Union Government’s Plan on DNA Profiles

Why in news?

\n\n

A Bill on the DNA (Use and Application) technology has been cleared by the Union Cabinet.

\n\n

What is the plan on DNA Technology bill about?

\n\n

\n
- DNA technology is relied upon worldwide in crime investigations, identification of unclaimed bodies, or determining parentage.
\n
- India has been attempting for several years to pass legislation on use of DNA technology to “support and strengthen the justice delivery system.
\n
- Recently Union Cabinet approved the DNA Technology (Use and Application) Regulation Bill, 2018.
\n
- The Bill seeks the regulation of use and application of DNA technology for the purposes of establishing identity of certain categories of persons including the victims, offenders, and unknown deceased persons and for matters connected therewith.
\n

\n\n

What are the significance of the bill?

\n\n

\n
- **DNA Regulatory board -** The board will have regional offices as required, will certify labs authorised to carry out DNA testing.
\n
- It would approve establishment of DNA databanks and supervise their functioning, and lay down procedures and guidelines for collection, storing,

sharing and deletion of DNA information.
\n

- **DNA Databank -** A National DNA Databank and certain regional DNA Databanks will store DNA profiles received from DNA labs in a specified format.
\n
- **Limited purpose –** DNA samples will only be made available to facilitate the identification of persons in criminal cases in accordance with the rules of admissibility of evidence, to facilitate prosecution or defence, and in investigations relating to civil matters.
\n
- If a person is not an offender, suspect or undertrial, his/her DNA information cannot be matched with the offenders' or suspect index. DNA profiles of suspects or undertrials can be removed from the index as per court orders.
\n
- The Bill states that DNA information cannot be taken from an arrested person without consent, the exception is only for specified offences.
\n

\n\n

What are the safeguard against misuse of DNA?

\n\n

\n

- The Bill states that the DNA data contained in any DNA labs and Databank shall be used only for the purpose of facilitating identification of the person and not for any other purpose.
\n
- In case, the Bill states, a suspect or criminal refuses to give consent for DNA collection, and his/her DNA information is considered vital for investigation of a crime, the DNA information can be collected from him/her only with the approval of a magistrate.
\n
- The Bill states that disclosure of DNA information to unauthorised persons, or for unauthorised purposes, shall lead to penalties,up to three years in jail and up to Rs 1 lakh as fine.
\n
- This law cannot use DNA identification in criminal cases, loss of lives, paternity, in a manner which reveals anything about the person's health.
\n

\n\n

What are few concerns with the bill?

\n\n

\n

- DNA bank will be useful in solving crimes, activists and lawyers have argued that India does not have a data protection law and that information like ancestry or susceptibility to a disease, or other genetic traits, is liable to be misused.
  \n
- It has also been argued that DNA tests have not led to an improvement in conviction rates in countries where legislation is already being followed.
  \n

\n\n

\n\n

Source: The Indian Express

\n\n

\n

