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Title: Need to put the courts cases of HIV-positive people on a fast-track seeking legal remedies in court.

SHRI R. THAMARAISELVAN (DHARMAPURI): I wish to draw the attention of the House towards the problems faced by people living with HIV, while approaching courts for justice.

People living with HIV face discrimination in education, employment and in hospitals. Very few approach the courts for legal relief. The long-drawn legal process coupled with the fear of public identification, discourages them from filing cases. There is a need to reform the existing procedures in order to make it more conducive for people living with HIV to opt for legal redress. Presently, some courts pass orders suppressing the identity of the HIV- positive person by substituting the name with a pseudonym so as to ensure confidentiality. This must be uniformly followed by all courts in the country.

Time is of great essence for people living with HIV. In order that justice does not elude them, courts must treat cases involving them on a priority basis. They should not be a victim of dilatory legal processes.

In the absence of an accessible relief mechanism that is not time consuming, people living with HIV have been unable to realise the guarantees of the right to equality contained in the Indian Constitution.

I request the Hon'ble Minister of Health and Family Welfare to take steps to introduce a law to deal with issues surrounding people living with HIV/AIDS at the earliest.

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