



THE STATE OF FEMALE FOETICIDE IN HARYANA



ASIAN CENTRE FOR HUMAN RIGHTS



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1. EXECUTIVE SUMMARY

Child Sex Ratio (CSR) i.e. the number of girls per 1,000 boys in the age group 0-6 years has reached alarming proportion in India. Haryana has the lowest CSR among the States and Union Territories in India.

As per the Government of India, *“some of the reasons for neglect of girl child and low child sex ratio are son preference and the belief that it is only the son who can perform the last rites, that lineage and inheritance runs through the male line, sons will look after parents in old age, men are the bread winners etc. Exorbitant dowry demand is another reason for female foeticide/infanticide. Small family norm coupled with easy availability of sex determination tests may be a catalyst in the declining child sex ratio, further facilitated by easy availability of Pre-conception sex selection facilities”*.¹ These harmful practices against girls and women have been integral part of India’s cultures from time immemorial. Further, many of these discriminatory practices were legalised in independent India and women were not allowed to inherit properties until the Hindu Succession (Amendment) Act, 2005² came into force in September 2005. The dowry³ system makes daughters an unaffordable economic burden leading to son preference and it remains the principal cause of female foeticide in India.

According to the Ministry of Health and Family Welfare, *“Easy availability of the sex determination tests and abortion services may also be proving to be catalyst in the process, which may be further stimulated by pre-conception sex selection facilities. Sex determination techniques have been in use in India since 1975 primarily for the determination of genetic abnormalities. However, these techniques were widely*

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1. Statement of Shri Ghulam Nabi Azad, Union Minister for Health and Family Welfare in Rajya Sabha on 11 February 2014, <http://pib.nic.in/newsite/PrintRelease.aspx?relid=103437>
 2. Supreme Court sets 2005 cut-off on women right to ancestral property, The Hindu, 2 November 2015 available at <http://indianexpress.com/article/india/india-news-india/supreme-court-sets-2005-cut-off-on-women-right-to-ancestral-property/>
 3. Dowry is an amount of property or money to be mandatorily paid by a bride to her husband and family on their marriage.
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*misused to determine the sex of the foetus and subsequent elimination if the foetus was found to be female.*⁴

During 1971 census itself, the period prior to use of ultrasound machines for sex selections, the CSR of 898 girls per 1,000 boys was already highly unsatisfactory in Haryana. The CSR increased to 902 in 1981 but it hit the rock bottom of 819 in 2001 as a consequence of the use of diagnostic technology to detect the sex of the foetus very early during pregnancy. Although the CSR increased from 819 in 2001 to 834 in 2011, Haryana still has the lowest (834) CSR as per 2011 census among all the states and Union Territories of India. It is clear Haryana is far from reaching CSR of 1971 level.⁵

The sex ratio in Haryana has fallen so low that men are unable to find brides. According to a media report, around 13.5% of Haryana's young men between the age group of 25 and 29 were unmarried in 2010, primarily due to lack of brides.⁶ Unmarried men in Jind district (which had 871 females per 1,000 males) have even formed "*Jind Kunwara Union*" (Jind Bachelors Union) and demanded "brides" in lieu of their votes ahead of the Parliamentary elections of May 2014.⁷ As a result, women including minor girls are being bought and trafficked from other states of India including North Eastern states like Assam and Tripura to be brides for men in Haryana.⁸

Because of Haryana's infamy in female foeticide/infanticide, Prime Minister Narendra Modi chose to launch his government's ambitious programme "*Beti Bachao, Beti Padhao*" (Save girl child, Educate girl child) from Panipat on 22 January 2015, exhorting people to save the girl child and educate her.⁹ Out

4. Ministry of Health and Family Welfare, Government of India's Annual Report 2014-15, P. 393

5. Please see various tables on child sex ration in Haryana as provided in this report.

6. Give bride, Get vote, say Jind Villagers, The Sunday Guardian, 5 April 2014, <http://www.sunday-guardian.com/news/give-bride-get-vote-say-jind-villagers>

7. Bachelors demand brides for votes in Haryana election - paper, Reuters, 25 September 2014, <http://in.reuters.com/article/foundation-india-women-brides-idINKCNOHK1RG20140925>

8. 'Brides' from Assam sold for Rs 50,000 in Hisar, The Times of India, 9 May 2013, <http://timesofindia.indiatimes.com/city/guwahati/Brides-from-Assam-sold-for-Rs-50000-in-Hisar/articleshow/19962962.cms>

9. Save girl child, educate her, pleads Modi, The Hindu, 23 January 2015, <http://www.thehindu.com/news/national/narendra-modi-launches-beti-bachaobeti-padhao-scheme-in-haryana/article6811642.ece>

of 100 districts selected to be targeted under the *Beti Bachao, Beti Padhao* programme, highest number of districts are from Haryana (12), followed by Punjab (11) and Uttar Pradesh, Rajasthan & Maharashtra (10 each), among others.¹⁰

Yet, the manner in which the *Ladli Scheme*, the flagship programme of Haryana Government for retention of girl child, is being implemented evokes little confidence. The financial incentive of Rs 5,000/- per year for five years i.e. Rs 25,000 for two girls is too less an incentive to encourage even poor families to give birth to more girl children and prevent foeticide and infanticide. The *Ladli Scheme* is too restrictive as it disqualifies a single girl child as well as more than two girls in a single family. More strangely, in case of death of either of the two girl child, the enrollment as a beneficiary under the Group Scheme Ladli-LIC of India is cancelled with immediate effect and the money is transferred back to the Government, thereby depriving the surviving girl.

During 2005-06 to 2014-15, a total of 2,36,311 girl children have been reportedly provided benefits under the *Ladli Scheme* i.e. an average of 23,631 beneficiaries per year.¹¹ During the same period the Haryana government claimed to have spent Rs 39,940 lakhs under the *Ladli Scheme*.¹² However, doubts remains regarding the exact number of beneficiaries.

Implementation of the *Ladli Scheme* has been fraught with mismanagement and irregularities.

The Comptroller and Auditor General of India (CAG) had found a number of irregularities in the *Ladli Scheme* implementation in three test checked districts of Karnal, Hisar and Jind. In its "*Report of the Comptroller and Auditor General*

10. Naveen Kumar, "Beti Bachao and Beti Padhao (Save the Girl Child and Educate Her) (A Geographical Analysis of Child Sex Ratio of Haryana), Global Journal for Research and Analysis, Volume-4, Issue-6, June-2015, http://www.worldwidejournals.com/gra/file.php?val=June_2015_1435727412__141.pdf

11. Department of Women and Child Development, Haryana, <http://wcdhry.gov.in/ladli.htm>

12. Information obtained through the RTI Act from PIO-Cum-Accounts Officer, Women and Child Development Department vide letter No. 682/CD-14/WCD/2015 dated 11.09.2015

of India on Social, General and Economic Sectors (Non-Public Sector Undertakings) for the year ended 31st March 2014 of Government of Haryana”, the CAG stated that in 2,358 cases membership certificates supplied by the Life Insurance Corporation (LIC) to Programme Officer (PO), Jind in November 2013, date of birth of the beneficiary was not mentioned, in absence of which it would be difficult to ensure when the beneficiary would attain the age of 18 years. Further, the CAG found that the District Programme officers (DPOs) had not claimed refunds in 538 death cases (Jind: 306 cases, Karnal: 116 and Hisar: 116 cases) from the LIC. After the CAG brought the issue to the notice, the DPOs claimed and received refund of Rs 37.12 lakh from LIC along with interest in respect of 538 death cases.¹³ Obviously, the surviving girls were denied the benefits.

The report by the Audit Officer of the Office of the Principal Accountant General, Haryana is equally telling about irregularities. The Audit Officer found irregularities in the expenditure of Rs 809.90 lakhs which was said to have been deposited in the name of beneficiaries during 2009-10 to 2012-13. No record was maintained in the office of DPO, ICDS Rewari to determine as to whether both of the girl children (beneficiaries) are alive. Neither was there any register or record to prove that the beneficiaries were enrolled in Anganwadi Centres or Schools.¹⁴

The Women and Child Development Department, Haryana Government refused to provide the Utilization Certificates on the flimsy ground that the Utilization Certificates do not come under the Right to Information Act, 2005.¹⁵ The District Programme Officer, Women and Child Development of Rewari district stated that it had spent Rs 15,33,45,430/- from 2005-

13. Report of the Comptroller and Auditor General of India on Social, General and Economic Sectors (Non-Public Sector Undertakings) for the year ended 31st March 2014, Government of Haryana, Report No. 2 of the year 2015, pp 124-125

14. Letter of Audit Officer, Office of the Principal Accountant General, Haryana, Chandigarh to District Programme Officer, ICDS, Rewari district dated 4.6.2013. This document was obtained through the Right to Information Act by Asian Centre for Human Rights.

15. Information obtained through the RTI Act from PIO-Cum-Accounts Officer, Women and Child Development Department vide letter No. 682/CD-14/WCD/2015 dated 11.09.2015

2006 to 2015-2016 but refused to provide the Utilization Certificates. When specifically asked to supply Utilization Certificates the one line reply was “whatever had been received was spent”.¹⁶ The refusal to provide Utilisation Certificates raises doubts about actual utilisation.

The implementation of the Preconception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (PCPNDT Act) remains extremely poor despite rampant violations in the State. The Health Minister of India Mr J P Nadda informed in the Rajya Sabha (Upper House) on 3 March 2015 that a total of 206 convictions have been secured under the PCPNDT Act in India during 2009 to December 2014. Out of these, 54 convictions were secured in Haryana including 4 in 2010; 7 in 2011; 38 in 2013 and 5 in 2014.¹⁷ The National Crime Records Bureau (NCRB) in its annual reports states that during 2005 to 2014, a total of 91 cases of foeticide were recorded in Haryana, including 8 cases in 2005; 9 cases in 2006; 4 cases in 2007; 5 cases in 2008; 3 cases in 2009; 2 cases in 2010; 5 cases in 2011; 28 cases in 2012; 21 cases in 2013 and 6 cases in 2014 were recorded. During the same period, the NCRB also recorded 25 cases of infanticide including nil in 2005; 10 in 2006; 1 in 2007; 4 in 2008; nil in 2009; 7 in 2010, nil in 2011, 2012 and 2013; and 3 in 2014.¹⁸

The Medical Termination of Pregnancy Act (MTP Act), 1971 (amended in 2002) allows termination of pregnancies in certain circumstances. A total of 1,36,163 medical termination of pregnancies were performed in Haryana during 2008-09 to 2012-13 under the MTP. These included 29,656 terminations of pregnancies in 2008-09; 25,726 in 2009-10; 27,085 in 2010-11, 27,808 in 2011-12, and 25,888 in 2012-13.¹⁹ However, there were also reports of abuse of the MTP for sex selective abortion as cited in this report.

16. Reply received by ACHR from Public Information Officer Cum District Programme Officer, Women and Child Development of Rewari district under Right to Information Act, dated 24.09.2015

17. Effective Implementation of PNDT Act, Press Information Bureau, Government of India (Ministry of Health and Family Welfare), 3 March 2015, <http://pib.nic.in/newsite/PrintRelease.aspx?relid=116303>

18. Annual Reports “Crime In India” 2005-2014 of National Crime Records Bureau, Government of India

19. Source: Ministry of Health and Family Welfare, “Health and Family Welfare Statistics in India 2013”, P 209, <https://nrhm-mis.nic.in/PubFWStatistics%202013/Complete%20Book.pdf>

Conclusion and recommendations

As Prime Minister Narendra Modi while launching “*Beti Bachao-Beti Padhao*” (Save girl child, educate girl child) campaign at Panipat in Haryana on 22 January 2015 stated “*Our mental illness is responsible for this poor sex ratio. We give a lot of importance to boys. Many women also do this. But for how long will we look at girls as ‘paraya dhan’? [some other’s property] For every 1,000 boys born, 1,000 girls should also be born. I want to ask you if girls are not born, where will you get your daughters-in-law from?*”²⁰

There is no doubt that any programme that seeks to ensure retention of female foetuses ought to address the burden of marriage.

Asian Centre for Human Rights recommends the following to the State Government of Haryana:

- Revise the *Ladli Scheme* to increase the amount for post birth benefits and further provide scholarship for education as well as additional financial assistance for marriage of the surviving girls;
- Expand the coverage of the *Ladli Scheme* to include all girl children;
- Remove the condition with retrospective effect which provided under the *Ladli Scheme* that upon the demise of either of the girl child the accumulated benefits under the scheme shall be forfeited by the girls’ parents and transferred back to the Government;
- Issue necessary order to restore the benefits of the *Ladli Scheme* to all beneficiaries including at least 538 beneficiaries as identified by the CAG in three districts²¹ who were denied benefits as per Rule 2(g) and Rule 3(e) of the *Ladli Scheme* Rules, 2005 notified on 17th November 2005 which stated, “*In case of death of either of the girl the incentive shall*

20. PM Modi begs countrymen to save girl child, India Today (online), 23 January 2015, <http://indiatoday.intoday.in/story/pm-narendra-modi-save-girl-child/1/414874.html>

21. Report of the Comptroller and Auditor General of India on Social, General and Economic Sectors (Non-Public Sector Undertakings) for the year ended 31st March 2014, Government of Haryana, Report No. 2 of the year 2015

be stopped with immediate effect. However, the same will be restored from the date it was discontinued on birth of another girl child.”;

- Link the *Ladli Scheme* with all Anganwadi Centres and Schools to monitor the status of the beneficiaries;
- Undertake specific programme for increasing coverage of all families under the *Ladli Scheme* by connecting the programme with all hospitals/ primary health centres;
- Digitalise the list of beneficiaries and related information, funds sanctioned and utilization certificates of the *Ladli Scheme* and upload the same in the website of the District concerned; and
- Undertake effective measures to monitor and ensure proper implementation of the PCPNDT Act and MTP Act.

2. CHILD SEX RATIO IN HARYANA

Child Sex Ratio (CSR) is defined as the number of females per 1000 males in the age group 0-6 years. Although Haryana has improved its Child Sex Ratio (CSR) from 819 in 2001 Census to 834 in 2011 Census, it still has the worst record in India.²² The second worst state i.e. Punjab with a CSR of 846 is also far ahead of Haryana (834).²³

Table 1: Child Sex Ratio (0-6 years) of Haryana from 1971 to 2011²⁴

1971	1981	1991	2001	2011
898	902	879	819	834

The CSR of Haryana has declined sharply from 898 in 1971 to 819 in 2001²⁵ before increasing up to 834 in 2011.²⁶ The declining CSR is linked with the use of diagnostic technology to detect the sex of the foetus very early during pregnancy

In 2011, the district with lowest CSR was Mahendragarh (778) followed by Jhajjar (782), Rewari (787), Sonipat (798), Ambala (810), Kurukshetra (818), Karnal (824), Yamunagar (826), Rohtak (828), Kaithal (828), Gurgaon (830), Bhiwani (832), Panipat (837), Jind (838), Faridabad (843), Fatehabad (854), Hisar (855), Sirsa (862), Panchkula (863), Palwal (866), and Mewat (906).²⁷

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22. Skewed child sex ratio a cause of worry, The Times of India, 26 March 2013 (online), <http://timesofindia.indiatimes.com/city/allahabad/Skewed-child-sex-ratio-a-cause-of-worry/articleshow/19216826.cms>
 23. Statement of Shri Ghulam Nabi Azad, Union Minister for Health and Family Welfare in Rajya Sabha on 11 February 2014, <http://pib.nic.in/newsite/PrintRelease.aspx?relid=103437>
 24. Dr. Sneha Sangwan et al., "Spatial Patterns of Skewed Child Sex Ratio in Rural Haryana", American International Journal of Research in Humanities, Arts and Social Sciences, December 2013-February 2014, pp. 239-244, <http://iasir.net/AIJRHASSpapers/AIJRHASS14-203.pdf>
 25. Dr. Sneha Sangwan et al., "Spatial Patterns of Skewed Child Sex Ratio in Rural Haryana", American International Journal of Research in Humanities, Arts and Social Sciences, December 2013-February 2014, pp. 239-244, <http://iasir.net/AIJRHASSpapers/AIJRHASS14-203.pdf>
 26. Statement of Shri Ghulam Nabi Azad, Union Minister for Health and Family Welfare in Rajya Sabha on 11 February 2014, <http://pib.nic.in/newsite/PrintRelease.aspx?relid=103437>
 27. Naveen Kumar, "Beti Bachao and Beti Padhao (Save the Girl Child and Educate Her) (A Geographical Analysis of Child Sex Ratio of Haryana)", Global Journal for Research and Analysis, Volume-4, Issue-6, June-2015, http://www.worldwidejournals.com/gra/file.php?val=June_2015_1435727412__141.pdf
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**Table 2: CSR data for districts of Haryana (in ascending order),
2001-2011²⁸**

Sl No.	State/District	Child Sex Ratio (0-6 years)	
		2001	2011
1	Mahendragarh	818	778
2	Jhajjar	801	782
3	Rewari	811	787
4	Sonipat	788	798
5	Ambala	782	810
6	Kurukshetra	771	818
7	Karnal	809	824
8	Yamunanagar	806	826
9	Rohtak	799	828
10	Kaithal	791	828
11	Gurgaon	807	830
12	Bhiwani	841	832
13	Panipat	809	837
14	Jind	818	838
15	Faridabad	847	843
16	Fatehabad	828	854
17	Hisar	832	855
18	Sirsa	817	862
19	Panchkula	829	863
20	Palwal	854	866
21	Mewat	893	906

28. Naveen Kumar, "Beti Bachao and Beti Padhao (Save the Girl Child and Educate Her) (A Geographical Analysis of Child Sex Ratio of Haryana), Global Journal for Research and Analysis, Volume-4, Issue-6, June-2015, http://www.worldwidejournals.com/gra/file.php?val=June_2015_1435727412__141.pdf

Table 3: CSR in 2001 and 2011

2001 Census				2011 Census			
CSR	Total Population of children (0-6 yrs)			CSR	Total Population of children (0-6 yrs)		
	Total	Boys	Girls		Total	Boys	Girls
819	33,35,537	18,33,655	15,01,882	834	32,97,724	18,02,047	14,95,677

3. STATUS OF THE MEASURES TO COMBAT FEMALE FOETICIDE IN HARYANA

The three key measures of the Government of India to combat female foeticide are enforcement of the Preconception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, prevention of the abuse of the Medical Termination of Pregnancy (MTP) Act for the purposes of sex selective abortion and specific incentive schemes for reducing gender imbalance in child sex ratio, to prevent female foeticides and to provide social and economic security to girl child. The implementation of these measures by the Government of Haryana has been extremely poor.

3.1 Implementation of the PCPNDT Act

India enacted the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (PNDT Act) to address sex selective abortion. The PNDT Act has since been amended to make it more comprehensive and keeping in view the emerging technologies for selection of sex before and after conception and problems faced in the working of implementation of the Act and certain directions of Supreme Court. The amended Act came into force with effect from 14 February 2003 and it was renamed as “Preconception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994” (PCPNDT Act).

The PCPNDT Act, as amended in 2003, provides for regulation and punishment. Section 3 of the PCPNDT Act provides for regulation of Genetic Counselling Centres, Genetic Laboratories and Genetic clinics through the requirement of registration under the Act, prohibition of sex selection and sale of ultrasound machines to persons, laboratories, clinics, etc. not registered under the Act. Section 4 provides that no such place shall be used for conducting pre-natal diagnostic techniques except for the purposes specified and requires a person conducting such techniques such as ultrasound sonography on pregnant women to keep a complete record

in the manner prescribed in the Rules. Section 5 requires written consent of pregnant woman for conducting the pre-natal diagnostic procedures and prohibits communicating the sex of foetus. Section 6 provides that no pre-natal diagnostic techniques including sonography can be conducted for the purpose of determining the sex of a foetus and that no person shall conduct or cause to be conducted any pre-natal diagnostic techniques including ultra sonography for the purpose of determining the sex of a foetus. Section 22 provides prohibition of advertisement relating to pre-natal determination of sex and punishment for contravention with imprisonment for a term which may extend to three years and with fine which may extend to ten thousand rupees. Section 23 provides for offences and penalties with imprisonment up to three years and fine up to Rs. 10,000. For any subsequent offences, there is imprisonment of up to five years and fine up to Rs. 50,000/1,00,000. The name of the Registered Medical Practitioner is reported by the Appropriate Authority to the State Medical Council concerned for taking necessary action including suspension of the registration if the charges are framed by the court and till the case is disposed of. On conviction, the name of Registered Medical Practitioner is removed for a period 1 of 5 years for the first offence and permanently for the subsequent offence. Section 24 provides for punishment for abetment of offence as prescribed under sub-section (3) of section 23. Section 25 provides for penalty for 'contravention of any provision of the Act or rules for which no specific punishment is provided' with imprisonment for a term which may extend to three months or with fine, which may extend to one thousand rupees or with both and in the case of continuing contravention with an additional fine which may extend to five hundred rupees for every day during which such contravention continues after conviction for the first such contravention. Section 26 provides for offences by companies.²⁹

The Health Minister of India Mr J P Nadda informed in the Rajya Sabha (Upper House) on 3 March 2015 that a total of 206 convictions have been

29. Pre-conception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 <http://pndt.gov.in/writereaddata/mainlinkFile/File50.pdf>

secured under the PCPNDT Act in India during 2009 to December 2014. Out of these, 54 convictions were secured in Haryana including 4 in 2010; 7 in 2011; 38 in 2013 and 5 in 2014.³⁰ The National Crime Records Bureau (NCRB) in its annual reports states that during 2005 to 2014, a total of 91 cases of foeticide were recorded in Haryana, including 8 cases in 2005; 9 cases in 2006; 4 cases in 2007; 5 cases in 2008; 3 cases in 2009; 2 cases in 2010; 5 cases in 2011; 28 cases in 2012; 21 cases in 2013 and 6 cases in 2014 were recorded. During the same period, the NCRB also recorded 25 cases of infanticide including nil in 2005; 10 in 2006; 1 in 2007; 4 in 2008; nil in 2009; 7 in 2010, nil in 2011, 2012 and 2013; and 3 in 2014.³¹

There are number of instances of violations of the PCPNDT Act as given below:

As of September 2015, a total of 63 doctors were convicted out of 135 court cases filed under PCPNDT Act of 1994 in the state of Haryana. The actions taken under the PCPNDT Act included removing of name of 10 doctors from the Register of State Medical Council of Haryana for five years, suspension of two doctors after conviction by court, and suspension of four doctors from Register of State Medical Council due to framing of charges by court. The Health Department of Haryana conducted 22,336 inspections of registered centres/clinics, leading to suspension/cancellation of 517 registrations and sealing of 330 centres/clinics.³²

On 21 November 2015, a doctor couple identified as Dr Mangat Rai Bansal and his wife Dr Promilla Bansal was convicted by a local court in Sirsa under the PCPNDT Act. Dr Mangat Rai Bansal and his wife Dr Promilla Bansal were booked under Sections 4, 5, 6 and 29 of the PCPNDT Act in January 2014 after irregularities were found in their hospital during a raid. The police had booked the couple under Section 3/4/5 of the Medical Termination

30. Effective Implementation of PNDT Act, Press Information Bureau, Government of India (Ministry of Health and Family Welfare), 3 March 2015, <http://pib.nic.in/newsite/PrintRelease.aspx?relid=116303>

31. Annual Reports "Crime In India" 2005-2014 of National Crime Records Bureau, Government of India

32. Health Department of Haryana, PNDT Note upto Sept, 2015, <http://haryanahealth.nic.in/menudesc.aspx?page=320>

of Pregnancy (MTP) Act also after a team comprising Deputy Civil Surgeon Dr Viresh Bhushan, Senior Drug Control Officer Naripen Goyal, Dr Rohtash and Dr Archana Agarwal raided the couple's hospital on 25 January 2014 and found several irregularities in the hospital records. While most of the irregularities pertained to the discrepancies in Form F, a mandatory document under the PCPNDT Act for performing ultrasound test on a pregnant woman, the team, as per the health authorities, had found a case of alleged detection of sex of an unborn female baby and its subsequent abortion in the hospital.³³

On 11 July 2015, health department officers raided the Bhatia Nursing Home in Ganaur town of Sonipat district and booked a doctor after he was allegedly caught red-handed while conducting an illegal sex determination test. Following a tip off, the doctor was trapped by the health officials by sending a pregnant woman as a decoy customer with currency notes bearing signatures. The doctor demanded Rs.10,000 for conducting the test and agreed to give the report on 12 July 2015. When the woman came out of the nursing home, the team conducted a raid and recovered the signed currency notes. The team also allegedly found various irregularities in the maintenance of records. The ultrasound machine at the Nursing Home was sealed and a case was also registered against the accused doctor for violating the PCPNDT Act.³⁴

On 6 May 2015, Shri Vikas Gupta, Sub Divisional Judicial Magistrate, Hodal, convicted Dr. Krishan Gopal Garg, owner of Sri Jagannath Ji Nursing Home, near Bus Stand, Old G.T. Road, Hodal in Palwal district of Haryana under Section 5(b), Rule 18(viii) and Rule 18(ix) PCPNDT Rules, 1996 read with Section 23 of PCPNDT Act, 1994 and sentenced him to one year simple imprisonment for commission of offence under Section 5(b) read with Section 23 of PCPNDT Act alongwith a fine of rupees five hundred.

33. Sirsa doctor couple held guilty of sex determination, The Tribune, 22 November 2015, <http://www.tribuneindia.com/news/haryana/sirsa-doctor-couple-held-guilty-of-sex-determination/161138.html>

34. Doctor booked for sex determination test in Haryana, The Business Standard, 11 July 2015, http://www.business-standard.com/article/news-ians/doctor-booked-for-sex-determination-test-in-haryana-115071100787_1.html

In default of payment of fine, accused would further undergo two months simple imprisonment.³⁵ The convicted doctor was registered with the Delhi Medical Council (DMC) but was practicing in Haryana.³⁶ After receiving a letter from the Chairman, District Appropriate Authority Cum Civil Surgeon, District Palwal of Haryana seeking action against Dr. Krishan Gopal Garg, the Delhi Medical Council (DMC) on 8 July 2015 took action and debarred him from practicing in the NCT of Delhi for a period of five years in terms of provisions of Section 23(2) PC & PNDT Act. The DMC noted that the name of Dr. Krishan Gopal Garg (Delhi Medical Council Registration No.40763) was already removed from the State Medical Register of the Delhi Medical Council on 30th December, 2013 on account of non-renewal of registration with Delhi Medical Council and further intimated the action against Dr KG Garg to the Uttar Pradesh Medical Council as he was also registered with the Uttar Pradesh Medical Council under registration No. 55558 dated 17th April, 2008, Medical Council of India and all the State Medical Council for appropriate action.³⁷

On 5 January 2015, Rajesh Goyal, a qualified doctor, was caught red-handed for allegedly carrying out foetal sex determination following a trap laid by the Sirsa Civil Surgeon. The doctor had clinics in Tohana in Fatehabad district of Haryana and Moonak in Sangrur district of Punjab where decoys were sent and trap was laid for the doctor. But after the accused doctor was handed over to the Moonak (in Punjab) Senior Medical Officer Dr Kuldeep Singh, he was let off on the ground that there was no provision of lodging an FIR against a qualified doctor whose ultrasound centre was registered with health authorities. The Punjab authorities only sealed the doctor's ultrasound machine at the clinic in Moonak in Sangrur district of Punjab.³⁸

35. Order of Delhi Medical Council against Dr Krishna Gopal Garg, DMC/DC/F.14/Comp.1563/2/2015/ dated 8th July, 2015, delhimedicalcouncil.org/images/Order1563.doc

36. Doctor convicted under PC PNDT Act, licence cancelled, Indian Express, 10 July 2015, <http://indianexpress.com/article/cities/delhi/doctor-convicted-under-pc-pndt-act-licence-cancelled/>

37. Order of Delhi Medical Council against Dr Krishna Gopal Garg, DMC/DC/F.14/Comp.1563/2/2015/ dated 8th July, 2015, delhimedicalcouncil.org/images/Order1563.doc

38. Doc arrested for foetal sex test let off; medical officers spar, The Tribune, 6 January 2015, <http://www.tribuneindia.com/news/haryana/doc-arrested-for-foetal-sex-test-let-off-medical-officers-spar/26923.html>

On 28 June 2014, two doctors were arrested by the police after they were allegedly found conducting sex determination tests at Kanina in Mahendargarh district and at Charkhi Dadri in Bhiwani district respectively and cases were registered against the doctors for violating the PCPNDT Act and the MTP Act. The Health Department sent a decoy customer who went along with a decoy patient to the Sanjivini Hospital, located at Ambedkar Chowk in Kanina in Mahendargarh district. A sex determination test was allegedly settled for Rs. 7,000 to ascertain the sex of the unborn child. A raid was conducted and doctors in the hospital were allegedly caught red-handed while conducting sex determination test. In the second raid at Guddi Clinic and Dhankhad Health Care at Charkhi Dadri in Bhiwani district, the officials found medicines, MTP instruments and incomplete records which suggested practice of sex determination. Following this, a case under the MTP Act was registered and the accused doctor was arrested.³⁹

In January 2014, two doctors were arrested for violation of the PCPNDT Act and MTP Act in Haryana. Dr Pawan Kumar Singla, owner of Singla Nursing Home, Gol Bazaar, Dabwali in Sirsa district was arrested for allegedly conducting sex determination test and an FIR was registered against him under PCPNDT Act 1994. Several violations of PCPNDT Act were detected during a raid by a team consisting of deputy civil surgeon and drug control officer at Dr Singla's clinic. Dr Singla was allegedly found conducting ultrasonography test on expecting mothers. Violations detected at Singla Nursing home included incomplete records, unsigned referral slips, ultra sound reports and patients' register. The clinic was sealed under Sections 4, 5, 6 and 29 of PCPNDT Act. Another FIR was registered against Dr Rang Rajan, owner of H-way hospital in Dharuhera in Rewari, for violation of PCPNDT Act. During a raid at H-way hospital, MTP cannula, dilators and MTP kits were found although the hospital was not approved for medical termination of pregnancy (MTP).⁴⁰

39. Two Haryana doctors arrested for sex detection tests, The Times of India, 28 June 2014, <http://timesofindia.indiatimes.com/city/chandigarh/Two-Haryana-doctors-arrested-for-sex-detection-tests/articleshow/37401671.cms>

40. Two more docs booked under PC-PNDT Act, The Hindustan Times, 7 January 2014, <http://www.hindustantimes.com/chandigarh/two-more-docs-booked-under-pc-pndt-act/story-28wvmL487vCpZPKqI3fXoO.html>

On 3 April 2002, the Chief Medical Officer (CMO) of Faridabad district filed FIR against a doctor couple identified as Dr Upender, his wife Dr Archana Kumar and against their hospital Shri Ram Hospital and Research Centre located in Ballabgarh town in Faridabad district for violating the Pre-Natal Diagnostic Technique Act, 1994. After complaints were received about alleged illegal ultrasound tests on pregnant women, a team of district health officials raided the hospital on 23 October 2001 and detected several violations by the doctors. The team found that the hospital had conducted over 100 ultrasound tests in the last three months preceding the raid and several tests were not on the record book. Thereafter a notice was served on the accused doctors but they failed to turn up on the fixed date. When the CMO of Ballabgarh, Dr Chatra Pal, visited the hospital, no cooperation was extended and the doctors even allegedly misbehaved with the investigating officer. The CMO of Faridabad district then suspended the registration certificate of the hospital for six months, but that allegedly did not deter the hospital from conducting illegal ultrasound tests. Thereafter a case was registered under sections 4, 5, 6 and 29 of the PCPNDT Act against the accused doctors.⁴¹

3.2 Implementation of the MTP Act

India also enacted the Medical Termination of Pregnancy (MTP) Act in 1971 to regulate and ensure access to safe abortions. The MTP Act of 1971 (amended in 2002) allows abortion up to 20 weeks of pregnancy in cases where “*the continuance of the pregnancy would involve a risk to the life of the pregnant woman or of grave injury to her physical or mental health*”, or, “*there is substantial risk that if the child were born, it would suffer from such physical or mental abnormalities to be seriously handicapped*”.⁴² When the pregnancy is caused by rape or as a result of failure of family planning device or method used by any of the married couples, pregnancy can be terminated.⁴³ Abortion is allowed only when it

41. Doctor couple held for sex tests, The Tribune, 4 April 2002, <http://www.tribuneindia.com/2002/20020404/ncr1.htm>

42. Section 3, sub section (2) of the Medical Termination of Pregnancy Act of 1971

43. Section 3, sub section (2) of the Medical Termination of Pregnancy Act of 1971

is conducted by registered medical practitioners at a hospital established or maintained by the Government or a facility certified by the Government or a District Level Committee constituted by the Government⁴⁴. However, in special circumstances, pregnancy can be terminated any time (i.e. beyond 20 weeks' gestation) and without approval of a second doctor when "the termination of such pregnancy is immediately necessary to save the life of the pregnant woman."⁴⁵ In this case, the registered medical practitioner need not have the requisite experience or training in gynecology and obstetrics as required under Section 2 (d) to perform the abortion.⁴⁶ Specific punishments were prescribed for any illegal abortion under the MTP (Amendment) Act of 2002, which shall not be less than 2 years rigorous imprisonment but which may extend to 7 years under the IPC.⁴⁷

While the government of India does not have any official data on illegal abortions, the Ministry of Health and Family Welfare has unambiguously acknowledged that "*Although abortions were made legal in 1971, actually illegal abortions still outnumber legal abortions by a large margin. It is estimated that 10-15 thousand women die every year due to complications resulting from unsafe abortions conducted at unapproved places by untrained providers.*"⁴⁸ The official number on abortions varies. According to the Ministry of Health and Family Welfare's report, "*Health and Family Welfare Statistics in India 2013*", a total of 6,49,795 medical termination of pregnancies (or abortions) were performed during 2008-2009; 6,75,810 during 2009-2010; 6,48,469 during 2010-2011; 6,25,448 during 2011-2012 and 6,36,010 during 2012-2013.⁴⁹ Further on 6 August 2013, then Union Minister of Health and Family Welfare Mr Ghulam Nabi Azad told the Rajya Sabha that a total of 11.06 lakh abortions were

44. Section 4 of the Medical Termination of Pregnancy Amendment Act of 2002

45. Section 5, sub section (1) of the Medical Termination of Pregnancy Act of 1971

46. See Explanation 2 under Section 5 of the Medical Termination of Pregnancy Amendment Act of 2002

47. Section 5, sub-sections (2)-(4) of the MTP Amendment Act of 2002

48. <http://164.100.47.132/LssNew/psearch/Result13.aspx?dbsl=4858>

49. Ministry of Health and Family Welfare, Government of India's "Health and Family Welfare Statistics in India 2013", Page 209, <https://nrhm-mis.nic.in/PubFWStatistics%202013/Complete%20Book.pdf>

recorded in the year 2008-09 in India.⁵⁰

But unofficial estimates made by independent research study of 2004 “Abortion Assessment Project - India (AAPI)” coordinated by CEHAT, Mumbai and Healthwatch, Delhi estimated a staggering 6.4 million (64 lakhs) abortions taking place annually in India. Of these, 1.6 million (16 lakhs) abortions i.e. 25% were performed by informal (traditional and/or medically non-qualified) abortion providers.⁵¹ The Population Research Institute, a non-profit research group, states that at least 12,771,043 sex selective abortions had taken place in India in the years between 2000 and 2014. The yearly average of sex selective abortion is 851,403 or daily average of 2,332.⁵²

The underreporting under the MTP Act is glaring. It is assumed that States with more population will report more such cases. For example, Assam with a total population of 31,205,576 as per 2011 census reported a total of 3,53,309 cases of termination of pregnancies under the MTP Act during 2008-2009 to 2012-13. In comparison, Uttar Pradesh with a population of 199,812,341 as per 2011 census reported a total of 3,60,555 cases during the same period. In other words, Uttar Pradesh despite having 159 million populations more than Assam reported only 7,246 cases more than Assam. On the other hand, Maharashtra having a population of 112,374,333 as per 2011 census i.e. less than Uttar Pradesh reported 5,44,671 cases of termination of pregnancies under the MTP Act during the said period. Some other major States with population more than Assam as per 2011 census reported fewer cases than Assam. These States include Andhra Pradesh (32,842 cases) with over 84 million population; Bihar (67,895 cases) with population of over 100 million; Gujarat (1,04,901 cases) with population of over 60 million; Karnataka (1,30,410 cases) with population of over 61 million; Madhya Pradesh (1,32,118 cases) with population of over 72 million; Odisha (103,146

50. Statement of then Minister of Health and Family Welfare Mr Ghulam Nabi Azad in response to Unstarred Question No. 257 in the Rajya Sabha on 6 August 2013,

51. See <http://www.cehat.org/go/uploads/AapIndia/summary.pdf>

52. Population Research Institute, “Sex-Selective Abortion Around the World”, <https://www.pop.org/content/sex-selective-abortion>

cases) with population of over 41 million; Rajasthan (158,470 cases) with population of over 68 million; Tamil Nadu (299,083 cases) with population of over 72 million; and West Bengal (269,091 cases) with population of over 91 million.⁵³

A total of 1,36,163 medical termination of pregnancies were performed in Haryana during 2008-09 to 2012-13. These included 29,656 terminations of pregnancies in 2008-09; 25,726 in 2009-10; 27,085 in 2010-11, 27,808 in 2011-12, and 25,888 in 2012-13.⁵⁴

There have been reports of abuse of the MTP Act for sex selective abortion.

On 3 July 2016, the Haryana police arrested two women identified as Komal and Gudiya from a clinic at Mauli Jagran in Chandigarh for trying to abort the six-month-old female foetus of a woman with the help of a doctor identified as Dr Pandey. Following a tip-off from the Women and Child Development Department, Panchkula, the clinic was raided. The two arrested women had allegedly struck a deal with Dr Pandey to abort the foetus for Rs 14,000. The woman undergoing abortion at the clinic had to be admitted to the Civil Hospital, Sector 6, after her health deteriorated. During the raid, instruments and other items used in the abortion were recovered from the clinic.⁵⁵

On 2 June 2016, in a joint operation, the Department of Health and the Department of Women and Child Welfare conducted a surprise check at a private clinic in Sector 15 in Panchkula and arrested a Bachelor of Ayurveda Medicine and Surgery (BAMS) doctor identified as Dr Aruna for allegedly selling MTP kits to women. The department had received a tip-off that she was illegally selling MTP kits to pregnant women from her clinic, *Family*

53. Please refer to "The MTP Amendment Bill, 2014: India's Beti Mar Do Campaign" by Asian Centre for Human Rights, January 2016 available at <http://www.stopfemaleinfanticide.org/files/MTP-Amendment-Bill-2014.pdf>

54. Source: Ministry of Health and Family Welfare, "Health and Family Welfare Statistics in India 2013", P 209, <https://nrhm-mis.nic.in/PubFWStatistics%202013/Complete%20Book.pdf>

55. Abortion racket busted, two women arrested, The Tribune, 4 July 2016, <http://www.tribuneindia.com/news/chandigarh/abortion-racket-busted-two-women-arrested/260906.html>

Clinic at Sector 15, Panchkula. A team consisting of Deputy Civil Surgeon Saroj Aggarwal, District Project Officer, Department of Women and Child Welfare, Baljit Kaur and Inspector Neha Chauhan was constituted which raided the clinic. A woman was sent as a decoy customer to her residence-cum-clinic for seeking help for terminating her pregnancy. The accused doctor allegedly gave her an MTP kit for Rs 800, and was caught red-handed with the cash. The accused BAMS doctor was booked under sections 4 and 5 of the MTP Act.⁵⁶

On 7 February 2016, in a joint operation with the health department, the Haryana Police arrested a BAMS (Bachelor of Ayurveda, Medicine and Surgery) doctor identified as Dr Sucheta Sahni from her clinic at Sector 25 in Panchkula for allegedly carrying out illegal medical termination of pregnancies (MTPs). A young unmarried woman was sent as a decoy who pretended to be pregnant and requested the accused doctor to get her pregnancy terminated at her clinic, *Sarvmangalam Clinic*. The decoy met the accused doctor, who agreed to get her MTP done, on a payment of Rs 5,000. Immediately a team of the health department, led by Deputy Civil Surgeon Saroj Aggarwal, conducted a raid and caught her red-handed while accepting the money. The accused was a BAMS doctor and unauthorised to carry out MTPs under the MTP Act. A case under Medical Termination of Pregnancy (MTP) Act was registered at Chandimandir police station. According to the police, the accused doctor had been carrying out MTPs for over a decade.⁵⁷

On 17 January 2014, two doctors, including a woman, were arrested by police after health department officials allegedly found them conducting sex determination tests on pregnant women in Yamunanagar district. Both the doctors, Nirmal Singh and Anu, escaped from their private hospital, Nirmal Hospital, on Radaur road near Yamunanagar after health officials raided the

56. BAMS doctor arrested for 'selling' abortion drugs, case registered, The Indian Express, 3 June 2016, <http://indianexpress.com/article/cities/chandigarh/bams-doctor-arrested-for-selling-abortion-drugs-case-registered-2831657/>

57. BAMS doctor arrested for 'carrying out' illegal abortions, The Indian Express, 8 February 2016, <http://indianexpress.com/article/cities/chandigarh/bams-doctor-arrested-for-carrying-out-illegal-abortions/>

premises following complaints that sex determination tests were being done on pregnant women to ascertain the sex of the unborn child. The police arrested the duo while trying to flee. During the raid, MTP disposable instruments were found by the health department team. A case was registered against both the doctors for violating the MTP Act.⁵⁸

3.2 The scheme of the State Government of Haryana to address female foeticide

3.2.1 Description of the Ladli Scheme

A. Objectives of the Ladli Scheme

The main objectives of the *Ladli Scheme* are:

- to combat the menace of female foeticide which has devastating demographic and social consequences
- to restore the demographic sex ratio imbalance,
- to facilitate the birth of more girl children and
- to meet the needs of girl children.

B. Targeted beneficiaries

The targeted beneficiaries are parents residing in Haryana who are having two girl children whose 2nd girl child is born on or after 20th August 2005. Girl children are eligible irrespective of the caste, creed, religion, income of their parents or irrespective of number of male siblings.

C. Benefits under the scheme

Under the scheme, Rs 5,000/- per family per year shall be given to the parents on the birth of their 2nd daughter born on or after 20th August 2005 for 5 (five) years. In special cases, where twin girls are born on or after 20th August, 2005, with an elder girl child alive, the family would get Rs. 7,500/- per year.

58. Haryana: 2 doctors arrested for sex determination test, *CNN-IBN*, 17 January 2014, <http://www.ibnlive.com/news/india/haryana-2-doctors-arrested-for-sex-determination-test-662512.html>

Initially the money was invested in Kisan Vikas Patras in the name of 2nd girl child through the mother or in case of mother's death, father or guardian.⁵⁹ But the *Ladli Scheme* Rules of 2005 were changed in August 2008 to provide that the money shall be invested with Life Insurance Corporation (LIC) of India under the *Group Scheme Ladli-LIC of India*.⁶⁰

In case of twin daughters, the incentive would start with immediate effect. In other cases, the first Installment would be released within one month of the birth of 2nd girl child. Successive installments would be released on the birthdays of the 2nd daughter every year.

D. Eligibility conditions

As per the *Ladli Scheme* Rules, 2005, the following shall be the eligibility criteria for availing benefits of the *Ladli Scheme*:⁶¹

- (a) All parents resident in Haryana, or having Haryana domicile, whose 2nd girl child is born on or after 20th August, 2005 are eligible for the cash incentive irrespective of their caste, creed, religion, income and number of sons.
- (b) At least one of the parents along with the girl children should be residing in Haryana.
- (c) The birth of both the girl children should be registered.
- (d) If the parents of the 2nd girl child (born on or after 20th August, 2005) are receiving benefit under any other scheme like *Balika Samridhi Yojana* etc. they would still be entitled to benefit under *Ladli Scheme*.
- (e) The parents should ensure proper immunization of the girl children and immunization record (as per age of the girl children) may be produced at the time of receiving of each payment.

59. Ladli Scheme Rules, 2005 vide notification No. 2750-SW(3)2005 dated 17th November 2005, obtained through the RTI Act from PIO-Cum-Accounts Officer, Women and Child Development Department vide letter No. 682/CD-14/WCD/2015 dated 11.09.2015

60. Amendment to Ladli Scheme Rules, 2005 by Notification No. 1538-SW(3)-2008 dated 12th August 2008, obtained through the RTI Act from PIO-Cum-Accounts Officer, Women and Child Development Department vide letter No. 682/CD-14/WCD/2015 dated 11.09.2015

61. Ibid

- (f) Both sisters should be enrolled in school/Anganwadi centres as per their age
- (g) In case where twin girls are born on or after the 20th August, 2005, the family would be eligible for the benefit under the scheme immediately
- (h) In special cases, where twin girls are born on or after 20th August, 2005, with an elder girl child alive, the family would be eligible for the benefit for all the three girls (i.e. Rs. 7500/- per year @ Rs. 2500/- per girl child).

E. Method of submission of applications and issuance of certificates

To obtain benefit under the scheme, the mother/father/guardian should apply in the prescribed form, obtained free of cost, through the local Anganwadi Worker/Supervisor where the Integrated Child Development Scheme (ICDS) is implemented or concerned Health Staff where ICDS is not implemented. The application must be accompanied with a certified copy of the birth certificate of the second girl child issued by the competent authority, i.e. Registrar of Births and Deaths.

The Child Development Programme Officer in ICDS areas or the Civil Surgeon in non ICDS areas, as the case may be, will recommend the cases to the District Programme Officer, Department of Women and Child Development of Haryana who would then order verification in respect of the beneficiary. The verification shall be made by the existing staff of *Apni Beti Apna Dhan* in areas covered by ICDS scheme and by the Civil Surgeon of the concerned district in the remaining non-ICDS areas.

Issue of Certificate to the 2nd girl child beneficiary

If the applicant is found to be correct and eligible, the District Programme Officer of Department of Women and Child Development shall sanction the amount of Rs 5,000/- and this amount would be deposited in the account of LIC of India for investment in the name of the 2nd girl child.⁶²

62. Ibid.

The LIC of India shall issue a membership certificate in favour of each beneficiary enrolled with them with full details about the investment and send the same to Programme Officer concerned for onward delivery to the concerned beneficiary.⁶³

3.2.2 Assessment of effectiveness of Ladli Scheme

A. The structure of the Scheme

i. Positive aspects of the Scheme

The *Ladli Scheme* stands out in the provision that it allows parents of all castes, religions, and economic status. Therefore it seeks to negate the flawed perception espoused in other similar girl child schemes that only the poor and backward classes have problems of female foeticide and infanticide. The *Ladli Scheme* is also applicable irrespective of whether the beneficiaries are receiving benefit under any other schemes like *Balika Samridhi Yojana*, provided that the parents must be resident in Haryana or Haryana domicile whose 2nd girl child was born on or after 20th August 2005. The scheme also does not exclude girl children on the basis of how many male siblings they might have.

The *Ladli Scheme* is surely an improvement upon the earlier scheme “*Apni Beti, Apna Dhan*” of Haryana Government which had included only the socially disadvantaged groups i.e. Schedule Caste (SC), Backward Class (BC) and Below Poverty Line families that were not SC/BC.

The *Ladli Scheme* also ensures that the parents have registered the births of both the girl children, properly immunized and enrolled into Anganwadi Centres and schools as per their age.

ii. Flaws in the structure of the scheme:

The *Ladli Scheme* has a number of limitations.

1. The *Ladli Scheme* does not apply to parents who are having a single girl child, thereby excluded all families who might be having only one daughter

63. Ibid.

along with many sons. The first girl child does not immediately get benefit of the scheme unless her second girl sibling is born in the family.

2. Under the *Ladli Scheme*, only up to two girl children are benefitted in a single family. Three girl children get the benefits only if the 2nd and 3rd girl children are a twin.

Such restriction up to two girl children per family is against the stated objective of the *Ladli Scheme* which is “*to restore the demographic sex ratio imbalance, to facilitate birth of more girl children*”.

3. The *Ladli Scheme* Rules of 2005 says that at least one of the parents along with the girl children should be residing in Haryana. This restricts movement of the girl child for the purpose including education outside the state of Haryana.

4. The provision that both girl child must be alive in order to avail the final financial benefits after the 2nd girl child turn 18 years and in case of death of either of the girl child, the enrollment as a beneficiary under the Group Scheme Ladli-LIC of India would be cancelled with immediate effect is too harsh on the bereaved family. It is as if a single girl child does not require any assistance.

5. The financial incentive of Rs 5,000/- per year for five years i.e. Rs 25,000 is too less an incentive to encourage even poor families to give birth to more girl children and prevent foeticide and infanticide. Furthermore, the parents do not get any immediate financial assistance upon the birth of the 2nd girl child because the amount of Rs 5,000/- is not given in cash to the parents but is deposited in the account of LIC of India for investment in the name of the 2nd girl child.⁶⁴ It is therefore inexplicable as to how the parents shall meet the expenses of their girl children including nutrition, education etc for more than 18 years.

64. Ibid.

7. The 2nd girl child shall be eligible to obtain the maturity value of the investment only when (a) she is 18 years of age and (b) both she and her elder girl sibling are unmarried before the age of 18 years. Therefore, the scheme is unjust to the 2nd girl child (beneficiary) as she is punished for the acts of her elder sibling if she happens to marry before attaining 18 years.

B. Poor implementation of the scheme

i. Coverage under the scheme

During 2005-06 to 2014-15, a total of 2,36,311 girl children have been benefited under the *Ladli Scheme*.⁶⁵

Table 4: Year-wise number of beneficiaries of *Ladli Scheme*:⁶⁶

Sl No.	Year	No. of beneficiaries
1.	2005-06	5,674
2.	2006-07	18,079
3.	2007-08	25,832
4.	2008-09	23,066
5.	2009-10	32,489
6.	2010-11	24,148
7.	2011-12	23,918
8.	2012-13	32,832
9.	2013-14	30,048
10.	2014-15	20,252
	Total	2,36,311

During 2005-06 to 2014-15, the Haryana government spent Rs 39,940 Lakhs against sanctioned total of Rs 39,840 Lakhs on the *Ladli Scheme*. The

65. Department of Women and Child Development, Haryana, <http://wcdhry.gov.in/ladli.htm>

66. Ibid

details of budget approved and utilized from 2005-06 to 2014-15 are given below⁶⁷:

Table 5: Year-wise disbursement of funds under the *Ladli Scheme*:⁶⁸

Year	Budget approved (in Lakhs)	Utilized budget (in Lakhs)
2005-06	300.00	282.12
2006-07	1200.00	1180.81
2007-08	2100.00	2501.18
2008-09	2700.00	2961.24
2009-10	3451.59	5200.10
2010-11	3871.49	4578.76
2011-12	6305.35	5352.21
2012-13	7312.55	6981.84
2013-14	6000.00	5022.27
2014-15	6600.00	5879.71
Total	39840.98	39940.24

The Scheme is highly insensitive in case of death of a girl child. Instead of providing succour in adverse circumstances, the State government of Haryana gives rude shocks to the grieving family in the unfortunate event of death of either of the two girl children. Rule 2(g) and Rule 3(e) of the *Ladli Scheme Rules*, 2005 notified on 17th November 2005 stated, “*In case of death of either of the girl the incentive shall be stopped with immediate effect. However, the same will be restored from the date it was discontinued on birth of another girl child.*”

67. Information obtained through the RTI Act from PIO-Cum-Accounts Officer, Women and Child Development Department vide letter No. 682/CD-14/WCD/2015 dated 11.09.2015

68. Department of Women and Child Development, Haryana, <http://wcdhry.gov.in/ladli.htm>

This was further amended by Notification No. 1538-SW(3)-2008 dated 12th August 2008 to provide that *“In case of death of either of the girl child, the enrollment as a beneficiary under the Group Scheme Ladli-LIC of India would be cancelled with immediate effect and funds invested against this enrollment would be taken back from Group Scheme Ladli-LIC of India with interest and deposited in the receipt of Head of the Department”*.⁶⁹

Therefore, the *Ladli Scheme* discriminates against the surviving female child even in the event of unfortunate death of her sibling. It is ridiculous that the surviving female child beneficiary and her parents are punished for something which is beyond the control of the family (i.e. death of one of the two beneficiary girls).

The CAG following an audit found that during 2009-14, at least 538 cases of death of the *Ladli Scheme* beneficiaries were reported in the three test checked districts i.e. Karnal, Hisar and Jind alone.⁷⁰ The State government had withdrawn all benefits of the *Ladli Scheme* from 538 families after the death of a daughter in their respective families. Similarly, there would be hundreds of such affected families in other districts.

ii. Benefits are too meager to act as an incentive

The financial benefit of post-birth grant of Rs 25,000 @ Rs. 5000 per year for five years for two daughters is too meager an amount to change the outlook of a family in particular and the society at large towards the girl child, to eventually act as an incentive for retention of the girl child. According to the Department of Women and Child Development of Haryana, the investment in the form of *Kissan Vikas Patra* in the name of the second girl child would fetch a total of around Rs. 86,927/- which would be paid after

69. Rule 3 of Ladli Scheme Rules, 2005 as amended by Notification No. 1538-SW(3)-2008 dated 12th August 2008, obtained through the RTI Act from PIO-Cum-Accounts Officer, Women and Child Development Department vide letter No. 682/CD-14/WCD/2015 dated 11.09.2015

70. Report of the Comptroller and Auditor General of India on Social, General and Economic Sectors (Non-Public Sector Undertakings) for the year ended 31st March 2014, Government of Haryana, Report No. 2 of the year 2015

the second girl child attained the age of 18 years. From 2008-09 onwards, the state government decided to invest the fund in group scheme *Ladli* of Life Insurance Corporation of India and the matured amount is expected to be around Rs. 96,000/- @ the current rate of interest i.e. 9.40%.⁷¹

The financial incentive of Rs 96,000 after 18 years that too subject to a number of conditions does not act as a motivating factor to retain the girl child.

Further, benefit is not provided to a single girl child or more than two girl children in a family. Although the expressed objective of the *Ladli Scheme* is to combat the menace of female foeticide, to restore the demographic sex ratio imbalance, to facilitate the birth of more girl children and raise the status of the girl child in the family and in the society, in reality, the scheme provides benefits only two girl children in the family and creates insurmountable hurdles in accessing the final benefits.

iii. CAG unearthed irregularities

During May and June 2014 the Comptroller and Auditor General of India (CAG) audited four schemes/programmes relating to girl child including the *Ladli Scheme* for the year 2009-2014 in three districts of Karnal, Hisar and Jind. The CAG found a number of irregularities in the *Ladli Scheme* implementation. In the “*Report of the Comptroller and Auditor General of India on Social, General and Economic Sectors (Non-Public Sector Undertakings) for the year ended 31st March 2014 of Government of Haryana*”, the CAG stated that in 2,358 cases membership certificates supplied by the Life Insurance Corporation (LIC) to Programme Officer (PO), Jind in November 2013, date of birth of the beneficiary was not mentioned, in absence of which it would be difficult to ensure when the beneficiary would attain the age of 18 years. When confronted by CAG, the Director, Women and Child Development Department of Haryana intimated (September 2014) that necessary

71. Department of Women and Child Development, Haryana, <http://wcdhry.gov.in/ladli.htm>

instructions had been issued to LIC Chandigarh to issue fresh membership certificates by inserting date of birth along with amount. However, the CAG pointed out that “the fact remains that the Department accepted the membership certificates without mention of date of birth of beneficiaries and fresh membership certificates were yet to be obtained (January 2015)”.⁷²

Further, the CAG found that the District Programme Officers (DPOs) had not claimed refunds in 538 death cases (Jind: 306 cases, Karnal: 116 and Hisar: 116 cases) from the LIC. On being pointed out (July 2014) the DPOs claimed and received refund of Rs 37.12 lakh from LIC along with interest for 538 death cases after CAG brought the issue to their notice.⁷³ Further, an audit test check (for period of August 2009 to April 2013) in Office of the District Programme Officer (DPO) ICDS of Rewari district by Audit Officer of the Office of the Principal Accountant General, Haryana found that 13 beneficiaries had already died as mentioned in the list but the DPO Rewari has not claimed refunds of Rs 65,000 from LIC.⁷⁴

iv. Irregularities unearthed by Accountant General, Haryana

A test check (for period of August 2009 to April 2013) in District Programme Officer ICDS of Rewari district by Audit Officer of the Office of the Principal Accountant General, Haryana found that an amount of Rs 809.90 lakhs was for deposited in the name of beneficiaries during 2009-10 to 2012-13 which included Rs 192.90 lakhs during 2009-10, Rs 185.30 lakhs during 2010-11, Rs 176.70 lakhs during 2011-12 and Rs 255.00 lakhs during 2012-13. But no record including certificate or any other document was maintained in the office to determine as to whether both of the girl children (beneficiaries) are alive. Further, the DPO ICDS also did not maintain any register or record to

72. Report of the Comptroller and Auditor General of India on Social, General and Economic Sectors (Non-Public Sector Undertakings) for the year ended 31st March 2014, Government of Haryana, Report No. 2 of the year 2015, pp 124-125

73. Ibid'

74. Letter of Audit Officer, Office of the Principal Accountant General, Haryana, Chandigarh to District Programme Officer, ICDS, Rewari district dated 31.5.2013. This document was obtained through the Right to Information Act by Asian Centre for Human Rights.

prove that the beneficiaries were enrolled in Anganwadi Centres or Schools. Therefore, the audit found an irregularity in the expenditure of Rs 809.90 lakhs paid towards the beneficiaries' LIC accounts.⁷⁵

The Women and Child Development Department, Haryana Government refused to provide Utilization Certificates on the flimsy ground that the Utilization Certificates did not come under the Right to Information Act.⁷⁶ The District Programme Officer, Women and Child Development of Rewari district stated that it has spent Rs 15,33,45,430/- from 2005-2006 to 2015-2016 but refused to provide the Utilization Certificates. When specifically asked to supply Utilization Certificates the one line reply was "Whatever has been received was spent".⁷⁷

75. Ibid.

76. Information obtained through the RTI Act from PIO-Cum-Accounts Officer, Women and Child Development Department vide letter No. 682/CD-14/WCD/2015 dated 11.09.2015

77. Reply received by Asian Centre for Human Rights from Public Information Officer Cum District Programme Officer, Women and Child Development of Rewari district under Right to Information Act, dated 24.09.2015

4. CONCLUSION: LADLI SCHEME FAILED TO INSPIRE PARENTS AND SOCIETY TO PROTECT GIRL CHILD

The sex ratio of Haryana as per Census of 2011 increased by 16 points from 861 per 1,000 males in 2001 to 877 in 2011, which is the highest since 1901.⁷⁸ The child sex ratio (CSR) also improved from 819 in 2001 to 834 in 2011.⁷⁹ But as per provisional data of 2011 Census, CSR declined in five districts: from 841 in 2001 to 831 in 2011 in Bhiwani district, from 801 to 774 in Jhajjar district, from 818 to 778 in Mahendragarh district, 811 to 784 in Rewari district, and from 847 to 842 in Faridabad district.⁸⁰

The *Ladli Scheme* has failed to inspire parents and society to protect girl child. The financial benefits of Rs 5000 per year for five years for two girls which accumulates to around Rs 96,000/- after 18 years⁸¹ is unlikely to act as an encouragement for parents howsoever poor they may be to retain the girl child at birth. The rich families don't even bother to register under the scheme.

The stated objectives of the *Ladli Scheme* are to combat the menace of female foeticide and to facilitate the birth of more girl children. But at best the scheme was aimed at creating positive attitude in favour of second daughter in a family purely by giving financial incentive after the birth of the second daughter. The scheme did not favour birth of more than two girls in a family. Because of its flaws, the *Ladli Scheme* has failed to change the mindset of the society towards girls. In September 2015, media reports stated that drugs which claimed to change the sex of foetus from girl to boy was openly sold

78. Though India's worst, Haryana's sex ratio is best in 110 years, Deccan Herald, 10 April 2011, <http://www.deccanherald.com/content/152551/though-indias-worst-haryanas-sex.html>

79. Decline In Child Sex Ratio, Ministry of Health and Family Welfare, Government of India, Press Information Bureau, 11 February 2014, <http://pib.nic.in/newsite/PrintRelease.aspx?relid=103437>

80. http://censusindia.gov.in/2011-prov-results/data_files/haryana/4-table2.doc

81. Department of Women and Child Development, Haryana, <http://wcdhry.gov.in/ladli.htm>

in pharmacies across Haryana. Dr G S Singhal, who was spearheading the *Beti Bachao, Beti Padhao* project in Chandigarh, investigated the matter and found that “the sex selective drug goes by the name of Shivling or Majuphal, a miracle sex selection drug that guarantees a male child, being sold openly across Haryana”. The investigation revealed that these medicines are actually filled with testosterone, progesterone and other natural steroids.⁸²

The failure of Ladli Scheme is self-evident. The BJP government in Haryana government launched yet another scheme by the name of “*Aapki Beti Humari Beti*” (Your Girl Child, Our Girl Child) on the occasion of the International Women’s Day on 8 March 2015.⁸³ Under the scheme, all Scheduled Caste and Below Poverty Line families in the state, whose first girl child was born on or after 22 January 2015, would be eligible to receive a one-time grant of Rs 21,000. All families in the state whose second girl child was born on or after 22 January 2015 would also receive a one-time grant of Rs 21,000, irrespective of their caste, creed, religion, income and the number of sons. In case of birth of twins on or after January 22, the families would get a one-time grant of Rs 21,000 per girl child. Further, all families whose second girl child was born on or before 22 January 2015 would receive Rs 5,000 every year for five years.⁸⁴

The Haryana government has realized that there is no meaning to ignore the first girl child in the family and to not try to protect her. After all, every girl child counts. The question is whether Haryana Government would correct the *Laldi Scheme* with retrospective effect.

82. Sales of foetus ‘sex change drugs’ thriving in Haryana, Mail Online India, 11 September 2015, <http://www.dailymail.co.uk/indiahome/indianews/article-3231288/Sales-foetus-sex-change-drugs-thriving-Haryana.html>

83. Haryana launches schemes for girl child, The Hindu, 9 March 2015, <http://www.thehindu.com/news/national/other-states/haryana-launches-schemes-for-girl-child/article6972789.ece>

84. Govt notifies ‘Aapki Beti, Hamari Beti’ scheme, The Tribune, 18 August 2015, <http://www.tribuneindia.com/news/haryana/community/govt-notifies-aapki-beti-hamari-beti-scheme/120907.html>

ANNEX-I: THE LADLI SCHEME

रजिस्टर्ड/तत्काल
प्रेषक

राज्य सूचना अधिकारी-कम-लेखाधिकारी (डब्ल्यूसीओडीओ)
महिला एवं बाल विकास विभाग, हरियाणा,
पंचकूला।

सेवा में

✓ सुहास चकमा सपुत्र श्री रंजन विकास चकमा,
सीओ-3/441, द्वितीय मंजिल, जनकपुरी, नई दिल्ली।

कमांक 682 /सीओडीओ-14/डब्ल्यूसीओडीओ/2015 दिनांक 11/09/15

विषय : सूचना अधिकार अधिनियम 2005 के तहत सूचना उपलब्ध करवाये जाने बारे।

उपरोक्त विषय पर आपके आयेदन दिनांक 06.07.2015 व 26.08.2015 के सन्दर्भ में।

आप द्वारा सूचना अधिकार अधिनियम 2005 के अन्तर्गत सूचना मांगी गई है। इस विभाग से सम्बन्धित मांगी गई विन्दु नं० 1,2,3,5 व 6 बारे वांछित सूचना निम्न प्रकार से आवश्यक एवं आगामी कार्यवाही हेतु भेजी जाती है:-

क्रम संख्या	प्रार्थी द्वारा मांगी गई सूचना	कार्यालय द्वारा भेजी जाने वाली सूचना																																	
1.	Copies of the (a) notification of the scheme, Ladli Scheme, (b) Rules, and all amendments thereof, if any, (c) Guidelines issued by the department, if any	Copies is attached.																																	
2.	Details of budget approved, sanctioned and utilized year-wise since the inception of the scheme.	<table border="1"> <thead> <tr> <th>Name of the year</th> <th>Budget approved</th> <th>Utilized Budget</th> </tr> </thead> <tbody> <tr> <td>2005-06</td> <td>300.00</td> <td>282.12</td> </tr> <tr> <td>2006-07</td> <td>1200.00</td> <td>1180.81</td> </tr> <tr> <td>2007-08</td> <td>2100.00</td> <td>2501.18</td> </tr> <tr> <td>2008-09</td> <td>2700.00</td> <td>2961.24</td> </tr> <tr> <td>2009-10</td> <td>3451.59</td> <td>5200.10</td> </tr> <tr> <td>2010-11</td> <td>3871.49</td> <td>4578.76</td> </tr> <tr> <td>2011-12</td> <td>6305.35</td> <td>5352.21</td> </tr> <tr> <td>2012-13</td> <td>7312.55</td> <td>6981.84</td> </tr> <tr> <td>2013-14</td> <td>6000.00</td> <td>5022.27</td> </tr> <tr> <td>2014-15</td> <td>6600.00</td> <td>5879.71</td> </tr> </tbody> </table>	Name of the year	Budget approved	Utilized Budget	2005-06	300.00	282.12	2006-07	1200.00	1180.81	2007-08	2100.00	2501.18	2008-09	2700.00	2961.24	2009-10	3451.59	5200.10	2010-11	3871.49	4578.76	2011-12	6305.35	5352.21	2012-13	7312.55	6981.84	2013-14	6000.00	5022.27	2014-15	6600.00	5879.71
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3.	Copies of Utilization Certificates since the inception of the scheme.	विन्दु नं० 3 बारे मांगी गई सूचना आक्टोप्ट 2005 की परिधि में कवर नहीं होती।																																	
4.	Year-wise list of beneficiaries (with their father/mother's names and address), since the inception of the scheme.	विन्दु नं० 4 बारे सूचना क्षेत्रीय कार्यलयों में उपलब्ध है तथा यह सूचना जल्दी द्वारा प्रार्थी को उपलब्ध करवाई जानी है जिसे सूचना अधिकार अधिनियम 2005 के 6(3) के तहत स्थानान्तरण कर दी गई है।																																	
5.	Has any social audit been conducted by NGOs or other agencies. If yes kindly provide copies of the audit reports.	नहीं।																																	
6.	Has any audit of scheme been conducted by the Comptroller and Auditor General (CAG). If yes, kindly provide copies of the CAG audit reports.	लाडली स्कीम का महालेखाकार हरियाणा द्वारा आडिट किया गया है और इससे सम्बन्धित पैस भारत के नियन्त्रक महालेखापरीक्षक का प्रतिवेदन सामाजिक सामान्य तथा आर्थिक क्षेत्र (गैर-व्यावसायिक क्षेत्र उपक्रम) 31 मार्च 2014 को समाप्त वर्ष हरियाणा सरकार के पैस नं० 323 (1) लाडली स्कीम (स्टेट प्लान) में शामिल है जिसकी प्रति साथ संलग्न है।																																	

संलग्न- लाडली नोटिफिकेशन दिनांक 17.11.2005, 12.08.2008

व सीओडीओ पैस नं० 323(1) की फोटोप्रति।

राज्य सूचना अधिकारी-कम-लेखाधिकारी(डब्ल्यूसीओडीओ)
कृते: निदेशक, महिला एवं बाल विकास विभाग,
हरियाणा पंचकूला

[Extract from Haryana Government Gazette, dated the 29th November, 2005]

HARYANA GOVERNMENT

WOMEN AND CHILD DEVELOPMENT DEPARTMENT

Notification

The 17th November, 2005

No. 2750-SW(3)2005.—These rules shall be called "Ladli Scheme Rules, 2005" and shall be applicable throughout the State of Haryana. These rules shall come into operation *w.e.f.* 20th August, 2005.

1. Aim :

The aim of this scheme is to combat the menace of female foeticide which has devastating demographic and social consequences, to restore the demographic sex ratio imbalance, to facilitate the birth of more girl children and to meet the felt needs of the women and girl children for which these rules have been framed.

2. Eligibility Criteria :

The following will be the criteria for selection of beneficiaries under the scheme :—

- (a) All parents resident in Haryana, or having Haryana domicile, whose 2nd girl child is born on or after 20th August, 2005 are eligible for this cash incentive irrespective of their caste, creed, religion, income and number of sons.
- (b) At least one of the parents along with the girl children should be residing in Haryana.
- (c) The birth of both the girls children should be registered.
- (d) If the parents of the 2nd girl child (born on or after 20th August, 2005) are receiving benefit under any other scheme like Balika Samridhi Yojana etc. they would still be entitled to benefit under this scheme.
- (e) The parents should ensure proper immunization of the girl children and immunization record (as per age of the girl children) may be produced at the time of receiving each payment.
- (f) Both sisters should be enrolled in school/Anganwadi centres as per their age.
- (g) In case of death of either of the girl the incentive will be stopped with immediate effect. However, the same can be restored from the date it was discontinued on birth of another girl child.
- (h) In case where twin girls are born on or after the 20th August, 2005, the family would be eligible for the benefit under the scheme.
- (i) In special cases, where twin girls are born on or after 20th August, 2005, with an elder girl child alive, the family would be eligible for the benefit for all the three girls (*i.e.* Rs. 7500/- per year @ Rs. 2500/- per girl child).

3. Financial Assistance :

Keeping in view the aims of the Scheme the Government will provide benefit/financial assistance of Rs. 5000/- @ Rs. 2500/- per girl child) on the birth of 2nd girl child per annum for 5 years. This will be provided in the following manners :—

- (a) Under the scheme Rs. 5,000/- per family per year will be given to the parents on the birth of their 2nd daughter born on or after 20th August, 2005 for 5 years or till the scheme is extended.
- (b) The money is to be invested in Kisan Vikas Patras in the name of 2nd girl child through mother. In case, mother is not alive then the money would be deposited in the name of 2nd girl through father. If both the parents are not alive then this money would be deposited in the name of 2nd girl child through her guardian. The Kisan Vikas Patras would be deposited in Treasury/Sub-Treasury, as valuables, for a period of 8 years and 7 months by the Programme Officer of concerned District and after 8 years and 7 months the money would be reinvested in Kisan Vikas Patras and deposited again in the treasury till the 2nd girl child attains 18 years of age.
- (c) In case of twin daughters, the incentive would start with immediate effect.
- (d) The first instalment would be released within one month of the birth of 2nd girl child. Successive instalments would be released on the birthdays of the 2nd daughter every year.
- (e) In case of death of either of the girl the incentive shall be stopped with immediate effect. However, the same will be restored from the date it was discontinued on birth of another girl child.

4. Scrutiny of Prospective beneficiaries :

The verification procedure in respect of beneficiaries shall be made by the Programme Officer of Department of Women and Child Development in both the Rural and Urban areas covered by ICDS Scheme with the existing staff of Apni Beti Apna Dhan and in the remaining non ICDS Scheme Areas, verification of beneficiaries shall be made by the Civil Surgeon of the concerned district. Information regarding number of daughters in the family shall be furnished by Anganwadi Workers/Supervisors in Rural areas and Urban Areas where ICDS scheme is being implemented and by Health Staff i.e. Multi Purpose Worker (Female), Health Supervisor (Female) in the Urban areas where ICDS scheme is not implemented.

5. Procedure for Applying/Ohtaining benefit :

The mother/father/guardian of the girl children shall make an application on the prescribed form and give to the Anganwadi Worker and concerned Health Staff. The application form would be made available free of cost to the applicants by Anganwadi Worker in Anganwadi Centres, in the offices of the Child Development Project Officer and the Programme Officer and in the office of Civil Surgeon of Health Department.

6. Procedure for Sanction the Financial Assistance of Rs. 5000/- :

1. All parents, resident in Haryana or having domicile of the girl children, whose 2nd girl is born on or after 20th August, 2005 are eligible for this cash incentive irrespective of the caste, creed, religion, income and number of sons.—

- (a) In ICDS scheme in Rural and Urban Areas the respective Child Development Project Officer shall send the cases to Programme Officer and in non ICDS Urban areas, the Civil Surgeon of the district shall send the cases to concerned Programme Officer for sanction of financial assistance to the eligible case after ensuring the following :
- (b) (i) That the girl child born on or after 20th August, 2005 is the second girl child in the family.
- (ii) To ensure this the birth certificate must be issued by competent authority i.e. Registrar Birth and Deaths.

7. Method of making Investment and Financial Assistance Rs. 5000/- to the 2nd girl child :

- 1. The mother/father/guardian of the 2nd girl child should apply in the prescribed form through Anganwadi Worker/Supervisor and Health Staff of the concerned area. Along with this application form the applicant should submit a certified copy of the birth certificate of the second girl child, issued by competent authority.
- 2. The Child Development Project Officer in ICDS area and Civil Surgeons in non ICDS areas will recommend the cases to the Programme Officers of the concerned District who would sanction the amount of Rs. 5,000/- and would purchase Kisan Vikas Patras of this amount. These Kisan Vikas Patras would be pledged in favour of concerned Programme Officers of the District. The Committee constituted by Programme Officer of the concerned district would place these Kisan Vikas Patras in the Treasury/Sub-Treasury Strong room till the second girl child attains 18 years of age.

8. Safe custody of Kisan Vikas Patras :

The Deputy Commissioner of the district would be responsible for making appropriate arrangements under his/her direct supervision for the safe custody of these Kisan Vikas Patras in the Treasury/Sub-Treasury Strong room.

9. Issue of Certificate to the 2nd girl child beneficiary :

The Programme Officer of the district concerned shall issue a certificate in favour of the holders of the Kisan Vikas Patras giving full details about the investment.

10. Withdrawal of benefit :

- (a) The benefit sanctioned under the scheme shall be withdrawn by the competent authority at any stage, if it is found that it was sanctioned incorrectly on false information.
- (b) In case of wrong information, deliberately given by the applicant, he shall be liable for prosecution.
- (c) The investment made in the shape of Kisan Vikas Patras under this scheme shall not be liable for attachment under any court of law.
- (d) All the benefits shall cease to be payable on the death of any one of the two girl children.
- (e) The girl would not be eligible for the benefit under the scheme in case either of the girls get married before the age of 18 years.

11. Change of address :

It shall be obligatory for the parents/guardians of the girl children to intimate any change of address to the Child Development Project Officer/Programme Officer/Civil Surgeon concerned.

12. Eligibility to encash Kisan Vikas Patras :

In order to obtain the maturity value of the investment in Kisan Vikas Patras at the time of applying the second girl must be :

- (a) 18 years of age.
- (b) Unmarried.

13. Procedure to encash Kisan Vikas Patras :

The eligible girl alongwith her mother/father/guardian will apply on the prescribed application form to the Programme Officer, who after ascertaining the eligibility shall hand over the Kisan Vikas Patras to the beneficiaries.

14. Drawing and Disbursing Officer of the scheme :

The Programme Officer of the district will be the Drawing and Disbursing Officer of this scheme. All the undisbursed amount shall be kept by the Programme Officer. A proper record of such amounts shall be kept in a separate register. The undisbursed amount shall be taken in the cashbook and the entire amount thus received, shall be adjusted by short drawal from the subsequent bill.

Receipt in the prescribed proforma shall be obtained from the beneficiaries at a time of maturity of Kisan Vikas Patras. The same shall be kept under lock and key by the Programme Officer concerned, till the accounts have been audited by the Accountant General, Haryana.

15. The Director, Women and Child Development, Haryana shall be overall incharge of the "Ladli" scheme and necessary instructions in regard to its proper enforcement and accounting procedure shall be issued by him/her from time to time. At the field level Deputy Commissioner shall be overall incharge of the implementation of the scheme in his/her jurisdiction.

16. The expenditure on the administration of the "Ladli" scheme 2005 including the cost of Kisan Vikas Patras or any other expenditure on disbursement of financial assistance to the beneficiaries shall be debitible to the head of the account as prescribed by Government from time to time.

Chandigarh :
The 16th November, 2005

N. BALA BASKAR,
Financial Commissioner and Principal Secretary to
Government Haryana,
Women and Child Development Department.

[Extract from Haryana Government Gazette, dated the 26th August, 2008]

HARYANA GOVERNMENT
WOMEN AND CHILD DEVELOPMENT DEPARTMENT

Notification

The 12th August, 2008

No. 1538-SW(3)-2008.—In partial modification of Haryana Government, Women and Child Development Department's Notification No. 2750-SW(3)-2005, dated 17th November, 2005, the Governor of Haryana is pleased to amend the Ladli Scheme Rules, 2005. The Rule 2(g), 3(b, e), 5, 7(2), 9, 10(c), 12, 13, 14 and 16 may be read as under :—

Rule—2(g) - Deleted

Rule—3 Financial Assistance :

- (b) The money is to be invested with LIC of India under the Group Scheme Ladli—LIC of India in the name of 2nd girl child through mother. In case, mother is not alive then the money would be deposited in the name of 2nd girl through father. If both the parents are not alive then this money would be deposited in the name of 2nd girl child through her guardian.
- (e) In case of death of either of the girl child the enrollment as a beneficiary under the Group Scheme Ladli—LIC of India would be cancelled with immediate effect and funds invested against this enrollment would be taken back from Group Scheme Ladli—LIC of India with interest and deposited in the receipt Head of the Department.

Rule—5 Procedure for Applying/Obtaining Benefit :

The mother/father/guardian of the girl children shall make an application on the prescribed form and give to the Anganwadi worker & concerned Health Staff. The application form would be made available free of cost to the applicants by Anganwadi worker in Anganwadi Centres, in the offices of the Child Development Project Officer and the Programme Officer and in the office of Civil Surgeon of Health Department. Employees of Haryana Government, but residing at Chandigarh and Delhi can apply to Programme Officer, Panchkula and Programme Officer, Gurgaon, respectively.

Rule—7 Mode of making investment and Financial Assistance Rs. 5000/- to the 2nd girl child :

- (2) The Child Development Project Officer in ICDS areas and Civil Surgeons in non-ICDS areas will recommend the cases to the Programme Officers of the concerned district who would sanction the amount of Rs. 5000/- and would deposit the amount in the account of LIC of India for investment in the name of 2nd girl child.

Rule—9 Issue of certificate to the 2nd girl child beneficiary :

LIC of India shall issue a membership certificate in favour of each beneficiary enrolled with them with full details about the investment and send the same to Programme Officer concerned for onward delivery to the concerned beneficiary.

Rule—10 Withdrawal of benefit :

- (c) The investment made with LIC under this scheme shall not be liable for attachment under any court of Law.

Rule—12 Eligibility on maturity :

In order to obtain the maturity value of the investment in the name of 2nd girl child in the Group Scheme Ladli—LIC of India the second girl child must be :—

- a. 18 years of age.
- b. Unmarried

Rule—13 Procedure to Encash Maturity Value

The cheque/draft of the matured amount will be made in the name of the 2nd girl child and handed over to the concerned Programme Officer. Programme Officer will further deliver this cheque/draft to the concerned beneficiary after complete verification.

Rule--14 Drawing and Disbursing Officer of the scheme

The Programme Officer of the district will be the Drawing and Disbursing Officer of this scheme. A proper record of such amounts shall be kept in a separate register. The matured amount already deposited in the name of 2nd daughter in the shape of KVPs since 20th August, 2005 would be withdrawn after 8 years and 7 months and than this amount would be reinvested in the Group Scheme Ladli—LIC of India.

Rule--16

The expenditure on the administration of the 'Ladli' Scheme 2005 including the cost of investment made in Group Scheme Ladli—LIC of India or any other expenditure on disbursement of financial assistance to the beneficiaries shall be debitible to the head of the account as prescribed by Government from time to time.

G. PRASANNA KUMAR,

Chandigarh :

Financial Commissioner and Principal Secretary to Government

The 31st July, 2008

Haryana, Women and Child Development Department.

ANNEX-II: EXCERPTS OF THE REPORT OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA ON SOCIAL, GENERAL AND ECONOMIC SECTORS (NON-PUBLIC SECTOR UNDERTAKINGS) FOR THE YEAR ENDED 31ST MARCH 2014 OF GOVERNMENT OF HARYANA

Report of Social, General and Economic Sectors (Non-PSUs) for the year ended 31 March 2014

The matter was referred to Principal Secretary, Transport Department (May 2014); the reply was awaited despite repeated reminders (January 2015).

Women and Child Development, Health, Welfare of Scheduled Castes and Backward Classes, Social Justice and Empowerment and Education Departments

3.23 Deficiencies in implementation of the schemes for 'Welfare and Protection of Girl Child'

Delay of five to 32 months was observed in release of Vivah Shagun to 1,082 claimants. ₹ 10.95 crore were paid to 5,153 beneficiaries under the Ladli Social Security Allowance Scheme without proper verification. 4,000 girl students were deprived of yoga classes and self defence training. The sex ratio of girl child had decreased in Jind and Hisar during the period 2009-14.

The State Government was implementing eight schemes/programmes⁶⁹ with the objectives to improve the status of girl child in the family and society, to correct the demographic distortions in terms of decreasing sex ratio in the State and to meet the sociological and health needs of the girl child.

Records of four schemes⁷⁰ relating to girl child for the year 2009-14 was test checked in audit by covering three districts (Karnal, Hisar and Jind) during the months of May and June 2014. The important findings are as under:-

(i) Ladli scheme (Women and Child Development Department)

To combat the menace of female foeticide which has devastating demographic and social consequences and to restore the balance of demographic sex ratio, a scheme named 'Ladli' was introduced (August 2005). Under the scheme financial assistance of ₹ 5000/- per annum for five years per family from the birth of second girl child was to be provided which was to be invested with Life Insurance Corporation of India (LIC). The accumulated amount was to be paid to

the second girl child at the time of attaining the age of 18 years subject to condition that she should be unmarried and alive. In case of death or marriage the department would cancel the enrollment and funds invested would be claimed back from the LIC with interest. Under the scheme, expenditure of ₹ 57.21 crore was incurred as financial assistance to 1,14,351 beneficiaries during 2009-14 against the target of 1,15,850. Following was observed in audit:-

- The District Programme Officers (DPOs) had not claimed refunds in 538 death cases (Jind: 306 cases, Karnal: 116 and Hisar: 116 cases) from the LIC. On being pointed out (July 2014), the DPOs, claimed and received refund of ₹ 37.12 lakh from LIC along with interest for 538 death cases.
- In 2,358 cases membership certificates supplied by the LIC to PO, Jind in November 2013, date of birth of the beneficiary was not mentioned, in absence of which it would be difficult to ensure when the beneficiary would attain the age of 18 years. The Director, Women and Child Development Department intimated (September 2014) that necessary instructions had been issued to JIC Chandigarh to issue fresh membership certificates by inserting date of birth along with amount. However, the fact remains that the Department accepted the membership certificates without mention of date of birth of beneficiaries and fresh membership certificates were yet to be obtained (January 2015).

(ii) Indira Gandhi Priyadarshini Vivah Shagun Scheme (SC/BC Welfare Department)

Indira Gandhi Priyadarshini Vivah Shagun (IGPVS) scheme provides financial assistance on the occasion of the marriage of the daughters of SC/BC and other sections of the society living below the poverty line (BPL). As per guidelines of the scheme, all efforts were to be made by the concerned authorities to ensure that the grant is disbursed on or before the date of marriage. Against Budget provision of ₹ 44.95 crore expenditure of ₹ 43.32 crore was incurred in the test checked districts during 2010-14.

⁶⁹ 1-Ladli (Women and Child Development) State Plan. 2-KSY (Women and Child Development) State Plan/Central Plan. 3-SABLA (Women and Child Development) State Plan/Central Plan. 4-Adolescent Girl Awards (Women and Child Development) State Plan. 5-PNDF ACT 1994 (Health Department) Central Plan. 6-Indira Gandhi Priyadarshini Vivah Shagun Scheme State Plan (SC/BC Welfare Department). 7-Ladli Social Security Allowance (Social Justice and empowerment department) State Plan. 8-Girl child to provide Yoga classes, to give self defence training and for excursion tours (Education Department) State/Central Share basis.

⁷⁰ 1- LADLI, 2- Indira Gandhi Priyadarshini Vivah Shagun Scheme (IGPVS), 3- Ladli Social Security Allowance (LASSA) and 4-Yoga classes Self Defense Training and excursion) tours for Girls.

In 1,082⁷¹ cases out of 2,232 the Vivah Shaguns (Kanyadan) were paid with a delay of 5 to 32 months from the receipt of applications of the claimants involving amount of ₹ 2.23 crore which defeated the objective of the scheme. The District Welfare Officers (DWOs) Karnal, Jind and Hisar stated (June 2014) that the reasons for delayed payments were shortage of staff, non availability of budget and non completion of application forms. The reply was not tenable as adequate budget was available under the scheme and payments were to be made before marriage of the girl.

Actual Payee's Receipts (APRs) worth ₹ 15.36 lakh in 109 cases relating to 2009-10 were not available in DWO, Jind, in the absence of which genuineness of payments to actual payees could not be verified in audit. The DWO, Jind stated (June 2014) that the concerned Assistant, who had been transferred from DWO,

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Name of District	5 months – 10 months	11 months – 24 months	25 months – 32 months	Total
Karnal	89	260	0	349
Hisar	118	123	6	247
Jind	318	168	0	486
Total	525	551	6	1,082

ANNEX-III: REPORT BY THE AUDIT OFFICER OF THE OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL, HARYANA

Regd/Parcel

प्रेषक

जन सूचना अधिकारी एवं
जिला कार्यकर्म अधिकारी, महिला एवं बाल विकास,
रेवाड़ी ।

सेवा में

SUHAS CHAKMA S/O SH. RANJAN BIKASH CHAKMA,
C-3/441, SECOND FLOOR, JANAKPURI,
NEW DELHI.

क्रमांक 74961

दिनांक 24/9/15

विषय:-

Application of seeking information under Right to information Act,2005.

उपरोक्त विषय पर निदेशक, महिला एवं बाल विकास विभाग, हरियाणा-पंचकुला के
पत्र क्रमांक 382-402/सी.डी।।/डब्ल्यू.सी.डी./2015, दिनांक 23.07.2015 के संदर्भ में ।

आप द्वारा मांगी गई सूचना इस प्रकार है:-

1. Notification की प्रति साथ संलग्न है । पेज-3
2. Budget Detail yearwise साथ संलग्न है । पेज-1
3. जितना बजट प्राप्त हुआ था वह शर्ब कर लिया गया ।
4. Yearwise List साथ संलग्न है । पेज-1009
- 5- Nil
- 6- AG Haryana Audit प्रति साथ संलग्न है ।

संलग्न:- उपरोक्त ।

Sprawal
24/09/15
जन सूचना अधिकारी एवं
जिला कार्यकर्म अधिकारी, महिला एवं बाल विकास,
रेवाड़ी ।

6

श्री १६, (Punjab, Haryana & Chandigarh)

दिनांक - सोमवार 21/03/2019 अंक ४४ / प्र.सं. भीम सं. 5 दिनांक 31.3.2019

विषय - लाइली (बीम) को कांवेनियुम नाम की बीमों की राशी को लागू न करने के लिए जिनके अंतर्गत में 2018 को एमि ८ ८5 लागू किया ।

संघ सरकार द्वारा कांवेनियुम नाम की बीमों को लागू करने का निर्णय

अनुभव की शक्ति रखने के अभाव में लाइली नाम की बीमों का प्रसारण, जो 2018 में लागू करने का निर्णय किया गया था, अद्यपर्यंत नहीं किया गया है। अद्यपर्यंत कांवेनियुम नाम की बीमों को लागू करने का निर्णय किया गया है, जो 2018 में लागू करने का निर्णय किया गया था। अद्यपर्यंत कांवेनियुम नाम की बीमों को लागू करने का निर्णय किया गया है, जो 2018 में लागू करने का निर्णय किया गया था। अद्यपर्यंत कांवेनियुम नाम की बीमों को लागू करने का निर्णय किया गया है, जो 2018 में लागू करने का निर्णय किया गया था।

अद्यपर्यंत निर्णय नहीं किया गया है

संघ सरकार द्वारा कांवेनियुम नाम की बीमों को लागू करने का निर्णय किया गया है, जो 2018 में लागू करने का निर्णय किया गया था। अद्यपर्यंत कांवेनियुम नाम की बीमों को लागू करने का निर्णय किया गया है, जो 2018 में लागू करने का निर्णय किया गया था। अद्यपर्यंत कांवेनियुम नाम की बीमों को लागू करने का निर्णय किया गया है, जो 2018 में लागू करने का निर्णय किया गया था। अद्यपर्यंत कांवेनियुम नाम की बीमों को लागू करने का निर्णय किया गया है, जो 2018 में लागू करने का निर्णय किया गया था।

दिनांक

निदेशिका/संयोजक/सचिव
आइसी एचआर
दिल्ली

दिनांक 21/3
संयोजक/सचिव/आइसी एचआर

संज्ञा संख्या/2015-16/2246/2013 दिनांक 4-6-2013

विषय: - लिंगानुपात में गिरावट को रोकने के लिए 805-90 लाख

हरियाणा सरकार ने हरियाणा राज्य के लड़कियों की संख्या को बढ़ावा देने के लिए आंध्रप्रदेश के अनुभवों को देखते हुए विचार किया। राज्य के आर्थिक, सामाजिक और सांस्कृतिक जीवन में उन्नति के लिए लड़कियों को शिक्षा देना और उनके स्वास्थ्य को सुरक्षित रखना एक महत्वपूर्ण कार्य है। सरकार को आशा है कि लड़कियों के अधिकारों को सुरक्षित रखने में मदद मिलेगी।

लिंगानुपात में गिरावट को रोकने के लिए 805-90 लाख का बजट आवंटित किया गया है। इस बजट का उपयोग लड़कियों के स्वास्थ्य, शिक्षा और रोजगार के क्षेत्रों में किया जाएगा। सरकार को आशा है कि लड़कियों के अधिकारों को सुरक्षित रखने में मदद मिलेगी।

आंध्रप्रदेश राज्य में लिंगानुपात में गिरावट को रोकने के लिए 805-90 लाख का बजट आवंटित किया गया है। इस बजट का उपयोग लड़कियों के स्वास्थ्य, शिक्षा और रोजगार के क्षेत्रों में किया जाएगा। सरकार को आशा है कि लड़कियों के अधिकारों को सुरक्षित रखने में मदद मिलेगी।

लिंगानुपात में गिरावट को रोकने के लिए 805-90 लाख का बजट आवंटित किया गया है। इस बजट का उपयोग लड़कियों के स्वास्थ्य, शिक्षा और रोजगार के क्षेत्रों में किया जाएगा। सरकार को आशा है कि लड़कियों के अधिकारों को सुरक्षित रखने में मदद मिलेगी।

ANNEX-IV: REPORT BY THE AUDIT OFFICER OF THE OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL, HARYANA (ENGLISH VERSION)

O/O Principal A.G (Audit) Haryana, Chandigarh

No.Social Sector/2013-14/OrderP-6/OrderMemo No.5 dated 31.5.2013

Subject: Loss of Rs 0.65 lakhs due to non-return of funds of dead girl beneficiaries to government treasury under the Ladli Scheme

In order to stop female infanticide and improve sex ratio the government started Ladli scheme in August 2005 across the state under which after the birth of the second girl child in the family, the government shall deposit Rs 5,000/- every year for five years in the name of the second girl child. If either of the two girl children die prematurely, the benefits provided under the scheme shall be stopped and the accumulated amount along with the interests will be returned to the government treasury. This scheme is being launched through the Life Insurance Corporation of India.

It was found in test audit in the Office of the District Programme Officer (DPO) ICDS/Cell of Rewari district for period of August 2009 to April 2013 that 13 girls (as per in the list) who had been benefited from age one to age five had already died but the amount of Rs 65,000/- (Rs 5,000 each) deposited in their accounts has not been claimed by the Department from the Life Insurance Corporation of India. As a result of which, Rs 65,000/- has not been deposited in the government treasury. Hence, kindly investigate the facts and figures and submit the action taken report to the Audit Officer. Kindly also investigate this at your level.

Hansraj
Audit Officer

To,
District Programme Officer
ICDS Cell
Rewari

No.Social Sector/2013-14/Order-6/OrderMemo.6 dated 4-6-2013

Subject: Irregular expenditure of Rs 809.90 lakh under Ladli Scheme

The government of Haryana started Ladli scheme in August 2005 across the state with the aims of improving the number of girls, to stop female infanticide and to encourage birth of more than one girl in a family and to help in their wellbeing. As per the eligibility conditions of the scheme, upon the birth of the second girl child in the family the government shall deposit Rs 25,000 in five years @ Rs 5,000/- per year in the name of the second girl child and the same shall be deposited in Kisan Vikas Patra. Upon the second girl child turning 18 years the entire accumulated amount together with the interests earned shall be given to the second girl child on the condition that both the female siblings are alive. In case of either of the girl children dies, the scheme shall be immediately stopped. However, if another girl child is born in the family the scheme shall continue again. In the year 2008-09, Life Insurance Corporation of India replaced Kisan Vikas Patra. All other conditions remain as it is

A test check for period of August 2009 to April 2013 in District Programme Officer ICDS Cell of Rewari district found that an amount of Rs 809.90 lakhs was deposited in the name of beneficiaries during 2009-10 to 2012-13 (Rs 192.90 lakhs during 2009-10, Rs 185.30 lakhs during 2010-11, Rs 176.70 lakhs during 2011-12 and Rs 255.00 lakhs during 2012-13). But no record/ any other document was maintained to determine as to whether both of the beneficiary girl children are alive. At district level no register/account was maintained from where it can be confirmed that the beneficiaries who were being given benefits under the scheme are enrolled in Anganwadi Centres/ Schools. As a result, due to lack of proof of girl beneficiaries being alive and non fulfillment of other conditions as provided in the scheme, expenditure of Rs 809.90 lakhs paid towards the beneficiaries was irregular. Hence, these amount should be regularized by the authorized officer after fulfilling of the conditions of the scheme. Let the facts and figures be verified.

Hansraj 4/6/2013
Audit Officer

To,
Programme Officer (District Programme Officer)
ICDS Cell, Rewari

Acknowledgement: This report is being published as a part of the ACHR’s “National Campaign for elimination of female foeticide in India”, a project funded by the European Commission under the European Instrument for Human Rights and Democracy – the European Union’s programme that aims to promote and support human rights and democracy worldwide. The views expressed are of the Asian Centre for Human Rights, and not of the European Commission.



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