



P.L.RAJ IAS & IPS ACADEMY

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1. PCPNDT Act – Polity

The Supreme Court of India recently delivered a significant observation calling for strict and effective enforcement of the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994. The court expressed serious concern over the continued societal preference for male children across large parts of the country and the persistence of sex-selective practices rooted in deeply entrenched patriarchal attitudes. While acknowledging progress in certain states and urban pockets, the court noted that several states continue to report sex ratios at birth below the national average – a troubling sign that the problem is far from resolved.

1.About the PCPNDT Act, 1994

The PCPNDT Act is the primary legal framework governing the misuse of medical technology for the detection and disclosure of the sex of a foetus. It prohibits sex selection both before and after conception. All genetic counselling centres, genetic laboratories, genetic clinics, ultrasound clinics, and imaging centres are mandated to register under this law and comply with detailed documentation requirements.

The punishment framework under the Act is graduated. A first offence attracts imprisonment of up to three years and a fine of up to Rs 10,000. Subsequent offences attract up to five years imprisonment and higher financial penalties. Medical practitioners found guilty may also face suspension or cancellation of registration by the State Medical Council, making the professional consequences equally serious.

Sex Ratio Data – A Disturbing Picture

Data from Census 2011 places the overall sex ratio at 943 females per 1,000 males at the all-India level. The rural sex ratio stood at 949 and urban at 929. Disaggregating by age group, the sex ratio for the 0–19 age group was a deeply concerning 908, while the 60+ age group showed 1,033 – indicating differential survival disadvantage for females in younger cohorts. The economically active group (15–59 years) stood at 944. Regionally, Kerala recorded the highest sex ratio at 1,084, followed by Puducherry at 1,037, while Daman and Diu recorded the lowest at 618, followed by Dadar and Nagar Haveli (774) and Chandigarh (818).

The National Family Health Survey (NFHS-5, 2021) reported a sex ratio at birth of 929 and an overall population sex ratio of 1,020. The high overall sex ratio masks the deeply skewed sex ratio at birth, which reveals the extent of sex-selective practices.

2.Root Causes of Historical Sex Ratio Imbalance

The imbalance in India's sex ratio is the outcome of a confluence of deep-seated cultural, social, and economic factors.

1. **Cultural preference for sons** has historically been dominant across caste groups and regions. Sons were seen as essential for carrying forward the family name, performing last rites, and providing financial security in old age.
2. **Dowry practices** rendered daughters an economic liability for families, especially in agrarian and lower-income households.

3. **Gender discrimination in healthcare and nutrition** historically resulted in higher female infant and child mortality due to systematic neglect.
4. **Female infanticide** was practised in parts of Rajasthan, Punjab, and Tamil Nadu, with female infants abandoned or killed at birth.
5. **Sex-selective abortion** became widespread following the availability of ultrasound technology from the 1980s onward, enabling identification of foetal sex and targeted termination of female foetuses — precisely the practice the PCPNDT Act was enacted to address.
6. **Economic logic of agrarian societies** reinforced son preference, as male labour was disproportionately valued in field-intensive agriculture.

3. Government Initiatives

Several policy interventions have been undertaken to address the sex ratio crisis.

1. **Beti Bachao Beti Padhao (BBBP)**, launched in 2015, is the flagship campaign combining awareness-generation with specific programmatic interventions to address gender-based discrimination. Initially focused on 100 districts with the lowest Child Sex Ratio, it was subsequently expanded nationwide.
2. **Sukanya Samriddhi Yojana** incentivises families to invest in the future of the girl child through a high-interest, tax-exempt savings scheme, promoting a positive perception of daughters.
3. **Pradhan Mantri Matru Vandana Yojana (PMMVY)** provides direct financial assistance to pregnant women and lactating mothers, reducing the economic burden of childbearing and supporting maternal and child health.
4. **National Health Mission (NHM)** has focused on improving maternal health infrastructure, reducing female mortality across the life course, and expanding reproductive healthcare access to underserved regions.
5. **Awareness campaigns and legal reforms** have sought to sensitise communities, healthcare providers, and local governance bodies to the imperative of gender equality.

Significance of the Supreme Court's Direction

The Supreme Court's intervention reflects ongoing concern about implementation gaps in the PCPNDT Act despite its existence for over three decades. Enforcement has been uneven across states, with inspections of ultrasound clinics and prosecution of violators remaining inadequate. The judicial push brings renewed urgency to the administrative machinery — including appropriate authority boards, regular audits of Form F records, and fast-track prosecution of offenders.

4. Way Forward

1. **Strengthening enforcement architecture** through regular, surprise inspections of registered ultrasound clinics and strict action against non-compliant units is the immediate priority.
2. **Community-based awareness** through sustained Beti Bachao Beti Padhao campaigns must go beyond urban and literate audiences to reach deeply patriarchal rural communities.
3. **Improving women's access to education, healthcare, and economic opportunity** is the most durable long-term intervention. Educated and economically empowered women are better able to resist family pressure for sex selection.
4. **Changing social norms** around dowry, son preference, and the perceived burden of daughters requires gender-sensitive education at all levels and active engagement with men as agents of change.
5. **Robust data collection** through regular time-use surveys, district-level sex ratio monitoring, and SRS updates enables evidence-based targeting of interventions.

6. **Judicial accountability mechanisms** — including mandatory reporting of prosecutions and conviction rates under PCPNDT to the Supreme Court — can help sustain enforcement pressure.

Source - <https://newsonair.gov.in/sc-necessitates-stringent-implementation-of-pcpndt-act-illustrating-gravity-of-gender-imbalance/#~~~text=The%20Supreme%20Court%20today%20underscored,in%20deeply%20entrenched%20patriarchal%20attitudes.>