

PATERNITY TESTS ON THE RISE IN CITY

Neha Madaan | TNN

Pune: Either openly or discreetly, some men in the city are queuing up outside a lab at IFS India near Parvati to seek assistance from its experts. What they want is a confirmation that their child is indeed theirs.

The paternity test compares the child's DNA to that of the father's. IFS India has conducted about 70 such tests in the past year in Pune with the number of those taking the test rising by 10-12 % over the last few months, said Santosh Raut, forensic expert, scientist and investigator at the lab.

Paternity tests, unheard of till a few years ago, are creeping up on marriages in Pune. Suspected infidelity, that can break ties, is not always the catalyst. Fathers who cannot spot any family resemblance also fear that the child may have been swapped in the hospital.

Lawyers like Ajit Kulkarni, who has taken up over 5,500 matrimonial matters in his career, said such tests are done in divorce cases where the paternity is challenged by the husband, after the wife seeks maintenance of the child. Under section 125 of the CRP, section 26 of the Hindu Marriage Act, Section 20 of Hindu Adoptions and Maintenance Act, as well as under the provision of Domestic Violence Act, a minor child is entitled to get maintenance from the father, with or without divorce. "The husband or father challenges the paternity of the child, alleging that he is not his biological child. In such cases, a wife has to prove that the husband is indeed the child's father. Therefore, matters may be referred for a paternity test. Hence in many cases, courts direct that a paternity test be conducted," he added.

There are other circumstances when a paternity suit can be sought. "A husband may have suspicions about his wife committing adultery and he may have some

indirect evidence to support his view. In order to prove his point or suspicion, he would go for a paternity test, for which he would not need the court's permission," said Kulkarni.

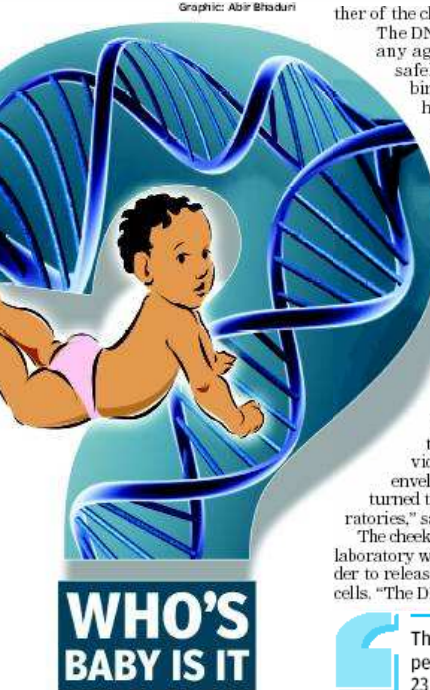
At Rs 11,300, each test is expensive. "The tests involve costly chemicals and equipment, apart from expenses incurred on maintenance and accreditation. The results are accurate and acceptable in a court of law," said Raut.

Raut had recently conducted a paternity test involving a father and an eight-year-old. "The wife was into another relationship and the man had sought a test after filing an application in court prior to the test. If the test proved that he was not the father, the man would file for a divorce and not seek the child's custody," said Raut.

The tests are also done in cases involving a lost-and-found child. "Both parents have to prove to the police that the child is theirs. They often resort to paternity tests to confirm this," said Raut.

Sureshchandra Bhosale, member of the Bar Council of Maharashtra and Goa, said that paternity tests are increasing with awareness about them. "Earlier, paternity was determined through blood tests. But since there are just four blood groups, the method was not foolproof," he said.

In cases where paternity is disputed, a direction to conduct such a test must come from a court. "Such cases are rare and they depend upon the facts of the case," said Bhosale. However, the Supreme Court has held that such a test cannot be ordered in a routine manner, but should be directed only in exceptional cases as it would otherwise be an inva-



Graphic: Abir Bhaduri

sion of a person's privacy. "Paternity testing identifies the unique genetic profile of each individual. The genetic profile of a child is inherited partly from the father and partly from the mother. By comparing the genetic profiles, a paternity test determines whether or not a man is the biological fa-

ther of the child," said Raut.

The DNA test can be performed at any age and that a child can be safely tested at any age after birth. "In all the cases we have hitherto dealt with, 50% results were negative, or showed zero per cent paternity. About 80% of the tests we have done belonged to suspicious fathers who wanted to validate if the child was theirs," said Raut.

Paternity tests are typical DNA tests. "The lab or home collection of DNA samples involves a special swab (like an oversized cotton bud) that is rotated on the inside of the cheek to collect the cells. This swab is then placed within the provided DNA sample collection envelope, which is sealed and returned to us for analysis at our laboratories," said Raut.

The cheek cell samples are taken to the laboratory where they are treated in order to release the DNA coding from the cells. "The DNA is then introduced to an

- PEOPLE ARE SEEKING DNA TESTING AS TRUST FACTOR TAKES A HIT
- WHEN CHILDREN GET LOST AND ARE FOUND, THOSE WHO CLAIM TO BE THEIR PARENTS HAVE TO UNDERGO THE TEST TO PROVE THEIR PARENTAGE

enzyme that duplicates the DNA, producing millions of copies ready for analysis. The DNA profile is made up of STR (Short Tandem Repeat) markers. As a child inherits half of his or her DNA from each parent, every STR marker in the child's profile should be present in either the mother's or father's DNA. Our laboratory will test at least 16 STR markers to determine paternity," he added.

Marriage counsellor Medha Padhye said that about 50% couples who approach her for counselling showed an inclination for the test. "Suspicious husbands usually opt for such tests when suspicion may stem from the child not resembling them at all," said Padhye.

A majority of those who take these tests belong to nuclear families. "In typical cases, the wife stays at home and the husband is the breadwinner. It often leads to suspicion about his wife and such situations generally lead to paternity tests," said Padhye.

The tests do have their place of importance. Advocate Asim Sarode said the tests had bearing in cases related to People Living with HIV/AIDS. "Many women contract the virus from their husbands who unfortunately end up blaming their wives for their affliction. Husbands usually deny the paternity of a child born dur-

ing the marriage. Paternity cases are handy in such cases," said Sarode.

Paternity tests, because of their inherent accuracy, have been around since 1996. "The DNA profile of every person is unique. There are 23 regions of DNA in each person. A paternity test works by testing several regions of DNA in each person. If all the regions match, then we have a positive result," said Sarode.

In many cases, suspicious husbands file for divorce and demand a paternity test, said Sarode. "If the result is negative, then it becomes a ground for separation subject to evidence," said Sarode.

However, the social implications are worrying. Social activist Neelam Gorhe, chairperson of Stree Aadhar Kendra, said, "The pinching issue is the blame on a woman's character. Paternity test is one tool using which a man can exert much pressure upon a woman. The problem is with the patriarchal system where a woman has to go on proving the purity of her mind, body and soul. Thus, the main problem lies in the mindset of men, and not in the test. At times, even a woman may agree for her husband and child to undergo a paternity test to maintain peace in the family."



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Santosh Raut | FORENSIC EXPERT, SCIENTIST AND INVESTIGATOR AT THE LAB

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