

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 2177**

TO BE ANSWERED ON THE 14TH MARCH, 2023/ PHALGUNA 23, 1944 (SAKA)

NHRC REPORT

2177. SHRI ASADUDDIN OWAISI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether National Human Rights Commission has directed States and UTs to submit an action taken report as to why patients cured for mental illness are being kept illegally in hospitals as they were to be sent to homes or half homes;

(b) if so, whether Director General of Health Services has submitted report to the Commission in regard to framing rules under Mental Healthcare rules 2017 as contemplated under Section 121 of the Act;

(c) whether Commission has also directed DGs of Police to submit report in respect of complaints registered regarding mentally ill persons regarding non-rehabilitation or non-reintegration with families; and

(d) if so, the details of reports received by NHRC and action taken or advisory issued to Health Ministry and Police in this regard?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI NITYANAND RAI)**

(a): As per the information provided by the National Human Rights Commission (NHRC), the NHRC had issued notices to the Chief Secretaries and Principal Secretaries, Health, of all the State Governments as well as Administrators of Union Territories to submit a detailed action taken report on the issue of keeping the mentally cured patients even after recovery for inordinate period in contravention of Section 19 of Mental Health Act, 2017.

(b): Notices have been issued to the Secretary, Ministry of Health and Family Welfare, Government of India and Director General of Health Services, New Delhi, seeking the report on status of framing rules under the Act 2017 as well as establishment of the Central Authority as contemplated under Section 33 of the Act 2017.

(c) to (d): As per the information provided by the NHRC, the NHRC has also directed DGs of Police to submit report with regard to the status of the complaints received or registered relating to mentally ill persons, regarding non-rehabilitation or non-reintegration with the family and measures taken or proposed to be taken to ensure that cured persons from mental illness should be living with the family and other members of the community; assistance or other measures taken from District Legal Services Authority or State Legal Services Authority, as the case may be. Requisite reports in response to notice have not been received from the concerned authorities so far.
