

Monitor issue: SC transfers to NHRC mental healthcare plea

AGE CORRESPONDENT
NEW DELHI, OCT. 28

The Supreme Court on Tuesday transferred to the National Human Rights Commission a public interest litigation for the implementation of a 2017 law on safeguarding the rights and needs of persons with mental illnesses and asked it to monitor the matter.

A two-judge bench of Justices P.S. Narasimha and R. Mahadevan said the rights body should monitor the petition filed by advocate Gaurav Kumar Bansal in 2018.

The apex court took on record an affidavit filed by the Centre and noted that statutory authorities have been constituted to implement the Mental Healthcare Act, 2017.

It, however, noted that the petitioner has sought several other "prayers". These shall also be monitored by the NHRC.

The Supreme Court had earlier said that Parliament enacted the Mental Healthcare Act in 2017.

Police are expected to treat women with dignity: HC

New Delhi: Police officers are expected to treat women with dignity and must refrain from using inappropriate or unparliamentary language, Delhi High Court has stressed.

The observation came as the court took up a petition filed by Thoppani Sanjeev Rao, who had sought the framing of specific guidelines mandating that women be treated respectfully in police stations.

She argued that, despite an explicit directive from the National Human Rights Commission (NHRC) requiring police action

within four weeks, no such guidelines had been issued.

Justice Sanjeev Narula, however, declined to issue such orders, noting that these expectations were already implicit in the conduct required of public servants. "The court finds no reason to frame any such guidelines. It is beyond dispute that police officers are expected to treat women with dignity and must refrain from using inappropriate or unparliamentary language. Hence, the prayer sought is misconceived," the judge said. TNN



मानसिक स्वास्थ्य कानून पर अमल की याचिका एनएचआरसी को हस्तांतरित

नई दिल्ली। सुप्रीम कोर्ट ने मानसिक रोगों से ग्रस्त व्यक्तियों के अधिकारों और आवश्यकताओं के संरक्षण के लिए 2017 में बने कानून पर अमल के लिए दायर जनहित याचिका मंगलवार को राष्ट्रीय मानवाधिकार आयोग को हस्तांतरित कर दी। आयोग ने एनएचआरसी से इस मामले की निगरानी करने को कहा। जस्टिस पीएस नरसिम्हा और न्यायमूर्ति आर महादेवन की पीठ ने कहा कि मानवाधिकार आयोग को अधिवक्ता गौरव कुमार बंसल की तरफ से 2018 में दायर याचिका पर विचार करना चाहिए। शीर्ष अदालत ने केंद्र के हलफनामे पर गौर किया और कहा कि मानसिक स्वास्थ्य देखभाल अधिनियम 2017 को लागू करने के लिए वैधानिक प्राधिकरण गठित किए गए हैं। लेकिन याचिकाकर्ता ने कई

अन्य मांगें भी की हैं जिनकी निगरानी भी एनएचआरसी की तरफ से की जाएगी। सुप्रीम कोर्ट ने पहले कहा था कि संसद ने 2017 में मानसिक स्वास्थ्य देखभाल अधिनियम पारित किया था, जिसमें केंद्रीय मानसिक स्वास्थ्य प्राधिकरण (सीएमएचए),

मामला 2 राज्य मानसिक स्वास्थ्य प्राधिकरण (एसएमएचए) और मानसिक स्वास्थ्य समीक्षा बोर्ड (एमएचआरबी) की स्थापना का प्रावधान है। 2 मार्च को कोर्ट ने केंद्र को इन तीनों निकायों की स्थापना और कार्यप्रणाली का विवरण देते हुए एक हलफनामा दाखिल करने का निर्देश दिया था। इससे पहले जनवरी 2019 में शीर्ष कोर्ट ने केंद्र, सभी राज्यों और केंद्र शासित प्रदेशों को नोटिस जारी किया था। याचिका में कहा गया कि राज्यों और केंद्र शासित प्रदेशों की तरफ से अधिनियम के प्रावधानों को लागू न करना नागरिकों के जीवन और स्वतंत्रता का घोर उल्लंघन है। ब्यूरो

मानसिक स्वास्थ्य पर कानून से संबंधित याचिका एनएचआरसी को हस्तांतरित

जनसत्ता ब्यूरो
नई दिल्ली, 28 अक्टूबर।

सुप्रीम कोर्ट ने मानसिक बीमारियों से ग्रस्त व्यक्तियों के अधिकारों और आवश्यकताओं की सुरक्षा के लिए 2017 के एक कानून के क्रियान्वयन के लिए दायर जनहित याचिका मंगलवार को राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) को हस्तांतरित कर दी और उसे मामले की निगरानी करने को कहा।

न्यायमूर्ति पी एस नरसिम्हा और न्यायमूर्ति आर महादेवन की पीठ ने कहा कि मानवाधिकार आयोग को अधिवक्ता गौरव कुमार बंसल द्वारा 2018 में दायर याचिका पर गौर करना चाहिए। शीर्ष अदालत ने केंद्र द्वारा दायर हलफनामे पर गौर किया और

कहा कि मानसिक स्वास्थ्य देखभाल अधिनियम, 2017 को लागू करने के लिए वैधानिक प्राधिकरण गठित किए गए हैं। बहरहाल, उसने यह भी कहा कि याचिकाकर्ता ने कई अन्य मांग भी की हैं। इनकी निगरानी भी एनएचआरसी द्वारा की जाएगी।

**न्यायमूर्ति पी एस
नरसिम्हा और
न्यायमूर्ति आर
महादेवन की पीठ ने
कहा।**

सुप्रीम कोर्ट ने पहले कहा था कि संसद ने 2017 में मानसिक स्वास्थ्य देखभाल अधिनियम पारित किया था, जिसमें केंद्रीय मानसिक स्वास्थ्य प्राधिकरण (सीएमएचए), राज्य

मानसिक स्वास्थ्य प्राधिकरण (एसएमएचए) और मानसिक स्वास्थ्य समीक्षा बोर्ड (एमएचआरबी) की स्थापना का प्रावधान है। दो मार्च को न्यायालय ने केंद्र को इन तीनों निकायों की स्थापना और कार्यप्रणाली का विवरण देते हुए एक हलफनामा दाखिल करने का निर्देश दिया।



PIL on mental health passed on to NHRC

New Delhi: The Supreme Court on Tuesday transferred to the NHRC a PIL for the implementation of a 2017 law on safeguarding the rights and needs of persons with mental illnesses and asked it to monitor the matter. A bench comprising Justices P S Narasimha and R Mahadevan said the rights body should monitor the petition filed by advocate Gaurav Kumar Bansal in 2018. The top court took on record an affidavit filed by the Centre and noted that statutory authorities have been constituted to implement the Mental Healthcare Act, 2017. It, however, noted that the petitioner has sought several other "prayers". These shall also be monitored by the NHRC. On March 2, it directed the Centre to file an affidavit indicating the establishment and functioning of the three bodies mentioned in the 2017 Act.

'Lokayukta bill can't be passed till J&K is UT'

Wait for Statehood for introduction of bills: Omar

Fayaz Bukhari

SRINAGAR, Oct 28: Chief Minister Omar Abdullah today urged Members of the Legislative Assembly who introduced various private members' bills to wait until Jammu and Kashmir regains its Statehood, after which these bills could be

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reconsidered.

All eight of the 41 bills introduced in the Assembly were rejected by the National Conference-led Government, while the remaining bills will be taken up in the next budget session.

In response to most of the bills, the Chief Minister advised members to "wait for J&K to become a State again," adding that only then could such legislation be taken up for consideration.

A bill introduced by MLA M.Y. Tarigami, sought to establish a Lokayukta in J&K to inquire into allegations of corruption against public servants.

Responding to it, the Chief Minister said the bill could not



Chief Minister Omar Abdullah speaks in the Assembly on Tuesday.
-Excelsior/Shakeel

be passed while J&K remains a Union Territory, and members would have to wait until Statehood is restored.

In reply, Tarigami said, "We do not know anything about the timeline for the restoration of Statehood - how do we deal

with it?"

The Chief Minister responded that there were already existing laws in place for the prevention of corruption, and J&K falls under their purview.

MLA Nizam-ud-Din Bhat brought a bill seeking the establishment of a Legislative Forum for Monitoring and Protection of Human Rights in the Union Territory of Jammu and Kashmir.

On this, the Chief Minister said that J&K, being a Union Territory, falls under the jurisdiction of the National Human Rights Commission.

"The law does not permit us to establish such an institution here under the J&K Reorganisation Act. Let us become a State again - when that happens, we can have our own State Human Rights Commission," he added.

(Contd on page 4 Col 3)

Wait for Statehood for introduction of bills: Omar

Tanvir Sadiq, sought to provide for the prevention, treatment, and rehabilitation of drug abuse victims and to establish addiction treatment and rehabilitation centres, besides ensuring community involvement to curb the menace.

On this, the Government through the Minister Sakeena Itoo, said it was planning to bring a comprehensive bill to address the issue.

MLA Altaf Ahmad Wani introduced a bill to provide immediate financial relief to fire victims for reconstruction and rehabilitation through the district administration.

The bill was also rejected, though the Chief Minister assured that the Government

would look into the possibility of enhancing compensation.

MLA Balwant Singh Mankotia introduced a bill seeking compulsory vocational and skill education in Jammu and Kashmir. It was rejected, with the Deputy Chief Minister stating that Industrial Training Institutes (ITIs) were already in place.

MLA Mubarak Gul introduced a bill for the social security and welfare of artisans and related matters. It was also rejected, with the Deputy Chief Minister citing financial implications.

Gul was assured that the suggestions in his bill would be taken into consideration, following which he agreed to withdraw it.

UT of J&K can't have Human Rights Body of its own: CM

Zehru Nissa
Srinagar, Oct 28

Chief Minister Omar Abdullah on Tuesday told the Legislative Assembly that the Union Territory of Jammu and Kashmir cannot have its own Human Rights Commission under the existing constitutional framework.

Responding to Congress MLA Nizamuddin Bhat's plea seeking permission to introduce a private member's bill for the establishment of a local human rights body, the Chief Minister said that the J&K Reorganisation Act does not provide for the creation of such an institution.

"The National Human Rights Commission (NHRC) covers the Union Territories of Jammu and Kashmir,

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Delhi, and Ladakh," Omar Abdullah said, adding that a separate commission for J&K could only be constituted after the restoration of statehood.

He recalled that before August 2019, Jammu and Kashmir had its own fully functional State Human Rights Commission (SHRC), which

actively dealt with cases of alleged rights violations. "That law was among those removed from the Statute Book after the reorganisation of the state," he said. "Now, the UT is under the purview of the NHRC."

The Chief Minister rejected the argument that the absence of a local body had left a vacuum in rights protection mechanisms. "It is incorrect to say there is no redressal system in place. The mechanism exists — the only difference is that the NHRC now performs this role instead of the SHRC," he clarified.

However, MLA Nizamuddin Bhat insisted that a dedicated institution within Jammu and Kashmir was essential. He said that the NHRC remained largely inaccessible to ordinary citi-

zens and was unable to handle the sheer volume of cases from the region. "A localised mechanism for monitoring, investigating, and addressing allegations of human rights violations is needed to fill the visible institutional gap," Bhat argued.

He added that the people of J&K must feel confident that their rights are protected. "Over the decades, our situation has shown how necessary such a body is," the MLA said.

The proposed bill was among 41 private members' bills listed for introduction during the session, but was not allowed on what the government termed "technical grounds." "No such possibility exists under the J&K Reorganisation Act," the Chief Minister reiterated.

मनोरोगियों का मामला NHRC को सौंपा

दिल्ली. हाई कोर्ट ने मानसिक बीमारियों से ग्रस्त व्यक्तियों के अधिकारों और आवश्यकताओं की सुरक्षा के लिए 2017 के एक कानून के क्रियान्वयन के लिए दायर जनहित याचिका मंगलवार को एनएचआरसी को हस्तांतरित कर दी और उसे मामले की निगरानी करने को कहा. न्यायमूर्ति पी एस नरसिम्हा और न्यायमूर्ति आर महादेवन की पीठ ने कहा कि मानवाधिकार आयोग को अधिवक्ता गौरव कुमार बंसल द्वारा 2018 में दायर याचिका पर गौर करना चाहिए. अदालत ने केंद्र के हलफनामे पर गौर कर कहा कि मानसिक स्वास्थ्य देखभाल अधिनियम, 2017 को लागू करने के लिए वैधानिक प्राधिकरण गठित किए गए हैं.



मानवाधिकार आयोग पहुंचा अस्पताल में मौत का मामला

बस्ती, निज संवाददाता। कैली रोड स्थित ओमवीर अस्पताल में मरीज की मौत का मामला राष्ट्रीय मानवाधिकार आयोग पहुंच गया है। आयोग के निर्देश पर एसडीएम राजेश यादव ने जांच शुरू कर दी है। मंगलवार को एसडीएम व डिप्टी सीएमओ डॉ. एसबी सिंह ने अस्पताल पहुंचकर जांच शुरू किया। अस्पताल के खिलाफ हुई शिकायत के बाद सीएमओ ने जांच कराई थी। अस्पताल का पंजीकरण निरस्त कर दिया था, बाद में दूसरा पंजीकरण कर दिया गया, जिसके बाद अस्पताल दोबारा खुल गया है। डॉ. एसबी सिंह ने बताया कि मजिस्ट्रेटी जांच हो रही है। एसडीएम अपनी रिपोर्ट डीएम को सौंपेंगे।

नगर थानाक्षेत्र के मरहा निवासी वीरेंद्र प्रताप ने अधिकारियों को भेजे

शिकायती-पत्र में कहा था कि उसने अपने पिता पल्लूराम को ऑपरेशन के लिए 17 जुलाई 2025 को ओमवीर अस्पताल में भर्ती कराया था। ऑपरेशन के बाद जब उनकी हालत बिगड़ने लगी तो चिकित्सक ने गोरखपुर के लिए मरीज को रेफर कर दिया। गोरखपुर पहुंचने से पहले ही उनकी मौत हो गई। आरोप है कि बिना किसी प्रोटोकाल के चिकित्सक ने ऑपरेशन किया था। शिकायत की जांच डिप्टी सीएमओ डॉ. अशोक चौधरी के नेतृत्व में गठित टीम ने किया था। मेडिकल कॉलेज अंबेडकरनगर में तैनात सर्जन व सीएमओ के अधीन कार्यरत महिला चिकित्सक का सर्टिफिकेट अस्पताल के पंजीकरण में लगाया गया था। जांच में इसे दबा दिया गया।

लापरवाही से चली गई बच्चे की जान

सीएमओ ने डेथ ऑडिट
कराने की कही बात

lucknow@inext.co.in

LUCKNOW (28 Oct): राजधानी में डेंगू से पीड़ित एक मासूम की मौत का मामला सामने आया है. मासूम का इलाज एक निजी अस्पताल में चल रहा था. जहां इलाज के दौरान सोमवार देर शाम उसकी मौत हो गई. वहीं, परिजनों ने डॉक्टर द्वारा नशे में इलाज करने का आरोप लगाया है. मामले लेकर सूचना पर पहुंची पुलिस ने शव का पोस्टमार्टम कराया है. परिजनों का कहना है कि इलाज में लापरवाही से बच्चे की जान चली गई. साथ ही सीएमओ से शिकायत की बात कही है. हालांकि, सीएमओ ने डेथ ऑडिट कराये जाने की बात कही है.

इलाज के दौरान हो गई मौत

गोमतीनगर विनीतखंड के रहने वाले सीताराम के 11 वर्षीय बेटा संतोष को बुखार आने पर परिजनों ने पहले नजदीकी क्लीनिक में दिखाया. इलाज



CONCEPT PIC



डेंगू से बच्चे
की मौत
होने की
जानकारी
नहीं



है. मामले को दिखवाया
जाएगा. उसके बाद आगे
की कार्रवाई की जाएगी.
डॉ. एनबी सिंह, सीएमओ

से बच्चे को राहत तो मिली, लेकिन अचानक से 26 अक्टूबर को बच्चे की सांस फूलने लगी. जिसके बाद परिजनों ने मल्हौर स्थित एक निजी अस्पताल में बेटे को भर्ती कराया. जहां कार्ड व एलाइजा दोनों जांच में रिपोर्ट डेंगू पॉजिटिव आई थी. साथ ही बच्चे की प्लेटलेट्स भी करीब 22 हजार बची थीं. इलाज के दौरान हालत बिगड़ने पर सोमवार उसे वेंटीलेटर सपोर्ट पर रखा गया. पर देर शाम इलाज के दौरान बच्चे

की मौत हो गई. बच्चे की मौत से गुस्साए परिजनों ने लापरवाही का आरोप लगाकर हंगामा किया. सूचना पर पहुंची पुलिस ने छानबीन करते हुए बच्चे का पोस्टमार्टम कराया है. वहीं, बच्चे के बड़े भाई शिवजी ने डॉक्टर पर नशे में धुत होकर इलाज करने का आरोप लगाया. परिजनों ने मुकदमा दर्ज किए जाने के लिए तहरीर दी है. हालांकि, अस्पताल प्रशासन ने किसी भी प्रकार की लापरवाही से इंकार किया है.

Hindu

SC orders NHRC to monitor Mental Health Authorities across the country

A petition had highlighted the plight of mentally-ill prisoners who were found chained at a “faith-based” asylum at Badayun in Uttar Pradesh

<https://www.thehindu.com/news/national/sc-orders-nhrc-to-monitor-mental-health-authorities-across-the-country/article70213534.ece>

Updated - October 29, 2025 06:25 am IST - NEW DELHI

The Hindu Bureau

National Human Rights Commission office at Faridkot House in New Delhi. File | Photo Credit: The Hindu

The Supreme Court on Tuesday (October 28, 2025) transferred to the National Human Rights Commission (NHRC) a petition that sought the proper functioning and monitoring of Central and State Mental health Authorities across the country.

The order issued by a Bench headed by Justice P.S. Narasimha stemmed from a petition filed by advocate Gaurav Kumar Bansal in 2018, which highlighted the plight of mentally-ill prisoners who were found chained at a “faith-based” asylum at Badayun in Uttar Pradesh.

Mr. Bansal had, at the time, sought the constitution of Central and State Mental Health Authorities separately to protect the rights of individuals with mental illness in accordance with the provisions of the Mental Healthcare Act of 2017.

The petitioner had sought separate funding for these authorities and mental health review boards that would be put in place.

The Health Ministry subsequently filed an affidavit in court saying the authorities have been notified.

“In view of the fact that Central Mental Health Authority as well as the authorities constituted by the States and Union Territories, are functioning, we are of the opinion that the interest of justice will be subserved if the NHRC monitors the writ petition and passes directions after hearing these authorities,” the apex court directed.

The court ordered the petition to be re-numbered by the NHRC as a “complaint” for monitoring and disposing of as per the law.

The NHRC was asked to pass necessary orders to ensure the authorities work vibrantly.

CNBCTV 18

SC transfers PIL seeking implementation of law on mental health care to NHRC

The top court took on record an affidavit filed by the Centre and noted that statutory authorities have been constituted to implement the Mental Healthcare Act, 2017.

<https://www.cnbctv18.com/india/sc-transfers-pil-seeking-implementation-of-law-on-mental-health-care-to-nhrc-19729226.htm>

By PTI October 28, 2025, 2:43:50 PM IST (Published)

3 Min Read

The Supreme Court on Tuesday, October 28, transferred to the National Human Rights Commission a PIL for the implementation of a 2017 law on safeguarding the rights and needs of persons with mental illnesses and asked it to monitor the matter.

A bench comprising Justices PS Narasimha and R Mahadevan said the rights body should monitor the petition filed by advocate Gaurav Kumar Bansal in 2018.

The top court took on record an affidavit filed by the Centre and noted that statutory authorities have been constituted to implement the Mental Healthcare Act, 2017.

It, however, noted that the petitioner has sought several other "prayers". These shall also be monitored by the NHRC.

The top court had previously said that Parliament enacted the Mental Healthcare Act in 2017 which contemplates establishment of a Central Mental Health Authority (CMHA), State Mental Health Authority (SMHA) and Mental Health Review Board (MHRB). On March 2, it directed the Centre to file an affidavit indicating the establishment and functioning of the three bodies.

The affidavit should also show the statutory and mandatory appointments to the authority and the review board.

On January 3, 2019, the apex court issued notices to the Centre, all states and Union Territories on the petition which claimed that non-implementation of provisions of the Act by the states and UTs was a gross violation of life and liberty of the citizens.

The PIL argued that persons with mental illnesses were chained in a faith-based mental asylum in Budaun district of Uttar Pradesh in violation of provisions of the Mental Health Care Act 2017. The court examined the photos of such patients calling it a matter of great concern.

The bench said chaining people with mental illness was violative of their rights under Article 21 of the Constitution, which deals with life and personal liberty, and their dignity cannot be compromised.

According to the PIL, chaining a person suffering from mental illness is a blatant violation of a provision of the 2017 Act which says that every such person shall not only have a right to live with dignity but he or she shall be protected from cruel, inhuman and degrading treatment.

Referring to the National Mental Health Survey 2016, the petitioner claimed that around 14 per cent of India's population requires active mental health interventions and around 2 per cent Indians were suffering from severe mental disorders.

Law Beat

Supreme Court Transfers Plea on Implementation of Mental Healthcare Act to NHRC

Supreme Court directed the National Human Rights Commission to monitor the implementation of the Mental Healthcare Act, 2017, ensuring protection and dignity for persons with mental illness across India

<https://lawbeat.in/amp/top-stories/supreme-court-transfers-plea-on-implementation-of-mental-healthcare-act-to-nhrc-1536174>

By : Sukriti Mishra

Update: 2025-10-28 07:46 GMT

Supreme Court transfers PIL on Mental Healthcare Act implementation to NHRC, directing the rights body to oversee protection of mentally ill persons and ensure compliance with the 2017 law

The Supreme Court on Tuesday transferred to the National Human Rights Commission (NHRC) a PIL seeking effective implementation of the Mental Healthcare Act, 2017, and directed the rights body to oversee compliance with the law meant to safeguard the rights and dignity of persons with mental illnesses.

The Bench of Justices P.S. Narasimha and R. Mahadevan observed that the NHRC, being a statutory authority empowered to protect and promote human rights, is best placed to monitor the issues raised in the petition filed by Advocate Gaurav Kumar Bansal in 2018.

“The National Human Rights Commission shall monitor the implementation of the Mental Healthcare Act, 2017, including the issues raised in the present petition,” the Bench said, while formally closing proceedings before the Court.

The Supreme Court took on record an affidavit filed by the Union Government, noting that the Centre had constituted all statutory bodies envisaged under the 2017 Act; the Central Mental Health Authority (CMHA), the State Mental Health Authorities (SMHAs) and the Mental Health Review Boards (MHRBs), to ensure the protection of rights and access to mental healthcare services across the country.

However, the Bench clarified that the petitioner’s additional requests, including measures to ensure humane treatment of mentally ill persons and steps to prevent rights violations in mental health institutions, shall also fall under the NHRC’s ongoing monitoring.

Earlier, in a series of hearings, the Supreme Court had expressed concern over the slow pace of implementation of the Mental Healthcare Act and had, on March 2, directed the Centre to file an affidavit detailing the establishment, composition and functioning of the CMHA, SMHAs and MHRBs, as well as the appointments made to these statutory bodies.

The petition filed in 2018 had drawn the Court's attention to the continued chaining of patients with mental illnesses in faith-based mental asylums in Budaun district of Uttar Pradesh, describing the practice as "cruel, inhuman and degrading." The petitioner had produced photographs showing patients in chains, prompting the Court to term the matter "a grave violation of human dignity."

The Bench had earlier observed that such practices violated Article 21 of the Constitution, which guarantees the right to life and personal liberty, and stressed that "the dignity of persons suffering from mental illness cannot be compromised under any circumstance."

The PIL argued that the non-implementation of the 2017 Act by several states and Union Territories amounted to a gross violation of the fundamental rights of persons with mental illnesses. It urged the Court to ensure that all provisions of the Mental Healthcare Act are enforced uniformly across India, including the requirement for humane treatment, community-based rehabilitation, and protection against arbitrary detention or restraint.

Citing the National Mental Health Survey 2016, the petitioner pointed out that nearly 14% of India's population requires active mental health intervention, and that about 2% of Indians suffer from severe mental disorders. He argued that despite the alarming prevalence of mental illness, institutional neglect, lack of trained professionals, and inadequate infrastructure continued to deny affected persons their statutory and constitutional rights.

On January 3, 2019, the Apex Court had issued notices to the Centre, all States and Union Territories, seeking a response on the PIL and directing them to file status reports on the implementation of the Act.

The Mental Healthcare Act, 2017, which came into force on May 29, 2018, replaced the earlier 1987 law and brought India's legal framework in line with international human rights standards, particularly the UN Convention on the Rights of Persons with Disabilities (UNCRPD). It guarantees every person with mental illness the right to live with dignity, protection from cruel and degrading treatment, and access to affordable mental healthcare and community-based services.

Case Title: Gaurav Kumar Bansal v. Union of India & Ors.

Hearing Date: October 28, 2025

Bench: Justices P.S. Narasimha and R. Mahadevan

Law Trend

Supreme Court Transfers PIL on Mental Healthcare Act Implementation to NHRC for Monitoring

<https://lawtrend.in/supreme-court-transfers-pil-on-mental-healthcare-act-implementation-to-nhrc-for-monitoring/>

By Law Trend

October 28, 2025 12:37 PM

The Supreme Court on Tuesday transferred a public interest litigation (PIL) seeking effective implementation of the Mental Healthcare Act, 2017 to the National Human Rights Commission (NHRC), directing the rights body to oversee compliance with the law across the country.

A Bench of Justices P.S. Narasimha and R. Mahadevan was hearing a petition filed in 2018 by advocate Gaurav Kumar Bansal, which sought the enforcement of statutory safeguards and rights of persons with mental illnesses. The court noted that while statutory authorities have been constituted under the Act, several broader issues raised in the PIL would also need continuous oversight.

“The National Human Rights Commission shall monitor the implementation of the Mental Healthcare Act, 2017, and the prayers made in the petition,” the Bench directed, while taking on record the affidavit filed by the Union government.

The PIL, filed seven years ago, highlighted serious lapses in enforcing the provisions of the 2017 law, including the establishment and functioning of key statutory bodies such as the Central Mental Health Authority (CMHA), State Mental Health Authorities (SMHAs), and Mental Health Review Boards (MHRBs).

Earlier, on March 2, the Supreme Court had asked the Centre to file an affidavit detailing the constitution and operation of these authorities, along with information on statutory appointments. The affidavit submitted by the government has now been formally taken on record.

The petitioner had drawn the court’s attention to a disturbing incident from Budaun district in Uttar Pradesh, where people with mental illnesses were allegedly chained in a faith-based asylum. The court, while examining photographs of the patients, termed the act a “matter of great concern” and held it violative of their fundamental rights under Article 21 of the Constitution, which guarantees life and personal liberty.

The Bench reiterated that chaining individuals suffering from mental illness amounts to cruel, inhuman and degrading treatment, directly infringing upon the dignity and rights guaranteed by law. It underscored that Section 20 of the Mental Healthcare Act, 2017 confers on every person with mental illness the right to live with dignity and protection from inhuman treatment.

According to Bansal's petition, the continued non-implementation of the Act by states and Union Territories constitutes a "gross violation of life and liberty of citizens." It cited the National Mental Health Survey 2016, which estimated that nearly 14% of India's population requires active mental health interventions, while around 2% suffer from severe mental disorders.

The petition urged the top court to ensure that the Act's mechanisms are effectively put in place to address the acute shortage of mental health infrastructure and safeguard the rights of vulnerable individuals.

With the transfer of the matter to the NHRC, the Commission will now be responsible for monitoring the implementation of the Mental Healthcare Act, 2017, including the establishment and functioning of statutory authorities and the protection of rights of persons with mental illnesses across India.

Assam Tribune

SC hands over Mental Healthcare Act plea to NHRC, seeks regular monitoring

<https://assamtribune.com/national/sc-hands-over-mental-healthcare-act-plea-to-nhrc-seeks-regular-monitoring-1595976>

New Delhi, Oct 28: The Supreme Court on Tuesday transferred a PIL on implementing the 2017 Mental Healthcare Act to the National Human Rights Commission (NHRC) and directed the commission to monitor its enforcement.

A bench comprising Justices P S Narasimha and R Mahadevan said the rights body should monitor the petition filed by advocate Gaurav Kumar Bansal in 2018.

The top court took on record an affidavit filed by the Centre and noted that statutory authorities have been constituted to implement the Mental Healthcare Act, 2017.

It, however, noted that the petitioner has sought several other "prayers" and "these shall also be monitored by the NHRC".

Earlier, the top court noted that Parliament enacted the Mental Healthcare Act in 2017 which contemplates establishment of a Central Mental Health Authority (CMHA), State Mental Health Authority (SMHA) and Mental Health Review Board (MHRB).

On March 2, it directed the Centre to file an affidavit detailing the establishment and functioning of these three bodies.

Along with it, the affidavit should also show the statutory and mandatory appointments to the authority and the review board.

On January 3, 2019, the apex court issued notices to the Centre, all states and Union Territories on the petition which claimed that non-implementation of provisions of the Act by the states and UTs was a gross violation of life and liberty of the citizens.

The PIL argued that persons with mental illnesses were chained in a faith-based mental asylum in Budaun district of Uttar Pradesh in violation of provisions of the Mental Health Care Act 2017.

The court examined the photos of such patients calling it a matter of great concern.

The bench said chaining people with mental illness was violative of their rights under Article 21 of the Constitution, which deals with life and personal liberty, and their dignity cannot be compromised.

According to the PIL, chaining a person suffering from mental illness is a blatant violation of a provision of the 2017 Act which says that every such person shall not only have a right to live with dignity but he or she shall be protected from cruel, inhuman and degrading treatment.

Referring to the National Mental Health Survey 2016, the petitioner claimed that around 14 per cent of India's population requires active mental health interventions and around 2 per cent Indians were suffering from severe mental disorders.

PTI

ET LegalWorld

SC transfers PIL seeking implementation of law on mental health care to NHRC

A bench comprising Justices P S Narasimha and R Mahadevan said the rights body should monitor the petition filed by advocate Gaurav Kumar Bansal in 2018.

<https://legal.economictimes.indiatimes.com/amp/news/web-stories/supreme-court-transfers-pil-on-mental-health-rights-to-nhrc-for-monitoring/124871897>

Online Bureau | PTI

Updated On Oct 28, 2025 at 04:29 PM IST

New Delhi: The Supreme Court, today, transferred to the National Human Rights Commission a PIL for the implementation of a 2017 law on safeguarding the rights and needs of persons with mental illnesses and asked it to monitor the matter.

A bench comprising Justices P S Narasimha and R Mahadevan said the rights body should monitor the petition filed by advocate Gaurav Kumar Bansal in 2018.

The top court took on record an affidavit filed by the Centre and noted that statutory authorities have been constituted to implement the Mental Healthcare Act, 2017.

It, however, noted that the petitioner has sought several other "prayers". These shall also be monitored by the NHRC.

The top court had previously said that Parliament enacted the Mental Healthcare Act in 2017 which contemplates establishment of a Central Mental Health Authority (CMHA), State Mental Health Authority (SMHA) and Mental Health Review Board (MHRB). On March 2, it directed the Centre to file an affidavit indicating the establishment and functioning of the three bodies.

The affidavit should also show the statutory and mandatory appointments to the authority and the review board.

On January 3, 2019, the apex court issued notices to the Centre, all states and Union Territories on the petition which claimed that non-implementation of provisions of the Act by the states and UTs was a gross violation of life and liberty of the citizens.

The PIL argued that persons with mental illnesses were chained in a faith-based mental asylum in Budaun district of Uttar Pradesh in violation of provisions of the Mental Health Care Act 2017. The court examined the photos of such patients calling it a matter of great concern.

The bench said chaining people with mental illness was violative of their rights under

Article 21 of the Constitution, which deals with life and personal liberty, and their dignity cannot be compromised.

According to the PIL, chaining a person suffering from mental illness is a blatant violation of a provision of the 2017 Act which says that every such person shall not only have a right to live with dignity but he or she shall be protected from cruel, inhuman and degrading treatment.

Referring to the National Mental Health Survey 2016, the petitioner claimed that around 14 per cent of India's population requires active mental health interventions and around 2 per cent Indians were suffering from severe mental disorders.

The Print

SC directs NHRC to monitor treatment at faith-based mental health facilities

The apex court said the NHRC may issue notices to Central and state mental health authorities, seeking compliance reports on faith-based mental asylums and care of mentally ill persons.

<https://theprint.in/india/sc-directs-nhrc-to-monitor-treatment-at-faith-based-mental-health-facilities/2772298/>

ANI | 28 October, 2025 08:11 pm IST

New Delhi: The Supreme Court on Tuesday directed the National Human Rights Commission (NHRC) to monitor all concerned authorities with respect to the health treatment of persons placed in (or near) faith-based 'mental asylums'.

A bench of Justices PS Narasimha and R Mahadevan transferred a 2018 plea that sought directions for the immediate release, care and treatment of persons with mental illness confined in a faith-based asylum at Badaun, Uttar Pradesh, to the NHRC.

Additionally, the plea had also sought directions to all concerned state authorities to implement the provisions of the Mental Healthcare Act, 2017, including the establishment of authorities, boards, rules, and regulations under the Act.

"We are of the opinion that interest of justice will be subserved if we direct the NHRC to monitor the writ petition and pass necessary directions after hearing the statutory authorities. In view of the above, the WP is transferred to NHRC for being renumbered as a complaint and for monitoring and disposing of it as per law", the court noted.

During the hearing, the apex court asked petitioner Advocate Gaurav Bansal that the plea dates back to 2018 and the court has already issued directions in this regard, so what remains to be dealt with in the plea.

Bansal submitted that in many mental asylums, patients with mental illness are being treated by way of the faith on which the asylum is based.

"In most of such places, in Hanuman Mandirs and Madarsas, the faith-based asylums are keeping persons and treating them on the basis of their faith", Bansal said.

After hearing the petitioner briefly, the apex court was of the view that these grounds are generalised, having been dealt with by the Court earlier. The Court thus suggested that the NHRC can be asked to monitor this regard.

The apex court also suggested that the NHRC can issue notices to all concerned authorities, such as the Central and State Mental Health Authorities, seeking their responses regarding compliance with the court's directions for the proper functioning of faith-based mental asylums and the treatment of mentally challenged persons placed in them.

The apex court has also directed NHRC to ensure that the states which have yet to constitute the concerned authorities as per law in this regard to comply with the directions of the Court and to ensure they are functioning vibrantly. (ANI)

Devdiscourse

Supreme Court Orders NHRC to Oversee Faith-Based Mental Asylum Cases

The Supreme Court has assigned the NHRC to oversee the treatment of individuals in faith-based mental asylums, transferring a 2018 case to the commission. The decision seeks to ensure compliance with the Mental Healthcare Act, 2017, ensuring proper care and adherence to legal protocols in such institutions.

<https://www.devdiscourse.com/article/headlines/3676115-supreme-court-orders-nhrc-to-oversee-faith-based-mental-asylum-cases>

Devdiscourse News Desk | Updated: 28-10-2025 19:53 IST | Created: 28-10-2025 19:53 IST

In a significant move, the Supreme Court has tasked the National Human Rights Commission (NHRC) with the responsibility of monitoring the health treatment of individuals in faith-based mental asylums.

A bench consisting of Justices PS Narasimha and R Mahadevan transferred a 2018 plea concerning the immediate release and treatment of such individuals to the NHRC.

The court aims for the NHRC to ensure adherence to the Mental Healthcare Act, 2017, including the setup of necessary authorities and regulations.

During the session, Advocate Gaurav Bansal highlighted ongoing issues with treatment based on faith at various mental asylums.

The court has requested the NHRC to seek compliance from Central and State Mental Health Authorities regarding previous directives.

The NHRC is also asked to ensure that states fully establish relevant authorities for vibrant functioning as per law.

Devdiscourse

Supreme Court Shifts Focus on Mental Health Rights to NHRC

The Supreme Court transferred a Public Interest Litigation (PIL) concerning the 2017 Mental Healthcare Act to the National Human Rights Commission (NHRC) for monitoring. The PIL cited non-implementation of the Act and highlighted human rights violations occurring in mental asylums, calling for urgent attention to improve the situation.

<https://www.devdiscourse.com/article/law-order/3676153-supreme-court-clarifies-ipc-section-195a-as-cognisable-offence>

Devdiscourse News Desk | New Delhi | Updated: 28-10-2025 12:27 IST | Created: 28-10-2025 12:27 IST

The Supreme Court has allocated a Public Interest Litigation concerning the 2017 Mental Healthcare Act to the National Human Rights Commission (NHRC) for closer review and supervision. This decision was announced by a bench consisting of Justices P S Narasimha and R Mahadevan, urging NHRC to oversee the petition initiated by advocate Gaurav Kumar Bansal.

Accompanying the Supreme Court's ruling was an affidavit from the Centre, acknowledging the establishment of necessary statutory bodies like the Central Mental Health Authority. However, the petition points to broader areas requiring oversight, prompting the court to reinforce its directions on monitoring.

The PIL highlighted grave issues, including chaining of mentally ill patients in faith-based asylums. The court emphasized that such practices violate Article 21 of the Constitution, which ensures life and personal liberty, and urged swift action to uphold the dignity of the affected individuals.

(With inputs from agencies.)

National Herald

Supreme Court transfers mental health rights PIL to NHRC for monitoring

Plea argues that around 14% of India's population needs mental health intervention, nearly 2% suffers from severe mental disorders

<https://www.nationalheraldindia.com/amp/story/health/supreme-court-transfers-mental-health-rights-pil-to-nhrc-for-monitoring>

By NH Digital

Published: 28 Oct 2025, 8:54 PM IST

The Supreme Court on Tuesday transferred to the NHRC (National Human Rights Commission) a PIL (public interest litigation) seeking implementation of the Mental Healthcare Act, 2017, and directed the rights body to monitor the matter to ensure protection of the rights and dignity of persons with mental illnesses.

A bench comprising Justices P.S. Narasimha and R. Mahadevan said the NHRC should take charge of overseeing compliance with the provisions of the Act while considering the other prayers made in the petition.

The PIL, filed in 2018 by advocate Gaurav Kumar Bansal, had raised serious concerns over the lack of enforcement of the 2017 legislation and instances of human rights violations involving people with mental illnesses.

Taking on record an affidavit filed by the Union government, the bench noted that statutory authorities envisaged under the law — the Central Mental Health Authority, the State Mental Health Authorities (SMHAs) and the Mental Health Review Boards — had been constituted.

However, the court observed that several issues raised by the petitioner remained unresolved and must continue to be monitored by the NHRC.

“Since statutory authorities have now been established, and the grievance relates to monitoring the implementation of the Act, we are transferring the matter to the NHRC for appropriate follow-up and supervision,” the bench said.

Case background

The Mental Healthcare Act, 2017 was enacted by Parliament to safeguard the rights of persons with mental illness, including the right to live with dignity, access to treatment, and protection from inhuman or degrading practices.

On 2 March 2023, the Supreme Court had directed the Centre to file an affidavit confirming the establishment and functioning of the statutory bodies and the appointments made under the Act.

Earlier, on 3 January 2019, the apex court had issued notices to the Centre, all states and Union Territories on the PIL, which alleged that the non-implementation of the Act amounted to a violation of Article 21 of the Constitution — the right to life and personal liberty.

The petition cited distressing conditions in a faith-based mental asylum in Budaun, Uttar Pradesh, where patients were allegedly chained, calling it a gross breach of the law and human dignity. The bench had then remarked that such practices were 'a matter of great concern' and "an affront to constitutional values'.

Petitioner's contentions

Bansal, citing the National Mental Health Survey 2016, argued that around 14 per cent of India's population requires active mental health intervention and nearly 2 per cent suffer from severe mental disorders.

He contended that chaining or restraining persons with mental illnesses violates Section 20 of the 2017 Act, which guarantees protection from cruel, inhuman and degrading treatment.

"Every person with mental illness shall have the right to live with dignity," the Act states — a principle the petitioner argued has been systematically neglected.

The Supreme Court's transfer of the case marks a significant shift from judicial oversight to institutional monitoring by the NHRC, which is expected to seek regular compliance reports from the Centre and states to ensure humane and lawful treatment of individuals with mental illnesses.

Vartha Bharati

SC transfers PIL seeking implementation of law on mental health care to NHRC

<https://english.varthabharati.in/india/sc-transfers-pil-seeking-implementation-of-law-on-mental-health-care-to-nhrc>

Vartha Bharati | 28-10-2025 | 12:26:00 IST

New Delhi (PTI): The Supreme Court on Tuesday transferred to the National Human Rights Commission a PIL for the implementation of a 2017 law on safeguarding the rights and needs of persons with mental illnesses and asked it to monitor the matter.

A bench comprising Justices P S Narasimha and R Mahadevan said the rights body should monitor the petition filed by advocate Gaurav Kumar Bansal in 2018.

The top court took on record an affidavit filed by the Centre and noted that statutory authorities have been constituted to implement the Mental Healthcare Act, 2017.

It, however, noted that the petitioner has sought several other "prayers". These shall also be monitored by the NHRC.

The top court had previously said that Parliament enacted the Mental Healthcare Act in 2017 which contemplates establishment of a Central Mental Health Authority (CMHA), State Mental Health Authority (SMHA) and Mental Health Review Board (MHRB). On March 2, it directed the Centre to file an affidavit indicating the establishment and functioning of the three bodies.

The affidavit should also show the statutory and mandatory appointments to the authority and the review board.

On January 3, 2019, the apex court issued notices to the Centre, all states and Union Territories on the petition which claimed that non-implementation of provisions of the Act by the states and UTs was a gross violation of life and liberty of the citizens.

The PIL argued that persons with mental illnesses were chained in a faith-based mental asylum in Budaun district of Uttar Pradesh in violation of provisions of the Mental Health Care Act 2017. The court examined the photos of such patients calling it a matter of great concern.

The bench said chaining people with mental illness was violative of their rights under Article 21 of the Constitution, which deals with life and personal liberty, and their dignity cannot be compromised.

According to the PIL, chaining a person suffering from mental illness is a blatant violation of a provision of the 2017 Act which says that every such person shall not only have a right to live with dignity but he or she shall be protected from cruel, inhuman and degrading treatment.

Referring to the National Mental Health Survey 2016, the petitioner claimed that around 14 per cent of India's population requires active mental health interventions and around 2 per cent Indians were suffering from severe mental disorders.

ANI News

SC directs NHRC to monitor treatment of persons placed in faith-based mental asylums

<https://www.aninews.in/news/national/general-news/sc-directs-nhrc-to-monitor-treatment-of-persons-placed-in-faith-based-mental-asylums20251028194657/>

ANI | Updated: Oct 28, 2025 19:46 IST

New Delhi [India], October 28 (ANI): The Supreme Court on Tuesday directed the National Human Rights Commission (NHRC) to monitor all concerned authorities with respect to the health treatment of persons placed in (or near) faith-based mental asylums. A bench of Justices PS Narasimha and R Mahadevan transferred a 2018 plea that sought directions for the immediate release, care and treatment of persons with mental illness confined in a faith-based asylum at Badaun, Uttar Pradesh, to the NHRC. Additionally, the plea had also sought directions to all concerned state authorities to implement the provisions of the Mental Healthcare Act, 2017, including the establishment of authorities, boards, rules, and regulations under the Act. "We are of the opinion that interest of justice will be subserved if we direct the NHRC to monitor the writ petition and pass necessary directions after hearing the statutory authorities. In view of the above, the WP is transferred to NHRC for being renumbered as a complaint and for monitoring and disposing of it as per law", the court noted. During the hearing, the apex court asked petitioner Advocate Gaurav Bansal that the plea dates back to 2018 and the court has already issued directions in this regard, so what remains to be dealt with in the plea. Bansal submitted that in many mental asylums, patients with mental illness are being treated by way of the faith on which the asylum is based. "In most of such places, in Hanuman Mandirs and Madarsas, the faith-based asylums are keeping persons and treating them on the basis of their faith", Bansal said. After hearing the petitioner briefly, the apex court was of the view that these grounds are generalised, having been dealt with by the Court earlier. The Court thus suggested that the NHRC can be asked to monitor this regard. The apex court also suggested that the NHRC can issue notices to all concerned authorities, such as the Central and State Mental Health Authorities, seeking their responses regarding compliance with the court's directions for the proper functioning of faith-based mental asylums and the treatment of mentally challenged persons placed in them.

The apex court has also directed NHRC to ensure that the states which have yet to constitute the concerned authorities as per law in this regard to comply with the directions of the Court and to ensure they are functioning vibrantly. (ANI)

Bharat Express

सुप्रीम कोर्ट ने 2017 मानसिक स्वास्थ्य अधिनियम पर जनहित याचिका NHRC को किया ट्रांसफर

सुप्रीम कोर्ट ने 2017 के मानसिक स्वास्थ्य देखभाल अधिनियम को लागू करने की मांग वाली जनहित याचिका में राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) में ट्रांसफर कर दिया है।

<https://bharatexpress.com/legal/sc-transfers-pil-on-mental-healthcare-act-2017-to-nhrc-581934>

गोपाल कृष्ण October 28, 2025 5:48 pm

Edited by Vaibhav Gupta

सुप्रीम कोर्ट ने 2017 के मानसिक स्वास्थ्य देखभाल अधिनियम को लागू करने की मांग वाली जनहित याचिका में राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) में ट्रांसफर कर दिया है। जस्टिस पीएस नरसिम्हा और जस्टिस आर महादेवन की बेंच ने यह आदेश दिया है। साथ कोर्ट ने इस मामले में केंद्र सरकार द्वारा दायर हलफनामे को रिकॉर्ड पर ले लिया है।

NHRC को पक्षकार बनने का मिला निर्देश

कोर्ट ने कहा कि मानसिक स्वास्थ्य देखभाल कानून 2017 को लागू करने के लिए वैधानिक प्राधिकरण गठित किए गए हैं। यह याचिका वकील गौरव कुमारबंसल ने 2018 में दायर किया था, जिनकी याचिका पर कोर्ट ने एनएचआरसी को पक्षकार बनाने का निर्देश दिया था।

मामले की सुनवाई के दौरान कोर्ट ने केंद्र सरकार की ओर से पेश एडिशनल सॉलिसिटर जनरल ऐश्वर्या भाटी से याचिकाकर्ता को केंद्र सरकार का हलफनामा मुहैया कराने का आदेश दिया था। सुप्रीम कोर्ट ने संकेत दिया था कि मानसिक स्वास्थ्य देखभाल कानून 2017 को लागू करने के लिए जनहित याचिका को एनएचआरसी को ट्रांसफर किया जा सकता है।

याचिकाकर्ता ने कमेटी के गठन का दिया सुझाव

मामले की सुनवाई के दौरान याचिकाकर्ता गौरव बंसल ने कहा था कि कानून के कार्यान्वयन की निगरानी के लिए सुप्रीम कोर्ट के पूर्व जज की अध्यक्षता में एक समिति गठित की जा सकती है। याचिकाकर्ता ने इस मामले की निगरानी के लिए सुप्रीम कोर्ट के रिटायर्ड जज की अध्यक्षता में एक कमेटी के गठन का सुझाव दिया था। लेकिन कोर्ट ने याचिकाकर्ता के इस सुझाव को मानने से इनकार कर दिया था। कोर्ट ने कहा था कि हम समानांतर तंत्र नहीं बना सकते हैं।

कार्यान्वयन में लापरवाही का आरोप

दायर याचिका में केंद्रीय मानसिक स्वास्थ्य प्राधिकरण, राज्य मानसिक स्वास्थ्य प्राधिकरण और मानसिक स्वास्थ्य पुनरावलोकन बोर्ड की स्थापना और कार्यान्वयन में लापरवाही का आरोप लगाया गया है। बता दें कि उत्तर प्रदेश के बदायूं के छोटे-बड़े सरकार दरगाह में मानसिक रूप से बीमार लोगों को ईलाज के नाम पर जंजीर से बांध कर रखने पर सुप्रीम कोर्ट नाराजगी जता चुका है।

कोर्ट ने कहा था कि मानसिक रूप से बीमार शख्स को चेन में बांधकर नहीं रखा जा सकता है ये उनके अधिकारों और उनके सम्मान के खिलाफ है. कोर्ट ने कहा था कि एक मानसिक रोगी भी इंसान है, उसकी अपनी भी गरिमा है. अगर वो हिंसक भी है, तो उन्हें अकेले रखा जा सकता है, चेन में बांधना समाधान नहीं.

Law Trend

मानसिक स्वास्थ्य अधिकार कानून पर दायर याचिका एनएचआरसी को सुपुर्द करने का सुप्रीम कोर्ट का आदेश

<https://lawtrend.in/supreme-court-mental-healthcare-act-nhrc-monitoring/>

By Law Trend | October 28, 2025 12:38 PM

सुप्रीम कोर्ट ने मंगलवार को मानसिक स्वास्थ्य देखभाल अधिनियम, 2017 के प्रभावी क्रियान्वयन से जुड़ी एक जनहित याचिका को राष्ट्रीय मानवाधिकार आयोग (NHRC) को भेज दिया है और निर्देश दिया है कि आयोग इस कानून के अनुपालन की निगरानी करेगा।

न्यायमूर्ति पी. एस. नरसिम्हा और न्यायमूर्ति आर. महादेवन की पीठ ने अधिवक्ता गौरव कुमार बंसल द्वारा 2018 में दायर याचिका पर सुनवाई करते हुए यह आदेश पारित किया। अदालत ने कहा कि केंद्र सरकार ने कानून के तहत आवश्यक वैधानिक प्राधिकरणों का गठन कर दिया है, लेकिन याचिका में मांगी गई अन्य राहतों पर भी निगरानी आवश्यक है।

“राष्ट्रीय मानवाधिकार आयोग मानसिक स्वास्थ्य देखभाल अधिनियम, 2017 के क्रियान्वयन और याचिका में की गई प्रार्थनाओं की निगरानी करेगा,” पीठ ने कहा और केंद्र द्वारा दायर हलफनामे को अभिलेख पर लिया।

2018 में दायर यह जनहित याचिका राज्यों और केंद्रशासित प्रदेशों द्वारा मानसिक स्वास्थ्य देखभाल अधिनियम, 2017 के प्रावधानों के अनुपालन में गंभीर चूक का मुद्दा उठाती है। अधिनियम के तहत केंद्रीय मानसिक स्वास्थ्य प्राधिकरण (CMHA), राज्य मानसिक स्वास्थ्य प्राधिकरण (SMHA) और मानसिक स्वास्थ्य पुनरावलोकन बोर्ड (MHRB) की स्थापना का प्रावधान है।

इस वर्ष 2 मार्च को सुप्रीम कोर्ट ने केंद्र को निर्देश दिया था कि वह एक हलफनामा दाखिल करे जिसमें इन तीनों प्राधिकरणों की स्थापना और कार्यप्रणाली का विवरण हो। अब यह हलफनामा न्यायालय में दर्ज कर लिया गया है।

याचिकाकर्ता ने अदालत के समक्ष उत्तर प्रदेश के बदायूं जिले के एक आस्था-आधारित मानसिक आश्रम का मामला भी रखा था, जहां मानसिक रोगियों को जंजीरों में जकड़े रखने का आरोप था। न्यायालय ने इन तस्वीरों को देखकर चिंता व्यक्त की और कहा कि यह अनुच्छेद 21 के तहत जीवन और व्यक्तिगत स्वतंत्रता के अधिकार का घोर उल्लंघन है।

पीठ ने दोहराया कि मानसिक रूप से बीमार व्यक्तियों को जंजीरों में बांधना “क्रूर, अमानवीय और अपमानजनक व्यवहार” है और उनकी गरिमा को ठेस पहुंचाता है। अदालत ने स्पष्ट किया कि मानसिक स्वास्थ्य देखभाल अधिनियम, 2017 की धारा 20 के तहत प्रत्येक व्यक्ति को गरिमा के साथ जीवन जीने और अमानवीय व्यवहार से सुरक्षा का अधिकार प्राप्त है।

अधिवक्ता बंसल ने अपनी याचिका में कहा कि राज्यों और केंद्रशासित प्रदेशों द्वारा कानून के प्रावधानों को लागू न करना नागरिकों के जीवन और स्वतंत्रता के अधिकार का गंभीर उल्लंघन है। उन्होंने राष्ट्रीय मानसिक स्वास्थ्य सर्वेक्षण 2016 का हवाला देते हुए बताया कि भारत की लगभग 14 प्रतिशत आबादी को सक्रिय मानसिक स्वास्थ्य हस्तक्षेप की आवश्यकता है, जबकि करीब 2 प्रतिशत लोग गंभीर मानसिक विकारों से ग्रस्त हैं।

याचिका में अदालत से अनुरोध किया गया था कि वह यह सुनिश्चित करे कि अधिनियम के तहत बनाए गए तंत्र को प्रभावी रूप से लागू किया जाए ताकि मानसिक स्वास्थ्य ढांचे की कमी को दूर किया जा सके और मानसिक रूप से बीमार व्यक्तियों के अधिकारों की रक्षा हो सके।

अब सुप्रीम कोर्ट के आदेश के बाद राष्ट्रीय मानवाधिकार आयोग (NHRC) इस मामले की निगरानी करेगा और यह सुनिश्चित करेगा कि मानसिक स्वास्थ्य देखभाल अधिनियम, 2017 के प्रावधानों को देशभर में प्रभावी रूप से लागू किया जाए, साथ ही संबंधित प्राधिकरणों और बोर्डों का गठन व संचालन सुचारू रूप से हो।

Hindustan

मानसिक स्वास्थ्य देखभाल पर याचिका एनएचआरसी को हस्तांतरित

संक्षेप: सुप्रीम कोर्ट ने मानसिक बीमारियों से ग्रस्त व्यक्तियों के अधिकारों की सुरक्षा के लिए 2017 के कानून के कार्यान्वयन के संबंध में जनहित याचिका को राष्ट्रीय मानवाधिकार आयोग को सौंपा। कोर्ट ने NHRC को...

<https://www.livehindustan.com/ncr/new-delhi/story-supreme-court-transfers-petition-for-mental-health-rights-protection-to-nhrc-201761672868184.html>

Tue, 28 Oct 2025 11:04 PM Newswrap हिन्दुस्तान , नई दिल्ली

नई दिल्ली, एजेंसी। सुप्रीम कोर्ट ने मानसिक बीमारियों से ग्रस्त व्यक्तियों के अधिकारों और आवश्यकताओं की सुरक्षा के लिए 2017 के एक कानून के क्रियान्वयन के लिए दायर जनहित याचिका मंगलवार को राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) को हस्तांतरित कर दी और उसे मामले की निगरानी करने को कहा। जस्टिस पीएस नरसिम्हा और जस्टिस आर महादेवन की पीठ ने कहा, मानवाधिकार आयोग को अधिवक्ता गौरव कुमार बंसल द्वारा 2018 में दायर याचिका पर गौर करना चाहिए। शीर्ष अदालत ने केंद्र द्वारा दायर हलफनामे पर गौर किया और कहा कि मानसिक स्वास्थ्य देखभाल अधिनियम, 2017 को लागू करने के लिए वैधानिक प्राधिकरण गठित किए गए हैं।

बहरहाल, उसने यह भी कहा कि याचिकाकर्ता ने कई अन्य "मांग" भी की हैं। इनकी निगरानी भी एनएचआरसी द्वारा की जाएगी।

The Print Hindi

मानसिक स्वास्थ्य देखभाल पर कानून के क्रियान्वयन से संबंधित याचिका एनएचआरसी को हस्तांतरित

<https://hindi.theprint.in/india/petition-related-to-implementation-of-law-on-mental-health-care-transferred-to-nhrc/886868/?amp>

भाषा | 28 October, 2025

नयी दिल्ली, 28 अक्टूबर (भाषा) उच्चतम न्यायालय ने मानसिक बीमारियों से ग्रस्त व्यक्तियों के अधिकारों और आवश्यकताओं की सुरक्षा के लिए 2017 के एक कानून के क्रियान्वयन के लिए दायर जनहित याचिका मंगलवार को राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) को हस्तांतरित कर दी और उसे मामले की निगरानी करने को कहा।

न्यायमूर्ति पी एस नरसिम्हा और न्यायमूर्ति आर महादेवन की पीठ ने कहा कि मानवाधिकार आयोग को अधिवक्ता गौरव कुमार बंसल द्वारा 2018 में दायर याचिका पर गौर करना चाहिए।

शीर्ष अदालत ने केंद्र द्वारा दायर हलफनामे पर गौर किया और कहा कि मानसिक स्वास्थ्य देखभाल अधिनियम, 2017 को लागू करने के लिए वैधानिक प्राधिकरण गठित किए गए हैं।

बहरहाल, उसने यह भी कहा कि याचिकाकर्ता ने कई अन्य “मांग” भी की हैं। इनकी निगरानी भी एनएचआरसी द्वारा की जाएगी।

उच्चतम न्यायालय ने पहले कहा था कि संसद ने 2017 में मानसिक स्वास्थ्य देखभाल अधिनियम पारित किया था, जिसमें केंद्रीय मानसिक स्वास्थ्य प्राधिकरण (सीएमएचए), राज्य मानसिक स्वास्थ्य प्राधिकरण (एसएमएचए) और मानसिक स्वास्थ्य समीक्षा बोर्ड (एमएचआरबी) की स्थापना का प्रावधान है। दो मार्च को न्यायालय ने केंद्र को इन तीनों निकायों की स्थापना और कार्यप्रणाली का विवरण देते हुए एक हलफनामा दाखिल करने का निर्देश दिया।

उच्चतम न्यायालय ने तीन जनवरी, 2019 को केंद्र, सभी राज्यों और केंद्र शासित प्रदेशों को उस याचिका पर नोटिस जारी किया था जिसमें दावा किया गया था कि राज्यों और केंद्र शासित प्रदेशों द्वारा अधिनियम के प्रावधानों को लागू न करना नागरिकों के जीवन और स्वतंत्रता का घोर उल्लंघन है।

जनहित याचिका में कहा गया है कि मानसिक स्वास्थ्य देखभाल अधिनियम 2017 के प्रावधानों का उल्लंघन करते हुए उत्तर प्रदेश के बदायूं जिले में एक धर्म आधारित मानसिक आश्रय स्थल में मानसिक बीमारियों से ग्रस्त व्यक्तियों को जंजीरों से बांध दिया गया है। अदालत ने ऐसे रोगियों की तस्वीरों पर गौर किया और इसे बहुत चिंता का विषय बताया।

पीठ ने कहा कि मानसिक बीमारी से ग्रस्त लोगों को जंजीरों में बांधना संविधान के अनुच्छेद 21 के तहत उनके अधिकारों का उल्लंघन है, जो जीवन और व्यक्तिगत स्वतंत्रता से संबंधित है और उनकी गरिमा से समझौता नहीं किया जा सकता।

भाषा गोला वैभव

Greater Kashmir

UT of J&K can't have Human Rights Body of its own: CM

"The National Human Rights Commission (NHRC) covers the Union Territories of Jammu and Kashmir, Delhi, and Ladakh," Omar Abdullah said, adding that a separate commission for J&K could only be constituted after the restoration of statehood

<https://www.greaterkashmir.com/kashmir/ut-of-jk-cant-have-human-rights-body-of-its-own-cm/>

ZEHRU NISSA | October 29, 2025 12:33 am

Srinagar, Oct 28: Chief Minister Omar Abdullah on Tuesday told the Legislative Assembly that the Union Territory of Jammu and Kashmir cannot have its own Human Rights Commission under the existing constitutional framework.

Responding to Congress MLA Nizamuddin Bhat's plea seeking permission to introduce a private member's bill for the establishment of a local human rights body, the Chief Minister said that the J&K Reorganisation Act does not provide for the creation of such an institution.

"The National Human Rights Commission (NHRC) covers the Union Territories of Jammu and Kashmir, Delhi, and Ladakh," Omar Abdullah said, adding that a separate commission for J&K could only be constituted after the restoration of statehood.

He recalled that before August 2019, Jammu and Kashmir had its own fully functional State Human Rights Commission (SHRC), which actively dealt with cases of alleged rights violations. "That law was among those removed from the Statute Book after the reorganisation of the state," he said. "Now, the UT is under the purview of the NHRC."

The Chief Minister rejected the argument that the absence of a local body had left a vacuum in rights protection mechanisms. "It is incorrect to say there is no redressal system in place. The mechanism exists — the only difference is that the NHRC now performs this role instead of the SHRC," he clarified.

However, MLA Nizamuddin Bhat insisted that a dedicated institution within Jammu and Kashmir was essential. He said that the NHRC remained largely inaccessible to ordinary citizens and was unable to handle the sheer volume of cases from the region. "A localised mechanism for monitoring, investigating, and addressing allegations of human rights violations is needed to fill the visible institutional gap," Bhat argued.

He added that the people of J&K must feel confident that their rights are protected. "Over the decades, our situation has shown how necessary such a body is," the MLA said.

The proposed bill was among 41 private members' bills listed for introduction during the session, but was not allowed on what the government termed "technical grounds." "No such possibility exists under the J&K Reorganisation Act," the Chief Minister reiterated.

Devdiscourse

Jammu and Kashmir Assembly Rejects Controversial Land Bill

The Jammu and Kashmir Assembly rejected a bill sought by PDP MLA Wahid Para to grant proprietary rights to houses illegally built on government land. Chief Minister Omar Abdullah opposed the bill, warning it would encourage land grabs. The bill was defeated in a voice vote.

<https://www.devdiscourse.com/article/law-order/3676126-jammu-and-kashmir-assembly-rejects-controversial-land-bill?amp>

Devdiscourse News Desk | Srinagar | India

Updated: 28-10-2025 19:58 IST | Created: 28-10-2025 19:58 IST

The Jammu and Kashmir Assembly has decisively rejected a controversial bill proposed by PDP MLA Wahid Para. The bill aimed to grant ownership rights to residents occupying houses built on government and community lands. Chief Minister Omar Abdullah vehemently opposed the bill, labeling it as a potential catalyst for rampant land grabbing.

The bill intended to leverage Article 21 of the Constitution, which guarantees the 'right to shelter,' but was met with significant opposition for bypassing legal precedents. Abdullah recalled the defunct 'Roshni' scheme, drawing parallels to underscore the risks of passing such legislation without stringent checks.

The bill was ultimately put to a vote in the Assembly, where it found minimal support, leading to its defeat. Abdullah emphasized the government's commitment to lawful housing schemes like the Pradhan Mantri Awas Yojana, which prioritizes providing land for house construction to the landless, rather than legalizing illegal occupations.

(With inputs from agencies.)

Kashmir Life

Nizamuddin Bhat Withdraws Bill Seeking Separate Human Rights Commission for Jammu Kashmir

<https://kashmirlife.net/nizamuddin-bhat-withdraws-bill-seeking-separate-human-rights-commission-for-jammu-kashmir-410985/>

By KL News Network - 2:34 pm October 28, 2025

SRINAGAR: The Jammu Kashmir Legislative Assembly on Tuesday witnessed a spirited debate after MLA Nizamuddin Bhat moved a Private Member's Bill seeking the establishment of an independent institution for merchandising and monitoring human rights in the Union Territory. The bill was later withdrawn following clarification from the Chief Minister that such a body cannot be constituted under the current Union Territory framework.

Presenting the bill, Bhat argued that Jammu Kashmir urgently required a dedicated human rights commission to address growing grievances and ensure justice without bias. "The credibility of both the State and National Human Rights Commissions has often been questioned because they function under the government. Law-enforcing agencies sometimes cause stress and fear among citizens. We need a legislative forum for human rights that acts independently and restores people's faith," Bhat said, describing his proposal as an "enabling law" that would complement the national framework.

Responding to the motion, the Chief Minister acknowledged the concerns raised but explained that existing legal constraints prevent the establishment of a separate human rights body in Jammu Kashmir. "Before 2019, we had our own State Human Rights Commission which functioned effectively. However, after our status was changed to a Union Territory, several laws were repealed, and this commission was among them," the Chief Minister said.

He clarified that under the present arrangement, human rights issues in Jammu and Kashmir fall under the jurisdiction of the National Human Rights Commission (NHRC). "As a Union Territory, we cannot have a separate human rights institution. Section 35 of the Jammu and Kashmir Reorganisation Act, 2019, does not permit the Legislative Assembly to enact such a law. Once statehood is restored, all institutions, including the State Human Rights Commission, will be revived," the Chief Minister assured.

Bhat reiterated the urgent need for an independent mechanism but ultimately decided to withdraw his bill. "I hope that when statehood is restored, the government will act swiftly to reconstitute the Human Rights Commission so that victims of violations may find a platform for justice," he said before formally retracting the proposal.

Deccan Chronicle

J&K Assembly Rejects Bill On State Land Ownership

<https://www.deccanchronicle.com/nation/jk-assembly-rejects-bill-on-state-land-ownership-1913169>

Yusuf Jameel | 28 October 2025

SRINAGAR: The Omar Abdullah-led government on Tuesday rejected a private member's bill introduced by opposition People's Democratic Party (PDP) MLA Waheed Ur Reman Parra, which aimed to grant ownership rights to occupants on state land.

During the ongoing session of the J&K Legislative Assembly, Chief Minister Omar Abdullah opposed the proposal, stating that individuals residing illegally on such land cannot be conferred ownership. He questioned how government land could be granted to those who had occupied it illegally. He, however, also said, "The government is committed to providing land to landless families through proper channels and legal frameworks."

He urged Parra to withdraw the bill, but the MLA refused. Subsequently, Speaker Abdul Rahim Rather formally rejected it after all legislators except three members including Para himself opposed the motion.

PDP president and former Chief Minister Mehbooba Mufti accused Abdullah of reneging on his commitment to the issue. She in a post on 'X' said, "The BJP's threat to block the passage of the PDP's land regularisation (anti-bulldozer) bill which they branded as the "Land Jihad Bill" was fulfilled today, ironically, by the ruling NC government itself."

She added, "The Chief Minister, who had earlier assured that any pro people initiative from the PDP would face no obstacles under his leadership, has once again reneged on his word. This marks yet another U-turn added to his growing list of unfulfilled guarantees and promises. It is deeply unfortunate that a bill aimed at securing a roof over the heads of the poorest of the poor is now being portrayed as an act of land grabbing. Even more tragic is that it was rejected by the very House these people overwhelmingly trusted and elected barely a year ago."

The Chief Minister also refused to support a private member's bill to establish a Lokayukta in the Union Territory, asserting that only states have the authority to set up such an institution under existing laws. The proposal, moved by CPI(M) MLA Mohammad Yousuf Tarigami, aimed to enable inquiries into corruption allegations against public servants.

Abdullah urged Tarigami to withdraw the bill, explaining that Section 63 of the Lokpal and Lokayuktas Act, 2013, limits the anti-corruption agency's establishment to states, not Union Territories like J&K. "As a Union Territory, we do not have the powers to appoint a Lokayukta," the Chief Minister stated, emphasising the legal constraints imposed by the J&K Reorganisation Act, 2019. The rejection sparked a broader debate on governance

and accountability, with members linking it to the long-pending demand for restoring statehood to J&K.

The House rejected another private member's bill introduced by Congress MLA Nizamuddin Bhat to establish a dedicated J&K Human Rights Protection Commission. Chief Minister Abdullah opposed the measure, arguing that post-2019 reorganisation, the UT falls under the jurisdiction of the National Human Rights Commission (NHRC), rendering a local body redundant and legally unfeasible without restoring full statehood. "The Bill can only be reconsidered after statehood is restored to Jammu and Kashmir," Abdullah stated in the House, echoing similar reasoning used earlier in the session to reject a proposal for a Lokayukta.

Bhat's bill sought to create an independent commission with powers to investigate violations, recommend remedies, and promote awareness—addressing what the MLA described as a "visible gap" in localised human rights protections in a conflict-sensitive region. Proponents, including Bhat, emphasised it as a "democratic necessity" for accessible redressal, but the proposal was defeated following the Chief Minister's intervention and lack of support from ruling NC members.

The House held an extensive discussion on the rising menace of drug addiction, with members demanding urgent, coordinated action to protect the youth. The debate stemmed from a question by BJP MLA Surjeet Singh on measures to combat drug abuse across the Union Territory.

Health and Medical Education Minister Sakina Itoo outlined a multi-departmental strategy involving awareness, prevention, and rehabilitation. "The government is collaborating with School Education, Higher Education, and Medical Education departments to bolster these initiatives," she said. Asserting that drug awareness is now part of the school curriculum, with plans for regular sessions during morning assemblies, she said, "It is our collective responsibility to shield the young generation from drugs. We are committed to rehabilitating victims and enhancing preventive measures."

NC MLA Tanvir Sadiq called for making drug awareness a compulsory subject with dedicated teachers in every class. The government reported functional de-addiction centres across districts, managed by professionals, alongside outreach in schools, colleges, and panchayats via camps and door-to-door surveys.

Responding to a query, the government revealed 3,61,146 educated unemployed youth registered as of September 2025 including over 2.08 lakh in Kashmir Division and 1.52 lakh in Jammu Division. Srinagar tops with 23,826, followed by Anantnag (32,298), Pulwama (28,671), Kathua (26,798), and Kulgam (21,446) and lowest in Kishtwar (8,870) and Reasi (12,376). Of the total, 2,33,845 are male and 1,27,301 female.

The government also said that under Mission Youth and Mission YUVA, the Employment Department aims to create 4.25 lakh opportunities via 1.37 lakh entrepreneurship units, emphasising self-employment, startups, and skills. It further informed the House that

district-level centres host Career Melas and Rozgar Melas to foster innovation and livelihoods. "Our goal is to direct educated youth toward productive paths and entrepreneurship," the government stated.

In response to PDP MLA Parra's query, the government said the Chief Minister's promise of 200 free electricity units will roll out post-commissioning of rooftop solar systems under PM Surya Ghar: Muft Bijli Yojana. It will cover 2.22 lakh Antyodaya Anna Yojana households with 2-kW systems each.

The government said that detailed project reports and tenders are in preparation at DISCOMs, with in-principle approval from the Ministry of New and Renewable Energy for the RESCO/Utility-Led Aggregation model. Once operational, systems will deliver up to 200 units monthly, ensuring sustainability for power corporations, it added.

It further stated that delays stem from procedural steps like DPRs, tenders, and model setup. Additionally, 6.52 lakh smart meters have been installed (2.81 lakh in the last two years) under the Revamped Distribution Sector Scheme and PM's Development Package. Declaring that no privatisation is planned, the government said that service providers handle implementation under strict oversight.

Replying to Peoples Conference MLA Sajad Gani Lone, the General Administration Department Minister disclosed ₹ 31,75,32,400 were collected as application fees by the J&K Public Service Commission and Services Selection Board. He said that no proposal exists to abolish these fees.

Noisy scenes erupted in the House after the Speaker rejected a BJP adjournment motion for discussing the "humanitarian crisis" from recent floods. BJP MLA Pawan Gupta sought to suspend Question Hour, but Rather deemed it not recent, noting prior discussions, a Chief Minister's reply, and a related resolution scheduled for Wednesday.

BJP members protested with slogans demanding "justice for Jammu," but relented after the Speaker cited rules. The government pegged flood losses to agriculture and allied sectors at ₹ 209 crore, with a relief request report to be sent to the Centre.

Earlier, Health and Education Minister Itoo strongly objected to BJP MLAs repeatedly raising the issue of "discrimination against the Jammu region." She retorted, "It has become your habit to allege discrimination against Jammu, which is completely baseless. You are playing to the gallery".

Speaker Rather ruled that questions on departments under the Lieutenant Governor (e.g., Home) are inadmissible under the J&K Reorganisation Act. This led to deleting a query by AIP MLA Sheikh Khursheed on delays in ex-gratia payments under SRO-43 for violence victims' families, including specific cases and timelines for settlements.

ETV Bharat

J&K Govt Rejects Bill To Create Human Rights Forum, Cong MLA Withdraws Proposal

Before Article 370 abrogation, the erstwhile state of Jammu and Kashmir had its own State Human Rights Commission, but it was scrapped after August 2019.

<https://www.etvbharat.com/amp/en/bharat/j-and-kashmir-govt-rejects-bill-to-create-human-rights-forum-congress-mla-withdraws-proposal-enn25102803669>

By ETV Bharat English Team

Published : October 28, 2025 at 4:51 PM IST

2 Min Read

Srinagar: Citing the inability of the Jammu and Kashmir legislature to make laws that contravene the parliament of the country, the chief minister Omar Abdullah on Tuesday argued against setting up a monitoring mechanism for the protection of human rights in the union territory.

He was responding to a Congress legislator from Bandipora, Nizam-ud-Din Bhat, who moved a private member's bill for the creation of 'Legislative Forum for Monitoring and Protection of Human Rights in Union Territory of Jammu and Kashmir' in the ongoing session of the Jammu and Kashmir legislature in Srinagar.

Arguing in support of the bill, Bhat said that his private member's bill does not overtake the National Human Rights Commission (NHRC) but becomes an enabler for helping the purpose of the commission.

He said that the human rights violations in Jammu and Kashmir, a conflict-ridden place, where state and non-state actors violated the human rights of the people, and external forces exploited these allegations at the global level for malign campaigning.

He said the forum should become an enabler for the human rights institutions, as victims here do not get justice due to the misuse of excessive law. "Law enforcement agencies haven't been fair in identifying the real perpetrator."

Further arguing for his bill, he said that a representative forum from all sides of the house would ensure the victims would get justice, and propaganda would be addressed. "This becomes absolutely imperative to have such a forum without any delay. NHRC is an independent institution, and the legislative forum he had suggested was an enabling institution," he said.

Chief Minister Omar Abdullah said that the Jammu and Kashmir Reorganisation Act 2019 doesn't allow the legislature to create such an institution and pass the bill. Citing Section 35 of the Act, Omar said that if the law is repugnant to the law of the parliament, the Jammu and Kashmir assembly can not make any such law.

Omar argued that a scrapped State Human Rights Commission was created keeping in view the situation in Jammu and Kashmir. He said that the forum suggested by the legislator has a direct link with NHRC. "If the situation changes (in Jammu and Kashmir), you won't have any requirement to bring such a legislation.

Bhat withdrew the bill after stating that the chief minister is functioning in a restrictive atmosphere. "Let history take it down as our helplessness. Feeling oppressed, I withdraw the bill," he said.

Before the abrogation of Article 370 on August 5, 2019, the erstwhile state of Jammu and Kashmir had its own State Human Rights Commission, but it was scrapped after August 2019. Hundreds of cases filed by the families and victims of the human rights violations, the SHRC heard many such cases and directed action and compensation in several cases. However, when the SHRC was scrapped, all such cases were either transferred to NHRC or remained unaddressed.

Ommcom News

Noisy Scenes In J&K Assembly After NC, BJP MLAs Accuse Each Other Of Discrimination

<https://ommcomnews.com/india-news/noisy-scenes-in-jk-assembly-after-nc-bjp-mlas-accuse-each-other-of-discrimination/>

by OMMCOM NEWS | October 28, 2025 in Nation

Srinagar: Jammu and Kashmir (J&K) Assembly witnessed noisy scenes on Tuesday when the Opposition Bharatiya Janata Party (BJP) and ruling National Conference (NC) MLAs accused each other of regional discrimination.

Noisy scenes erupted in the House after BJP MLA Shakti Parihar accused the J&K Education Department of discriminating against the Jammu region.

The allegations sparked a heated exchange between the BJP and National Conference members. Education Minister, Sakina Itoo, strongly denied the charges, calling them baseless and politically-motivated.

As tempers flared, members from both sides engaged in loud arguments, forcing the Speaker to intervene to restore order in the House. The issue was later deferred.

Education Minister Itoo told the BJP MLAs that J&K has one government and there is no question of discrimination between the two regions.

Then Peoples Democratic Party (PDP) MLA, Waheed ur Rehman Parra presented a Bill for regularisation of 'Kachariae (Grazing Land)' and state land and allotment of ownership rights to occupants of these lands.

Chief Minister Omar Abdullah asked the PDP MLA that how could the House allot unlawful lands to occupants. In turn, Waheed Para told the junior Abdullah "not to be afraid of the BJP" because he alleged that the party had called allotment of land to occupants in the Valley as 'land Jihad'.

CM Omar Abdullah also told NC MLA Mir Saifullah to withdraw a Bill presented by him on Casual Labourers and Daily Wagers saying that the matter is already under review by a committee headed by the Chief Secretary. "We want to resolve it, but need exact data before proceeding", CM Omar Abdullah said.

Congress MLA, Nizam-ud-Din Bhat's Bill on Human Rights Protection Bill was also rejected in the House as CM Omar Abdullah said post-2019, Jammu and Kashmir is covered under the National Human Rights Commission, and the Bill can be reconsidered only after statehood is restored.

(IANS)

Verdictum

Police Expected To Treat Women With Dignity, Refrain From Using Inappropriate Or Unparliamentary Language: Delhi High Court

The Delhi High Court was considering a Writ Petition seeking direction to the National Human Rights Commission to take action in the representation made by him.

<https://www.verdictum.in/court-updates/high-courts/delhi-high-court/thoppani-sanjeev-rao-v-national-human-rights-commission-ors-police-treat-women-with-dignity-1595970>

By Sheetal Joon | |28 Oct 2025 2:00 PM IST

Justice Sanjeev Narula, Delhi High Court

The Delhi High Court has remarked that the Police Officials are expected to treat women with dignity and they must refrain from using inappropriate or unparliamentary language.

The Court was considering a Writ Petition seeking direction to the National Human Rights Commission to take action in the representation made by the Petitioner.

The Bench of Justice Sanjeev Narula observed, "With respect to Prayer B, the Court finds no reason to frame any such guidelines. It is beyond dispute that police officials are expected to treat women with dignity and must refrain from using inappropriate or unparliamentary language. Hence, the prayer sought is misconceived."

The Petitioner was represented by Advocate Kanika Saini while the Respondent was represented by Special Public Prosecutor Anupam S. Sharrma.

The Petitioner had prayed that guidelines be framed directing the Police station to treat women respectfully and no unparliamentary language shall be used by Police officials in specific with any women.

The Court refused to frame any such guidelines, stating that such behaviour is 'expected' out of the Police Officials and urged them to refrain from using inappropriate or unparliamentary language, particularly against women.

The Petition was accordingly disposed of.

Cause Title: Thoppani Sanjeev Rao v. National Human Rights Commission & Ors.

Appearances:

Petitioner- Advocate Kanika Saini, Advocate Puneet Kumari, Advocate Prem Latha, Advocate Divya Mathur,

Respondent- Special Public Prosecutor Anupam S. Sharrma.

Times of India

Police are expected to treat women with dignity and refrain from using inappropriate language: Delhi HC

https://timesofindia.indiatimes.com/city/delhi/police-are-expected-to-treat-women-with-dignity-and-refrain-from-using-inappropriate-language-delhi-hc/amp_articleshow/124876922.cms

TNN | Oct 28, 2025, 21:06 IST

New Delhi: Police officers are expected to treat women with dignity and must refrain from using inappropriate or unparliamentary language, Delhi High Court has stressed.

The observation came as the court took up a petition filed by Thoppani Sanjeev Rao, who had sought the framing of specific guidelines mandating that women be treated respectfully in police stations.

She argued that, despite an explicit directive from the National Human Rights Commission (NHRC) requiring police action within four weeks, no such guidelines had been issued.

Justice Sanjeev Narula, however, declined to issue such orders, noting that these expectations were already implicit in the conduct required of public servants. "The court finds no reason to frame any such guidelines. It is beyond dispute that police officers are expected to treat women with dignity and must refrain from using inappropriate or unparliamentary language. Hence, the prayer sought is misconceived," the judge said.

Janta Se Rishta

विदिशा में वरिष्ठ नागरिक पर हमला, एनएचआरसी सदस्य प्रियंक कानूंगो ने मांगी सख्त कार्रवाई

<https://jantaserishta.com/local/madhya-pradesh/senior-citizen-attacked-in-vidisha-nhrc-member-priyank-kanungo-demands-strict-action--4349399>

29 अक्टूबर 2025

जिले में एक वरिष्ठ नागरिक और समाजसेवी पर हुए हमले के मामले ने तूल पकड़ लिया है। राष्ट्रीय मानवाधिकार आयोग (NHRC) के सदस्य प्रियंक कानूंगो ने इस घटना को बेहद गंभीर बताते हुए कहा कि विदिशा में अधिवक्ता और जनसंघ-भाजपा से लंबे समय से जुड़े रहे विमल प्रकाश तारण पर हमला न केवल मानवाधिकारों का उल्लंघन है, बल्कि सामाजिक सौहार्द बिगाड़ने की साजिश का हिस्सा प्रतीत होता है।

प्रियंक कानूंगो ने मंगलवार को कहा कि “विदिशा में हुई यह घटना अत्यंत चिंताजनक है। एक वरिष्ठ नागरिक और राजनीतिक-सामाजिक क्षेत्र में सक्रिय व्यक्ति पर हमला कर उनकी वीडियो रिकॉर्डिंग को सोशल मीडिया पर इस नीयत से फैलाया गया, जिससे समाज में वैमनस्य और विभाजन का माहौल बनाया जा सके।” उन्होंने इस मामले में प्रशासन से सख्त कार्रवाई की मांग की है।

सूत्रों के अनुसार, विमल प्रकाश तारण पर कुछ अज्ञात लोगों ने विवादित बयान को लेकर हमला किया था। घटना के बाद तारण को हल्की चोटें आईं, जबकि हमलावर मौके से फरार हो गए। फिलहाल पुलिस ने अज्ञात आरोपियों के खिलाफ मामला दर्ज कर जांच शुरू कर दी है।

एनएचआरसी सदस्य ने कहा कि वरिष्ठ नागरिकों और सामाजिक कार्यकर्ताओं की सुरक्षा सुनिश्चित करना प्रशासन की जिम्मेदारी है। उन्होंने यह भी कहा कि “ऐसी घटनाएं न केवल एक व्यक्ति पर हमला हैं, बल्कि लोकतांत्रिक मूल्यों और अभिव्यक्ति की स्वतंत्रता पर भी चोट हैं।”

इस बीच, स्थानीय भाजपा नेताओं और अधिवक्ता संघ ने भी घटना की निंदा की है और दोषियों की जल्द गिरफ्तारी की मांग की है। पुलिस अधीक्षक ने बताया कि आरोपियों की पहचान की जा रही है और उन्हें जल्द गिरफ्तार किया जाएगा।

Dainik Bhaskar

वरिष्ठ वकील पर हमले का मामला NHRC पहुंचा:विदिशा SP को नोटिस जारी कर 2 हफ्ते में मांगी रिपोर्ट; BJP नेता पर धमकाने का आरोप

<https://www.bhaskar.com/local/mp/vidisha/news/the-case-of-attack-on-a-senior-lawyer-reached-the-nhrc-136272391.html>

विदिशा 12 घंटे पहले

विदिशा के एक 70 वर्षीय वरिष्ठ अधिवक्ता पर हुए हमले के मामले का राष्ट्रीय मानवाधिकार आयोग (NHRC) ने संज्ञान लिया है। आयोग ने विदिशा पुलिस अधीक्षक (SP) को नोटिस जारी कर दो सप्ताह के भीतर विस्तृत कार्रवाई रिपोर्ट (ATR) प्रस्तुत करने का निर्देश दिया है। वकील ने एक भाजपा नेता और विधायक पर धमकाने और बाद में एक अज्ञात व्यक्ति द्वारा हमला करने का आरोप लगाया है।

शिकायत के अनुसार, एक भाजपा नेता और विधायक ने शिकायतकर्ता की मां और बहन के खिलाफ अभद्र भाषा का प्रयोग किया और उन्हें जान से मारने की धमकी दी। शिकायतकर्ता, जो 70 वर्षीय वरिष्ठ अधिवक्ता और सामाजिक कार्यकर्ता हैं, ने आरोप लगाया कि उन्हें लगातार धमकियां मिल रही थीं।

सहकारी बैंक घोटाले पर सवाल उठाने के बाद से निशाना अधिवक्ता ने बताया कि उन्होंने पहले सोशल मीडिया पर विदिशा जिला सहकारी केंद्रीय बैंक में 94 करोड़ रुपये के संदिग्ध लेनदेन को लेकर सवाल उठाए थे। उनका आरोप है कि इसके बाद से ही उन्हें निशाना बनाया जा रहा था।

शोक सभा में धमकाया, अगले दिन हमला शिकायत के मुताबिक, 24 अक्टूबर को एक शोक सभा के दौरान, उक्त भाजपा नेता ने अधिवक्ता को फिर से धमकाया और सोशल मीडिया पर कुछ भी पोस्ट करने पर गंभीर परिणाम भुगतने की चेतावनी दी। इसके अगले ही दिन, 25 अक्टूबर को हॉस्पिटल रोड पर एक अज्ञात व्यक्ति ने उन पर हमला कर दिया और थप्पड़ मारकर फरार हो गया।

"धमकियों से जुड़ा है हमला" अधिवक्ता ने आरोप लगाया कि यह हमला पूर्व में मिली धमकियों से जुड़ा हुआ है। उन्होंने सुरक्षा प्रदान करने और आरोपियों के खिलाफ एफआईआर दर्ज करने की मांग की थी, लेकिन आरोप है कि अब तक कोई ठोस कार्रवाई नहीं हुई थी।

NHRC ने मांगा CCTV फुटेज और CDR मामले की गंभीरता को देखते हुए, राष्ट्रीय मानवाधिकार आयोग के सदस्य प्रियांक कानूनगो की अध्यक्षता वाली पीठ ने इसे मानवाधिकार संरक्षण अधिनियम, 1993 की धारा 12 के तहत संज्ञान में लिया है। आयोग ने एसपी विदिशा को दो सप्ताह के भीतर घटना से जुड़े सीसीटीवी फुटेज, सीडीआर विवरण और सोशल मीडिया पर वायरल वीडियो की फॉरेंसिक रिपोर्ट प्रस्तुत करने का निर्देश दिया है।

आयोग बोला- प्रथम दृष्टया मानवाधिकार उल्लंघन आयोग ने कहा कि शिकायत में लगाए गए आरोप प्रथम दृष्टया मानवाधिकार उल्लंघन की श्रेणी में आते हैं। मानवाधिकार आयोग के इस हस्तक्षेप के बाद विदिशा पुलिस पर दबाव बढ़ गया है। अब देखना होगा कि वरिष्ठ अधिवक्ता को न्याय मिल पाता है या नहीं।

Live Law

दिल्ली हाईकोर्ट ने अग्रिम जमानत याचिका खारिज की

<https://hindi.livelaw.in/delhi-high-court/sex-determination-female-foeticide-delhi-high-court-justice-swarana-kanta-sharma-308038>

28 अक्टूबर 2025

जेंडर निर्धारण महिलाओं के जीवन के मूल्य को कम करता है: दिल्ली हाईकोर्ट ने अग्रिम जमानत याचिका खारिज की

दिल्ली हाईकोर्ट ने हाल ही में यह टिप्पणी की कि जेंडर निर्धारण की प्रथा महिला जीवन के मूल्य को कम करती है और एक भेदभाव-मुक्त समाज की उम्मीद पर प्रहार करती है।

जस्टिस स्वर्ण कांता शर्मा ने यह अवलोकन करते हुए व्यक्ति की अग्रिम जमानत याचिका खारिज की, जिस पर गैरकानूनी लिंग निर्धारण करने और एक महिला की मौत का कारण बनने का आरोप है।

समाज पर गंभीर प्रभाव

जस्टिस शर्मा ने कहा कि यह प्रथा ऐसी संस्कृति को बढ़ावा देती है, जिसमें लड़कियों को समुदाय के समान सदस्य के बजाय बोझ के रूप में देखा जाता है। यह गर्भवती महिलाओं को असुरक्षित चिकित्सा प्रक्रियाओं के संपर्क में लाकर उनके जीवन को खतरे में डालती है।

कोर्ट ने कड़े शब्दों में कहा,

"तत्काल परिवार से परे ऐसे कार्य सामाजिक विवेक को नष्ट करते हैं और भेदभाव से मुक्त समाज की आशा पर प्रहार करते हैं। यदि ऐसी प्रथाओं को जारी रहने दिया जाता है तो यह संदेश जाएगा कि मानव जीवन का कोई मूल्य नहीं है। इसलिए यह आवश्यक है कि कानून निर्णायक रूप से हस्तक्षेप करे और यह स्पष्ट संदेश दे कि हर जीवन जेंडर की परवाह किए बिना, संरक्षण और गरिमा का हकदार है।"

मामले की पृष्ठभूमि और कोर्ट का निष्कर्ष

आरोपी पर भारतीय न्याय संहिता, 2023 की धाराओं 85, 316(2), 89, और 3(5) के तहत मामला दर्ज किया गया। उस पर महिला की तीसरी गर्भावस्था में अवैध रूप से अल्ट्रासाउंड करने का आरोप है, जिसमें भ्रूण का लिंग मादा बताया गया। इसके बाद हुए मेडिकल ऑपरेशन के कारण महिला की मृत्यु हो गई। यह भी आरोप लगाया गया कि आरोपी PNDT Act का उल्लंघन करते हुए अवैध जेंडर निर्धारण को सुगम बनाने वाले एक संगठित गिरोह का हिस्सा था।

अग्रिम जमानत याचिका खारिज करते हुए जस्टिस शर्मा ने कहा कि दिल्ली पुलिस की रिपोर्ट के अनुसार आरोपी और उसका बेटा भ्रूण का जेंडर निर्धारित करने और समाज के हितों के लिए अत्यधिक हानिकारक अभ्यास को सुविधाजनक बनाने के उद्देश्य से सक्रिय रूप से अवैध अल्ट्रासाउंड कर रहे हैं। कोर्ट ने यह भी नोट किया कि आरोपी और उसका बेटा जो पेशे से मोटर मैकेनिक है, गर्भवती महिलाओं का अवैध अल्ट्रासाउंड करने का एक साइड बिजनेस चला रहे हैं।

जस्टिस शर्मा ने जोर दिया कि ऐसे मामलों में कोई भी नरमी या उदारता दूसरों को इसी तरह के कार्य करने के लिए उत्साहित कर सकती है। कोर्ट ने कहा कि अपराध में प्रयुक्त उपकरणों की बरामदगी, आरोपी से हिरासत में पूछताछ और इसमें शामिल अन्य व्यक्तियों की पहचान पुनरावृत्ति को रोकने और जवाबदेही सुनिश्चित करने के लिए आवश्यक है।

कोर्ट ने अंत में कहा कि वर्तमान मामले में न्याय सुनिश्चित करने के साथ-साथ समाज के व्यापक हितों की रक्षा और हर अजन्मी कन्या शिशु के अधिकारों की सुरक्षा के लिए कड़ी कार्रवाई आवश्यक है। यह देखते हुए कि आवेदक जांच में शामिल नहीं हुआ, कोर्ट ने उसकी अग्रिम जमानत याचिका खारिज कर दी।

Hindustan

निकायों की बैठकों में रिश्तेदारों की नो एंट्री, प्रॉक्सी रिप्रेजेंटेशन पर योगी सरकार सख्त

<https://www.livehindustan.com/uttar-pradesh/no-entry-for-relatives-in-up-local-body-meetings-yogi-government-strict-on-proxy-representation-201761619755309.amp.html>

Tue, 28 Oct 2025, 08:32:AM

Deep Pandey लाइव हिन्दुस्तान

संक्षेप: यूपी में नगर निकायों की बैठक को लेकर योगी सरकार ने सख्त कदम उठाया है। निकायों की बैठकों में रिश्तेदारों की नो एंट्री रहेगी। प्रॉक्सी रिप्रेजेंटेशन यानी चुने हुए प्रतिनिधियों की जगह उनके परिजनों या अन्य व्यक्तियों के बैठकों में शामिल होने की प्रथा पर रोक लग गई है।

यूपी की योगी सरकार ने प्रदेश के सभी शहरी स्थानीय निकायों (Urban Local Bodies) में पारदर्शिता और जवाबदेही सुनिश्चित करने के लिए सख्त कदम उठाया है। योगी सरकार ने प्रॉक्सी रिप्रेजेंटेशन (Proxy Representation) यानी चुने हुए प्रतिनिधियों की जगह उनके परिजनों या अन्य व्यक्तियों के बैठकों में शामिल होने की प्रथा पर रोक लगाने के लिए अधिकारियों को निर्देश जारी किए हैं।

इंडियन एक्सप्रेस के मुताबिक, नेशनल ह्यूमन राइट्स कमीशन (NHRC) से एक पत्र मिलने के बाद शहरी स्थानीय निकाय निदेशालय ने हाल ही में डिविजनल कमिश्नरों, जिला मजिस्ट्रेटों, नगर आयुक्तों और नगर पालिकाओं और नगर पंचायतों के कार्यकारी इंजीनियरों को लिखा है। नेशनल ह्यूमन राइट्स कमीशन ने अपने पत्र में राज्य सरकार को इस प्रथा पर अंकुश लगाने और नियमों का पालन सुनिश्चित करने के लिए "प्रभावी" उपाय करने का निर्देश दिया था। एनएचआरसी ने राज्य सरकार को इस प्रथा पर रोक लगाने और नियमों का पालन सुनिश्चित करने के लिए "प्रभावी" उपाय करने का निर्देश दिया था।

2012 में जारी एक सरकारी आदेश का संज्ञान लेते हुए निदेशालय ने अधिकारियों को याद दिलाया कि निर्वाचित या पदेन महिला पदाधिकारी अपने कर्तव्यों और जिम्मेदारियों का व्यक्तिगत रूप से और स्वतंत्र रूप से पालन करें।

सरकार ने यह साफ कर दिया है कि स्थानीय निकायों के कामकाज में इन प्रतिनिधियों की ओर से किसी भी रिश्तेदार या किसी अन्य व्यक्ति को दखल देने या काम करने की इजाजत नहीं दी जानी चाहिए। इस कदम का मकसद यह सुनिश्चित करना है कि स्थानीय निकाय कुशलता से काम करें, नियमों के अनुसार जनहित में नीतिगत फैसले लें, और संबंधित अधिनियमों के प्रावधानों का सख्ती से पालन करें।

निर्देश में आगे कहा गया है कि यह नियम पुरुष पदाधिकारियों पर भी समान रूप से लागू होता है, क्योंकि परिवार का कोई सदस्य या कोई अन्य व्यक्ति नगर पालिका के प्रशासनिक मामलों में दखल देने या उनकी ओर से काम करने की अनुमति नहीं दी जाएगी।