

Personal Laws (Amendment) Bill, 2018 - Leprosy

Why in news?

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- The Personal Laws (Amendment) Bill, 2018 was recently introduced in the Lok Sabha.

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- Also, Supreme Court has been hearing a petition to uphold the rights of people with leprosy and the repeal of discriminatory laws.

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What are the concerns?

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- Over 110 Central and State laws discriminate against leprosy patients.

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- Some of these colonial laws predate leprosy eradication programmes and medical advancements.

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- These laws stigmatise and isolate leprosy patients and are coupled with age-old beliefs about leprosy.

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- Now, modern medicine, especially multi-drug therapy, completely cures the disease.

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- In independent India, the law has been an instrument for social change.

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- Nevertheless, the process of removing the discrimination has been worryingly slow.

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- Recent developments signals hope at removing discrimination in law and society against the leprosy-affected.

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- One of them is the introduction of the Personal Laws (Amendment) Bill, 2018 in Parliament.

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What is the Personal Laws (Amendment) Bill, 2018?

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- The Personal Laws (Amendment) Bill, 2018, seeks to make a start in amending the outdated statutes.

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- It attempts to end the discrimination against leprosy persons in various central laws:

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- i. the Divorce Act, 1869

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- ii. the Dissolution of Muslim Marriages Act, 1939

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- iii. the Special Marriage Act, 1954

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- iv. the Hindu Marriage Act, 1955

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- v. the Hindu Adoptions and Maintenance Act, 1956

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- The Bill eliminates leprosy as a ground for dissolution of marriage or divorce.

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- The amendments omit the provisions which stigmatise and discriminate against leprosy-affected persons.

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- The Bill is meant to provide for the integration of leprosy patients into the mainstream.

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- It was introduced keeping in view the UN General Assembly Resolution of 2010.

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- It talks on elimination of discrimination against leprosy-affected persons and their family members.

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- India has signed and ratified the Resolution.

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- However, the Bill is only a small step in addressing the issues.

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What are the other measures?

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- The Lepers Act of 1898 was repealed only two years ago.
- Recently, the Supreme Court asked the Centre about bringing in a positive law.
- It relates to conferring rights and benefits on persons with leprosy.
- It also intends at deeming as repealed, all Acts and rules that perpetuate social stigma.
- An affirmative action law recognising their rights and benefits can serve a larger purpose.
- It may help remove misconceptions about the disease such as physical segregation of patients is necessary.
- Besides, the 256th Report of the Law Commission came up with a number of suggestions.
- It included the repeal of discriminatory legal provisions.
- It listed for abolition of personal laws and Acts on beggary.
- While governments may have to handle the legislative part, society has an even larger role to play.

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Source: The Hindu

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