfied with the slight increase. That is how the society is treating this problem in a casual way. Like that, our Minister is also speaking. How is he going to control the tests that are going on in this country? Are you prepared to ban the tests con-

[Smt. Suscela Gopalan]

ducted in these clinics which have no facilities? I can understand if the All-India Institute of Medical Sciences carries on such tests with all the precautions that it takes. You have not suggested anything about how to control this. Some media are carrying the advertisements. I do not know whether you have any machinery to find out as to where all these tests are conducted. I want to ask specifically whether the hon. Minister is prepared to ban the tests in these private clinics where proper facilities are not there and that too amnio-ecntesis for finding out genetic disorders only should be allowed and not the sex-determination tests which, at present, at this stage of the society, will only do harm to the female population. Will you ban this test as also make an enquiry wherever the tests are done and take some action against those people who are conducting those tests?

**SHRI B. SHANKARANAND:** Sir, the hon. lady Member has not properly read my statement. She said that I have said that these tests do not cause any harm to the mothers. I have never said that in my statement.

As a matter of fact, I may repeat again what I have said in that statement. I said:

"Tests relating to sex-linked genetic disorders reveal the sex of the foetus. Such tests are carried out in various countries of the world where adequate facilities are available. They are normally taken up only after 14 weeks of pregnancy and are to be conducted by experienced and properly trained personnel who have the necessary facilities for the purpose."

I have not said that anybody and everybody can do this test.

Sir, the Government is second to none in expressing its serious concern about these things. The hon. lady Member herself has spoken here and there some time ago when she participated in the All-India Women's

Conference. She said that 'ours is a male-dominating society and women are put to so many hardships.' Who does not know this? It is common knowledge to all of us that if a male child is born in anybody's house, there is a great festivity. Everybody feels about it. The mother and the father get congratulatory letters from all over the area. There is a great festivity in every house. But, if a female child is born, you will see the atmosphere in the house. This poor mother is not respected if a female child is born to her. She is discarded. This is what is happening. (Interruption: I am not favouring this. I am only telling that I am against this. This is what is the society today. It is embedded in the social system. That is why I expressed my concern. Please help to change the society so that you look to the women with respect. From the very day a girl is born in our homes till she grows she is brought up in such an atmosphere that inferiority complex develops in her mind. She is considered to be a liability and even parents think that they have to pay so much for her marriage. This is the social system. I do not approve of it and I ask for the support of this House to change the society and let everyone who is against this come up and create an awakening. That is what I want. I don't, say I approve of the system but unfortunately this is the social system that we are having.

**MR. DEPUTY SPEAKER:** She wanted to know about banning...

**SHRI B. SHANKARANAND:** Sir, in the very meeting in which she participated, the doctors—as Press report says—persuaded not to have a total ban on it because research is required. Science has to progress. To find genetic disorder, to prevent agony of the mother and to prevent birth of a deformed child you have to carry out these tests. Such research cannot be banned.

**SHRIMATI SUSEELA GOPALAN:** The amnio-centesis tests can be done

but the sex-determination tests should not be allowed which is having a bad effect on the society. That is why we are telling that part of the test can be excluded. Secondly, it should be done only in the well-established institutions. How can private practitioners do it in their clinics? And you are encouraging it. You are not categorically saying that these kinds of tests will be banned. Further, inquiries must be held against these people and action taken. I would like to know the reaction of the hon. Minister to these things.

**SHRI B. SHANKARANAND:** Sir, our very letter which we issued in 1977 to all the State Governments and Union Territories goes to say that tests could be done only for research and medical purpose and not for female determination.

**SHRI BAPUSAHEB PARULEKAR** (Ratnagir): Mr. Deputy Speaker, Sir, we are debating a very important issue. Over this problem the women of our country are agitating and we have seen many a women organisation including Mahila Dakshita Samiti of Shrimati Dandavate have sent petitions to the Government and to the hon. Minister.

Sir, I have gone very carefully through the statement of the hon. Minister which he has read. I purposely say this because I do not want to give him an opportunity to say that I have not read the statement when he answers my queries. Many of the questions raised by Shrimati Suseela Gopalan have not been replied to and I seek permission to repeat a few questions which she asked but which remained unanswered.

Coming to point number one which the hon. Minister has referred in para 3—the number of institutions that can perform these tests are also few—I might say that probably he has not read what one of the doctors in the All India Institute of Medical Sciences has said.

Sir, it is reported:

“Dr. K. Kucheria of the All India Institute of Medical Sciences informed the meeting that such tests were being conducted in Govt. hospitals in Bombay and Meerut, in Uttar Pradesh and other places in Rajasthan. As many as 50 private gynaecologists in the Capital city of Delhi are taking such test as it had become a big money spinning racket.”

I would like to ask the Hon. Minister: Have you considered this opinion expressed by the Doctor? Have you taken any steps to find out whether this opinion is correct or not? Then I would like to ask him whether the private practitioners have the ‘adequate facilities’ referred to by him in his statement, in para 2. May I know whether they are properly qualified for doing it? You have said that in foreign countries such tests are taken where adequate facilities are available. Sir, we would really have been very happy had he enumerated what are the ‘adequate facilities’ and whether in any Government hospitals or under private practitioners such ‘adequate facilities’ are available. Only by saying that ‘with adequate facilities that can be done’, I feel, the question posed by Mrs. Suseela Gopalan remains unanswered. I would therefore request the Minister to enlighten us on this point.

The second point to which references were made by Mrs. Suseela Gopalan was that such tests lead to ‘disastrous results’. I am surprised to hear the reply of the hon. Minister wherein he said, probably he has not read the statement which he has furnished. May I invite your attention to para 4 where positively you have made a statement to that effect? But, instead of that, you are referring her to para 2 of your statement, saying, ‘I have not said so’. I would refer now to your own statement in para 4 where you have stated:

[Shri Bapusaheb Parulekar]

"The procedure leading to the tests, if done properly by specialists, has usually no adverse effect on the mother and does not cause any deformity to the foetus."

Now, I would respectfully bring to your notice the statement made by one of the lady doctors, Dr. Kaur, of the Victoria Jubilee Hospital from Amritsar. She said:

'I am aware of many cases in which the tests proved wrong, causing immense psychological trauma and the mothers who got male foetus aborted, after the clinic had declared them to be females. An important draw-back in the test is the absence of the Ultrasonography Technique, which is necessary to localise the Placenta. There was a danger of the needle hitting the Placenta at the time of extracting the fluid from the womb. This would lead to spontaneous abortion.'

She has repeatedly said this in her speech as well as in her statement. I am, therefore, surprised at the statement of the Minister that there is absolutely no danger to the mother or child. We have instances during operation where the male foetus was aborted. I would like to know as to what steps were taken by the Government since this statement was made. Secondly, may I know what steps the Government propose to take in this regard? I am well aware, Sir, that these things cannot be absolutely banned, because certain tests are useful to find out the abnormality in the foetus. But, I do not know whether the hon. Minister has come across an appeal made by certain private practitioners of Amritsar. I would like to invite his attention to the appeal published by New Bhandari Hospital, Chowk Moni, Amritsar signed by Dr. (Mrs.) Kanan P. Bhandari. I am told that in Punjab, especially, Amritsar, most of the doctors practising in these tests are women. I would like to refer to the first para of the appeal. I would

like to quote this for the information of the hon. Minister. It says:

"Most prospective couples, in quest of a male child, as the social set-up in India demands, keep on giving birth to a number of female children which, in a way, not only enhances the increasing population of women, but also lead to a chain reaction of many social, economical and mental stresses on these families. Amniocentesis and Antenatal Sex determination has come to our rescue and can help in keeping some check over the accelerating population as well as give relief to the couples requiring male child."

Do you agree with this Mr. Minister? This was published long ago. Have you taken any action on this? If not, what steps are you going to take in this regard? It is very easy to say that there are a few cases and that too only in Government hospitals it is being done. I would, therefore, respectfully invite your attention to the fact that such things are being published and issued not only in Punjab and Amritsar but throughout the country. I would like to know what steps the Government propose to take in this connection.

I may also invite the attention of the hon. Minister that when he says that there is not much risk in it, Shrimati Suseela Gopalan referred only to the report of the UK Medical Practitioners. She was unable to quote that. But it is necessary for me to quote that so as to bring it to the notice of the hon. Minister. He has stated that there is absolutely no risk involved. It is not only not true but totally false. There is no sufficient information and the instruction given by the Ministry to the hon. Minister is wrong. The report mentions as—

"The report to the Medical Research Council of the British Royal College on the same subject con-

cludes that the added risk of amniocentesis is substantially greater."

The report further mentions—

"In summary, the report urges that amniocentesis not be regarded as fully safe and that it should be employed only where the risks of fatal abnormality are in substantial excess of the risks of the procedure."

Is this direction followed which was given by the experts in the U.K.? Now, are you not taking steps even at this stage? You further say that in 1977 you had given instructions to all the States asking them to take steps. Are you in a position to tell this august House as to which States have taken any steps? What steps have been taken by them? And in spite of these steps, such instances are on the increase. How are you going to stop this practice? Already you made an appeal to the people of this country and Members of this House. What concrete steps are you going to take in this connection? Is it not necessary that if such tests are carried out to find abnormality in the foetus, that should be done by the experts and that too in the recognised hospitals? You have not taken steps. You only referred to the speeches made by the hon. Members of this House that they have been persuaded not to accept that sort of test. In this connection, if it is not possible for you to ban the entire test the question which I would like to ask is this: whether the Government would ban the use of amniocentesis test only to determine the sex of the child and not for the purpose aborting the female child? Only to that extent, will you answer? Do you really feel that this question can be solved and we can come to a proper conclusion by making a legislation?

Now, you have also referred not to doctors but the media advertisement the people who pressurize including mothers. I would appeal to the hon.

lady Members and all the women of this country that if they decide not to submit to this test, the question can be solved. Now what steps the Minister will take? Now, can we say that those women who submit to these tests should be punished for this? If you want to stop this in the interest of the foetus, in the interest of children who are going to be born—they should not be born with abnormality—some serious steps should be taken. Neither myself nor my learned colleagues will be satisfied that in the year 1971 or 1977 orders were issued to take steps without informing us what steps have been taken so far. I would respectfully request the hon. Minister to apply his mind seriously and not rely on the instructions given by his Ministry. But you can very well through the reports which have been published, and the reports of the doctors under your Ministry, important and qualified doctors who are working in the All India Institute of Medical Sciences.

SHRI B. SHANKARANAND: Sir, the hon. Member has tried to interpret and explain this problem in the form of legality and technicality, but he has forgotten the point which I stressed, that is the human aspect of the problem. This is not only a technical problem, or a medical problem or a legal problem, as I said, this is basically a human problem, a social problem.

The hon. Member expressed his concern as it was going on on a very large scale in this country. In this connection, I would like to quote the sex ratio figures right from 1901 to 1981... (Interruptions). As you went into the technical aspect of the question, I am giving you the technical answer. You said that there are many private people who are practising this in Delhi, Bombay and other places. I am not justifying whether there is any or none. If that is so, and there are any, action should be taken against them, because they are not doing it in good faith, but they are



[Shri B. Shankaranand]

doing it with *mala fide* intentions of killing the female children. That is what I say that action should be taken against them. I do not say that action should not be taken against them.

The sex ratio in 1901 was: 972 female children as against one thousand male children. In 1911, the number of female children came down to 964; in 1921, it came down to 955; in 1931, it came down to 950; in 1941 it came down to 945. In 1951. It went up a little and became 946. In 1961, it went down again to 941 and in 1971, it again came to 930. There were no tests in those days and no abortions like this were taking place, but even then the female population went down. But during the decade 1971—81, it improved. What I mean to say is that it is not on a large scale where it is going to affect the female and male ratio in this country. (*Interruptions*) Let not the House have an impression that I am justifying the destruction of female foetuses; I am not justifying that, but let us not forget that this is done by unscrupulous people who want to make money out of it. I have never said that this is not bad.

Then, the hon. Member was concerned to note that there are 50 private people who are doing this in this city. Government is not aware of it. If the hon. Member knows any instances, he may bring it to our notice and we will take the required action.

SHRI BAPUSAHEB PARULEKAR: Are we to take it that there is none in Delhi?

MR. DEPUTY-SPEAKER: He has no information.

SHRI B. SHANKARANAND: I cannot presume that there are many unless I have information about them... (*Interruptions*)

SHRIMATI SUSEELA GOPALAN: Many doctors have said that. You are avoiding the question.

SHRI B. SHANKARANAND: We have the only representation from the Secretary, All India Coordination Committee of the Working Women; she has also not given me any facts and figures or any particular instances where these things have happened... (*Interruptions*)

SHRI BAPUSAHEB PARULEKAR: You can verify this from the doctors of All India Institute of Medical Sciences.

SHRI B. SHANKARANAND: You have referred to Dr. Kaur and her experience regarding this. While posing your question, you have yourself given the answer, saying that this particular instrument which is necessary for determining the sex was not there. And if it is not there, it cannot be done. You have yourself said that.

I have never said that there is no risk in determining the foetus and the abnormalities in foetus. There are risks. And if there is no properly trained person, with all the necessary equipment for the test, there is a risk and it may cause harm both to the mother and to the child. But even there, there is not one hundred per cent success. There are failures not only in this, but in many other medical treatments and operations. You cannot guarantee one hundred per cent success in these. There is an element of risk. But the test cannot be banned because we have yet to find out whether foetus is suffering from any genetic disorders relating to sex.

MR. DEPUTY-SPEAKER: But misuse can be stopped by the Government.

SHRI B. SHANKARANAND: Yes, Sir, misuse can be stopped and they should be stopped. That is what I say, Sir.

SHRI BAPUSAHEB PARULEKAR: Sir, are you satisfied with the reply?

**MR. DEPUTY-SPEAKER:** Your satisfaction is my satisfaction. Are you satisfied.

**SHRI BAPUSAHEB PARULEKAR:**  
No, Sir.

**SHRI BALASAHEB VIKHE PATIL** (Kopergaon): Sir, I will not take much of the time of the House. Already the Hon. Minister has replied to a number of questions.

Sir, already some publications on this have come out. So, I would like to know from the Hon. Minister after the advertisement of this test in the papers, what action has been initiated, by the Government itself? Actually we find that when some news comes out in the Press, on the basis of which the House may discuss the issue, only then the Government initiates action. So, firstly I would like to know how the action is initiated by the Government itself on its own?

In Amritsar already the Government officials have initiated some action after this type of test was discussed in the State Assembly.

According to some Medical practitioners, the MTP Act is inadequate to cover this type of tests. But the Hon. Minister has said there is no need for amendment of this particular act. It already covers everything. But the Hon. Minister must note that private medical practitioners are carrying out such tests and are making money. As per my knowledge also the MTP Act does not cover this. So, I would like to know from the Hon. Minister, if he is not going to amend the Act, how is he going to protect the status of the women, which is related to this issue? All of us are here due to some mother. So, it is a question of status of the woman.

I agree that the Government is taking very comprehensive steps on this. This test is in research stage. But my question is how is the Government allowing private practitioners in this type of research work? Research is always going on in the Gov-

ernment hospitals or in research hospitals. So, I would request the Hon. Minister to kindly ban all these tests performed in private hospitals or by private doctors so that misuse of such tests can be minimised.

I would also like to know from the Hon. Minister whether there is any registration with the government hospitals or recognised bodies for the determination through such tests on the unborn child whether it is male or female. If there are cases, the young mother must be informed about this and her opinion must be found out. Many housewives, young girls may not agree with it and as we are hearing of dowry deaths or suicide, we may be leading them to this type of action because of this also.

I agree with the Hon. Minister for the need to educate the society so that the society cooperates in this regard.

Apart from finding out the sex of the foetus by way of these tests, there may also be something wrong with the man. All the time we cannot say there is something wrong with the woman. So, has any system been evolved by the Government, or by the research organisations in cases where always a female is born, by which to find out whether in that particular man there is some sex-deficiency. If there is any research of this type, I would like the Hon. Minister to throw some light. The Hon. Minister can straightway answer the four or five questions that I have put to him, because I am not particular about the question whether you will pursue with imposing a ban on this or not. If the Hon. Minister answers these questions, I will be very thankful to him, because our Hindu culture and Indian society never accept things like this. It is a very great tragedy, in my opinion.

13.00 hrs.

**SHRI B. SHANKARANAND:** The hon. Member has asked: what action is Government taking on this? This has

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happened, as Mr. Parulekar said, at Amritsar; and a recent case from Jullunder has come to notice. I asked the Government of Punjab as to that action they have taken and they have reported to us. (*Interruptions*) I agree with the hon. Members that this is the New Bhandari Hospital having both husband and wife; the wife is not a resident of Punjab, but of some other State, but still she is practising there. Punjab Government have taken action. They have said "While sex determination tests are being conducted in this clinic/hospital at Amritsar, no information on foeticide on the basis of such tests has been reported." What they have said is that this clinic or hospital only carried out the test; and they don't do the medical termination of pregnancy there in that hospital. That is what the Government have said. They are further looking into the matter and they are watching it. They want to take further action in the matter.

While an administrative enquiry was conducted on 14-7-1982, no criminal investigation has been started. We asked the Government to do all the things possible under the law to take steps against those people. The clinic performing antenatal sex determination tests is not approved for conduction MTP. This Bhandari Hospital is not at all approved for medical termination of pregnancy. (*Interruptions*)

The Punjab Government says that it is not going to give permission for MTP purposes to this clinic. The lady doctor of the clinic is not registered, as I have already said, with the Punjab Government. She has been asked not to carry out any private practice in the State of Punjab. The Punjab Government have addressed the Registrar of the Punjab Medical Council to enquire into the matter and to proceed further according to the rules.

Recently, a complaint has been received by the Medical Council of

India from Dr. G. S. Khadra who is a Reader in Anatomy in the Ajmer Medical College, and he has filed an affidavit saying that this couple are advertising. He has given an affidavit saying that Dr (Mrs) Bhandari advertised her capability to determine the sex of unborn baby in early pregnancy; and he has sent a copy of the advertisement also to the Medical Council of India. The Medical Council of India has sought certain further information; and whatever is possible, they are going to take action against these people.

The hon. Member spoke about our culture, and about an amendment to the MTP act. If I remember it, some time this year or the year before, when this MTP Act was discussed—I don't remember; I may be corrected—either in this House or in the Rajya Sabha—the Members of Parliament wanted further to liberalize the MTP provisions and give freedom to the mothers. They wanted further liberalization of the provisions for MTP. This is what was the demand. Now, here, they are demanding a ban. So, this is a matter where further details are, of course, needed; and I can say that whatever legal action can be taken in these matters, will be taken by the Government.

SHRI E. BALANANDAN (Mukundapuram): The Minister just made a statement, evading the real point at issue. We, the Members of Parliament are not against scientific investigation. We stand for science; but we also stand against wrongly utilizing science for killing female foetuses. that is being done here. The issue to be discussed and answered by you is whether you are going to take proper steps to stop these so-called doctors; I am consciously saying so-called doctors I mean those crooks styling themselves as doctors are helping the people; they can also be called doctors in India. What is the issue we are discussing now? A female child in India (Bharat) is a very terrible thing

for the mother. Why? When a female child is born, she will think of her dowry, education and so many other things in India. Females are not treated equally. Therefore, what is the advertisement here? The last portion says, "The couples requiring male child." What is this male child and female child? In our society, in the present day concept, a female child is a liability.

PROF. MADHU DANDAVATE:  
Future Prime Minister?

SHRIMATI SUSHEELA GOPALAN:  
How many Prime Ministers we can have I do not know?

SHRI E. BALANANDAN: However, we are having our lady Prime Minister. Very good. But in India (Bharat) our ladies, our mothers cannot give a birth to a female child; and this is being exploited by the great doctors of Punjab. How lightly my hon. Minister was talking about the steps taken by the Punjab Government? It is advertised in all the papers of the country. "If it comes, he will do a test and the female child can be killed"; that is being advertised. I do not say that for this offence, they should be punished under Section 307 IPC, because my lawyer friends may say that so many things are involved if you say like that. I will ask the Minister to read two or three small things. (1) The "State-man" dated July 1982 in which they have elaborately brought out the issues involved, also—the *Indian Express*, dated 14th July, 1982; "You asked us to point out whether anything is done in Delhi." With your permission, may I ask the Minister one thing? Is it the duty of the Members to find out the names of doctors and submit a petition to the Government asking the government to conduct some enquiry? It is found by evidence that doctors, five of them, collectively joined and advertised by saying that if you do this we will make

you get only a male child and female child will be killed. Has he done something about it? He has asked the Punjab Government about it and the Punjab Government said, "It is being investigated; some criminal action they may take." How lightly are they treating it? The Minister in the end said, "The society by and large is to be changed. Without social change what can you do?" Very good. I agree with you. But till we change the society, what are you going to do? The All India Medical Institute said, "We are not conducting this." Then what more greater authority is required than this prestigious Institute? Those doctors said, "It is not safe to conduct this kind of test." Is it not the responsibility of the Government to act on the basis of those eminent doctors of the All India Institute of Medical Sciences who said: "This should not be done in the country." We the Members of this House demand whether the Government will enquire whether any doctor in Delhi and its suburb is practising this kind of female-foetuses-killing by this test. Will the Government publicly declare in this House that they will take steps against them. We are not against scientific development; we are for that. We do not want the cover of scientific development for this kind of female-child-killing. Therefore, will the Government make a public statement that they will take definitely legal steps against those who did this kind of female-foetuses-killing?

SHRI B. SHANKARANAND: We hon. member has put two questions. The first is whether we can enquire and find out all those doctors practising in Delhi and elsewhere in the country: whether they are practising or carrying out such tests—and in order to induce the mother for pregnancy insight—and also what action, legal action we will take against such persons. They are very good questions. I do not disagree with the hon. member. But Government can take action only if we have any informa-

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tion also. I don't say that the hon. members should furnish the information. But I would not also say that they should not hesitate to send any information if they have any. As far as Punjab is concerned, I have already told that we are taking action against them. As for as MCI is concerned, it is in the process of taking action. (Interruptions). The Punjab Government is taking action and the Medical Council of India is also in the process of taking action. They are collecting further information and they will take whatever action is possible under the law. Let us not forget that our culture is a great culture. We said how to respect our women. why?

‘यत्र नायस्तु पू यन्ते रमन्ते तत्र देवता’

This is our basic culture and this culture has been forgotten.

MR. DEPUTY SPEAKER: We have enough slogans in our country more than in any other country.

SHRI E. BALANANDAN: It is also there.

‘न स्त्री स्वातन्त्र्यं अर्हति’

SHRI B. SHANKARANAND: We have to revolt against such dogmas and we have to take action against them.

MR. DEPUTY SPEAKER: For your information, Mr. Minister, in our country only, God came in 10 Av-taras—in no other country.

SHRI B. SHANKARANAND: We are talking about women and saying that women are respected as Goddess in our country. But the social customs, the property laws, the Succession Act which prevented ladies from having equal share in the property made ladies as second class citizens of the country because of the bad customs and the traditions that we followed; and now after independence,

after the Constitution having come into force, there is no discrimination on the ground of sex between man and woman. All that we want is that we should do it together instead of securing any point against the Government. May I appeal to all the members to help change the society? Otherwise, we will all be treated as hypocrites talking something here and doing something outside in our houses.

MR. DEPUTY SPEAKER: The House stands adjourned for lunch to meet at 2.15 p.m.

14.00 hrs.

The Lok Sabha adjourned for much till fifteen minutes past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at twenty-one minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

DELHI MOTOR VEHICLE TAXATION (AMENDMENT) BILL\*

नौवहन और परिवहन मंत्रालय में राज्य मंत्री (श्री सीता राम केसरी) :

उपाध्यक्ष महोदय; मैं प्रस्ताव करता हूँ कि दिल्ली मोटर यान कराधान अधिनियम, 1962 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए ।

MR. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Delhi Motor Vehicles Taxation Act, 1962.”

The motion was adopted.