

OFFICE OF THE  
SUPERINTENDENT OF POLICE (NORTH)  
No. 3563/S.P./H.N./11  
13/06/11

OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE  
(CRIME & INTELLIGENCE)

SSP(C&I)

No. 115 /SSP(C&I)/OW/2011

Date: 13.06.2011

**NOTE**

Please find enclosed herewith a copy of D.O. letter No.11/13/2011-PRP&P, dt. 3<sup>rd</sup> June 2011 from the Secretary General, NHRC, New Delhi addressed to IGP, Puducherry on the issue of mentally ill persons straying in streets uncared for and their potential for being exploited. The letter has highlighted the provisions of Mental Health Act 1987 and the powers and responsibilities of Police officers in this regard.

2. It is requested that wide publicity be given amongst police personnel about the provisions of the said Act and police officers under your control be sensitized to act as per the requirements of law and protection of human rights of the mentally ill.

3. A compliance and action taken report should be sent by 16/06/2011 to this office highlighting if any action has been taken under this act or otherwise to protect mentally ill persons by police officers in 2010 & 2011 (upto date) for putting up the same to IGP.

*na report in 2 days*  
*[Signature]*  
*13/6/11*

(P.C. HOTA, IPS)  
SENIOR SUPDT. OF POLICE (C&I)  
PUDUCHERRY

To

- 1) SP's, North/South/Rural/Karaikal/Mahe & CI/Yanam – for necessary action and report.
- 2) Comdt./IRBn, SP(HQ), SP(PTS) – for briefing of IRBn personnel, CCR Staff, and trainees respectively.

Copy to:

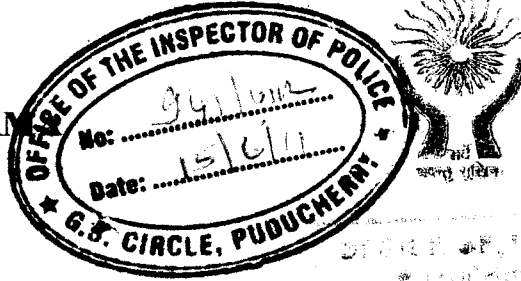
SP's L&D/Karaikal – for information and necessary action.

*SHO, M. P. S / 02. P. S. F. and report.*

*Wale*

*[Signature]*  
**INSPECTOR OF POLICE  
GRAND BAZAAR CIRCLE  
PUDUCHERRY**

राजीव शर्मा  
महासचिव  
RAJIV SHARMA  
Secretary General



राष्ट्रीय मानव अधिकार आयोग

फरीदकोट हाऊस, कॉपरनिकस मार्ग,  
नई दिल्ली-110 001 भारत

National Human Rights Commission  
Faridkot House, Copernicus Marg,  
New Delhi-110 001 INDIA

D.O. No. 11/13/2011-PRP&P

459/2011/Pet  
10/6/2011

3<sup>rd</sup> June 2011

S/N HRC

Dear Shri Sharma,

The National Human Rights Commission has been involved in overseeing the functioning of the Government Mental Hospitals at Ranchi, Agra and Gwalior under a mandate received from the Supreme Court of India. Subsequently, the Commission started monitoring all the Mental Hospitals in the country. The Members, Special Rapporteurs and Officials of the Commission have been visiting the Mental Hospitals to study the conditions of inmates in these hospitals and bring to the notice of the concerned State Governments, the need for specific areas of improvement. Needless to say, protection of the rights of mentally ill persons is one of the important concerns of the NHRC.

It has been highlighted in various media reports (both print and electronics) that in many places the persons with mental illness are wandering in street without proper care and treatment. They are subjected to ill treatment and even sexual exploitation in the case of women. The Commission is of the view that this is largely due to the poor implementation and limited knowledge of existence and provision of Mental Health Act, 1987 by the law-enforcing authorities. Section 23 of the Mental Health Act, 1987 lays down the powers and duties of police officers in respect of certain mentally ill persons. The police have an obligation to take or cause to be taken into protection, a wandering or neglected mentally ill person and to produce such person before the nearest magistrate for issue of reception orders within the stipulated period of time.

It is imperative that the police officers especially those working in the field are fully aware of these obligations under the said Act. It is therefore necessary that all concerned officers are fully sensitized regarding these issues.

You are requested to take appropriate steps to ensure the implementation of the Mental Health Act, 1987 in your State so that the rights of mentally ill persons are secured as per the provisions of the said Act.

With regards,

Yours sincerely,

(Rajiv Sharma)

Shri J.K. Sharma  
Inspector General of Police,  
Puducherry - 605001