

GAHC010178642023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Civil)/2366/2023

MS. ABANTEE DUTTA,
CO-FOUNDER AND DIRECTOR, STUDIO NILIMA COLLABORATIVE
NETWORK FOR RESEARCH AND CAPACITY BUILDING, A NON-PROFIT
RESEARCH BASED ORGANISATION HAVING ITS REGISTERED OFFICER
AT.

VERSUS

THE STATE OF ASSAM and 9 ORS.
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR,
GUWAHATI -6, DIST. KAMRUP M, ASSAM

2:THE SECRETARY TO THE GOVT. OF ASSAM

HOME AND POLITICAL DEPARTMENT
GOVT. OF ASSAM
DISPUR
GUWAHATI - 781006.

3:THE SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF HEALTH and FAMILY WELFARE
GOVT. OF ASSAM
DISPUR GUWAAHTI-781006.

4:THE INSPECTOR GENERAL OF PRISONS
ASSAM PRISON HEADQUARTERS
KHANAPARA GUWAHATI - 781022.

5:THE DEPUTY COMMISSIONER
MORIGAON
IN THE DIST. OF MORIGAON ASSAM

6:SUPERINTENDENT
MORIGAON DISTRICT JAIL

DIST. MORIGAON ASSAM

7:RESIDENT MEDICAL OFFICER
MORIGAON DISTRICT JAIL
DIST. MORIGAON ASSAM

8:LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
KALIBARI ROAD
MAHABHAIRAB
TEZPUR ASSAM - 784001
DIRECTOR.

9:STATE LEGAL SERVICES AUTHORITY
REP. BY ITS MEMBER SECRETARY GAUHATI HIGH COURT
GAUHATI- 781001.

10:THE DISTRICT LEGAL SERVICES AUTHORITY
MORIGAON
REP. BY ITS MEMBER SECRETARY
STADIUM ROAD MORIGAON
PIN - 782105
MORIGAON ASSAM

For the applicant : Mr. V. Rajkhowa, Advocate
For the respondents : Mr. D. Saikia,
Advocate General, Assam
Ms. R. Barua, Advocate

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

29-05-2024

(Vijay Bishnoi, C.J.)

This interlocutory application is preferred by the petitioner in PIL 55/2017, which was disposed of by this Court vide order dated 13.12.2022. In the present application, it is mentioned that despite the specific direction given by this Court, the Mental Health Review Boards and Committees either have not been

constituted and, if constituted, the same are not functioning effectively.

Pursuant to the issuance of the notice in the interlocutory application, the State has filed its response wherein it is asserted that the Mental Health Review Boards and Committees are now functional. However, a mention is made that required funds are not still made available for effective function of the said boards and committees.

Mr. D. Saikia, learned Advocate General has submitted that so far as availability of funds is concerned, the State Government is concerned about it and will make the funds available for effective functioning of the above referred Boards and Committees on the basis of their need as and when required.

In view of the assurance given by learned Advocate General that the funds will be made available for effective functioning of the Mental Health Review Boards and Committees on need basis, we are of the view that no further order is required to be passed in the present application and the same is, therefore, disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant