

Supreme Court of India

Supreme Court Legal Aid Committee vs State Of M.P on 10 May, 1994

Equivalent citations: 1994 SCC (5) 27

Author: S Mohan

Bench: Mohan, S. (J)

PETITIONER:

SUPREME COURT LEGAL AID COMMITTEE

Vs.

RESPONDENT:

STATE OF M.P.

DATE OF JUDGMENT 10/05/1994

BENCH:

MOHAN, S. (J)

BENCH:

MOHAN, S. (J)

MUKHERJEE M.K. (J)

CITATION:

1994 SCC (5) 27

ACT:

HEADNOTE:

JUDGMENT:

ORDER

1. After hearing the learned counsel and perusing all the relevant records we are clearly of the opinion that in order semblance of hope may be instilled in the lives of these unfortunate mentally ill, presently put up in Gwalior Mental Asylum, we direct the implementation of the report, dated 2-9-1993, made out by a Committee consisting of Dr Channabasavanna, Dr Rattemna Raju, Dr Satish, Dr Murali, Dr Sameer and Prof. R. Srinivasa Murthi of Nimhans, Bangalore. In implementation of this report no financial constraint shall be pleaded nor will be allowed to be pleaded.

2. We are informed by Mr Muralidhar, learned counsel for the petitioner that there is uncivilised practice of chaining of these inmates solely for the reason that they are likely to fall down either from cots or otherwise, if they are not chained. We strongly condemn this practice. There are better methods to avoid such accidents. They could be restored to instead of this cruel practice of chaining

them and making them miserable.

3. We are also informed by the learned counsel that some of the inmates are naked without even piece of apparel on them. The State shall at once look into this and take up remedial measures post haste.

4. Generally speaking that these inmates also must be treated as human beings cannot be overemphasised. Therefore, we would like to draw the attention of the Government to the orders passed in *Rakesh Chandra Narayan v. State of Bihar*¹ and to carry out the obligations laid down therein.

5. Concerning of all the above a report shall be submitted within 3 months from today.

6. Copy of this order shall be forwarded to the Chief Secretary as well as to the Superintendent Gwalior Mental Asylum.

7. Call after the report is submitted.