

MENTAL HEALTH LAW NOTIFIED, DECRIMINALISES SUICIDE BIDS

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NEW DELHI: Attempting suicide is no longer a crime in India with the health ministry notifying on May 29 the Mental Healthcare Act 2017 that decriminalises this. The notification comes a year after the law was passed in Parliament.

“A very important factor in the Bill is that it separates the attempt to suicide from the Indian Penal Code. So, now IPC provisions cannot be invoked in case of an attempt to suicide,” Union health minister JP Nadda had said last year, while presenting the Bill in the Lok Sabha.

“Since, the person undertakes the step in extreme mental stress, which means it’s triggered by mental illness, it should not be criminalised,” he added.

The law also bans treating mentally ill children with electric shock therapy and says that even in the case of adults such treatment must be given under anaesthesia and along with muscle relaxants. There is also a provision that allows people to give advance directions on the kind of treatment they would want in case they are diagnosed with a mental illness in the future.

There will also be check on voluntary admissions, and if admission is required, it will be for a specific period under the supervision of a trained psychiatrist.

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**THE LAW BANS TREATING
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Mental health

An estimated 6%-7% of the country's population suffers from some kind of mental illness; in 1%-2% of the population, the illness is acute.

The government is hopeful that the law will ensure health-care, treatment and rehabilitation of persons with mental illness "in a manner that does not intrude on their rights and dignity."

The ministry had invited public comments on draft rules and regulations under the law last September.

After the President of India cleared the Mental Healthcare Bill, 2017, the health ministry formed an expert committee of mental healthcare professionals to frame rules and regulations as is the standard protocol.

The committee submitted a draft that outlined the framework under which the law would come into force. The health ministry put out the draft in public domain, with a request for comments.

After seven months of deliberations, the ministry finalized and notified the rules for states to adopt.

"We have put in a lot of effort to ensure that the rules don't lack clarity. These will act as a reference point to manage persons with mental illness," said a health ministry official on condition of anonymity.