

## ANOTHER STEP IN THE BATTLE AGAINST LEPROSY

Relevant for: Government Policies & Welfare Schemes | Topic: Welfare of Persons with Disability - Schemes & their performance; Mechanisms, Laws, Institutions & Bodies

Over 110 Central and State laws discriminate against leprosy patients. The biased provisions in these statutes were introduced prior to medical advancements; now, modern medicine (specifically, multi-drug therapy) completely cures the disease. These laws stigmatise and isolate leprosy patients and, coupled with age-old beliefs about leprosy, cause the patients untold suffering.

The Personal Laws (Amendment) Bill, 2018, seeks to make a start in amending these statutes. It attempts to end the discrimination against leprosy persons in various central laws: the Divorce Act, 1869; the Dissolution of Muslim Marriages Act, 1939; the Special Marriage Act, 1954; the Hindu Marriage Act, 1955; and the Hindu Adoptions and Maintenance Act of 1956.

The Bill eliminates leprosy as a ground for dissolution of marriage or divorce. The condition under Section 18 (2) (c) of the Hindu Adoptions and Maintenance Act, that a Hindu wife is entitled to live separately from her husband without forfeiting her claim to maintenance if the latter is "suffering from a virulent form of leprosy", has been omitted. The amendments introduced in the Bill omit the provisions which stigmatise and discriminate against leprosy-affected persons.

The Bill is meant to provide for the integration of leprosy patients into the mainstream. It is in keeping with the UN General Assembly Resolution of 2010 on the 'Elimination of discrimination against persons affected by leprosy and their family members' that it was introduced. India has signed and ratified the Resolution.

The proposed law follows a National Human Rights Commission recommendation a decade ago to introduce amendments in personal laws and other statutes.

Further, the Rajya Sabha Committee on Petitions, in its 131st Report on 'Petition praying for integration and empowerment of leprosy-affected persons', had examined various statutes and desired that concerned Ministries and State governments urgently wipe clean the anachronistic and discriminatory provisions in prevalent statutes.

The Law Commission of India, in its 256th Report, 'Eliminating discrimination against persons affected by leprosy', had also recommended removing the discriminatory provisions in various statutes against leprosy patients.

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