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Q12

Right to privacy is intrinsic to life and personal liberty and is inherently protected under Article 21 of the constitution. Explain. In this reference discuss the law relating to D.N.A. testing of child in the womb to establish its paternity.

UPSC Civil Services Mains 2024 · GS II · 15 marks · Indian Constitution

Indian Constitution - historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

<https://wrapexams.com/upsc/mains-answers/gs-2/2024/right-to-privacy-is-intrinsic-to-life-and-personal-liberty-and-is-inherently-protected-under-article-21-of-the-constitution-explain-in-this/>

K.S. Puttaswamy v. Union of India (2017)

Nine-judge Bench: privacy is a fundamental right under **Article 21** and other freedoms, limited by proportionality.

Section 112, Indian Evidence Act, 1872

Conclusive proof of legitimacy of a child born during a valid marriage, rebuttable only by proof of non-access.

Goutam Kundu v. State of West Bengal

Warned against routine DNA tests that bastardise a child to satisfy a private dispute.

Suchita Srivastava v. Chandigarh Administration

Reproductive choice is a dimension of personal liberty; the woman's bodily autonomy is not a third-party exhibit.

Dipanwita Roy v. Ronobroto Roy

DNA may be ordered in a narrow class of cases, with adverse inference on refusal - still not a routine marital weapon.

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