

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1681
TO BE ANSWERED ON 3RD AUGUST, 2021**

IMPLEMENTATION OF MENTAL HEALTHCARE ACT

1681. SHRI ELAMARAM KAREEM:

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) the number of States that have framed rules for implementation of Mental Healthcare Act, 2017;
- (b) the name of the States that are yet to frame the rules; and
- (c) the measures that Government has taken for implementation of various provisions of the Act?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(DR. BHARATI PRAVIN PAWAR)**

(a) & (b): As per sub-section (2) & (4) of Section 121 of the Mental Healthcare Act, 2017, the State Governments may, with the previous approval of the Central Government, by notification, make rules for carrying out the provisions of the Act. So far, 08 (eight) States/UTs, namely, Karnataka, Andhra Pradesh, Uttar Pradesh, Jammu & Kashmir, Maharashtra, Odisha, Kerala and West Bengal have framed and submitted draft rules seeking approval of the Central Government under Sub-section (2) & (4) of Section 121 of the Mental Healthcare Act, 2017. Draft Rules submitted by the State of Karnataka have been approved by the Central Government. Apart from the above, rest of the States/UTs have not framed the draft rules under sub-section (2) & (4) of Section 121 of the Mental Healthcare Act, 2017.

(c): Health is a State subject. The primary responsibility of implementation of provisions of the Mental Healthcare Act, 2017 is of the States/UTs. Department of Health and Family Welfare has sent multiple communications to the States/UTs requesting them to take the necessary action for implementation of various provisions of the Mental Healthcare Act, 2017. In response, 27 States/UTs have established the State Mental Health Authority and 8 States have constituted Mental Health Review Boards. Further, all the Rules and Regulations required to be framed by the Central Government as per the Mental Healthcare Act, 2017 have been framed and notified.

The Mental Healthcare Act, 2017 provides for integration of mental health services into general healthcare services at all levels of healthcare including primary, secondary and tertiary healthcare and in all health programmes run by the appropriate Government. As such, the mental healthcare services are being extended through various levels of healthcare delivery systems, e.g. Department of Psychiatry has been set up in each of the newly established All India Institute of Medical Sciences (AIIMS) and similar provision has been made in the upcoming new AIIMS. Similarly, many other Central as well as State Government hospitals also have Psychiatry Departments.

In addition, the Department of Health and Family Welfare is implementing the National Mental Health Programme (NMHP). Under NMHP, as part of National Health Mission (NHM), technical and financial support is provided to the States/UTs, based on the proposals received from them, for implementation of the District Mental Health Programme (DMHP), which includes provision of 10 bedded in-patient facility at the District level. The service delivery for mental healthcare through DMHP is aligned with the provisions of the Mental Healthcare Act, 2017.

In addition to the above, the Government is also taking steps to strengthen mental healthcare services at the primary healthcare level. Mental healthcare services have been added in the package of services under Comprehensive Primary Health Care under Ayushman Bharat – HWC Scheme. Operational guidelines on Mental, Neurological, and Substance Use Disorders (MNS) at Health and Wellness Centers (HWC) have been released under the ambit of Ayushman Bharat.
