

Minutes of the 3rd meeting of the Expert Committee held on 25th November, 2013 in DBT to discuss the draft Human DNA Profiling Bill

The third meeting of the Expert Committee constituted by the Department to discuss human DNA Profiling Bill was held on 25th November, 2013 in DBT. The following participants were present in the meeting:

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| 1. Dr. T. S. Rao, Senior Adviser, DBT | - Chairman |
| 2. Dr. J. Gowrishankar, Director, CDFD, Hyderabad | - Member |
| 3. Dr. Raghubir Singh, Former Secretary, Ministry of Law & Justice | - Member |
| 4. Mr. Sunil Abraham, Director, Centre for Internet & Society, Bangalore | - Member |
| 5. Dr. Alka Sharma, Director, DBT | - Member |
| 6. Dr. D.P. Kasbekar, CDFD, Hyderabad | - Special invitee |

The following members have provided their inputs in detail on the document during the sub-committee meeting but could not attend this expert meeting due to unavoidable reasons:

1. Dr. C. Muralikrishna Kumar, Sr. Adviser (ICT), Planning Commission
2. Dr. R. K. Gupta, Adviser (C&I), Planning Commission
3. Dr. Usha Ramanathan, Researcher & Advocate
4. Shri Kamal Kumar, Director General of Police, (Retd), Hyderabad
5. Mr. Jacob P Koshy, Science writer, Mint
6. Dr. Amar Jesani, Founder & Editor, Forum for Med. Ethics Society, Mumbai


Dr. T. S. Rao, the Chairman welcomed the participants on behalf of DBT and informed about the agenda of this meeting. He requested the members of the Expert Committee to discuss the recommendations of the sub-committee to finalize the document of the DNA Profiling Bill.

Dr. J. Gowrishankar briefed the recommendations of the Sub-Committee meeting to the members. Then, the recommendations of the Sub-Committee meeting were also discussed by other members of this Committee. After a detailed discussion, the recommendations made by the Expert Committee were as follows:

1. The Committee discussed point-wise recommendations of the Sub-Committee and accepted the recommendations for the composition of DNA Profiling Board and its functions.
2. The Committee recommended that the Schedule of the Bill will have three Parts: i) Part I: List of applicable instances of human DNA profiling; ii) Part II: List of specified offences as provided in the definitions; and iii) Part III: Sources and manner of collection of samples for DNA profiling.
3. The Committee suggested that the Part-I and Part-III of Schedules of the working version dated 26th January, 2013 may remain unchanged.

4. The Committee requested Mr. Sunil Abraham to provide inputs/comments on Part-II of the Schedule.
5. The Committee felt that the specified offences will be all the cognizable offences as defined by other laws.
6. The Bill will include provision for the DNA Profiling Board to modify the entries in the Schedule through Regulations.
7. The Committee recommended that the Bill will provide for the DNA Profiling Board to follow the "*prior publication*" principle of its draft Regulations by inviting and considering public comments before finalizing any new regulations or modification to existing regulations. Mr Sunil Abraham agreed to draft a suitable clause in the Bill for this purpose.
8. The Committee considered the suggestion/modifications made by Mr. Sunil Abraham and his team and suggested to circulate the same to the members of the Expert Committee through Dr. Alka Sharma, DBT.
9. Mr. Sunil Abraham volunteered himself to prepare an initial draft for Part-II of the schedule and will first send it to Mr. Raghubir Singh for his comments before circulation to other members of the Expert Committee.

The meeting ended with vote of thanks to the participants.


(Dr. T. S. Rao)
Chairman