

## 'DNA profiles won't be kept permanently'

"If there's a criminal case, till the case is solved the DNA profile will remain in the bank. They will be removed after a judicial order. These things will be specified in the rules."

The rules will come after Parliament approves the DNA Technology (Use and Application) Regulation Bill, 2018, the latest version of the DNA 'profiling' Bill framed by the Department of Biotechnology in 2015.

The aim of that draft legislation was to establish an institutional mechanism to collect and deploy DNA technologies to identify persons based on samples collected from crime scenes or to identify missing persons. The Cabinet cleared the Bill on July 3. The Bill envisages a DNA Profiling Board and a DNA Data Bank.

To help in investigations, there would be a central databank as well as regional ones, and these would store DNA profiles under various heads, such as a 'crime scene index' or 'suspects index' or 'offenders index.'

A moot point — and this necessitated a Law Commission analysis — was whether the databanks were secure enough to protect the privacy of those from whom DNA details were collected. It also deliberated on how, and who were authorised, to collect such information.

The 11-member Board, according to the proposed legislation, is supposed to be the regulatory authority that will grant accreditation to DNA laboratories.

"An important thing that the Bill achieves is to ensure that private laboratories don't proliferate and work without scientific validation. It will be a full-time Board and chaired by the Secretary, DBT," Ms. Swarup said.

The Board, in consultation with members of the judiciary, will frame rules on how long the DNA details of an entrant on a crime index would be maintained. "As such, there's no reason for the details to remain for posterity, somebody has to give instructions for them to be removed... However, when and how these will be removed will be specified by the Rules," she said.

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