

Pushpanjali Trust Vs. **State of Punjab and others**

Present:- Mr. Aditya Rametra-petitioner in person.

Mr. Salil Sabhlok, Sr. Deputy Advocate General, Punjab.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

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On the last occasions, we had directed to ensure compliance of all the mandatory provisions of Mental Health Care Act, 2017 (for short' the Act of 2017') and file a compliance report. State of Punjab has filed an affidavit in Court which is taken on record subject to payment of costs of Rs.5000/- to be deposited in the Poor Patients Fund, PGIMER, Chandigarh and the said affidavit inter-alia reveals that the Rules under the Act of 2017 are in the process of being notified. In respect of the State of Haryana, draft Rules have been framed and put up before the Central Government for approval.

2. It is unfortunate to note that even after expiry of 7-8 years since promulgating of the Act of 2017, Rules have not yet been notified even by both the States of Punjab and Haryana. Considering the fact that the Act of 2017 is a welfare legislation, both the States are obliged to frame the Rules to give effect to various provisions of the Act. In the absence of framing of the Rules by both the States of Punjab and Haryana, the Act of 2017 will not be able to achieve its objective for which it has been promulgated.

3. Since much time has elapsed, this Court directs both the States of Punjab and Haryana especially the Departments of Health and Family Welfare, to ensure that Rules be notified within a period of sixty days from the date of receipt of a copy of this order and thereafter compliance report be filed.

4. Petitioner appearing in person has provided us certain points to achieve the object of the Act of 2017. Since State of Punjab is going to hold a meeting of the Committee chaired by the Director of the Family and Health Welfare Department on 19.05.2025, in which the petitioner has also been invited, the said Committee is directed to take into account all these points which are part of this record as Annexure X and submit a report on or before the next date of hearing.

5. List again on 24.07.2025.

(SHEEL NAGU)
CHIEF JUSTICE

16.05.2025
ravinder

(SUMEET GOEL)
JUDGE