



# The Girl Child Delhi Post

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Newsletter on the response to Girl Child issues

## Violations are widespread, but cases are few

Though Census 2001 data had indicated an alarming fall in the Delhi's child sex ratio, little has been done to implement the PCPNDT Act. Blatant violations are common and in the last ten years only 61 cases have been filed for various violations.

Of these, 40 complaints were for non-registration of clinics, 5 were for alleged sex determination, 9 for advertising the availability of sex determination tests, 5 for improper maintenance of records by the ultrasound clinics and 2 cases were filed by a private complainant. Of the 61 cases, 6 cases were withdrawn and 12 were dismissed/disposed/accused acquitted. Presently 43 cases are under trial.

As Ms. Chitra Punchkaran, Vikasani said, "Offence under the PCPNDT Act is not being taken seriously. It is being treated like any other law and there are no effective deterrents to the misuse of technology. Access to sex determination tests is also being made possible in many

covert ways (using agents/middle men). More importantly, authorities are not sensitive to the issue of sex determination".

The data on year wise filing of cases reveals that in 2002-03, after the Census 2001 became known, some effort was made to rein in the violators and 36 cases were filed. But in subsequent years no more than 6 cases; a negligible figure when we compare it with the number of offences committed at each ultrasound clinic in Delhi.

Perhaps as Ms. Bijaylaxmi, Campaign Coordinator, CAPF said, "Authorities



are extremely insensitive. They deliberately don't want to familiarize with the Law". In the case of Dr. Meetu Khurana, it was apparent that the typical mindset that prevails in society is also there among the Appropriate Authorities, resulting in failure to implementing the law. □

### Anju story

Anju, 27, has been married for three and a half years. She has had four miscarriages, and is now seven months pregnant. When she went for a pre-natal check-up to Dr. Vimal Chowdhary, at Shree Jee Pramod Diagnostic Centre,

Najafgarh with her husband, the doctor indirectly asked if they want to know the sex of their child. Her husband refused and said that they just wanted a healthy mother and baby.

*(This incident was revealed at a community meeting in Nangal Raya, 15th June, 2011)*

## Ms. Paliwal : "Compliance with the law is critical"

During an interaction with CFAR representatives, Ms. Nandni Paliwal, District Collector, South District expressed her concern over the declining child sex ratio in Delhi.

Commenting on the mushrooming of standalone ultrasound clinics in the city, she said, "One can see a large number of signboards offering ultrasound facility even in narrow lanes and gali of Delhi.

Supervision and monitoring of these clinics is really a challenge for the Appropriate Authorities. However, the authorities will have to take up the challenge and inspect each and every clinic in the city and ensure compliance with the Law."



Citing an example from one of the districts in Arunachal Pradesh, where she worked as a Deputy Commissioner she said, "Medical practitioners in Arunachal should be held up as an example for rest of the country. I have done personal checks and to my surprise, doctors in Arunachal do not reveal the sex of the foetus even to influential people. We must showcase their level of commitment to the issue of Girl Child." □



## DACs need to do more

*“Under the Law District Advisory Committee meetings should take place once in every two months. But often they take place with gaps of four or six months. Normally meetings are delayed due to non-availability of members. Moreover, meetings are held only when we get 15 to 20 applications for registration.”* **Dr. Vikas, Programme Officer (PNDT) South District**

In Delhi, which has 9 districts and one DDMS, only 31 Advisory Committee meetings at the district level were held during the period - April 2009 to March 2010. Barring North-East district where the meetings are held at regular intervals, most of the DACs did not comply with the Rules pertaining to DACs. South and South-West District of Delhi held only three meetings during the period April 2010 to March 2011.

The Quarterly Status Report of the

Directorate of Family Welfare, Delhi and the minutes of the Advisory Committee meetings in Central, West and North-West Districts also reveal that only issues relating to the granting of new registrations and renewal and cancellation of registrations are discussed among the members of the Advisory Committees, while issues such as the audit of medical records related to pre-natal tests, qualification of doctors, use of multiple machines, visit of more than one doctor to a clinic are not discussed.

Another important issue which needs to be urgently addressed is information to the members about the meetings. Ms. Bharti Malhotra, member Advisory Committee, South-West District states, “I have never attended any of the Advisory Committee meeting so far. Meetings are often called at very short notice and most times it is conveyed over the phone”.

Perhaps, lessons can be learnt from CFAR's Rajasthan experience where civil society has succeeded in ensuring that meetings of the DAC are regularly held. This was done by:

- Constantly drawing the attention of the district authorities to the malpractices of ultrasound clinics
- Reminding district authorities when a DAC meeting was due and motivating DAC members to demand that the meeting be held
- Building awareness among DAC members of their roles and responsibilities and providing them backgrounders on the issues listed on the agenda to enable them to participate in the discussion
- Reminding the DAC members on the day prior to the meeting
- Motivating the media to report on the discussions and decisions taken at the meeting □

## Youth demand action against sex determination

Youth from Nangal Raya community of South West district openly admit that discrimination against girls is common and attribute several reasons for the decline in the child sex ratio including: dowry, increasing cost of living, ineffective government schemes for girl child and finally the practice of sex determination test.

They also spoke of how the illegal practice of sex determination was being carried out in their neighborhood hospitals and clinics, even naming a few of them and felt it was imperative to respond to the problem of declining child sex ratio by:

- Stopping doctors from conducting sex determination test
- Creating awareness in the community about the illegality of this practice
- Enabling easier access to



government schemes for the Girl Child

- Removing the secrecy that surrounds these issues by having discussions in the community
- Organizing rallies to create a positive environment for the girl Child

Adolescent girls and married women in Madangir meanwhile shared personal experiences of being discriminated by

family and society. They spoke of the misuse of ultrasound machine by unethical doctors and gave examples to illustrate how the practice of opting for sex determination tests was common in their community.

One of the community women said, “I used to work in a hospital, where sex determination tests was very common. One day the doctor eliminated a seven months old baby girl and asked me to be silent about it. I really felt very bad and left the job”.

When asked how the issue should be addressed at the community level they suggested: the holding of street plays to raise consciousness around the girl child, having discussions within their families and among friends and more importantly by working on changing the mindset of men, because they are the main decision makers. □



## Birth Registration

# Numerous challenges

Univeralization of Birth Registration (UBR) requires the registration of all children immediately after the birth and the prompt issuing of birth certificates, which serve as documentary proof of the identity and nationality of a child. Nevertheless, numerous hurdles are being faced, especially by migrants to the city and those who opt for home deliveries. In fact, apart from children in the 0-6 age group, there are many adults who don't possess birth certificates.

For instance, families residing in the slum basti of Tigri in South Delhi are aware of the need to register the birth of their children and are keen to get it done but they find it difficult to fulfilling all the norms of the department for availing a birth certificate. This is perhaps because in many households the realization that a birth certificate is needed comes long after the birth of the child and they find it difficult to present all the documents that are required before the issuance of the certificate. This is particularly so for children who are more than one year.

Harvinder Singh, an MCD Official explained that, "If an application form is filled within 21 days of the birth of a child no documents are required. But parents who come after this period are required to submit an affidavit along with the application form."

Getting a birth certificate issued for a child who is born at home is also comparatively more difficult. A large number of request from such parents are pending with the concerned department and most of the requests are for children in the 1-10 age group.

Satish Gupta, a resident, Tigri said, "We don't realize the importance of the birth registration. Often parents realize it at the time of admission of their children in school".

Communities living in slum clusters, unauthorized colonies and resettlement colonies have another set of challenges. Most of the families are migrants and do not have the documents required for birth registration; resulting in the non-issuance of birth certificates.

There are also many who live on rent and are therefore unable to produce residence

certificate or identity proof. Moreover, there is lack of co-ordination among the various government program such as ICDS, health and education. This has resulted in disadvantaged communities being unable to avail of the benefit of various schemes.

A case in point is that of Manisha, house wife, Goyala Dairy, Najafgarh, who said, "I have been living in a rented house in Goyala Dairy for many years. Unfortunately for some reasons I couldn't get my child registered just after the birth. Now I want a birth certificate for my child but since I don't any proof of residence officials are refusing to issue me the certificate."

The Centre for Advocacy and Research has started interventions in South and South West districts to address some of these concerns. □

### On the positive side ....

**Shiela Devi, resident of Tigri:** "I am a street vendor with a small temporary shop in a local school. My first grand-daughter was through an institutional delivery. At that time I learnt the process that must be followed to avail of a birth certificate. The doctors gave me a discharge slip and told to go to the MCD office where I was given the birth certificate without any problem. But my second grand-daughter was delivered at home so I got my neighbor to write down the details, since I am illiterate and took it to MCD's Green Park office. The MCD staff was very prompt in giving the birth certificate. I also take my daughter-in-law, to familiarize her with the process of birth registration."

## Ultrasound machines being moved around in Delhi

A recent workshop on the PCPNDT Act, organized on 31st March 2011 by the Appropriate Authority, South District, clearly revealed that there was urgent need to build awareness among doctors, owners of ultrasound clinics, district officials and other stakeholders on the rules and regulations for clinics as mandated by the Law.

For instance, doctors from South District in Delhi expressed surprise when told that ultrasound machines cannot be removed

from the place of its registration and used outside as mobile unit. Further discussion on this point with the doctors also revealed that the practice of using an ultrasound machine as a 'mobile unit' was a very common practice among doctors in the city perhaps, as many of them said, due to a lack of clarity on the difference between a 'mobile machine' and 'mobile van'.

The PCPNDT Act prohibits the use of any machine which is capable of

detecting the sex of foetus be removed from the place of its registration meaning thereby that no ultrasound machine can be used as a 'mobile unit'. However the Law permits use of a 'vehicle' fitted with an ultrasound machine as a mobile clinic.

Clearly no serious attempt has been made in the past by the Law enforcers to regulate malpractice by ensuring that medical practitioners abide by all the provisions of the Act. □



## "I want my daughters to be Kalpana Chawlas"

**Teena:** "I am a housewife and there are four members in my family - my husband, two daughters and my mother-



*Teena, 32 years*

in-law. My husband works in a private company. My first daughter Sakshi was born after a year of marriage and we put off having another child for 11 years. We are happy with our second daughter and my mother-in-law also does not have any problem. We don't want a third child.

"At the time of the second delivery I had asked doctor for family planning but she advised me against it. We are happy with our daughters. I forbid anyone who blesses me for a son. I also want to ask those who want male child, whether a son comes with a bag of money from God.

"I request those who have several daughters in the hope of having a son to think of the responsibility the son will have to bear and whether they will be able to cope with it. I am happy with my daughters. I want my daughters to be successful women like Kalpana Chawla." □

**Sathi:** "I live in a joint family with my mother-in-law, brother-in-law, his wife and one child, my two daughters and my husband. The elder daughter name is

Purnima who is 5-yr-old and my second daughter is Gargi who is 2½ month old.

"After the birth of my second daughter my relatives and neighbors commented that I had a caesarian and that too of a girl child. If I had a male child then it would have been better. In response to their comments, I said "even if I had a male child I would have carried it for nine months. I am happy with my two daughters". When people ask me to take a third chance because it could be a male child I tell them I will not take a third chance because I also have to look after my health.

"I tell other women that there is no difference between boy or girl. Both can go out and earn. There are also chances that, the boy will shift to a separate house after marriage but even after daughter's marriage, her concern for her parents always remain.



*Sathi Kashyap, 26 years*

"My husband and mother-in-law distributed sweets in the hospital after the birth of my second daughter. Even the hospital staff were surprised that we were celebrating the birth of a girl child. To this my husband and mother-in-law replied we don't differentiate between a boy and a girl. My mother-in-law even said her

only wish was that both her daughter-in-law and grand-daughters should remain healthy. We don't want anything more than that". □

**Seema:** "I got pregnant after five months of marriage and had a miscarriage. Soon after ten months I conceived again and gave birth to my first daughter. Every one celebrated my daughter's birth. I again conceived when my baby was 10-months-old. When I said this to my husband he suggested for an



*Seema, 27 Years*

abortion. Even I was in favour of it because my first child was very weak and had jaundice. But somehow this came in knowledge of my in-laws. They forbade us from having an abortion because somewhere they had hopes of a male child.

"Moreover, I did not know what my husband earned and when asked him he created a scene. My in-laws assured me that they will take the responsibility of me and my children. But when I gave birth to another daughter my family was equally happy except my neighbours. They are forcing us to take another chance hoping that it could be a son. But we want to give better life and education to our daughters. Even my husband says he is happy with two daughters. I must say small family is happy family whether a girl or a boy." □

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