



Orientation Course on the Mental Healthcare Act, 2017

For

CMMs & MMs (Half of Total Strength) and Public Prosecutors

**Delhi Judicial Academy
Dwarka, Sector 14
New Delhi 110078
India**

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INDEX

Orientation Course on the Mental Healthcare Act, 2017

READING MATERIAL

I. STATUTES

S. No.	Title
1.	Code of Civil Procedure, 1908
2.	Code of Criminal Procedure Act, 1973
3.	Constitution of India, 1950
4.	Indian Evidence Act, 1872
5.	Indian Penal Code, 1860
6.	Indian Lunacy Act, 1912
7.	Mental Health Act, 1987
8.	Mental Healthcare Act, 2017
9.	National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Mental Disabilities Act, 1999
10.	Rehabilitation Council of India Act, 1992
11.	Rights of Persons with Disabilities Act, 2016

II. RULES

S. No.	Title
1.	Lunatics (Chapter XVII) Delhi High Court Rules
2.	Mental Healthcare Rules, 2017 (Draft)
3.	NALSA (Legal Services to the Mentally ill and Mentally Disabled Persons) Scheme, 2015
4.	Rehabilitation Council of India Regulations, 1997
5.	The Mental. Healthcare (State Mental Health Authority) Rules, 2018
6.	The Mental Healthcare (Central Mental Health Authority and Mental Health Review Boards) Rules, 2018
7.	The National Trust Regulations, 2001
8.	The National Trust Rules, 2000

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III. INTERNATIONAL CONVENTIONS/INSTRUMENTS

S. No.	Title
1.	United Nations Convention on the Rights of Persons with Disabilities, 2006
2.	U.N. Commission on Human Rights titled "The Question of Death Penalty", Resolution 2005/59
3.	U.N. Commission on Human Rights titled "The Question of Death Penalty" Resolution 2000/65
4.	Guidelines for the Promotion of Human Rights of Persons with Mental Disorders (WHO), 1996
5.	Mental Healthcare Law: Ten Basic Principles (WHO), 1996
6.	The Protection of Person with Mental Illness and the Improvement of Mental Health Care, 1991
7.	United Nations Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care, 1991
8.	The Economic and Social Council Resolution, 1989/64
9.	Standard Minimum Rules for the Treatment of Prisoners (EcoSoc), 1977
10.	Universal Declaration on the Rights of Disabled Persons, 1975

IV. REPORTS/GUIDELINES/POLICIES

S. No.	Title	Author	Source
Law Commission of India			
1.	47 th Report, The Trial and Punishment of Social and Economic Offences (1972)	Law Commission of India	http://lawcommissionofindia.nic.in/1-50/report47.pdf
2.	42 nd Report, Indian Penal Code (1971)	Law Commission of India	http://lawcommissionofindia.nic.in/1-50/report42.pdf
Other Expert Government/Non-Government/International Committees			
1.	Report of the Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions on a Gender-	United Nations Human Rights Council	www.ohchr.org/EN/HRBodies/HRC/RegularSessions/.../A_H

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	Sensitive Approach to Arbitrary Killings, 2017		RC_35_23_AEV.docx
2.	National Mental Health Policy, 2016	Ministry of Health & Family Welfare	http://pib.nic.in/newsite/Printrelease.aspx?relid=159376
3.	Report of the Special Rapporteur on the Right of Everyone to the Enjoyment to the Highest Attainable Standard of Physical and Mental Health, 2015	United Nations Human Rights Council	www.ohchr.org/EN/HRBodies/HRC/RegularSessions/.../A_HRC_29_33_ENG.DOCX
4.	National Mental Health Survey of India, 2015-16	Ministry of Health & Family Welfare	http://www.nimhans.ac.in/sites/default/files/u197/NMHS%20Report%20%28Prevalence%20patterns%20and%20outcomes%29%201.pdf
5.	Out of the Shadows: Making Mental Health a Global Development Priority, 2016	World Bank Group and World Health Organization	http://www.who.int/mental_health/WB_WHO_meeting_2016.pdf
6.	Report of the Technical Committee on Mental Health, 2016	National Human Rights Commission	http://nhrc.nic.in/Documents/Mental_Health_report_vol_I_10_06_2016.pdf
7.	Care and Treatment in Mental	National Human Rights	http://nhrc.nic.in/Doc

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	Health Institutions: Some Glimpses in the Recent Period (2012)	Commission	uments/Publications/Care_and_Mental_Health_2012.pdf
8.	Nations for Mental Health (2002)	World Health Organization	http://www.who.int/mental_health/media/en/400.pdf
9.	Delhi Prisons Rules, 2018	Government of the National Capital Territory of Delhi	https://delhi.gov.in/wps/wcm/connect/lib_centraljail/Central+Jail/Home/Acts+and+Rules
10.	Model Prison Manual, 2016	Ministry of Home Affairs	https://mha.gov.in/MHA1/PrisonReforms/NewPDF/PrisonManual2016.pdf
11.	Model Prison Manual for the Superintendence and Management of Prisons in India, 2003	Bureau of Police Research and Development, Ministry of Home Affairs, Government of India	http://mha1.nic.in/PrisonReforms/pdf/PrisonAdmin17072009.pdf
12.	National Policy on Prison Reforms and Correctional Administration, 2007	Bureau of Police Research and Development, Ministry of Home Affairs, Government of India	http://www.bprd.nic.in/WriteReadData/userfiles/file/526199152-2-Part%20I.pdf
13.	Handbook on Health of Prisoners	Prison Administration and Correctional Services, Uttar Pradesh	http://upprison.gov.in/pdf/prisoner%20medical%20system.pdf
14.	Implementation of Mulla	Bureau of Police Research	https://mha.gov.in/M

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	Committee Report on Jail Reforms-Volume I (1980-83)	& Development, Ministry of Home Affairs	HA1/PrisonReforms/NewPDF/Mulla%20Committee%20implementation%20of%20recommendations%20-Vol%201.pdf
15.	Implementation of Mulla Committee Report on Jail Reforms-Volume II (1980-83)	Bureau of Police Research & Development, Ministry of Home Affairs	https://mha.gov.in/MHA1/PrisonReforms/NewPDF/Mulla%20Committee-implementation%20of%20recommendations%20-Vol%202.pdf

V. CASE LAWS

1. EMERGING ISSUES

A.	Mental Illness, Mental Retardation and Unsoundness of Mind	
	Supreme Court	
1.	<i>Suchita Srivastava v. Chandigarh Administration</i> (¶¶4,14,16,55)	AIR 2010 SC 235
	High Court of Delhi	
1.	<i>Kamal Bhardwaj thr. His Father/Parokar Satish Kumar v. The State (NCT of Delhi)</i> (¶¶3-8)	2016 SCC OnLine Del 4315

B.	Homosexuality is not a mental disorder	
	Supreme Court	
1.	<i>Navtej Singh Johar v UOI</i> (¶¶152-153, 155-156, 160, 230-231, 246, 267, 268.17, 268.18, 336-350, 355-359, 368, 370, 377, 384, 405, 425,517, 610, 618.1-618.5, 632, 643.3, 645.1-645.4)	(2018) 10 SCC 1
C.	Termination of Pregnancy and Reproductive Rights of Persons Suffering from Mental Retarded and Persons with Mental illness	
	Supreme Court	
1.	<i>Z v. The State of Bihar and Ors.</i> (¶¶23,39,53-54)	(2018) 11 SCC 572
2.	<i>Suchita Srivastava and Ors. v. Chandigarh Administration</i> (¶¶10-16)	AIR 2010 SC 235
	Other High Court	
1.	<i>"ABC" v. The State of Maharashtra and Ors.</i> (¶¶15,18)	2018 (4) ALLMR 87 BOM HC
2.	<i>X v Union of India</i> (¶13)	2017 SCC OnLine Bom 9334
D.	Guardianship of a Person Lying In A Comatose State	
	High Court of Delhi	
1.	<i>Vandana Tyagi v. Government of National Capital Territory of Delhi</i> (¶76)	2020 SCC OnLine Del 32
	Other High Court	
1.	<i>Shobha Gopalakrishnan v. State of Kerala</i> (¶¶22-23,35)	ILR 2019 (1) Kerala 669
E.	Rehabilitation of Cured Mentally Ill Patients	
	Supreme Court	
1.	<i>Gaurav Kumar Bansal v. Mr. Dinesh Kumar</i> (¶¶1,10)	W.P.C No. 412/2016 Date of Order : 25.02.2019

2.	<i>Gaurav Kumar Bansal v. State Of Uttar Pradesh and Ors.</i> (¶1)	W.P.C No. 412/2016 Date of Order: 10.07.2017
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2. MENTAL HEALTH AND CONSTITUTIONAL ISSUES

S. No.	Title	Citation
	Mental Health & Constitutional Issues	
A.	Mental Health of Prisoners/Inmates	
	Supreme Court	
1.	<i>Accused 'x' v. State of Maharashtra</i> (¶¶77-78)	2019 (2) Crimes 175 (SC)
2.	<i>B. R. Kapoor v. Union of India</i> (¶¶ 1, 4)	AIR 1990 SC 752
3.	<i>Rakesh Chandra Narayan v. State of Bihar</i> (¶¶ 27, 28)	1989 Supp(1) SCC 644
4.	<i>Dr. Upendra Baxi (I) v. State of UP</i> (¶¶ 13, 24, 25)	(1983) 2 SCC 308
5.	<i>Veena Sethi v. State of Bihar</i> (¶¶ 2, 12)	AIR 1983 SC 339
	High Court of Delhi	
1.	<i>Charanjit Singh and NHRC v. State</i> (¶¶ 8,15,16,18,23)	(2005) ILR 1 Delhi 760
	Other High Courts	
1.	<i>Surendra Singh Sandhu v. State of Uttarakhand</i> (¶¶ 16-17,36-38)	2017(1) NCC 754 (Utt.)
B.	Illegal Detention- Violation of Right to Life & Liberty (Article 21)	
	High Court of Delhi	
1.	<i>Ravinder v. Govt. of NCT of Delhi</i> (¶¶ 66, 68, 73, 80, 81, 83, 102, 123, 134, 149)	2018 SCC OnLine Del 8578
2.	<i>Sangamitra Acharya v. State (NCT of Delhi)</i> (¶¶ 4, 57, 62, 83, 92, 123, 128, 134, 152, 160, 161)	2018 SCC OnLine Del 8450

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C.	Mental Health Examination & Privacy	
	Supreme Court	
1.	<i>Sharda v. Dharmpal</i> (¶¶ 51, 81)	AIR 2003 SC 3450
	Other High Courts	
1.	<i>S. Hariprakash v. Madras High Court</i> (¶¶ 25, 81)	2014 SCC OnLine Mad 7331
D.	Inordinate Delay in Execution of Death Sentence	
	Supreme Court	
1.	<i>Accused 'x' v. State of Maharashtra</i> (¶¶ 33-34, 40-43, 46, 68-70, 72-74)	2019 (2) Crimes 175 (SC)
2.	<i>Navneet Kaur v. State (NCT of Delhi)</i> (¶¶ 4-12)	(2014) 7 SCC 264
3.	<i>Shatrughan Chauhan v. Union of India</i> (¶¶ 72, 79, 190, 259)	2014(1) SCALE 437
4.	<i>Devender Pal Singh v. State of NCT</i> (¶¶ 21, 38, 46, 47)	AIR 2013 SC 1975
5.	<i>Madhu Mehta v. Union of India</i> (¶ 3)	AIR 1989 SC 2299
6.	<i>Vivian Rodrick v. State of WB</i> (¶¶ 2, 6)	AIR 1971 SC 1584

3. MENTAL DISABILITY AND CRIMINAL RESPONSIBILITY

S. No.	Title	Citation
A.	Defence of Insanity under Section 84 of IPC (Unsoundness of Mind) based on Mc' Naughten Rule	
a)	'Legal Insanity' & 'Medical Insanity': Distinguished	
	Supreme Court	
1.	<i>Surendra Mishra v. State of Jharkhand</i> (¶ 9)	AIR 2011 SC 627
2.	<i>Hari Singh Gond v. State of MP</i> (¶¶ 5, 6)	AIR 2009 SC 31
3.	<i>Bapu@Gajraj Singh v. State of Rajasthan</i> (¶ 7)	(2007) 8 SCC 66
	Other High Courts	
1.	<i>Saji v. State of Kerala</i> (¶¶ 22, 23)	2017 (3) KHC 262
2.	<i>Dhebuja Rajowar v. State of Assam</i> (¶ 21)	2008 Cri L J 3981 (Gau.)

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3.	<i>Shama Tudu v. State</i> (¶¶ 3-5)	1987 Cri L J 618 (Ori.)
4.	<i>Lakshmi v. State</i> (¶ 12)	AIR 1959 All 534
5.	<i>Narain Sahi v. Emperor</i> (¶ 20)	AIR 1947 Pat 222
b) 'Nature of the Act'		
Supreme Court		
1.	<i>Sudhakaran v. State of Kerala</i> (¶¶ 17, 21)	AIR 2011 SC 265
2.	<i>Hari Singh Gond v. State of MP</i> (¶ 6)	AIR 2009 SC 31
3.	<i>Bapu@Gajraj Singh v. State of Rajasthan</i> (¶¶ 7, 8)	(2007) 8 SCC 66
4.	<i>Baswantrao Bajirao v. Emperor</i> (¶¶ 6, 7, 18, 24)	AIR 1949 Nag 66
5.	<i>Queen-Empress v. Kader Nasyer Shah</i> (¶¶ 8, 9)	(1896) ILR 23 Cal 604
Other High Courts		
1.	<i>Siddheswari Bora v. The State of Assam</i> (¶¶ 3, 5)	(1981)1 GLR 134 (Gau.)
2.	<i>Ashiruddin Ahmed v. The King</i> (¶¶ 7, 8)	AIR 1949 Cal 182
c) 'At the time of doing'		
Supreme Court		
1.	<i>Uttam Nandram Somwanshi v. State of Maharashtra</i> (¶¶6-7)	II (2017) CCR499 (SC)
2.	<i>Sudhakaran v. State of Kerala</i> (¶ 19)	AIR 2011 SC 265
3.	<i>Hari Singh Gond v. State of MP</i> (¶ 9)	AIR 2009 SC 31
4.	<i>Shrikant Anadrao Bhonsle v. State of Maharashtra</i> (¶¶ 16, 17)	AIR 2002 SC 3399
5.	<i>Ratan Lal v. State of MP</i> (¶ 2)	AIR 1971 SC 778
6.	<i>Dahyabhai Chhaganbhai Thakker v. State of Gujarat</i> (¶ 16)	AIR 1964 SC 1563
7.	<i>State of MP v. Ahmadullah</i> (¶¶ 7, 8)	AIR 1961 SC 998
Other High Courts		
1.	<i>Saji v. State of Kerala</i> (¶¶ 22, 23)	2017 (3) KHC 262
2.	<i>In re: Govindaswami Padayachi</i> (¶ 4)	AIR 1952 Mad 174
3.	<i>Bagga v. Emperor</i> (¶ 6)	AIR 1931 Lah 276

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d)	‘Offence committed during period of lucidity’	
	Other High Court	
1.	<i>Ramchandran v. State of Kerala</i> (¶¶ 13-15)	1985 Ker LJ 696
B.	Burden of Proof (BOP)	
i.	Relevant Factors to Discharge BOP	
	Supreme Court	
1.	<i>Siddhapal Kamala Yadav v. State of Maharashtra</i> (¶¶ 7-13)	AIR 2009 SC 97
2.	<i>Hari Singh Gond v. State of MP</i> (¶¶ 9, 10)	AIR 2009 SC 31
3.	<i>Bapu@Gajraj Singh v. State of Rajasthan</i> (¶¶ 7, 8)	(2007) 8 SCC 66
4.	<i>Shrikant Bhonsle v. State of Maharashtra</i> (¶¶ 14, 18)	AIR 2002 SC 3399
5.	<i>Oyami Ayatu v. State of MP</i> (¶ 5)	AIR 1974 SC 216
6.	<i>Sheralli Wali Mohammed v. State of Maharashtra</i> (¶ 13)	AIR 1972 SC 2443
	High Court of Delhi	
1.	<i>WX v. State</i> (¶¶ 28, 29, 32, 36)	2018 SCC OnLine Del 8015
2.	<i>X v. State of NCT</i> (¶¶ 27, 48-50)	246(2018) DLT 204
	Other High Courts	
1.	<i>Kumari Chandra v. State of Rajasthan</i> (¶¶ 29-30)	2018 (4) Crimes 20 (Raj.)
2.	<i>State of MP v. Godhe Faguwa</i> (p. 3)	ILR (1976) MP 361
ii.	Standard of Proof	
	Supreme Court	
1.	<i>Bapu @ Gajraj Singh v. State of Rajasthan</i> (¶¶ 7, 8)	(2007) 8 SCC 66
2.	<i>Dahyabhai Chhaganbhai Thakker v. State of Gujarat</i> (¶¶ 7, 13)	AIR 1964 SC 1563
	Other High Courts	
1.	<i>Ram Swarup Thakur v. State of Bihar</i> (¶ 16)	2000 Cri L J 426 (Pat.)
2.	<i>Nivrutti Dhondiba v. State of Maharashtra</i> (¶ 11)	1984 (2) Bom CR

For Private and Internal Circulation only

		722
3.	<i>State of MP v. Godhe Faguwa</i> (p. 4)	ILR (1976) MP 361
4.	<i>State v. Emerciano Lemos</i> (¶ 8)	AIR 1970 Goa, Daman and Diu 1
5.	<i>Kamla Singh v. State</i> (¶ 11, 12)	AIR 1955 Pat 209
C.	Procedure under Section 328 and Section 329 Code of Criminal Procedure, 1973	
	Supreme Court	
1.	<i>News Item “38 Yrs in Jail without Trial” published in Hindustan Times, In re v. UOI</i> (¶¶7-8,26-28)	(2007) 15 SCC 18
2.	<i>Sheila Kaul through Deepa Kaul v. State through C.B.I.</i> (¶¶8-10)	(2014) 12 SCC 453
3.	<i>State of Maharashtra v Sindhi.</i> (¶¶11,14-15,17,19,20)	(1975) 1 SCC 647
4.	<i>IV Sivaswami v. State of Mysore</i> (¶¶1-3, 23)	AIR 1971 SC 1638
	High Court of Delhi	
1.	<i>Kamal Bhardwaj v. The State (NCT of Delhi) and Ors.</i> (¶10)	2017 (1) Crimes 615(Del.)
2.	<i>G.S. Dhillon v. State (NCT of Delhi)</i> (¶¶8-9)	98 (2002) DLT 341
3.	<i>Yogesh Kumar v. The State</i> (¶¶6-7)	1996 SCC OnLine Del 932
	Other High Courts	
1.	<i>Salim Abhu Juneja v State of Gujrat</i> (¶¶18-20)	2013 SCC OnLine Guj 4913
2.	<i>Dimple v. State of Punjab</i> (¶¶ 15-18)	2009(1) RCR (Crim.) 602 (Punj.)
3.	<i>State of Jharkhand vs. Lakhan Rai</i> (¶¶19-20,22-23,26-27)	2007 Cri L J 2410
4.	<i>Gurjit Singh v. State of Punjab</i> (¶¶ 8, 10)	1986 Cri L J 1505 (Punj.)
5.	<i>Balu Ganpat v. State of Maharashtra</i> (¶7)	1983 CrLJ 1769 (Bom)

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D.	Additional Conditions for Release u/s 330 Code of Criminal Procedure	
	Other High Court	
1.	<i>Narain Shanker Kaunsh v. Emperor</i> (¶13)	AIR 1933 Sindh 267
E.	Section 335 Code of Criminal Procedure, 1973	
	Other High Court	
1.	<i>Suryakant J. Gawde v. State (Through Ponda Police Station), through Public Prosecutor</i> (¶¶30-43)	2020 SCC OnLine Bom 147
F.	Expert Evidence	
	Supreme Court	
1.	<i>State of Rajasthan v. Shera Ram</i> (¶¶19-20)	(2012) 1 SCC 602
2.	<i>Shrikant Anandrao Bhosale v. State of Maharashtra</i> (¶¶ 1, 7, 12, 16, 17)	AIR 2002 SC 3399
	High Court of Delhi	
1.	<i>Yogesh Kumar v. State</i> (¶¶4-5)	1996 Cri L J 2724 (Del)
	Other High Court	
1.	<i>Baswantrao Bajirao v. Emperor</i> (¶¶ 6, 7, 10, 18, 20, 24)	AIR 1949 Nag 66
G.	Opportunity to Rebut Evidence	
	Other High Court	
1.	<i>Onkar Dutt Nigam v. Emperor</i> (¶3)	AIR 1933 Oudh 362
H.	No Examination of Mental Condition of Accused on Remand	
	Other High Court	
1.	<i>M. A. Nayeem Farooqui v. State of AP</i> (¶ 18)	1998(1) ALD 103 HYD HC

4. MENTAL HEALTHCARE ACT, 2017

S. No.	Title	Citation
A.	Determination of Mental Illness under the Mental Healthcare Act, 2017	
	High Court of Delhi	
1.	<i>R. S. v. State</i> (¶¶13)	W.P.(Crl.) 2255/2019 Dated: 20.09.2019
B.	Rights of Persons with Mental Illness	
a)	Prohibited Procedures	
	Supreme Court	
1.	<i>Gaurav Kumar Bansal v Union of India</i>	W.P.(C) No.-001496 / 2018 Order Dated:07.01.2019
b)	Healthcare, Legal Services and Confidentiality	
	Supreme Court	
1.	<i>Pushpa M. Rawtani v. Madhya Pradesh</i> (¶¶6)	CRLMP No(s). 8154- 8155/2017 Order Dated: 04.07.2017
	High Court of Delhi	
1.	<i>R. S. v. State</i> (¶¶17-22)	W.P.(Crl.) 2255/2019 Dated: 20.09.2019
c)	Advance Directive	
	Supreme Court	
1.	<i>Common Cause (A Regd. Society) v. Union of India</i> (¶574)	AIR 2018 SC 1665
	Other High Court	
1.	<i>Anil Kumar Bansal v. State of Himachal Pradesh and Ors</i> (¶¶21,42) (HP HC)	CWP No. 2864 of 2017 Dated: 09.07.2018

For Private and Internal Circulation only

	Foreign Judgment	
1.	<i>Carter v. Canada (Attorney General)</i> (¶¶1-4)	2015 SCC OnLine Can SC 1
C.	Mental Health of Children	
	Other High Court	
1.	<i>Dr. Vijay Verma v. Union of India</i> (¶¶ 1, 2, 35, 37-38, 42-46, 50, 52)	2018 SCC OnLine Utt 519
D.	Responsibilities of Duty Holders	
	High Court of Delhi	
1.	<i>Ravinder v. Govt. of NCT of Delhi</i> (¶¶ 100, 102, 104, 106, 110-112, 114)	2018 SCC OnLine Del 8578
	Other High Court	
1.	<i>Anil Kumar Bansal v. State of Himachal Pradesh</i> (¶42)	CWP No. 2864/2017 Dated: 09.07.2018
E.	Presumption of Severe Stress in Case of Attempt to Commit Suicide	
	Supreme Court	
1.	<i>Common Cause (A Regd. Society) v. Union of India (UOI)</i> (¶356)	AIR 2018 SC 1665
	Other High Court	
1.	<i>Pratibha Das v. The State of Orissa</i> (¶7)	2019 (II) OLR 249 (Orissa HC)
2.	<i>Pratibha Sharma v. State of Himachal Pradesh and Ors.</i> (¶¶20-30)	Cr. MMO No. 440 of 2019 Dated: 06.11.2019 (HP HC)
F.	Proceedings Pending under the Old Act	
	High Court of Delhi	
1.	<i>Meenu Seth v. Binu Seth & Ors.</i> (¶16)	(2017) 245 DLT 683

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VI. GENERAL READINGS

S. No.	Title	Author	Source
Human Rights of the Mentally Ill			
1.	For a Rights-based Approach	Amita Dhanda, Professor, NALSAR	(<i>Frontline</i> , 16 Sept 2016) http://www.frontline.in/cover-story/for-a-rightsbased-approach/article9050228.ece
2.	Human Rights Violation in Mental Health: A Case Report from India	Anvar Sadath, Vranda Mysore Narasimha, Mukund Rao, Vijay Kumar, Muralidhar D, Shivarama Varambally, Gangadhar BN, Ashok Kori and Supraja A	(2014) 17 (3) <i>Journal of Psychiatry</i>
3.		Amar Shah	(2010) 14 (7) <i>The International Journal of Human Rights</i> , 1107-1116
4.	Human Rights and Privileges of Mentally Ill Persons	Shiv Gautam, Sanjay Jain, Lalit Batra, Rajesh Sharma and Deepti Munshi	http://www.indianjpsychiatry.org/cpg/cpg2009/article6.pdf
Institutionalization and Civil Commitment			
1.	Understanding Psychiatric Institutionalization: A Conceptual Review	Winnie S Chow and Stefan Priebe	(2013) 13 (169) <i>BMC Psychiatry</i>
2.	An Institutionalization Effect: The Impact of Mental Hospitalization and Imprisonment on Homicide in the United States	Bernard E Harcourt	(2011) 40 (1) <i>The Journal of Legal Studies</i> 39-83
3.	Civil Liberties and the Mentally Ill	Thomas S. Szasz	(1960) 9(3) <i>Cleveland Marshal Law Review</i> , 399-416

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Mental Health & The Law			
1.	Mental Healthcare Law: Drastically Changes Understanding of Illness, but will it be Effective	Kartikeya Bahadur and Sumati Thusoo	(<i>Firstpost</i> 28, May 2019) https://www.firstpost.com/india/mental-healthcare-bill-drastically-changed-understanding-of-illness-but-will-it-be-effective-3642525.html
2.	Mental Health and the Law: An Overview and Need to Develop and Strengthen the Discipline of Forensic Psychiatry in India	Pratima Murthy, BC Malathesh, C Naveen Kumar and Suresh Bada Math	(2016) 58(Suppl 2) <i>Indian J Psychiatry</i> 181–186.
3.	The Criminal Justice System and Mental Health: An Overview	Mahesh R Gowda and Nikitha Harish	(2015) 2(1) <i>IJBritish</i> 49-54)
4.	Towards a No-force Paradigm in Mental Health Law	Malavika Prasad	5 <i>NUJS L. Rev.</i> (2012)
5.	Unreasonable Rights: Mental Illness and the Limits of the Law	Nikola Rose	<i>Journal of Law & Society</i> , Vol. 12, Number 2, Summer 1985
6.	The Sentencing of Mentally Disordered Offenders	Marc E. Schiffer, <i>Osgoode Hall Law Journal</i> (1976)	(1976) 14 (2) <i>Osgoode Hall Law Journal</i> 307-343
7.	The Mentally Ill Offender in Federal Criminal Law and Administration	George H Dession (Yale Law School)	(1944) 53 <i>The Yale Law Journal</i> 684-699
Mental Healthcare Act, 2017			
1.	Miles to Go: Why Celebration of the Mental Healthcare Act may be Premature	Pranav J Sharma (<i>Caravan</i>)	(<i>The Caravan</i> , 01 June 2017) https://caravanmagazine.in/perspectives/mental-

For Private and Internal Circulation only

			healthcare-act-premature-celebration
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