

EXTRAORDINARY

REGD NO. JK-33



THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART III

Laws, Regulations and Rules passed thereunder.

**JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY
SECRETARIAT, JAMMU.**

Under Rule 64 of the Rules of Procedure and Conduct of Business in the Jammu and Kashmir Legislative Assembly, the following Bill together with the Statement of Objects and Reasons, is published in an extraordinary issue of the Official Gazette.

By order of the Hon'ble Speaker.

Sd/-

MANOJ KUMAR PANDIT,
Secretary.

**THE JAMMU AND KASHMIR ELIMINATING
DISCRIMINATION AGAINST PERSONS AFFECTED BY
LEPROSY BILL, 2026.**

[L. A. Bill No. 2 of 2026.]

A Bill to amend certain enactments of the Union Territory of the Jammu and Kashmir to eliminate any discrimination or denial of equal treatment for persons affected by Leprosy that negatively affect such persons and promote their segregation and discrimination and to enable the Union Territory to discharge its positive obligations through affirmative action.

Be it enacted by the Legislature in the Seventy-seventh Year of the Republic of India as follows :—

1. **Short title and commencement.**— (1) This Act may be called the Jammu and Kashmir Elimination of Discrimination Against Persons Affected By Leprosy Act, 2026.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. **Amendment of certain enactments.**—The enactments mentioned in column (2) of the Schedule are hereby amended to the extent and in the manner mentioned in column (4) thereof.

3. **Savings.**—The amendment by this Act of any enactment shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of, or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing.

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THE SCHEDULE
(See section 2)

S. No.	Name of Act	Existing Provision	Amendment Proposed
1	The Jammu and Kashmir Shri Amarnath Ji Shrine Act, 2000	<p>7. Disqualifications for membership of Board.—A person shall be disqualified from being nominated as a Member of the Board : —</p> <p>(a) if he is of unsound mind and stands so declared by a competent court or if he is a deaf, mute or is suffering from <u>contagious leprosy</u> or any virulent contagious disease ;</p>	Omit the words “contagious leprosy or”
2	The Jammu and Kashmir Shri Mata Vaishno Devi Shrine Act, 1988	<p>8. Disqualifications for membership of Board.—A person shall be disqualified for being appointed, as a member of the Board,—</p> <p>(a) if such person is not a Hindu ;</p> <p>(b) if he is of unsound mind and stands so declared by a competent court or if he is a deaf mute, or is suffering from <u>contagious leprosy</u> or any virulent contagious disease ;</p>	Omit the words “contagious leprosy or”

3.	The Jammu and Kashmir Shri Shiv Khori Shrine Act, 2008.	<p>8. Disqualifications for membership of Board.— A person shall be disqualified for being appointed, as a member of the Board,—</p> <p>(a) if such person is not a Hindu ;</p> <p>(b) if he is of unsound mind and stands so declared by a competent court or if he is a deaf mute, or is suffering from <u>contagious leprosy</u> or any virulent contagious disease ;</p>	Omit the words “contagious leprosy or”
4.	The Jammu and Kashmir Shri Mata Sukhrala Devi Ji and Shri Mata Bala Sundari Shrine Act, 2013.	<p>8. Disqualification for membership of the Board.— A person shall be disqualified from being appointed or nominated as a member of the Board,—</p> <p>(a) if he/she is not a Hindu except in the case of SDM, Billawar ;</p> <p>(b) if he/she is of unsound mind and stands so declared by a Competent Court or if he/she is a deaf-mute <u>or is suffering from contagious leprosy</u> or any virulent contagious disease ;</p>	Omit the words “contagious leprosy or”
5	The Jammu and Kashmir Prevention of Beggary Act, 1960		Repeal as whole.

STATEMENT OF OBJECTS AND REASONS

In present days, Leprosy is completely curable and after first dose of multidrug therapy (MDT), patient becomes non-infectious. However, despite medical advances and constitutional guarantees, certain statutory provisions continue to contain discriminatory references or consequences against persons affected by leprosy. Such provisions perpetuate stigma, social exclusion and unequal treatment, and are inconsistent with the principles of equality enshrined in Articles 14, 15 and 21 of the Constitution of India, as well as with India's international obligations under various human rights instruments.

The Supreme Court of India, in its judgment *dated 07-05-2025 passed in WPC No. 83/2010 titled Federation of Lepy. Organ. (FOLO) & anr Vs. Union of India & Ors inter alia*, directed the Chief Secretary and Law Secretary of all the States and Union Territories to constitute a three member committee headed by an Officer in the rank of Principal District Judge to undertake identification and removal of discriminatory references to leprosy-affected or cured persons in all State Laws, Rules, Regulations and subordinate legislation and accordingly make recommendation to the Government for making suitable amendment in all the statutes.

In compliance with the Hon'ble Supreme Court's order dated 07-05-2025, vide Government Order No. 6733-JK(LD) of 2025 dated 05-06-2025, a Committee was constituted to identify discriminatory provisions and propose amendments. The Committee vide its report dated 23-07-2025 submitted their recommendations thereby recommending for amendments in the Jammu and Kashmir Shri Amarnath Ji Shrine Act, 2000, the Jammu and Kashmir Shri Mata Vaishno Devi Shrine Act, 1988 , the Jammu and Kashmir Shri Shive Khori Shrine Act, 2008, the Jammu and Kashmir Shri Mata Sukhrala Devi Ji and Shri Mata Bala Sundari Shrine Act, 2013 and the Jammu and Kashmir Fire Force Regulations and Recruitment Rules, 1990 which are presently in force in the Union Territory of Jammu and Kashmir by removing/omitting the identified provisions. The committee also noted

that a discriminatory reference of Leprosy also exist in the Jammu and Kashmir Prevention of Beggary Act, 1960. However, the said Act has been struck down by the Division Bench of High Court of Jammu and Kashmir and Ladakh in its Judgment dated 25-10-2019 passed in PIL 24/2018 titled Suhail Rashid Bhat Vs State of J&K and Ors which criminalize begging as being unconstitutional. Accordingly, the committee also recommended repeal of the said Act.

In view of above, the proposed Bill seeks to amend certain existing enactments of the Union Territory of Jammu and Kashmir which contain provisions that discriminate against persons affected by leprosy. The Bill would ensure compliance with the Hon'ble Supreme Court's directions and uphold the dignity and equality of persons affected by the Leprosy disease.

The Bill, therefore, seeks to achieve the above objectives.

MINISTER IN-CHARGE
DEPARTMENT OF LAW, JUSTICE AND PA.