

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:2115  
ANSWERED ON:16.12.2003  
AMENDMENT IN LAW FOR DNA TESTING  
ASHOK NAMDEORAO MOHOL;RAMSHETH THAKUR

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether the Government is considering to amend all the required Acts including Indian Penal Code, Criminal Procedure Acts to make DNA testing as a primary evidence as part of the justice delivery system;
- (b) if so, the facts thereof;
- (c) the time by which the final decision is likely to be taken in this regard; and
- (d) if not, the reasons therefor?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME (SHRI I.D.SWAMI )

(a) to (d): Result of DNA testing as evidence in criminal cases comes under the ambit of Indian Evidence Act, 1872 which is administered by the Legislative Department, Ministry of Law and Justice. That Department have informed that the matter relating to amendment in law for DNA testing has been referred by the Law Commission of India in its 185th Report on Review of the Indian Evidence Act, 1872. The report is under examination in consultation with the State Governments. As there are considerable number of recommendations needing deep study and careful consideration, it is not possible at this stage to specify any rigid time-frame in this regard.