



Orientation Programme on Mental Healthcare Act, 2017

For

CMMs/ACMM's/MMs and Other Stakeholders

19th February, 2022

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

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7.	The National Trust Regulations, 2001
8.	The National Trust Rules, 2000

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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

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Other Expert Government/Non-Government/International Committees			
1.	COVID-19 and the Need for Action on Mental Health, 2020	United Nations	https://unsdg.un.org/sites/default/files/2020-05/UN-Policy-Brief-COVID-19-and-mental-health.pdf
2.	Report of the Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions on a Gender-Sensitive Approach to Arbitrary Killings, 2017	United Nations Human Rights Council	www.ohchr.org/EN/HRBodies/HRC/RegularSessions/.../A_HRC_35_23_AEV.docx
3.	National Mental Health Policy, 2016	Ministry of Health & Family Welfare	http://pib.nic.in/newsite/Printrelease.aspx?relid=159376
4.	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
5.	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%2

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	of Prisons in India, 2003	of Home Affairs, Government of India	onAdmin17072009.pdf
13.	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/5261991522-Part%20I.pdf
14.	Handbook on Health of Prisoners	Prison Administration and Correctional Services, Uttar Pradesh	http://upprison.gov.in/pdf/prisoner%20medical%20system.pdf
15.	Implementation of Mulla Committee Report on Jail Reforms-Volume I (1980-83)	Bureau of Police Research & Development, Ministry of Home Affairs	https://mha.gov.in/MHA1/PrisonReforms/NewPDF/Mulla%20Committee%20implementation%20of%20recommendations%20-Vol%20I.pdf
16.	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
17.	Addressing mental health issues of inmates and staff in Prisons and Correctional facilities during Covid-19.	No. 17013/19/2021-PR Government of India Ministry of Home Affairs June 24, 2021	https://www.mha.gov.in/sites/default/files/Advisorymentalhealthissuesprisoners_240

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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
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3.	<i>Dhebua Rajowar v. State of Assam</i> (¶ 21)	2008 Cri L J 3981 (Gau.)
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5.	<i>Ratan Lal v. State of MP</i> (¶ 2)	AIR 1971 SC 778
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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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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
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2.	<i>Dahyabhai Chhaganbhai Thakker v. State of Gujarat</i> (¶¶ 7, 13)	AIR 1964 SC 1563
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2.	<i>Nivrutti Dhondiba v. State of Maharashtra</i> (¶ 11)	1984 (2) Bom CR 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

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3.	<i>State of Maharashtra v Sindhi.</i> (¶¶11,14-15,17,19,20)	(1975) 1 SCC 647
4.	<i>Jai Shanker (Lunatic) through Vijay Shanker Brother Guardian v. State of Himachal Pradesh</i> (¶¶11-12)	AIR 1972 SC 2267
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2.	<i>Salim Abhu Juneja v State of Gujrat</i> (¶¶18-20)	2013 SCC OnLine Guj 4913
3.	<i>Dimple v. State of Punjab</i> (¶¶ 15-18)	2009(1) RCR (Crim.) 602 (Punj.)
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5.	<i>Gurjit Singh v. State of Punjab</i> (¶¶ 8, 10)	1986 Cri L J 1505 (Punj.)
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4. MENTAL HEALTHCARE ACT, 2017

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S. No.	Title	Citation
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1.	<i>Carter v. Canada (Attorney General)</i> (¶¶1-4)	2015 SCC OnLine Can SC 1
2.	<i>Starson v. Swayze (Canada's Beautiful Mind case)</i>	[2003] S.C.J. No. 33
3.	<i>O'Connor v. Donaldson</i>	422 U.S. 563 (1975)
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2.	<i>Anil Kumar Bansal v. State of Himachal Pradesh</i> (¶42)	CWP No. 2864/2017 Dated: 09.07.2018
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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)
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5. Mental Health Insurance

1.	<i>Shikha Nischal v. National Insurance Company Limited and Another</i>	2021 SCC OnLine Del 2577
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VI. GENERAL READINGS

S. No.	Title	Author	Source
Mental Health and COVID-19			
1.	Emergency mental health legislation in response to the Covid-19 (Coronavirus) pandemic in Ireland: Urgency, necessity and proportionality	Brendan D. Kelly, Department of Psychiatry, Trinity College Dublin, Ireland	(70) 2020 101564 International Journal of Law & Psychiatry https://doi.org/10.1016/j.ijl.2020.101564
2.	Looking after our mental health	World Health Organization	https://www.who.int/campaigns/connecting-the-world-to-combat-coronavirus/healthyathome/healthyathome---mental-health?gclid=Cj0KCQjwoub3BRC6ARIsABGhnyajt54AHNQBO7ZhEBXsds-8-FgJpRXelQvb-coaVFW4_zo_FFKFraQaArbMEALw_wcB
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-rights-based-approach/article9050228.e

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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) Journal of Psychiatry
3.	Human rights and mentally disordered offenders	Amar Shah	(2010) 14 (7) The International Journal of Human Rights, 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) BMC Psychiatry
2.	An Institutionalization Effect: The Impact of Mental Hospitalization and Imprisonment on Homicide in the United States	Bernard E Harcourt	(2011) 40 (1) The Journal of Legal Studies 39-83
3.	Civil Liberties and the Mentally Ill	Thomas S. Szasz	(1960) 9(3) Cleavland Marshal Law Review, 399-416
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