

## The Pre-Conception and Pre-Natal Diagnostic Technique (Prohibition of Sex selection) Act, 1994 : Penalties

| Offences                                                                                                                                                                                                                                          | Who shall be punished                                                                                                                                                                                                                                                                      |                                                                                                                                                        | Punishment                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Issue, Publication, Distribution or Communication of any advertisement regarding facilities of <ul style="list-style-type: none"> <li>• pre-natal determination of sex or</li> <li>• sex selection before conception</li> </ul> <b>Section 22</b> | <ul style="list-style-type: none"> <li>• Any Person</li> <li>• Organisation</li> <li>• Genetic Counselling Centre</li> <li>• Genetic Laboratory</li> <li>• Genetic Clinic</li> <li>• Clinic</li> <li>• Laboratory</li> <li>• Centre</li> </ul>                                             | Having ultrasound machine or imaging machine or scanner or any other technology capable of undertaking determination of sex of foetus or sex selection | Imprisonment for 3 years and a fine of ₹ 10,000/-                                                                                                                                                                                                                                                                                                |
| Contravention of any provision of the Act<br><b>Section 23 (1)</b>                                                                                                                                                                                | <ul style="list-style-type: none"> <li>• Medical geneticist</li> <li>• Gynaecologist</li> <li>• Registered medical practitioner</li> <li>• Any person</li> </ul>                                                                                                                           | Who owns or is employed in such place                                                                                                                  | Imprisonment for 3 years and a fine of ₹ 10,000/- for first offence.<br>Imprisonment for 5 years and a fine of ₹ 50,000/- for second offence.<br>Suspension the registered medical practitioner and on conviction removal of his/her name from the register of the council for 5 years for first offence and permanently for subsequent offence. |
| Seeking aid for conducting sex selection or for conducting pre-natal diagnostic technique on pregnant woman other than for permitted<br><b>Section 23 (3)</b>                                                                                     | Any person                                                                                                                                                                                                                                                                                 |                                                                                                                                                        | Imprisonment for 3 years and a fine of ₹ 50,000/- for the first offence<br>Imprisonment for 5 years and a fine of ₹ 1 lac for subsequent offence                                                                                                                                                                                                 |
| Any offence punishable under this Act committed by a Company<br><b>Section 26</b>                                                                                                                                                                 | Company itself<br>Every person who was in charge of and was responsible for the conduct of the business of the company<br>Any director } if proved that offence<br>Manager } committed with their<br>Secretary } consent or connivance or<br>Other officer } attributable to their neglect |                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                  |
| Contravention on provisions of the PCPNDT Act for which no specific punishment is provided<br><b>Section 25</b>                                                                                                                                   | Any person                                                                                                                                                                                                                                                                                 |                                                                                                                                                        | Imprisonment for 3 months or fine of ₹ 1,000/- for the first offence and ₹ 500 for every offence.                                                                                                                                                                                                                                                |