Divan enacting India’s HIV law

Review comments

Reviewer 1;

I have gone through the article.

1. The title is appropriate as the Act gives effect to a declaration made in 2001.
2. It is topical and current and deals with the new legislation which many may not be aware of. However the argument that people vulnerable to HIV are excluded from protection has not been supported by any material. It is not clear how the definition of 'protected person' excludes such vulnerable people. Maybe a reference to the draft suggested could bring clarity.
3. It would also be an improvement if the object of section 10 is contrasted with section 270 IPC as this Act has not created any new offence of the same nature. Similarly, a discussion about the conflict between right to privacy now recognized as a fundamental right and also the right of others to be protected from negligent infection by the vulnerable people will add to the value of the article.
4. I noticed an internal conflict of ideas in section 3 (a). Information about HIV is supposed to be confidential and cannot be known to the employer in which case how can anyone be discriminated for that reason? I am afraid this sub-section would remain a dead letter.
5. The use of too much jargon is a bit off putting for me anyway.
6. My recommendation is that the author can polish it and then publish it.

I don't want my name to be published as reviewer unless the author wants it.