

Record Note of the 2nd discussion meeting of the Expert Committee held on 13th May, 2013 in DBT to discuss the draft Human DNA Profiling Bill

The second meeting of the Expert Committee constituted by the Department to discuss the human DNA Profiling Bill was held on 13th May, 2013 in DBT. The following participants were present in the meeting:

1. Dr. T. S. Rao, Adviser, DBT - Chairman
2. Dr. C. Muralikrishna Kumar, Sr. Adviser (ICT), Planning Commission - Member
3. Dr. R. K. Gupta, Adviser (C&I), Planning Commission - Member
4. Dr. Usha Ramanathan, Researcher & Advocate - Member
5. Dr. Raghbir Singh, Former Secretary, Legislative Department, Min. of Law - Member
6. Shri Kamal Kumar, Director Gen. of Police, (Retd), Hyderabad - Member
7. Dr. J. Gowrishankar, Director, CDFD, Hyderabad - Member
8. Dr. Amar Jesani, Founder & Editor, Forum for Med. Ethics Society, Mumbai – Member
9. Mr. Sunil Abraham, Director, Centre for Internet & Society, Bangalore - Member
10. Ms. Dipa Dixit, National Commission for Child Rights, New Delhi – Observer
11. Dr. Alka Sharma, Director, DBT - Member

Two members, Dr. N. Madhusudan Reddy, CDFD, Hyderabad and Mr. Jacob P Koshy, Science writer, Mint could not attend the meeting due to unavoidable reasons.

1. Dr. Alka Sharma welcomed the participants on behalf of DBT and informed about the agenda of this meeting. She mentioned about the 1st meeting of the Expert Committee held on 31st January, 2013 to discuss the privacy issue related to the Human DNA Profiling Bill. She also informed that as per the request of Dr. Usha Ramanathan, Dr. Amar Jesani and Mr. Sunil Abraham have been included as additional members of this Committee. Whereas, Ms. Dipa Dixit has also been invited as an observer as per the request received from the Chairperson from the National Commission of Child Rights. Then Dr. Sharma requested Dr. Gowrishankar to proceed further as per the agenda.
2. Dr. J. Gowrishankar briefed about the agenda of the meeting to the members and the observer and highlighted the salient features of the presentation made by him during the 1st meeting of the Expert Committee held on 31st January, 2013 for the new members. He mentioned that since the agenda papers, copy of the presentation, and the draft Bill 2012 have already been circulated by Dr. Alka Sharma, therefore, it would be appropriate for the Committee to discuss and reach some consensus of the recommendations of the first meeting and other issues related to the Bill. He further clarified the queries raised by the members during the discussion.
3. Due to other important engagements, Dr. T.S. Rao joined the meeting little later and welcomed the participants and requested to finalize the draft Bill for further consideration by the Government. He thanked them for sparing their valuable time and helping DBT to finalize the draft Human DNA Profiling Bill. He also thanked specially

Dr. Gowrishankar and his group associated with draft Human DNA Profiling Bill for more than a decade. With this, he requested the members of the Committee to deliberate upon specific issues of this draft Bill.

4. All the members of the Committee raised the concerns related to various articles of the Bill specifically on the creation of data base, volunteer index, crime scene index, possible misuse of stored data, involvement of private labs in genetic testing, etc.

After a detailed discussion, the following recommendations emerged:

- i) Each member of the Committee will provide comments/inputs on the draft Bill 2012 (in a track changes mode) to DBT before the end of July, 2013. Any suggestions for modifications to the draft Bill should also be accompanied, wherever possible, by the revised text which is suggested to be incorporated in the Bill.
- ii) The following members of the Committee were additionally requested to undertake the following specific tasks in connection with the draft Bill:

| S. No | Name of the Experts | Topics |
|-------|---|--|
| 1. | Dr. Usha Ramanathan, Researcher & Advocate | Criminal Law Audit |
| 2. | Dr. Amar Jesani, Forum for Medical Ethics Society, Mumbai | Ethical and Social Audit |
| 3. | Ms. Dipa Dixit, NCPCR, New Delhi | Child Rights Audit |
| 4. | Mr. Sunil Abraham, Centre for Internet and Society, Bangalore | Obtain additional inputs from the Council for Responsible Genetics |

- iii) The DBT will share the inputs/comments of each member with all the members of the Expert Committee.
- iv) It was decided to constitute a Sub-Committee with the following composition to compile the inputs/comments of the members:
 1. Dr. Raghbir Singh, Former Secretary, Legislative Deptt., Min. of Law & Justice,
 2. Mr. Sunil Abraham, Director, Centre for Internet and Society, Bangalore
 3. Shri. Kamal Kumar, Director General of Police, (Retd), Hyderabad
 4. Dr. N. Madhusudan Reddy, Staff Scientist & Group Leader, CDFD, Hyderabad
 5. Dr. Alka Sharma, Director, DBT
- v) The Sub-Committee will also discuss the inputs received and try to arrive at a reasoned consensus on modifications to the draft Bill which would then be put up at the meeting of the full Committee for finalisation.

The meeting ended with vote of thanks to the participants.


(Dr. T. S. Rao)
Chairman