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Impotence and Sterility with Special Reference to its Medicolegal Importance

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Abstract: Impotence and sterility generate physically and mentally impairment. Impotency and sterility are like a stigma to a family & society. In Ayurveda impotence described as a *nampunsakta* or *klaivya* and sterility described as a *bandhytav* and its causes, types, lakshan, *sadhya* *sadhyta* are in our medical practice may be required to examine an individual for impotence and sterility for the Medicolegal purposes. Above factors can cause infertility. Impotency or *nampunsakta* in men is an According to ayurveda, there are four main factors responsible for an effective and healthy conception – *Ritu* (proper ovulation and healthy permeation), *Kshethram* (pure and favorable uterine atmosphere), *Ambu* (proper nourishment and blood circulation), *Beejam* (healthy zygote). Impairment in any one of the results of an abnormality in *Shukra Dhatu* (semen). The causes for impotency are of seven types according to *Bhasajya Ratnavali*. These are *manas* (psychological), *pittaj*, *shukra kshayaj* (deficiency in *shukra dhatu* qualitatively & quantitatively), *medrarogaj* (disease of genital organs), *upghataj* (trauma to the genital organs), *shukrasthambaj* (suppression of sexual urge) and *sahaj* (congenital). Out of these *sahaj* and *upghataj* are incurable. In relation to female infertility or *bandhytav* out of twenty *yonivyapads*, *shandi yonivyapad* is considered as congenital and is incurable.

Keywords- Impotence, Sterility, *Bandhyatav*, *Nampuskta*, Medicolegal, *Beej*, *Yonivyapad*, *Ritu*.

1. INTRODUCTION

AIMS AND OBJECTIVE

A) To acknowledge impotence & sterility detail description through Ayurveda

Impotency or *nampunsakta* in men is an According to Ayurveda, there are four main factors responsible for an effective and healthy conception – *Ritu* (proper ovulation and healthy permeation), *Kshethram* (pure and favorable uterine atmosphere), *Ambu* (proper nourishment and blood circulation), *Beejam* (healthy zygote). Impairment in any one of the results of an abnormality in *Shukra Dhatu* (semen). The causes for impotency are of seven types according to *Bhasajya Ratnavali*. These are *manas* (psychological), *pittaj*, *shukra kshayaj* (deficiency in *shukra dhatu* qualitatively & quantitatively), *medrarogaj* (disease of genital organs), *upghataj* (trauma to the genital organs), *shukrasthambaj* (suppression of sexual urge) and *sahaj* (congenital). Out of these *sahaj* and *upghataj* are incurable. In relation to female infertility or *bandhytav* out of twenty *yonivyapads*, *shandi yonivyapad* is considered as congenital and is incurable.

B) To acknowledge medicolegal importance of impotence and sterility

1) CIVIL CASES

a) Nullity of marriage (i.e. declaring a marriage as null and void i.e. no valid marriage existed. Legally marriage means physical union by coitus, and therefore if marriage has not been or cannot be consummated, it can be annulled.

Impotence in the male existing since before marriage and being permanent is a valid ground for nullity of marriage as per sec.12 of Hindu Marriage Act 1955, & Sec.24 of Special Marriage Act, 1954. Sterility is not a ground for nullity of a marriage. That the woman has borne a child is no conclusive proof of consummation of marriage, as pregnancy can result from- Fecundation an extra (pregnancy from semen on vulva or thighs i.e., without penetration) though is very rare. - A.I. (Artificial insemination).

b)-Disputed paternity (illegitimacy) - i.e., when the alleged father states that being impotent or sterile, he cannot be the father of that child.

c) Compensation due to loss of sexual function.

2) CRIMINAL CASES

a) Rape (when impotence is pleaded as defence), though impotent can commit rape.

b) Adultery.

c) Unnatural sexual offences.

d) Impotence/sterility resulting from assault or injury.

e) When mother puts forth a suppositious child.

3) To acknowledge medical examination for impotence and sterility MEDICAL EXAMINATION FOR IMPOTENCE

Any examination should be done only after recording

- Reference of requisition letter -it's no. & date.
- Preliminary data.
- 2 marks of identification.
- Written informed consent.

Examination includes

1) History

- a) Especially of illness, nervous & mental diseases.
- b) Sexual history.

2) General examination

3) Systemic examination-of all systems, especially

- a) CNS
- b) Psychological problems.

4) Local genital examination for-

- a) Development of secondary sexual characters.
- b) Any congenital anomaly in genitals.
- c) Any local diseases in genitals.
- d) Any mechanical obstruction to sexual intercourse – e.g., large hydrocele, scrotal hernia, elephantiasis, adhesions of labia etc.
- e) Any growth or carcinoma of genitals.
- f) General development of genitals.

5) In case of nullity of marriage, also ensure

- a) That the cause for impotence is permanent and cannot be corrected even after surgery.
- b) That the cause for impotence is existing since before marriage.
- c) That impotence exists in relation to the marriage partner.

6) OPINION-

a) If all is normal, usually a negative opinion is given-

After my examination, I conclude that there is nothing to suggest that he/she is incapable of performing / taking part, in sexual intercourse. (Negative opinion is given, because even a normal may be impotent due to psychological causes.

OR After my examination, I conclude that he/she is impotent.

MEDICAL EXAMINATION FOR STERILITY

In male-Semen is examined. It is collected by masturbation, after one week of abstinence. If normal-

- a) The volume in each ejaculated is 3-5 ml.
- b) There are 60-120 millions of spermatozoa in each ml of semen.
- c) Of the total -80% spermatozoa are motile.
- d) Of the total – 80% spermatozoa have complete and intact morphology (Each spermatozoon is 50-55 micron long, his head, Neck, body & tail, head being 5x3micron²)-

In female-In fertile, she has-

- a) Normal secondary sexual characters.
- b) Normal development of genitals.
- c) Normal menstruation
- d) Ovulation present
- e) Uterus of normal size
- f) Patent fallopian tubes
- g) Normal hormonal balance

CONCLUSION

It's a duty of a doctor to examine the patient of sterility & impotence carefully for justice in civil & criminal cases. In this way, we doctor fulfill the aim of Forensic medicine. It is the application of principle and knowledge of medical science to legal purposes and legal proceeding so as to aid in the administration of justice and also make a happy life to a Person. In Ayurveda the person is not afflicted with any somatic or psychic disorder is particularly youthful capable with strong strength energy, energy, reputation, manliness & prowess.

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