

MINISTRY OF HEALTH AND FAMILY WELFARE**(Department of Health and Family Welfare)****NOTIFICATION**

New Delhi, the 7th February, 2012

G.S.R. 80(E).— In exercise of the powers conferred by section 32 of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (57 of 1994), the Central Government hereby makes the following further amendments to the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Rules, 1996 namely :-

1. (1) These rules may be called the **Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Amendment Rules, 2012.**

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Rules, 1996 (herein after referred to as the said rules) in rule 2, after clause (f), the following clauses shall be inserted, namely: -

'(g) "Mobile Medical Unit" means a mobile vehicle which provides specialised facilities for the patients, requiring basic specialist services and provides improved access to healthcare facilities and equitable distribution of health services at the doorsteps, across the country, especially in the underserved areas'.

'(h) "Mobile Genetic Clinic" means a mobile medical unit where ultrasound machine or imaging machine or scanner or other equipment capable of determining sex of the foetus or a portable equipment which has the potential for detection of sex during pregnancy or selection of sex before conception is used'.

2. In the said rules, after rule 3A, the following rule shall be inserted, namely:-

"3B (1). Regulation of portable machines- The use of portable ultrasound machine or any other portable machine or device which has the potential for selection of sex before conception or detection of sex during pregnancy shall be permitted only in the following conditions, namely :-

(a) the portable machine being used, within the premises it is registered, for providing services to the indoor patients ;

(b) as part of a mobile medical unit, offering a bouquet of other health and medical services;

Explanation.- For the purpose of this sub-rule, the expression "other health and medical services" means the host of services provided by the mobile medical unit which may include the following, namely:-

(i) Curative

- (a) Referral of complicated cases;
- (b) Early detection of TB, Malaria, Leprosy, Kala-Azar and other locally endemic communicable diseases and non communicable diseases such as hypertension diabetes, cataract cases etc;
- (c) Minor surgical procedures and suturing;
- (d) Specialist services such as O and G Specialist, Paediatrician and Physician;

(ii) Reproductive and Child Health Services

- (a) Ante natal check up and related services;
- (b) Referral for complicated pregnancies;
- (c) Promotion of institutional deliveries;
- (d) Post-natal check up;
- (e) Immunization clinics;
- (f) Treatment of common childhood illness;
- (g) Treatment of Reproductive Tract Infection or Sexually Transmitted Infections;
- (h) Adolescents care such as lifestyle education, counselling, treatment of minor ailments.

(iii) Family Planning Services

- (a) Counselling for spacing and permanent method;
- (b) Distribution of contraceptives

(iv) Diagnostic

- (a) Investigation facilities like haemoglobin, urine examination;
- (b) Clinical detection of leprosy tuberculosis or endemic diseases;
- (c) Screening of cancer etc.

(v) Specialised facilities and services

- (a) X-ray;
- (b) ECG;
- (c) Ultrasound test

(vi) Emergency services and care in times of disaster or epidemic or public health emergency or accidents etc'.

(2).Regulation of services to be offered by Mobile Genetic Clinic-

(a) A Mobile Genetic Clinic shall operate and offer pre-natal diagnostic techniques, only as part of a Mobile Medical Unit offering a bouquet of other health and medical services, in urban slums or rural or remote or hilly or hard to reach areas for improved access to health care services by underserved populations.

(b) The machine under no circumstances shall be used for sex determination of the foetus

(c) The stand alone mobile ultrasound clinic offering only pre-natal diagnostic facilities are prohibited.

(d) The mobile medical unit offering diagnostic services shall have adequate space for providing the facilities to patients".

3. In the said rules, in rule 4, after sub-rule (ii), the following sub-rule shall be inserted, namely:-

"(iii) - The registration of a genetic clinic shall also include the registration of each and every mobile genetic clinic offering pre-natal diagnostic facilities as part of a medical mobile unit and such a vehicle has to be registered as a mobile genetic unit".

4. In the said rules, in rule 6, after sub-rule (2), the following sub-rules shall be inserted, namely:-

"(2) A(a) One copy of the certificate of registration shall be displayed by the registered mobile medical unit inside the vehicle at a conspicuous place.

(b) The certificate of registration for such unit, shall clearly specify the following :-

- (i) the area of its operation, which shall not exceed the district wherein it is registered;
- (ii) the number of portable machines installed and being used in the vehicle;
- (iii) the make and model number of the portable machine;
- (iv) the registration number of the vehicle;
- (v) full address of the service provider for the mobile medical unit".

(2)B. The portable equipment used for conducting pre-natal diagnostic test shall be an integral part of the mobile medical unit and such equipment shall not be used outside such unit under any circumstances.

(2)C. In case of a breakdown of the vehicle or for any other reason due to which the registered unit cannot be used as a Genetic Clinic, the Appropriate Authority has to be informed within a period of seven days.

5. In the said rules, in rule 9, in sub-rule (1), for the words "Genetic Clinic" the words "Genetic Clinic including a Mobile Genetic Clinic" shall be substituted.

6. In the said rules, in rule 9, in sub-rule (4), for the words "Genetic Clinic" the words "Genetic Clinic including a Mobile Genetic Clinic" shall be substituted.

[F. No. N. 24026/60/2008]

ANURADHA GUPTA, Jt. Secy.

Note : The principal notification was published in the Gazette of India vide G.S.R. 1(E), dated the 1st January, 1996 and amended, vide notification No. G.S.R. 109(E), dated the 14th February, 2003.