

**CHAPTER IX**  
**SEX - SELECTION /DETERMINATION OF**  
**SEX OF THE FOETUS**

Vimla was pregnant again for the third time. She already has two daughters and this time her family expected her to deliver a baby boy. Her in-laws insisted upon her to have herself examined and to get an ultrasound done so that they could determine the sex of the child. The doctor told her it was a girl again and now her family wants her to get her pregnancy terminated. They also arranged for a local mid-wife to abort her pregnancy. However Vimla abhorred the idea of terminating her pregnancy and therefore decided to consult Meera Didi who asked her to bring her husband along; So next morning on Vimla's persuasion her husband agreed to accompany her to Meera Didi's house. She told them everything about the laws relating to termination of pregnancy and sex determination of the foetus and explained to them the basic provisions of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act and the Medical Termination of Pregnancy Act.



*Disclosing the Sex of foetus is punishable under the Law*

**Things to remember:**

- ❖ Sex –selection, before or after conception is prohibited
- ❖ Sex selection means any form of procedure, technique, test, prescription for ensuring that the embryo will be of a particular sex
- ❖ Any gynecological or medical procedures such as ultrasound, etc is regulated by law
- ❖ No laboratories, hospitals, clinic or any doctor can conduct any test on a woman for the purposes of determining the sex of a foetus
- ❖ Any person doing so is punishable under the law
- ❖ A woman cannot be compelled by her husband or any relative to undergo such tests for determination of sex of the foetus
- ❖ Disclosing of sex of foetus in any manner by word, action, etc is punishable under the law

- ❖ It is discrimination against the girl child
- ❖ It is also an Unethical medical practice.
- ❖ Adverse socio-economic and health implications.
  - A woman's health suffers as she is forced to undergo multiple pregnancies and abortions.
  - Decreasing number of females in the society can increase sex-related crimes and violence against women.
  - Such imbalances are also likely to cause a rise in social problems like dowry, forced polyandry, rape, child marriages, bride selling and kidnapping of women for marriage.

### **Medical Termination of Pregnancy**

- Abortion is legal under certain circumstances but must be done according to the law.
- Forcing a woman to terminate the pregnancy is an offence.

### **When is abortion legal?**

- If continuing the pregnancy involves a risk to the mother's life.
- Continuing pregnancy would cause grave damage to the physical or mental health of the mother.
- The pregnancy has been caused by rape.
- If the child is born, it would be gravely deformed.
- Any method of family planning adopted by the couple has failed.

### **Who can terminate pregnancy?**

- It should be done only in a Government hospital or in a hospital or clinic authorized by the Government.
- Only a qualified doctor is authorized to terminate pregnancy.

- Abortion carried on by mid-wives, nurses or quacks is illegal.

### **When can the pregnancy be terminated?**

- Pregnancy can be terminated before 12 weeks from conception.
- If the pregnancy exceeds twelve weeks, then it can be terminated only on the advice of two doctors.
- Pregnancy cannot be terminated if it exceeds twenty weeks.



**Meera Didi told Vimla and her husband that girls should not be treated as burdens. They deserve to be treated equally as their brothers. She told them that even their daughters could be successful and famous someday and could be the Indira Gandhi, Sushmita Sen, Kalpana Chawla or Kiran Bedi in future. Meera Didi was thus able to convince Vimla's husband that the act of terminating his wife's pregnancy would not only be an offence but also a moral and social evil and was able to convince him to change his decision.**