

Ray of hope for Leprosy-affected

RITUPARNA DE

This New Year marked a new beginning in the lives of people affected with leprosy (PAL). On 7 January, 2019, the Lok Sabha passed an new bill, the Personal Laws (Amendment Bill), 2018 in the House, which tends to amend the provisions of five different Acts that states leprosy to be a valid ground for the dissolution of marriage, namely (i) the Divorce Act, 1869, (ii) the Dissolution of Muslim Marriage Act, 1939, (iii) the Special Marriage Act, 1954, (iv) the Hindu Marriage Act, 1955, and (v) the Hindu Adoptions and Maintenance Act, 1956.

The need and importance of amending all the Acts consisting of discriminatory laws have well been explained

The discriminatory laws should not be a fortuity for anyone so that it can be misused and some people under the veil of their venomous attitude, make leprosy a ground for taking divorce

and discussed in various forums. It has been consistently pointed out that these laws have had an impact on the basic human rights of the affected people to a high extent by shunning them and restricting them inside closed doors and isolating them from society. The Personal Laws (Amendment

Bill), 2018 that has been passed by the Lok Sabha is like a silver lining in the lives of the people affected by leprosy. It is well in adherence to the UN General Assembly Resolution of 2010 on the 'Elimination of discrimination against persons affected by leprosy and their family members where India was a sig-

natory and also with the directions that were passed by the Supreme Court in a judgment a few months ago with regard to the acceptance of leprosy patients in the society and also rendering awareness programme on the curability of the disease.

The purpose behind every law framed by our legislators is the betterment of people at large and it was in the late 19th and 20th centuries, when certain discriminatory laws were framed against people affected by leprosy to prevent the contamination of common people, especially their spouses and immediate family members as in those times, leprosy was not only considered virulent but also contagious by medical practitioners. Since then, this law prevailed for decades even

though many a times, it has raised questions on morality in the minds of the people. With the scientific and medical developments in regard to the disease, the situation has totally taken a turn now, as leprosy is no more an incurable disease and its propensity to be contagious is well controlled. The discriminatory laws should not be a fortuity for anyone so that it can be misused and some people under the veil of their venomous attitude, make leprosy a ground for taking divorce. Therefore, it is the need of the hour to amend the named Acts expeditiously till the bill gets the Presidential assent.

The author is Assistant Professor of Law, Indian Institute of Legal Studies, Siliguri