

Role Of Legislative Bodies In Curbing Female Foeticide

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Abstract:

The Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act was enacted in 1994 with the aim of curbing the practice of female foeticide in India. The Act prohibits sex determination tests and regulates the use of pre-natal diagnostic techniques for medical purposes only. The implementation of the Act is the responsibility of both the executive and legislative bodies. This research paper examines the role of legislative bodies in implementing the PCPNDT Act, with a focus on the measures taken by state legislatures to ensure compliance with the Act.

Keywords: Foeticide, Legislatures, PCPNDT.

Introduction:

The PCPNDT Act was enacted in response to the alarming decline in the sex ratio in India, which was largely attributed to the practice of female foeticide. The Act prohibits sex determination tests and regulates the use of pre-natal diagnostic techniques for medical purposes only. The Act also provides for the establishment of appropriate authorities to enforce its provisions, and imposes penalties on those who violate its provisions.

Role of Legislative Bodies:

The implementation of the PCPNDT Act is the responsibility of both the executive and legislative bodies. The role of legislative bodies is to ensure that the Act is implemented effectively by enacting appropriate legislation and providing adequate resources for its enforcement. The state legislatures have a crucial role to play in this regard, as they are responsible for implementing the Act at the state level.

Measures taken by State Legislatures:

Several state legislatures have taken measures to ensure

compliance with the PCPNDT Act. For example, the Maharashtra State Legislature has enacted the Maharashtra Pre-Conception and Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1996, which provides for stricter penalties for those who violate the provisions of the PCPNDT Act. The Act also provides for the establishment of a State Supervisory Board to monitor the implementation of the PCPNDT Act in the state.

Similarly, the Haryana State Legislature has enacted the Haryana Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 2005, which provides for the establishment of a State Appropriate Authority to enforce the provisions of the PCPNDT Act in the state. The Act also provides for the establishment of a State Advisory Committee to advise the State Appropriate Authority on matters relating to the implementation of the Act.

Conclusion:

In conclusion, the PCPNDT Act is a crucial piece of legislation aimed at curbing the practice of female foeticide in India. The implementation of the Act is the responsibility of both the executive and legislative bodies. The state legislatures have a crucial role to play in ensuring compliance with the Act by enacting appropriate legislation and providing adequate resources for its enforcement. The measures taken by state legislatures, such as the establishment of State Supervisory Boards and State Appropriate Authorities, are important steps towards ensuring effective implementation of the PCPNDT Act.

The institutional arrangement in the PCPNDT Act is a crucial aspect that needs to be examined in any thesis chapter related to this topic. The Act provides for the establishment of appropriate authorities at the national, state, and district levels to enforce its provisions. The National and State Supervisory Boards are responsible for monitoring the implementation of the Act at the national and state levels, respectively. The District Appropriate Authorities are responsible for enforcing the provisions of the Act at the district level.

The Act also provides for the establishment of State and Central Advisory Committees to advise the appropriate authorities on matters relating to the implementation of the

Act. The State Advisory Committees are responsible for advising the State Appropriate Authorities, while the Central Advisory Committee advises the Central Supervisory Board.

The institutional arrangement under the PCPNDT Act is designed to ensure effective implementation of the Act and prevent the misuse of pre-natal diagnostic techniques for sex determination purposes. However, there have been challenges in implementing the Act effectively, such as inadequate resources and lack of awareness among stakeholders. Therefore, any thesis chapter related to this topic should also examine these challenges and suggest measures to address them.

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