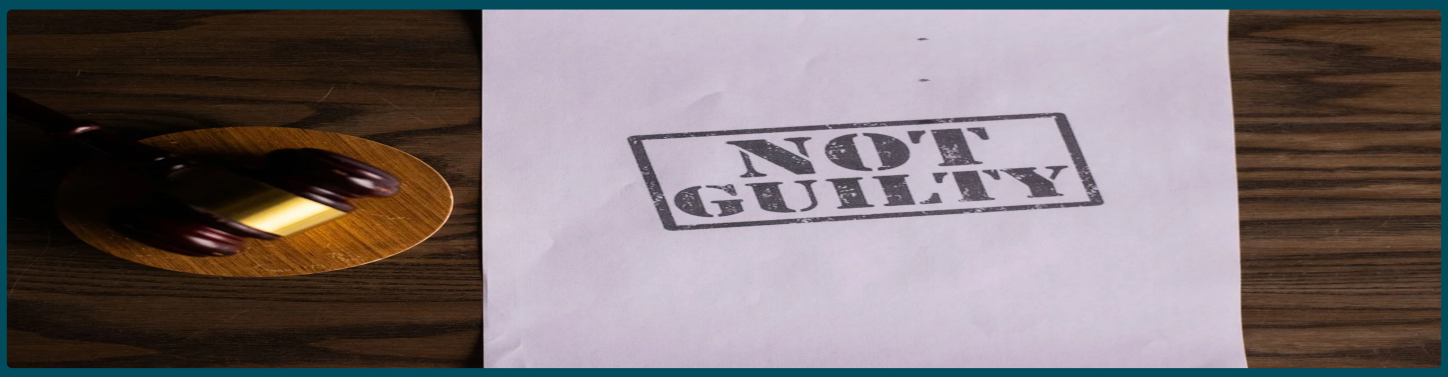
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Dr. Ramesh v. State of Maharashtra & Anr. (2026 INSC 635): Supreme Court Reaffirms Strict Compliance with the PCPNDT Act

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Introduction

On 11 June 2026, the Supreme Court of India delivered a significant judgment in *Dr. Ramesh v. State of Maharashtra & Anr.*, 2026 INSC 635, reaffirming the importance of strict compliance with the Pre Conception and Pre Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (PCPNDT Act). The judgment, delivered by Justice Sanjay Karol and Justice Prashant Kumar Mishra, addresses the legal consequences of deficiencies in statutory records maintained by diagnostic centres and underscores the continuing relevance of the PCPNDT Act in combating female foeticide and sex selection practices in India.

The decision is noteworthy not only for its interpretation of the statutory scheme of the PCPNDT Act but also for its broader reflections on gender justice, the declining child sex ratio, and the need for sustained enforcement of laws intended to protect the girl child.

Background of the Case

The appellant, Dr. Ramesh, was operating a registered sonography centre in Maharashtra. During an inspection conducted under the PCPNDT Act, authorities examined the records maintained by the clinic and found alleged violations relating to statutory requirements under the Act and the Rules framed thereunder. Following the inspection, the sonography machine was seized and a notice was issued seeking an explanation from the appellant.

The appellant subsequently appeared before the Advisory Committee constituted under the Act. After considering the matter, the Committee concluded that prima facie violations of the PCPNDT Act existed. Consequently, the registration of the sonography centre was suspended and the sonography machine was seized. Although the seizure and suspension were later challenged separately and the registration as well as the machine were ultimately restored, those issues were not directly before the Supreme Court.

On the basis of the inspection report, a complaint was filed before the Judicial Magistrate First Class, Ardhapur. The Magistrate took cognizance and issued process under Section 204 of the Code of Criminal Procedure for offences punishable under Section 23 of the PCPNDT Act for alleged violations of Sections 4(3), 5, 6 and 29 of the Act and the relevant Rules governing maintenance of records.

The appellant challenged the order before the Revisional Court and thereafter before the Bombay High Court. Both forums rejected his challenge, leading to the present appeal before the Supreme Court.

Issues Before the Supreme Court

The appeal raised two principal questions. First, whether the Civil Surgeon who initiated the proceedings was legally competent to act as the Appropriate Authority under the PCPNDT Act. Secondly, whether the alleged deficiencies and blank entries in Form F constituted mere technical or clerical mistakes incapable of attracting criminal liability under the Act.

The appellant argued that the omissions found in the records were inadvertent and not indicative of any unlawful conduct. It was further contended that the prosecution itself was vitiated because the Civil Surgeon lacked authority to initiate proceedings.

Statutory Framework and Importance of Form F

The Supreme Court examined the scheme of the PCPNDT Act in detail. The legislation was enacted to prohibit sex selection and to regulate the use of prenatal diagnostic techniques. Sections 4, 5 and 6 form the core of the regulatory framework. These

provisions regulate the circumstances in which prenatal diagnostic procedures may be conducted, require informed consent of pregnant women, and prohibit communication or determination of the sex of the foetus.

A central feature of the case was the maintenance of Form F, prescribed under the PCPNDT Rules. Form F requires extensive information regarding the patient, referral details, medical indications for the procedure, pregnancy particulars, declarations by the patient and doctor, and details of the diagnostic procedure undertaken.

The Court emphasised that Form F is not a mere administrative document. Rather, it functions as a crucial monitoring mechanism that enables authorities to detect and prevent illegal sex determination practices. Accurate maintenance of the form creates accountability and transparency in prenatal diagnostic procedures.

The proviso to Section 4(3) of the Act assumes particular significance. It mandates that complete records must be maintained and further provides that any deficiency or inaccuracy in such records shall amount to contravention of Sections 5 and 6 unless the person conducting the ultrasonography proves otherwise.

Findings of the Court

The Supreme Court rejected the appellant's challenge regarding the competence of the Civil Surgeon. Referring to the relevant government notification dated 15 May 2015, the Court held that the District Civil Surgeon had been duly designated as the Appropriate Authority under the PCPNDT Act. Consequently, the complaint was validly instituted and the Magistrate was competent to take cognizance.

On the issue of deficiencies in Form F, the Court held that the argument of mere technical errors could not be accepted at the stage of cognizance. Whether the omissions were innocent mistakes or whether the statutory presumption under Section 4(3) could be rebutted were matters to be examined during trial. At the preliminary stage, the existence of deficiencies in mandatory records constituted sufficient material for initiating prosecution.

The Court relied extensively on the earlier decision in *Federation of Obstetrics and Gynaecological Societies of India v. Union of India* (2019) 6 SCC 283. In that case, the Supreme Court had unequivocally held that complete compliance with Form F requirements is mandatory. The Court reiterated the observation that non maintenance or improper maintenance of records is not a mere clerical lapse but a serious violation because record keeping is the primary mechanism for preventing female foeticide and illegal sex determination.

The judgment also referred to *Voluntary Health Association of Punjab v. Union of India* (2013) 4 SCC 1, where the Court had described female foeticide as a grave social evil that threatens demographic balance and undermines the dignity of women.

Social Context and Judicial Observations

A distinctive feature of the judgment is its extensive discussion of the social realities underlying the PCPNDT Act. The Court observed that despite significant progress, India continues to face challenges arising from deep rooted patriarchal attitudes and preference for male children.

The Court examined demographic data from the National Family Health Survey, Sample Registration System reports and other official sources. While acknowledging improvements in the overall sex ratio, the Court noted that the sex ratio at birth continues to remain below the expected biological norm. Historical census data also revealed a substantial decline in child sex ratios over the decades, demonstrating the seriousness of the problem that necessitated stringent legislative intervention.

The judgment further highlighted several governmental initiatives aimed at promoting the welfare of girl children and women, including Beti Bachao Beti Padhao, Janani Suraksha Yojana, Aapki Beti Hamari Beti, Sukanya Samriddhi Yojana, Kanyashree Prakalpa, Ladli Lakshmi Yojana and other schemes introduced by both the Union and State Governments. According to the Court, these initiatives reflect continuing efforts to address gender discrimination and improve the status of women in society.

The Court emphasised that progress in improving sex ratios remains incomplete and uneven. Therefore, welfare legislation such as the PCPNDT Act must be enforced rigorously until society reaches a stage where the birth of a girl child is accepted and celebrated without discrimination.

Conclusion

The Supreme Court ultimately dismissed the appeal and upheld the order taking cognizance against the appellant. The judgment reinforces the principle that strict compliance with the record maintenance requirements of the PCPNDT Act is indispensable to

the effective implementation of the legislation. Deficiencies in Form F cannot be casually dismissed as technical lapses, as such records constitute the backbone of the regulatory mechanism designed to prevent sex selective practices and female foeticide.

The decision is a powerful reminder that the PCPNDT Act is a social welfare legislation intended to safeguard the dignity, equality and very existence of the girl child, not merely a regulatory statute. By insisting upon strict adherence to statutory obligations, the Supreme Court has reaffirmed the continuing commitment of the legal system to combating gender discrimination and ensuring that the objectives of the Act are not defeated through lax enforcement.

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