

BEFORE HON'BLE SUPREME COURT OF INDIA
WRIT PETITION (CIVIL) NO. OF 2019
ORIGINAL JURISDICTION

(IN THE MATTER OF PUBLIC INTEREST LITIGATION)

IN THE MATTER OF
GAURAV KUMAR BANSALPETITIONER
VERSUS
UNION OF INDIA & OTHERSRESPONDENTS

AND IN THE MATTER OF

GAURAV KUMAR BANSAL
S/O SH. VISHNU BANSAL
Plot No. 80, River Height Society,
Rajnagar Extension
Ghaziabad
Uttar Pradesh – 201003 (New Address)

B88, F-2, Shalimar Garden Extension – II,
Sahibabad, Ghaziabad
Uttar Pradesh (Old Address)Petitioner

VERSUS

- 01. UNION OF INDIA**
Through Its Secretary
Ministry of Health and Family Welfare
NirmanBhawan,
New Delhi -110011Respondent No. 01
- 02. Government of NCT of Delhi**
Through its
Chief Secretary
New Secretariat Building
I.P.Estate
New Delhi-02Respondent No. 02
- 03. COMMISSIONER OF POLICE**
Delhi Police
Delhi Police Headquarter
ITO Chowk
New Delhi – 01Respondent No. 03
- 04. State of Maharashtra**
Through its
Chief Secretary
Secretariat Building,
Room No 518, 5th Floor,
Main Building Mantralaya
Mumbai-400032Respondent No. 04

- 05. State of Andhra Pradesh**
Through its
Chief Secretary
Secretariat Office
Velagaupdi-522503Respondent No. 05
- 06. State of Arunachal Pradesh**
Through its
Chief Secretary
Secretariat Building
Itanagar-791111Respondent No. 06
- 07. State of Assam**
Through its
Chief Secretary
Block C, 3rd Floor,
Secretariat, Dispur
Guwahati-781006Respondent No. 07
- 08. State of Bihar**
Through its
Chief Secretary
Old Secretariat
Patna-800015Respondent No. 08
- 09. State of Chattisgarh**
Through its
Chief Secretary
DksBhawan, Mantralaya,
Raipur-492001Respondent No. 09
- 10. State of Goa**
Through its
Chief Secretary
Secretariat
Porvoriam
Goa-403001Respondent No. 10
- 11. State of Gujarat**
Through its
Chief Secretary
Block No. 01, 3rd Floor,

New Sachivalaya Complex
Gandhinagar-382010Respondent No. 11

12. State of Haryana
Through its
Chief Secretary
Secretariat Building
Chandigarh-160001Respondent No. 12

13. State of Himachal Pradesh
Through its
Chief Secretary
Secretariat Building
Shimla-171002Respondent No. 13

14. State of Jharkhand
Through its
Chief Secretary
Secretariat Building
Ranchi-834001Respondent No. 14

15. State of Jammu & Kashmir
Through its
Chief Secretary
Civil Secretariat
Srinagar-190001Respondent No. 15

16. State of Karnataka
Through its
Chief Secretary
VidhanSabha
Bangalore-560001Respondent No. 16

17. State of Kerela
Through its
Chief Secretary
Secretariat Building
Thiruvananthapuram-695001Respondent No. 17

- 18. State of Madhya Pradesh**
Through its
Chief Secretary
VallabhBhawan
Bhopal-462003
.....Respondent No. 18
- 19. State of Manipur**
Through its
Chief Secretary
Room No. 171,
South Block
Secretariat
Imphal-795001
.....Respondent No. 19
- 20. State of Meghalaya**
Through its
Chief Secretary
Main Secretariat Building
Shilong-793001
.....Respondent No. 20
- 21. State of Mizoram**
Through its
Chief Secretary
Civil Secretariat
Block C,
Aizwal-796001
.....Respondent No. 21
- 22. State of Nagaland**
Through its
Chief Secretary
Secretariat
Kohima-797001
.....Respondent No. 22
- 23. State of Orissa**
Chief Secretary
Government of Orissa
General Admn. Dept.
Orissa Secretariat
Bhubaneshwar-751001
.....Respondent No. 23
- 24. Government of Pondicherry**
Through its
Chief Secretary
No. 1, Beach Raod
Pondicherry-605001
.....Respondent No. 24

- 25. State of Punjab**
Through its
Chief Secretary
Punjab Civil Secretariat
Chandigarh-16000Respondent No. 25
- 26. State of Rajasthan**
Through Its
Chief Secretary
Secretariat
Jaipur-302005Respondent No. 26
- 27. Government of Sikkim**
Through Its
Chief Secretary
Tashiling Secretariat
Gangtok -737101Respondent No. 27
- 28. State of Tamil Nadu**
Through Its
Chief Secretary
Government of Tamil Nadu
Secretariat
Chennai-600009Respondent No. 28
- 29. State of Tripura**
Through Its
Chief Secretary
Civil Secretariat
Agaartala-799001Respondent No. 29
- 30. State of Uttar Pradesh**
Through Its
Chief Secretary
LalBahadurShastriBhavan
UP Secretariat
Lucknow-226001Respondent No. 30
- 31. State of Uttarakhand**
Through Its
Chief Secretary
Uttarakhand Secretariat
4B Shubhash Road
Dehradun -248001Respondent No. 31
- 32. State of West Bengal**
Through Its
Chief Secretary
Writers' Building

Kolkata -700001

.....Respondent No. 32

33. State of Telengana

Through Its
Chief Secretary
Telengana Secretariat
Khairatabad, Hyderabad
Telengana

.....Respondent No. 33

34. Chief Secretary

U.T. of Andaman & Nicobar Islands
Secretariat
Port Blair
Andaman -744101

.....Respondent No. 34

35. Adviser to Administrator

U.T. of Chandigarh
Secretariat,
Sector 9
Chandigarh -160001

.....Respondent No. 35

36. Administrator

U .T. of Dadra & Nagar Haveli
Secretariat
Silvasa-396230

.....Respondent No. 36

37. Administrator

U. T. of Daman & Diu
Fort Area
Secretariat Moti Daman-396220

.....Respondent No. 37

38. Administrator

U. T. of Lakshadweep
Secretariat
Kavaratti-682555

.....Respondent No. 38

All are contesting Respondents

AND IN THE MATTER OF

**WRIT PETITION (PUBLIC INTEREST LITIGATION) FILED
UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA FOR
THE ISSUANCE OF WRIT / ORDER / DIRECTION IN THE**

NATURE OF MANDAMUS, INTER ALIA, AGAINST
RESPONDENT NO. 01 TO RESPONDENT NO. 38 TO
FORTHWITH PLAN, DESIGN, FORMULATE AND
EFFECTIVELY IMPLEMENT PUBLIC HEALTH PROGRAMME
FOR THE PREVENTION AND REDUCTION OF SUICIDES IN
THEIR RESPECTIVE JURISDICTION AS PROVIDED UNDER
SECTION 29 AND SECTION 115 OF THE MENTAL
HEALTHCARE ACT - 2017

TO,
THE HON'BLE CHIEF JUSTICE
AND HIS COMPANION JUSTICES OF THE
HON'BLE SUPREME COURT OF INDIA

The humble petition of the
petitioner above named

MOST RESPECTFULLY SHOWETH:-

01. That following are the details which petitioner is required to disclose in the Writ Petition as per Order XXXVIII Rule 12(2) of Supreme Court Rules – 2013:
 - a. That name of the petitioner is Gaurav Kumar Bansal, son of Sh. Vishnu Bansal resident of A26, Basement, Jangpura Extension, New Delhi – 14 and is an advocate practicing before this Hon'ble Court and the PAN number of petitioner is BAGPB4322K and the annual income of petitioner ranges between 5 Lakhs to 6 Lakhs.

- b.** That cause of action for filing present Writ Petition under Article 32 of Constitution of India is that as per the facts and figures provided by Respondent No. 03, Respondent No. 02 has failed to prevent and reduce the Suicides of Children in National Capital. Case of the petitioner is that if in National Capital, Children of 12 years of age will commit Suicide, then apart from the fact that it is not a Healthy Sign for Country it is Shameful for the authorities who are ruling the National Capital. That failure of Respondents in drafting, designing and implementing Public Health Programme for the prevention and reduction of Suicides in India is not only violative of Section 29 and 115 of Mental Healthcare Act – 2017 but is also in violation of Article 21 of the Constitution of India.
- c.** That the nature of injury caused to or likely to be caused to the Public is that due to the failure of Respondents Children are committing Suicides in National Capital hence the Social atmosphere of National Capital is at risk. As per the figures provided by Delhi Police, it is established that Govt. of NCT of Delhi has failed to provide a Healthy Social Atmosphere in National Capital, hence nature of injury caused to Public at large is that CHILDHOOD OF OUR GENERATION NEXT IS NOT SECURE, hence petitioner seeks urgent intervention of this Hon'ble Court.
- d.** That there is no personal interest involved in the present matter.

e. That the petitioner has not involved in any kind of civil, criminal or revenue litigation with regard to the issued raised by him and as such have no legal nexus with the issue involved in the Public Interest Litigation.

f. It is respectfully submitted that petitioner has not forwarded any kind of representation to Respondents.

02. That petitioner is an Advocate and is trying his level best to fight for the enforcement and protection of civil, political and fundamental rights of under privileged and deprived section of society.

It is respectfully submitted that petitioner by way of Writ Petition (Civil) No. 412 of 2016 filed before this Hon'ble Court is also fighting for rehabilitation of 12000 – 15000 persons who are fit for discharge but are living in 43 Government run Mental Hospital with Mentally ill persons across Country.

It is also respectfully submitted that by way of Writ petition (Civil) No. 1496 of 2018, filed before this Hon'ble Court petitioner highlighted Chaining of Persons with Mental Illness in Faith Based Mental Asylum in District Badaun, Uttar Pradesh and it was only because of the intervention of this Hon'ble Court that State of Uttar Pradesh came into action and released all of the Chained Mentally ill persons from the said Dargah.

03. That by way of present petition filed in the nature of Public Interest Litigation, petitioner wish to draw kind attention of this Hon'ble Court on the issue of non - implementation of Section 29, Section 30 and Section 115 of Act – 2017 resulting into Lack of having PUBLIC HEALTH PROGRAMME on National as well as States Level which are very necessary for the PREVENTION AND REDUCTION OF SUICIDES in our country.

04. It is respectfully submitted that as per World Health Organization report titled as “PREVENTIVE SUICIDE – A GLOBAL IMPERATIVE”, Young people are among the most affected suicide is now the second leading cause of death for those between the ages of 15 and 29 years globally.

True copy of relevant part of the World Health Organization Report titled as “Preventive Suicide – A Global Imperative” is annexed hereto and marked as Annexure P-1 at page no. 24 to page no. 32.

05. In May, 2013, the Sixtyhy Sixth World Health Assembly formally adopted the first ever MENTAL HEALTH ACTION PLAN of the World Health Organization which calls on WHO Member States to demonstrate their increased commitment to Mental Health by achieving specific targets. It is pertinent to mention here that Suicide Prevention is an integral component of the Mental Health Action Plan, with the goal of reducing the rate of 10% by 2020.

True copy of relevant part of MENTAL HEALTH ACTION PLAN of World Health Organization is annexed hereto and marked as Annexure P-2 at page no 33 to page no 51.

- 06.** Recognizing that Mental Helthcare Act – 1987 was insufficient to protect the Rights of Persons with Mental Illness and promote their access to Mental HealthCare in the Country, Mental Healthcare Bill was passed by both the houses of Parliament and received the assent of Hon'ble President of India on 07/04/2017.

True copy of the Mental Healthcare Act – 2017 is annexed hereto and marked as Annexure P-3 at page no. 52 to page no. 102.

- 07.** That in order to learnt that how many Children has committed SUICIDE in NATIONAL CAPITAL, petitioner on dated 10/01/2019 filed an application under Section 06 of the RTI Act – 2005 and as such requested Respondent No. 03 to provide information of the following points:

- a. Whether Delhi Police is maintaining the data with regard to SUICIDES happened in NATIONAL CAPITAL TERRITORY.
- b. If yes, please provide number of SUICIDES DEATHS OF CHILDREN BELOW THE AGE OF 18 YEARS happened in National Capital for the last 05 years, clearly indicating number of deaths in each particular year.

True copy of RTI application dated 10/01/2019 issued by the petitioner is annexed hereto and marked herein as Annexure P-4 at page no. 103.

08. Further it is also respectfully submitted that petitioner also filed another RTI application dated 10/01/2019 under section 06 of the Right to Information Act – 2005 wherein Petitioner requested Respondent No. 03 to provide the following information under Section 06 of the Right to Information Act – 2005:

- a. Whether Delhi Police is maintaining the data with regard to ATTEMPT TO SUICIDES happened in NATIONAL CAPITAL TERRITORY.
- b. If yes, please provide number of ATTEMPT TO SUICIDES CASES OF CHILDREN BELOW THE AGE OF 18 YEARS happened in National Capital for the last 05 years, clearly indicating number of deaths in each particular year.

True copy of the RTI Application dated 10/01/2019 preferred by the petitioner is annexed hereto and marked herein as Annexure P-5 at page no. 104.

09. It is respectfully submitted that on dated 11/01/2019 petitioner receive reply dated 11/01/2019 wherein it was informed by Respondent No. 03 that Police Stations of Seelampur, Sonia Vihar, Karaawal Nagar, Gokal Puri, Harsh Vihar and Jyoti Nagar witnessed 17, 07, 22, 06, 19 and 03 Suicide cases in last five years respectively.

True copy of the Reply dated 11/01/2019 provided by Respondent No. 03 to the petitioner is annexed hereto and marked as Annexure P-6 at page no. 105.

10. It is respectfully submitted that vide reply dated 22/01/2019 petitioner was informed by Respondent No. 03 that Police Station M. Nagar has recorded 2 Suicides cases in the year 2014 and another 02 suicide cases in the year 2016.

Important aspect which petitioner wishes to highlight is that as per record of Respondent No. 03, a girl aged 14 year committed suicide in the year 2014.

True copy of the Reply dated 22/01/2019 provided by Respondent No. 03 to petitioner is annexed hereto and marked as Annexure P-7 at Page No. 106.

11. That on dated 28/01/2019 petitioner received another Reply dated 28/01/2019, wherein petitioner learnt that about the Suicide committed by Children below than 18 years in National Capital.

True copy of the Reply dated 28/01/2019 issued by Respondent No. 03 to the petitioner is annexed hereto and marked as Annexure P-8 at page no 107 to page no. 111.

12. That vide Reply dated 05/02/2019 provided by Respondent No. 03 petitioner was shocked to learnt that 70 Children below the age of 18 years committed Suicide in National Capital.

True copy of Reply dated 05/02/2019 provided by Respondent No. 03 to the petitioner is annexed hereto and marked as Annexure P-9 at Page No. 112.

13. Similarly, Respondent No. 03 vide reply dated 06/02/2019 informed petitioner that 36 Children below the age of 18 years committed Suicide in only three police stations of National Capital.

True copy of the reply dated 06/02/109 provided to the petitioner by Respondent No. 03 is annexed hereto and marked as Annexure P-10 at page no. 113.

14. That on dated 07/02/2019 petitioner learnt from reply dated 07/02/2019 issued by Respondent No. 03 that following cases of Suicides of Children below 18 years were recorded in the year 2014, 2015, 2016, 2017 and 2018.

Sl. No.	Year	Suicides by Children below 18 years
01	2014	26
02	2015	22
03	2016	23
04	2017	35
05	2018	34

True copy of the Reply dated 07/02/2019 provided by Respondent No. 03 is annexed hereto and marked as Annexure P-11 at page no. 114.

- 15.** That vide Reply dated 08/02/2019, Respondent No. 03 provided the list of enclosures containing record of SUICIDES BY CHILDREN BELOW THEN 18 YEARS in NATIONAL CAPITAL.

True copy of the reply dated 08/02/2019 issued by Respondent No. 03 is annexed hereto and marked as Annexure P-12 at page no. 115 to page no. 118.

- 16.** That vide dated 08/02/2019, petitioner was informed by Respondent No. 03 that Delhi Police registered total 87 cases of Suicidal death of Children aged below 18 years in National Capital.

True copy of the Reply dated 08/02/2019 issued by Respondent No. 03 is annexed hereto and marked as Annexure P-13 at page no. 119.

- 17.** That vide reply dated 08/02/2019, petitioner learnt that in the year 2014, 2016 and 2017, Children aged 17 year, 16 year and 16 year committed suicide respectively.

True copy of the Reply dated 08/02/2019 provided to petitioner is annexed hereto and marked as Annexure P-14 at page no. 120.

- 18.** That Respondent No. 03 vide its reply dated 11/02/2019 provided the list of information in the shape of enclosures.

It is respectfully submitted that petitioner has learnt from the said enclosures that Children below the year of 18 age are continuously committing Suicides in National Capital.

True copy of reply dated 11/02/2019 provided by Respondent No. 03 is annexed hereto and marked as Annexure P-15 at page no. 121 to page no. 126.

- 19.** That vide online reply dated 16/02/2019, petitioner was informed by Respondent No. 03 that total 42 Children have done Suicide, who are below the age of 18 years.

True copy of the Online reply dated 16/02/2019 issued by Respondent No. 03 is annexed hereto and marked as Annexure P-16 at page no. 127 to page no. 128.

- 20.** It is respectfully submitted that petitioner has also received various other replies provided by Respondent No. 03 wherein petitioner was informed that respondent will provide the information relating to the SUICIDES committed by Children below than 18 years through post, but till dated petitioner has not received.

- 21.** It is also important to mention here that as far as reply with respect to RTI application dated 10/01/2019 regarding information on ATTEMPT TO SUICIDE is concerned, petitioner observed that Respondent No. 03 has stated in their replies that they maintain the said data but don't have the figures.

Apart from the fact that Respondents do not have data with respect to ATTEMPT TO SUICIDE cases happening in National Capital, the above situation clearly shows that Respondents have failed in DATA COLLECTION.

That without knowing the ground reality as well as without having any data with respect to ATTEMPT TO COMMIT SUICIDE in NATIONAL CAPITAL, it is next to impossible for Respondents to PLAN, DESIGN AND IMPLEMENT an effective PUBLIC HEALTH PROGRAMME FOR PREVENTION and REDUCTION OF SUICIDES in NATIONAL CAPITAL.

Adding insult to injury is the STIGMA associated with MENTAL DISORDERS & SUICIDE which is one of the major factor contributing suicides in INDIA.

- 22.** That on dated 22/04/2019, petitioner learnt from website maintained by THE HANS INDIA that a class 10th student committed suicide in State of Uttar Pradesh.

True copy of the article dated 22/04/2019 uploaded on the website of The Hans India is annexed hereto and marked as Annexure P-17 at page no. 129.

- 23.** That on dated 22/06/2019, petitioner learnt from an English Daily that about 12021 farmers committed Suicides in State of Maharashtra in last four years.

True copy of the Article dated 22/06/2019 published in an English Daily is annexed hereto and marked as Annexure P-18 at page no. 130 to page no. 131.

- 24.** That the purpose of petitioner in annexing the above mentioned articles is to address the ground reality before the Hon'ble Apex

Court of India that persons are committing Suicides | each and every states, despite of the neither Respondent No. 01 nor any State / UT has planned, designed, formulated and implemented PUBLIC HEALTH PROGRAMME concentrating on the prevention and reduction of Suicides in their respective jurisdiction.

- 25.** That by way of failing in planning, formulating, designing and implementing an effective PUBLIC HEALTH PROGRAMME concentrating on the prevention and reduction of Suicides in their respective jurisdiction, each and every State / UT has failed to implement the various provisions of Mental Healthcare Act – 2017 and more specifically Section 29, Section 30 and Section 115 of the Act – 2017.
- 26.** That by way of the present petition, petitioner seeks urgent intervention of this Hon'ble Court and as such request this Hon'ble Court to forthwith direct all the Respondents and more specifically Respondent No. 04 to immediately take appropriate steps for the prevention and reduction of Suicides in their respective jurisdiction.
- 27.** That by way of present petition, petitioner requests this Hon'ble Court to direct Respondent No. 01 to Respondent No. 36 to provide status report on the steps taken by them to implement PUBLIC HEALTH PROGRAMME FOR THE REDUCTION AND PREVENTION OF SUICIDES in their respective States / UTs as

provided under Section 29 and Section 115 of the Mental healthcare Act – 2017.

28. That the balance of convenience is in favour of the petitioner and the ends of justice shall suffer if the relief as prayed is not granted.
29. That petitioner has not approached any other Court / Tribunal / Commission seeking similar relief as prayed in present petition.

GROUND

- A. Because as per World Health Organization report titled as “PREVENTIVE SUICIDE – A GLOBAL IMPERATIVE”, Young people are among the most affected suicide is now the second leading cause of death for those between the ages of 15 and 29 years globally.
- B. Because Hon’ble President of India while inaugurating the 21st World Congress of Mental Health on dated 02/11/2017 also highlighted that there is dire need to take Mental Health at the grassroots of our society.
- C. Because the data provided by Delhi Police with respect to SUICIDES committed by Children below the age of 18 years in National Capital clearly shows that Govt. of NCT of Delhi has not only failed in taking steps for prevention and reduction of SUICIDES in National Capital but has also grossly violated various provisions of Mental Healthcare Act – 2017.

- D.** Because as per Section 29, Section 30 and Section 115 of the it is the basic duty of States / UTs to implement PUBLIC HEALTH PROGRAMME FOR THE REDUCTION AND PREVENTION OF SUICIDES in their respective States / UTs.
- E.** Because no State and UT has implemented PUBLIC HEALTH PROGRAMME FOR THE REDUCTION AND PREVENTION OF SUICIDES in their respective States / UTs.
- F.** Because non provisions of Mental Healthcare Act – 2017 by States and Union Territories is gross violation of Right to life and liberty of citizens of India as enshrined under Article 21 of Constitution of India.
- G.** Because by way of failing in planning, formulating, designing and implementing an effective PUBLIC HEALTH PROGRAMME concentrating on the prevention and reduction of Suicides in their respective jurisdiction, each and every State / UT has failed to implement the various provisions of Mental Healthcare Act – 2017 and more specifically Section 29, Section 30 and Section 115 of the Act – 2017.
- H.** Because balance of convenience is in favour of petitioner and ends of justice shall suffer if the relief as prayed is not granted.
- I.** Because petitioner has not filed any petition seeking similar relief in any other Court or Tribunal or Commission of this Country.

PRAYERS

In view of the above mentioned facts and circumstances, this Hon'ble Court may graciously be pleased to:

- a.** Issue Writ / Order / Direction in nature of Mandamus against Respondent No. 01 to Respondent No. 38 to forthwith Plan, Design, Formulate and effectively implement PUBLIC HEALTH PROGRAMME for the prevention and reduction of Suicides in their respective jurisdiction as provided under Section 29 and Section 115 of the Mental Healthcare Act – 2017.
- b.** Issue Writ / Order / Direction in nature of Mandamus against Respondent No. 04 to Respondent No. 38 to start a project for providing aid, support and advice to Persons with Suicidal thoughts through Call Centers / Helplines at State level in their respective States and UTs.
- c.** Issue Writ / Order / Direction in nature of Mandamus against Respondent No. 01 for providing aid, support and advice to Persons with Suicidal thoughts through Call Centers / Helplines at National level.
- d.** Issue Writ / Order / Direction in nature of Mandamus against Respondent No. 01 to Respondent No. 38 to provide Status Report on the implementation of Section 29,

Section 30 and Section 115 of the Mental Healthcare Act –
2017.

- e. Pass any other Order or Direction as this Hon'ble Court
may deems fit and proper.

AND FOR THIS ACT OF KINDNESS, PETITIONER AS IN
DUTYBOUND SHALL EVER PRAY.

Drafted and Filed By
Gaurav Kumar Bansal
Advocate
Petitioner – In – Person
Plot No. 80, River Height Society,
Rajnagar Extension
Ghaziabad
Uttar Pradesh - 201003
advocategauravkumarbansal@gmail.com
09811164777

New Delhi
15/07/2019

SYNOPSIS CUM LIST OF DATES

SUICIDES ARE PREVENTABLE. Apart from TRAGEDY, SUICIDE is a major PUBLIC HEALTH ISSUE which the Respondents have failed to recognize as a PUBLIC HEALTH PROBLEM. What adds insult to the injury is the TABOO and STIGMA surrounding SUICIDE resulting into building of a SOCIAL ENVIRONMENT where people hesitate to seek help and in case any people wish to seek help, our PUBLIC HEALTH SYSTEM AND SERVICES fails to provide timely and effective mechanism.

As per WORLD HEALTH ORGANIZATION, among YOUNG people 15-29 years of age, SUICIDE is THE SECOND LEADING CAUSE OF DEATH GLOBALLY. Lack of TIMELY INTERVENTION makes SUICIDE a NATIONAL SHAME that needs to be tackled imperatively.

With the enactment of Mental Healthcare Act -2017, parliament of World Largest Democracy has declared RIGHT TO MENTAL HEALTH as a STATUTORY RIGHT of all persons in India.

Petitioner by way of the present petition wish to invite the kind attention of this Hon'ble Court on Section 115 of the Mental Health Care Act – 2017 which bounds the Respondents to set up such kind of mechanism which SHALL reduce the risk of recurrence of attempt to COMMITTING SUICIDE.

In order to know the fact and data about Children (below the age of 18 years) has committed SUICIDE in National Capital in last 5 years, Petitioner filed an Application under Section 06 of the Right to information Act – 2005 and requested Delhi Police to provide information on following points:

- a. Whether Delhi Police is maintaining the data with regard to SUICIDES happened in NATIONAL CAPITAL TERRITORY.
- b. If yes, please provide number of SUICIDES DEATHS OF CHILDREN BELOW THE AGE OF 18 YEARS happened in National Capital for the last 05 years, clearly indicating number of deaths in each particular year.

For the convenience of this Hon'ble Court, petitioner has tabulated relevant part of some of the Replies to Petitioner's RTI Application provided by the Delhi Police (Respondent No. 03) in following manner:

S. No.	Department of Delhi Police	Relevant Part of RTI Reply
01	Delhi Police	42 Children have done SUICIDE who are below the age of 18 years.
02.	PIO, North West District	87 cases of SUICIDAL DEATH OF CHILDREN BELOW 18 YEARS
03.	PIO, Rohini District	No such record has been maintained
04.	PIO, Dwarka District	2014 – 26 2015 – 22 2016 – 23 2017 – 35 2018 – 34
05.	PIO, South District	As per reply of all ACP / Sub Division, (except ACP / Sub Division Sangam Vihar) total number of 70 CHILDREN SUICIDE below the age of 18 years.

		You may visit Police Stations under Jurisdiction of ACP / Sub Division Sangam Vihar to inspect the permissible record.....
06.	PIO, South East District	Come and collect the information
07.	PIO, West District	RG – 06 HN – 01 JP – 03 MP – 03 NR – 00 IP – 07 Tilak Nagar – 17 Vikas Puri – 06 Khyala – 13 Punjabi Bagh – 07 MN-05
08.	PIO, DY. CP, Crime, Delhi	Covering letter says Report is enclosed. But no enclosure found.
09.	PIO, Central District, Delhi	Covering letter says Report is enclosed. As per report following is the data: 2014 – 1 2015 – NIL 2016 – 03 2017 – 01 2018 – 03
10.	ACP Sub Division, Paharganj	DBG Road – 01
11.	PS Ch. Mahal	02
12.	MHC 'R' / KM	2014 Male aged 38 year – Suicide due to Depression Male aged 40 year – Suicide due to Depression Male aged 40 years – Reason not known 2015 Male aged 25 years – Reason Not Known 2016 Male aged 27 years – Suicide Due to Depression 2017 Male aged 42 years – Reason Not Known 2018 Child aged 12 years – Due to Family Dispute

13	Delhi Police`	Information sought is lengthy, time consuming and required diversion of manpower. Visit all Police Stations for information.
14.	PIO, North District, Civil Lines , Delhi	Collect documents by way of depositing Rs. 16.
15.	ACP, Sub Division, Kotwali, Delhi	2014 – Male aged 17 years 2016 – Female Aged 16 years 2017 – Male aged 16 years
16.	ACP, Sub Division Timarpur, Delhi	Burari – 28 Timarpur – 26
17	ACP, Sadar Bazar	2014 – 4 2015 – 02 2016 – 05 2017 – 07 2018 – 01
18.	ACP, S. Rohilla, Delhi	2014 – 01 2016 – 01 2017 – 01
19.	M. Nagar	2014 – 03 2016 – 02
20.	PS Civil Lines	2015 – 01

It is also important to mention here that petitioner also filed another RTI under Section 06 of the Right to Information Act – 2005 wherein Petitioner requested Respondent No. 03 to provide the following information:

- a. Whether Delhi police is maintaining data with regard to attempt to suicides cases happened in national capital territory.
- b. If yes, please provide number of attempt to suicide cases of children below the age of 18 years happened in national capital for the last 5 years, clearly indicating number of attempt to suicide cases in each particular year.

It is respectfully submitted that as far as data with regard to number of ATTEMPT TO SUICIDES cases is concerned, Delhi Police has maintained that they do not have any such kind of data.

Health being a State subject, it is the duty of States and UTs, it is the duty of Respondents to Plan, design and implement PUBLIC HEALTH PROGRAMME which can reduce and prevent the Suicides in their respective jurisdiction.

But at the same time it is also important for Respondents to have specific data to understand the gravity of the situation and to formulate the effective PUBLIC HEALTH PROGRAMME for reduction and prevention of SUICIDES IN INDIA.

Petitioner with all the responsibility wish to states that Respondents have failed on both the front i.e (a) In collecting Data with regard to SUICIDES in their respective States / UTs (b) To Plan, Design and implement HEALTH PROGRAMME focusing on Prevention strategy of Suicides in Country.

In view of the facts and circumstance as mentioned above, it is highly imperative to have a SUICIDE PREVENTION STRATEGY at National as well as States level, thus petitioner request urgent intervention of this Hon'ble Court, hence the present petition.

2013

66TH WORLD HEALTH ASSEMBLY
ADOPTED FIRST EVER MENTAL HEALTH
ACTION PLAN of WHO.

In order to promote Mental Well being, prevent mental Disorders, provide care, enhance recovery, promote Human Rights and reduce Mortality, Morbidity and Disability for persons with Mental Disorders, WHO issued a Mental

Health Action Plan 2013 – 2020 with the following Objectives:

- a. To Strengthen Effective leadership and governance for Mental Health
- b. To provide comprehensive, integrated and responsive Mental Health and Social Care Services
- c. To implement strategies for promotion and prevention in Mental Health
- d. To strengthen information systems, evidences and research for Mental Health.

07/04/2017

Recognizing that Mental Helthcare Act – 1987 was insufficient to protect the Rights of Persons with Mental Illness and promote their access to Mental HealthCare in the Country, Mental Healthcare Bill was passed by both the houses of Parliament and received the assent of Hon'ble President of India on 07/04/2017.

02/01/2018

Ministry of Health and Family Welfare, Union of India issued a notification on dated 02/01/2018 and appoints 07/07/2018 as the date on which Act – 2017 shall came into force.

07/07/2018

Act – 2017 came into force.

It is respectfully submitted that following two Sections of Act – 2017 are relevant for the purpose of present LIS:

As per Section 29 (2) of Act - 2017, the appropriate Government SHALL, IN PARTICULAR, PLAN DESIGN AND IMPLEMENT PUBLIC HEALTH PROGRAMMES TO REDUCE SUICIDES AND ATTEMPTED SUICIDES in the country.

As per Section 30 of Act – 2017, the appropriate Government shall take all measures to ensure that PROGRAMMES TO REDUCE STIGMA ASSOCIATED WITH MENTAL ILLNESS ARE PLANNED, DESIGNED, FUNDED AND IMPLEMENTED IN AN EFFECTIVE MANNER.

As per Section 115 (2) of Act – 2017, the Appropriate Government shall have a duty to provide care, treatment and rehabilitation to a person, having severe stress and who attempt to commit suicide, TO REDUCE THE RISK OF RECURRENCE OF ATTEMPT TO COMMIT SUICIDE.

Case of the petitioner is that as per the spirit of Section 29, Section 30 and Section 115 of Act – 2017, Respondents are not only bound to

FORMULATE, DESIGN AND IMPLEMENT NATIONAL AS WELL AS STATE WISE PROGRAMMES to prevent cases of SUICIDES & ATTEMPT TO SUICIDES but have to take all such measures which can reduce STIGMA ASSOCIATED TO MENTAL ILLNESS.

However, as per the replies provided by Respondent No. 03, it seems that Respondents have failed to built any kind of Policy / Programmes on National as well as State level in Country.

02/07/2019

Hence the present petition drafted and filed.

Drawn and Filed By

Gaurav Kumar Bansal
Advocate
D-3839 / 09
A-26, Basement,
Jangpura Extension
New Delhi – 14
advocategauravkumarbansal@gmail.com

SECTION: _____

NEXT DATE OF HEARING ON: _____

THIS MATTER NOT LISTED COMING FIVE DAYS

IN THE SUPREME COURT OF INDIA

CIVIL/CRIMINAL/APPELLATE/ORIGINAL/ JURISDICTION

SLP/C.A./CrI. A./W.P./T.P./Civil/CrI. No. OF 2019

Gaurav Kumar Bansal

.....Petitioner(s)

VERSUS

Union of India and Others

.....Respondent(s)

INDEX OF PAPERS

S.N.	PARTICULARS	TRUE COPIES	COURT FEE
-------------	--------------------	--------------------	------------------

1.	Writ Petition (Civil) No of 2019	1+1.....	.....
2.	.....	.....	.....
3.	.....	.....	.....
4.	.....	.....	.....
5.	.....	.....	.....
6.	.....	.....	.....

TOTAL

FILED BY

GAURAV KUMAR BANSAL
ADVOCATE

PETITIONER IN PERSON
A-26, JANGPURAEXTENSION
NEW DELHI
9811164777

Filed on
02/07/2019

MEMO OF APPEARANCE

To
The Registrar
Supreme Court of India
New Delhi

Sir,

Please enter my appearance for the above-named appellant(s)/
Petitioner(s) /Respondent(s) in the above mentioned matter

Dated day of 2019

Gaurav Kumar Bansal
Advocate
Petitioner – In - Person

The address for service of the said Advocate is:

A-26, Basement, Jangpura Extension, New Delhi - 14

IN THE SUPREME COURT OF INDIA

CIVIL/CRIMINAL/APPELLATE/ORIGINAL/JURISDICTION

S.L.P/W.P./T.P./R.P./C.A. &CrI.A. (C)/(CRL) No. _____ OF 2019

Gaurav Kumar Bansal

..... Petitioner(s)

VERSUS

Union of India and Others

..... Respondent (s)

VAKALATNAMA

I/We.....

..... the

In the above Petition Appeal do hereby appoint and retain.

Advocate

To act and appear for me/us in the above Petition/Appeal and on my/our behalf to conduct and prosecute (or defend) or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review, to file and obtain return of documents and receive money on my/our behalf in the said Petition/Appeal and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid advocate on record in pursuance of this authority

Dated _____ day of _____ 2019

Accepted, Identify& Satisfied:

(_____)

(Advocate)

Appellant(s)/Petitioner(s)/Respondent(s)

MEMO OF APPEARANCE

To
The Registrar
Supreme Court of India
New Delhi
Sir,

Please enter my appearance for the above-named appellant(s)/
Petitioner(s) /Respondent(s) in the above mentioned matter

Dated _____ day of _____ 2019

Gaurav Kumar Bansal
Advocate
Petitioner – In - Person

The address for service of the said Advocate is:
A-26, Basement, Jangpura Extension, New Delhi - 14

BEFORE HON'BLE SUPREME COURT OF INDIA

BEFORE HON'BLE SUPREME COURT OF INDIA

WRIT PETITION (CIVIL) NO. OF 2019

ORIGINAL JURISDICTION

(IN THE MATTER OF PUBLIC INTEREST LITIGATION)

IN THE MATTER OF

GAURAV KUMAR BANSAL

.....PETITIONER

VERSUS

UNION OF INDIA & OTHERS

.....RESPONDENTS

PAPER BOOK

WITH

I.A. NO. OF 2019

[APPLICATION FOR SEEKING DIRECTION TO RESPONDENT NO. 02 TO FORTHWITH TAKE STEPS FOR PREVENTION AND REDUCTION OF SUICIDES OF CHILDREN IN NATIONAL CAPITAL]

WITH

I.A. NO. OF 2019

[APPLICATION FOR SEEKING PERMISSION TO APPEAR AND ARGUE IN PERSON]

(FOR INDEX KINDLY SEE INSIDE)

Drafted and Filed By

Gaurav Kumar Bansal

Advocate

Petitioner – In – Person

A26, Baement, Jangpura Extension

New Delhi – 14

advocategauravkumarbansal@gmail.com

09811164777

To,

10/01/2019

Public Information Officer
Delhi Police
Delhi Police Headquarter
ITO,
New Delhi - 01

Sir,

Please provide the following information under section 06 of the Right to information Act 2005

- a. Whether Delhi Police is maintaining data with regard to Attempt to Suicides cases happened in National Capital Territory.
- b. If yes, please provide number of Attempt to Suicide Cases of Children below the age of 18 years happened in National Capital for the last 5 years, clearly indicating number of Attempt to Suicide cases in each particular year.

Note: In order to save Public Exchequer, applicant requests you to please provide the soft copy of the Reply on the applicants email id which is advocateguravkumarbansal@gmail.com.

Further, the applicant also requests your goodself to kindly use the window available on the RTIONLINE for additional payment, in case it is required.

Yours

Gaurav Kumar Bansal

Advocate

A26, Basement, Jangpura Extension

New Delhi – 14

advocateguravkumarbansal@gmail.com

New Delhi

To,

10/01/2019

Public Information Officer
Delhi Police
Delhi Police Headquarter
ITO,
New Delhi - 01

Sir,

Please provide the following information under section 06 of the Right to information Act 2005

1. Whether Delhi Police is maintaining data with regard to Suicides happened in National Capital Territory

2. If yes, please provide number of suicide deaths of Children below the age of 18 years happened in National Capital for the last 5 years, clearly indicating number of deaths in each particular year.

Note: In order to save Public Exchequer, applicant requests you to please provide the soft copy of the Reply on the applicants email id which is advocateguravkumarbansal@gmail.com.

Further, the applicant also requests your goodself to kindly use the window available on the RTIONLINE for additional payment, in case it is required.

Yours

Gaurav Kumar Bansal

Advocate

A26, Basement, Jangpura Extension

New Delhi – 14

advocateguravkumarbansal@gmail.com

New Delhi

BEFORE HON'BLE SUPREME COURT OF INDIA
I.A. NO. OF 2019
IN
WRIT PETITION (CIVIL) NO. OF 2019
ORIGINAL JURISDICTION
(IN THE MATTER OF PUBLIC INTEREST LITIGATION)
IN THE MATTER OF
GAURAV KUMAR BANSALPETITIONER
VERSUS
UNION OF INDIA & OTHERSRESPONDENTS

TO

THE HON'BLE CHIEF JUSTICE OF INDIA AND HIS
HON'BLE COMPANION JUDGES OF THE HON'BLE
SUPREME COURT OF INDIA.

The humble Application of
the Petitioner above named.

APPLICATION FOR SEEKING

PERMISSION TO APPEAR AND

ARGUE THE PRESENT

PETITION IN PERSON

MOST RESPECTFULLY SHOWETH:

01. That Petitioner has filed the accompanying Writ Petition under Article 32 of the Constitution of India for the issuance of Writ of Mandamus, inter alia, to Issue Writ / Order / Direction in nature of Mandamus against Respondent No. 01 to Respondent No. 38 to forthwith Plan, Design, Formulate and effectively implement PUBLIC HEALTH PROGRAMME for the prevention and reduction of Suicides in their respective jurisdiction.
02. The facts giving rise to the filing of the present Application have been given in detail in the accompanying Writ Petition and for

the sake of brevity the Petitioners seek indulgence of this Hon'ble Court to refer to and rely on the same for the purpose of hearing the present Application.

03. That by way of this application, petitioner is seeking permission to appear and argue the present petition in person and the reason for the same is that the petitioner is well conversant with the facts and circumstances of the present case and is also an advocate practicing law before this Hon'ble Court and thus is not willing to engage an advocate for the present Writ Petition filed in the Public Interest Litigation. Further the petitioner is not willing to accept an advocate who can be appointed to him by the Hon'ble Court.

04. That the balance of convenience is in favour of the petitioner and the ends of justice shall suffer if the relief as prayed is not granted by this Hon'ble Court.

PRAYER

In view of the above mentioned facts and circumstances this hon'ble Court may graciously be pleased to grant the permission to the petitioner to appear and argue his case in person.

AND FOR THIS ACT OF KINDNESS THE PETITIONER, AS IN DUTY BOUND, SHALL EVER PRAY.

DRAWN & FILED BY

GAURAV KUMAR BANSAL
ADVOCATE
PETITIONER IN PERSON

New Delhi

02/07/2019

BEFORE HON'BLE SUPREME COURT OF INDIA
I.A. NO. OF 2019
IN
WRIT PETITION (CIVIL) NO. OF 2019
ORIGINAL JURISDICTION
(IN THE MATTER OF PUBLIC INTEREST LITIGATION)
IN THE MATTER OF
GAURAV KUMAR BANSALPETITIONER
VERSUS
UNION OF INDIA & OTHERSRESPONDENTS
AFFIDAVIT

I, Gaurav Kumar Bansal, Son of Sh Vishnu Bansal, aged about 27 years, resident of Plot No. 80, River Height Society, Rajnagar Extension, Ghaziabad and presently at A-26, Jangpura Extension, New Delhi – 14, do hereby solemnly affirm and declares as under:

01. That the deponent is the petitioner in the present affidavit and as such is well conversant with the facts and circumstances of the present case and hence competent to swear the present affidavit.
02. That the petitioner has no personal gain, private motive or oblique reason in filing the present Public Interest Litigation.
03. That the contents of the accompanying application are true and correct to the best of my knowledge and belief and nothing material has been concealed there from nor any part of it is false.

DEPONENT

VERIFICATION

Verified at New Delhi on this 15th day of July, 2019 that the contents of this Affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from nor any part of it is false.

DEPONENT

BEFORE HON'BLE SUPREME COURT OF INDIA
I.A. NO. OF 2019
IN
WRIT PETITION (CIVIL) NO. OF 2019
ORIGINAL JURISDICTION
(IN THE MATTER OF PUBLIC INTEREST LITIGATION)

IN THE MATTER OF

GAURAV KUMAR BANSALPETITIONER

VERSUS

UNION OF INDIA & OTHERSRESPONDENTS

TO

THE HON'BLE CHIEF JUSTICE OF INDIA AND HIS
HON'BLE COMPANION JUDGES OF THE HON'BLE
SUPREME COURT OF INDIA.

The humble Application of
the Petitioner above named.

APPLICATION FOR SEEKING
DIRECTION TO RESPONDENT
NO. 02 TO FORTHWITH TAKE
CONCRETE AND EFFECTIVE
STEPS FOR PREVENTION AND
REDUCTION OF SUICIDES OF
CHILDREN IN NATIONAL
CAPITAL

MOST RESPECTFULLY SHOWETH:

01. That Petitioner has filed the accompanying Writ Petition under Article 32 of the Constitution of India for the issuance of Writ of

Mandamus, inter alia, to Issue Writ / Order / Direction in nature of Mandamus against Respondent No. 01 to Respondent No. 38 to forthwith Plan, Design, Formulate and effectively implement PUBLIC HEALTH PROGRAMME for the prevention and reduction of Suicides in their respective jurisdiction.

- 02.** That as per the RTI replies provided by the Delhi Police, petitioner is surprised and shocked to learnt that thousands of Children below the age of 18 years commits Suicide every year in National Capital.
- 03.** That despite of the above mentioned fact, Govt of NCT of Delhi has not taken any step to prevent and reduce the suicides of children of National Capital.
- 04.** That the facts giving rise to the filing of the present Application have been given in detail in the accompanying Writ Petition and for the sake of brevity the Petitioners seek indulgence of this Hon'ble Court to refer to and rely on the same for the purpose of hearing the present Application.
- 05.** That by way of the present application, petitioner is seeking urgent intervention of this Hon'ble Court and as such requests the Apex Court to forthwith direct Respondent No. 02 to forthwith take concrete and effective steps for prevention and reduction of suicides of children in National Capital.
- 06.** That the balance of convenience is in favor of the applicant and ends of justice shall suffer if the relief as prayed is not granted.

PRAYER

In view of the above mentioned facts and circumstances this Hon'ble Court may graciously be pleased to direct Respondent No. 02 to forthwith take concrete and effective steps for prevention and reduction of suicides of children in National Capital.

AND FOR THIS ACT OF KINDNESS THE PETITIONER, AS IN DUTY BOUND, SHALL EVER PRAY.

DRAWN & FILED BY

GAURAV KUMAR BANSAL
ADVOCATE
PETITIONER IN PERSON

New Delhi

02/07/2019

BEFORE HON'BLE SUPREME COURT OF INDIA
I.A. NO. OF 2019
IN
WRIT PETITION (CIVIL) NO. OF 2019
ORIGINAL JURISDICTION
(IN THE MATTER OF PUBLIC INTEREST LITIGATION)
IN THE MATTER OF
GAURAV KUMAR BANSALPETITIONER
VERSUS
UNION OF INDIA & OTHERSRESPONDENTS
AFFIDAVIT

I, Gaurav Kumar Bansal, Son of Sh Vishnu Bansal, aged about 27 years, resident of Plot No. 80, River Height Society, Rajnagar Extension, Ghaziabad and presently at A-26, Jangpura Extension, New Delhi – 14, do hereby solemnly affirm and declares as under:

01. That the deponent is the petitioner in the present affidavit and as such is well conversant with the facts and circumstances of the present case and hence competent to swear the present affidavit.
02. That the petitioner has no personal gain, private motive or oblique reason in filing the present Public Interest Litigation.
03. That the contents of the accompanying application are true and correct to the best of my knowledge and belief and nothing material has been concealed there from nor any part of it is false.

DEPONENT

VERIFICATION

Verified at New Delhi on this 15th day of July, 2019 that the contents of this Affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from nor any part of it is false.

DEPONENT