



AMENDMENTS TO THE PC & PNDD RULES, 1996

Workshop for State Appro. Auth. & Nodal Officers

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SUPREME COURT DIRECTIONS

4th May 2001

- Implement PNDD Act with all vigor and zeal.
- Review and monitor the implementation of the Act.
- Regular Submission Of QPR
- Notify DAA, DAC
- Prompt action against all violators under the Act.

31st March 2003

- Ultrasound machine seller should furnish sales report to SAA.
- Publish annual reports at centre/ state level
- Appropriate authorities should maintain the records of all meetings of the Advisory Committees
- The National Monitoring And Inspection Committee should conduct periodic inspections till the Act is effectively implemented.
- Public would have access to the records maintained by different bodies constituted under the Act

AMENDMENT TO RULE 11 (2) of PC & PNDT RULES

- Rule 11(2) under the Act has been amended vide GSR. 426(E) dated 31st May, 2011

Earlier Rule 11(2)	Amended Rule 11(2)
<p>The Appropriate Authority or the officer authorized by it may seal and seize any ultrasound machine, scanner or any other equipment, capable of detecting sex of foetus used by any organization if the organization has not got itself registered under the Act. These machines of the organizations may be forfeited if such organization pays penalty equal to five times of the registration fee to the Appropriate Authority concerned and gives an undertaking that it shall not undertake detection of sex before or after conception.</p>	<p>The Appropriate Authority or the officer authorized by it may seal and seize any ultrasound machine, scanner or any other equipment, capable of detecting sex of foetus used by any organization if the organization has not got itself registered under the Act. These machines of such organizations shall be confiscated and further action taken as per the Section 23 of the Act. (Non-registration)</p> <p>*Section 23 provides for punishment upto 3 years imprisonment and fine upto Rs 50,000/</p>

KEY ISSUES DELIBERATED IN THE 18TH MEETING OF THE CENTRAL SUPERVISORY BOARD

- Medical Council of India (MCI) has proposed the minimum criteria regarding qualifications, training, accreditation of training institutes and the content of training, in determining who should be recognized as qualified to undertake ultrasound tests & valid registration under the PNDT Act.
- Amendment with regard to regulation of portable Ultrasound equipment to curb their widespread misuse
- Multiple registrations of doctors at ultrasound facilities
- Increase in Registration fee of facilities/clinics registered under the PNDT Act.

Contd...

- **Amendment to Rule 13 of the PNDT Rules**
- **Monitoring of disposal/sale of second hand/re-assembled ultrasound machines.**
- **MCI to take steps to suspend/cancel registration of doctors convicted under the Act.**
- **Professional bodies would evolve a code of conduct for their members to ensure they don't indulge in illegal sex determination and sex selection and enforce it strictly. They should also convey information about violations to the Appropriate Authorities.**

AMENDMENT to RULE 3(1) (b) OF THE PC & PNDT RULES

	Existing Provisions in PC & PNDT and Rules	Proposed Amendment
1.	Rule 3 (1) (b) states that "Any person having adequate space and being or employing a sonologist, imaging specialist, radiologist or registered medical practitioner having post graduate degree or diploma <u>or six months training or one year experience in sonography or image scanning.</u> "	"Any person having adequate space and being or employing a sonologist, imaging specialist, radiologist or registered medical practitioner having post graduate degree or diploma or six months training in the manner as may be prescribed"

Qualifications of USG service providers

- Radiologist having Post Graduate Qualification in Radiology/ Imaging Sciences, as specified in the schedule I/II/III of the IMC Act of 1956. (Modified because of different PG degrees and their nomenclature in different states)
- II. Ob/ Gyn. having Post Graduate Qualification in Ob./ Gyn., as specified in the schedule I/II/III of the IMC Act of 1956.
- III. DNB qualification in Radiology /Obs/Gyn, as equated and as per provisions of the Medical Council of India for equivalence.
- IV. MBBS graduate from recognized University in India or any other foreign medical graduate qualification recognized by the Medical Council of India with Six (6) months of Obs/Gyn ultrasound training at any Govt. recognized teaching institute

Contd.

- Teachers in Radiology and Obs/Gyn department of medical colleges would be considered as 'Sonologist' and therefore deemed to be registered under the PC & PNDT Act. Hence radiologist and Gynecologist with PG qualification do not require any further training to be eligible to perform USG under the provisions of the PCPNDT Act.

The Names of recognized Institutions state-wise to be notified.

Govt. Institution

The training centre should be a Govt. recognized teaching institution. As such it should have the requisite infrastructural facilities, equipment / machinery & trained faculties. The recognition and monitoring of various teaching & training centres will be done by respective State Government and the list of such appropriate centres will be notified by respective State Government.

- It will be mandatory for the existing training centres to apply to the state authority for recognition of their centres within four (4) months of these amendments in the PC-PNDT Act. It will be the responsibility of State Governments to display the list of all such training centres recognized for the purposes of training within six months of these amendments in the PC-PNDT Act.

Contd...

- The above changes would be implemented prospectively and doctors who have already been granted registration under the PC-PNDT Act on the basis of 6 months training or experience would require to take a competency based exam for continuation of their registration on a retrospective basis.
- CSB further decided that a committee would re-evaluate the proposed 300 hour syllabus with a view to make it more broad-based so as to impart comprehensive skills on ultrasonography rather than limit the skills to Obs./Gynae only.
- The Committee would also outline a uniform framework for accreditation of training institutes by States including competency based evaluation.

TRAINING

- Any MBBS graduate will be eligible for training in Ob./Gyn. USG at such Govt. recognized teaching centers. Such a trained MBBS graduate (without post-graduate qualification) will then be entitled to practice Ob./Gyn. USG.
- Radiologists with approved post graduate qualification by Medical Council of India /NBE do not require any additional training to conduct any ultrasound examinations. Gynecologists & Obstetricians also do not need to undergo training as ultrasound training is part of their curriculum.

AMENDMENT TO RESTRICT REGISTRATION OF DOCTORS

Registration of Radiologists

- Registration of a radiologist/sonologist with ultrasound clinics to be restricted to a maximum of 2 clinics/facilities within the district
- Working hours to be clearly specified in the registration itself.
- Number of hours which the Registered Medical Practitioner would be present in each clinic would be specified clearly.

AMENDMENT TO INCREASE REGISTRATION FEE

Increase in Registration fee of Bodies/Clinics

Enhancement in Registration fee for bodies under Rule 5 of the PNDT Rules 1996, conditions for renewal remaining unchanged.

Every application for registration under rule 4 shall be accompanied by an application fee of:

- (a) Rs.25,000 for Genetic Counselling Centre, Genetic Laboratory, Genetic Clinic, Ultrasound Clinic or Imaging Centre.
- (b) Rs.35,000 for an Institute, Hospital, nursing home or any place providing jointly the service of a Genetic Counselling Centre, Genetic Laboratory and Genetic Clinic, Ultrasound Clinic or Imaging Centre or any combination thereof.

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AMENDMENT TO RULE 13 OF THE PNDT RULES

Rule 13	Existing Provision	Amendments Approved by CSB
Intimation of changes in employees, place or equipment	Every Genetic Counselling Centre, Genetic Laboratory, Genetic Clinic, Ultrasound Clinic and Imaging Centre shall intimate every change of employee, place, address and equipment installed, to the Appropriate Authority at least 30 days in advance of such change and seek issuance of a new certificate within a period of thirty days of such change	Every Genetic Counselling Centre, Genetic Laboratory, Genetic Clinic, Ultrasound Clinic and Imaging Centre shall intimate every change of employee, place, address and equipment installed, to the Appropriate Authority at least 30 days in advance of such change, and seek issuance of a new certificate with the changes duly incorporated.

AMENDMENTS TO REGULATE PORTABLE USG EQUIPMENT

Regulation of portable machines

The use of portable ultrasound machine or any other portable machine/device which has the potential for selection of sex before conception or detection of sex during pregnancy is to be permitted only in the following two conditions-

- Portable machine being used within the premises it is registered, for providing bedside services to the patients.
- As part of a mobile medical unit, offering a bouquet of other health and medical services.

Regulation of services to be offered by Mobile Genetic Clinics

- (1) A Mobile Genetic Clinic as defined under the explanation to Section 2d of the said act 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/rural/ remote /hilly/ hard to reach areas for improved access to health care services by underserved populations.
- (2) The machine under no circumstances will be used for sex determination of the foetus, as mentioned under Section 6 of the said Act.
- (3) Stand alone mobile ultrasound clinics offering only prenatal diagnostic facilities are prohibited.
- (4) The mobile medical unit offering diagnostic services shall have adequate space for providing the facilities to patients, with requirement of equipment and qualifications of the employees remaining same as enumerated under Rule 3.



