

## Epilepsy and discrimination in India

Carol D'SOUZA

*Indian Epilepsy Association*

Discrimination hurts and causes deep wounds. Discrimination against persons with epilepsy and ignorance about the disorder exists worldwide. This is an overview of the problem experienced in the India.

Discrimination is more pronounced when it comes to socialization, marriage, employment, driving and disability rights. Reasons why people do not want to socialize with persons with epilepsy are many: seizures can be terrifying, a belief that it is contagious, and spirit possession. Discrimination is most damaging when it comes from parents. When it comes from parents it more likely takes the form of overprotection rather than rejection. Not understanding the long-term nature of epilepsy, parents nurture a state of dependence. The negative effects of overprotection become evident when the child turns into a young adult. Parents then start complaining about their child's behaviors and lack of independence. In both marriage and employment, being open about one's epilepsy is automatically met with rejection.

### EPILEPSY AND THE INDIAN LAW

#### *Marriage*

The Hindu Marriage Act of 1955 and the Special Marriage Act of 1954 stated that a marriage under these acts can be solemnized "if at the time of marriage neither party suffers from recurrent attacks of insanity or epilepsy". It took a struggle of 12 years for the Indian Epilepsy Association to have the word 'epilepsy' deleted from this law. This was achieved in December 1999.

#### *Employment – paradoxical laws*

Barring employment to any person on the grounds he/she has epilepsy would amount to violation of the Indian constitution. However the law also says that a State can prohibit employment of persons who are medically unfit if the nature of the job requires a "fit" person!

#### *Insurance*

The Life Insurance Company of India issues life

insurance policies at a slightly increased premium rate of 10-15%. However personal, accident, health and travel insurances are available with a proviso that the insurance does not cover illness/accident related to epilepsy. Motor insurance and home insurance are issued without any restrictions. There are also private companies who provide life insurance with or without extra premium depending on recommendations of a medical board.

#### *Driving*

All driving license applicants have to fill in a form which specifically asks 'Do you have epilepsy?'. If a person answers in the affirmative, he or she is denied a license.

#### *Disability status*

In India, epilepsy does not fall under the 'disability' category. We also do not have a disability discrimination act.

### KNOWLEDGE, ATTITUDE AND PRACTICE STUDIES

Four knowledge, attitude and practice studies<sup>1-4</sup> done in India reveal that knowledge of epilepsy among the Indian population is high or comparable to western countries. However, attitudes towards epilepsy are more negative. These attitudes have a significant correlation with level of education and occupation, i.e. lower education is associated with higher discrimination.

### THE ROLE OF THE INDIAN EPILEPSY ASSOCIATION

From its inception in 1971, raising awareness and changing attitudes has been the chief goal of the Indian Epilepsy Association. As young minds are open to thinking anew, school children form part of Indian Epilepsy Association's awareness programmes. Other segments of the population are educated through street plays, exhibitions, newspapers, radio and TV programmes. The Association through its branches and chapters offers support services in the form of education and information, counseling and personality

development workshops, yoga, and support groups.

There are still many goals to meet and hurdles to cross, which require the united efforts from the parents, persons with epilepsy and the Indian Epilepsy Association.

## REFERENCES

1. Radhakrishnan K, Pandian JD, Santhoshkumar T, *et al.* Prevalence, knowledge, attitude, and practice of epilepsy in Kerala, South India. *Epilepsia* 2000; 41: 1027-35.
2. Gambhir SK, Kumar V, Singhi PD, Goel RC. Public awareness, understanding and attitudes toward epilepsy. *Indian J of Med Res* 1995; 102: 34-8
3. Ray BK, Banerjee T, Ganguly G, *et al.* Prevalence, knowledge, attitude and practice of epilepsy in a defined community in West Bengal, India. The 4<sup>th</sup> Asian and Oceanian Epilepsy Congress, Abstract Book 2002: 162.
4. Seshadri V, Thomas J, Murthy JMK, Verma MA, Raju CR. Knowledge, attitude and practice of epilepsy in rural Andhra Pradesh, South India. 4<sup>th</sup> Joint Annual Conference of the Indian Epilepsy Association & Indian Epilepsy Society, Abstract Book 2003: 4.