

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-PIL-74-2020
Date of decision: 03.07.2020

Sumati Jund

... Petitioner

Versus

U.T., Chandigarh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Petitioner in person.

Mr. Pankaj Jain, Senior Standing Counsel, with
Mr. Jaivir Chandail, Advocate, for respondent No.1.

Mr. P.S. Bajwa, Additional A.G. Punjab.

Mr. Deepak Balyan, Additional A.G. Haryana.

ARUN PALLI, J. (ORAL)

The petitioner, who is a Lawyer by profession, has approached this Court in public interest, and prays for a Mandamus, commanding the respondents to provide access to adequate and affordable mental health care services, promote pro-active mental health initiatives, and undertake extensive training for mental health care by professionals to address the mental health issues faced by the public during the crises induced by COVID-19.

In brief, the concerns expressed by the petitioner are that as per the recent report published by the Indian Psychiatric Society, New Delhi, mental health issues have escalated by 20% from the pre-covid times, owing to rise in psycho-social concerns, such as economic distress, social isolation, family issues, non-availability of drugs/alcohol and domestic violence. The

said report also reveals that because of the sense of confinement, depression, anxiety, mood swings, delusions, insomnia and suicidal tendencies have escalated by 35%. As per the experts, owing to lockdown curbs, mental health of the masses, who are already suffering from psychological disorders, has rather worsened, for they are unable to reach out for help. Besides those victims, another psycho-social survey indicates that even the Corona Warriors, i.e. health professionals, police officials and sanitary workers, have been found experiencing higher level of depression and anxiety. The Psychologists are of the view that population in the age group of 60 and above, being more susceptible to infection, is worstly affected. People from the lower strata of the society are battling with stress and despair owing to financial crises, which drives them to cause self harm. Being cognizant of the situation, several business houses, like Tate Steel, Mahindra and Mahindra etc. have hired mental health experts to help their workforces to deal with any such illness. The Psychologists believe for the country is in middle of mental health crises and to overcome such a challenge, programmes generating positivity, hope and motivation at all levels ranging from social narrative to personal helplines, counselling sessions etc., need to be initiated. For, otherwise we will move from one epidemic to the other. Further, the National Institute of Mental Health and Neuro Sciences (NIMHANS), has launched a toll free helpline number to extend the necessary assistance/help in this regard, but owing to lack of awareness, not many people are able to benefit therefrom. Likewise, even the medical helplines launched by the respondents have been in operation, which aim to address the stress related issues, but for the said initiatives are neither widely published, nor the number of the trained professionals being

adequate to tackle the psychological crises, the authorities concerned have failed to achieve the desired results. Thus, this petition.

On the contrary, as per the status report filed on behalf of respondent No.1 (U.T., Chandigarh), Government Medical College and Hospital, Sector-32, Chandigarh, is a Multispeciality Tertiary Referral Hospital-cum-Medical College. For the said hospital has a dedicated Psychiatry Department and College for MD Psychiatry, it is well equipped in dealing with the issues concerning mental health. In fact, the Psychiatry Department has been in operation since 1994 and has been providing round the clock psychiatric services to the patients not only from Chandigarh, but also from the neighbouring States. However, as owing to COVID-19, the Psychiatric OPD services had to be temporarily suspended, but that have been substituted with Telemedicine facility. The Telemedicine services are available for all and every psychiatry related issue. The necessary information as regards the services being provided is available on the official website of the hospital: <https://gmch.gov.in/telemedicine.aspx>. Further, the modes of availing Telemedicine services include email: consult.psychiatry.gmch@gmail.com, **landline No.01722501005, mobile No.9517771742 and Whatsapp No. 9517771746**. Additional steps have also been taken by setting up a dedicated 24X7 toll free helpline No. 1800-180-2063, which is manned by a team of Psychiatrists and Counsellors, to address mental health issues of the callers. The said facility can also be availed by the family of those who have been quarantined by the Chandigarh Administration or are suffering from any issues, owing to isolation from society. Likewise, the staff deployed in isolation wards to look after the COVID-19 patients can also seek assistance/help from the helpline for,

while performing their duties, they too have to deal with anxiety related issues. It is alleged that the helplines facilities are being duly utilised by those who need help, as up to 1451 calls have been attended till 19.6.2020, for anxiety and mental health related issues. Further, as owing to a sharp spike in COVID-19 cases, the area forming part of Bapu Dham Colony, Sector-26, was declared 'containment zone', and to address mental health issues of the residents of the colony, a roster of doctors was prepared who would personally visit the colony and conduct counselling. Likewise, under the District Mental Health Programme, psycho social services were also extended to the migrant workers, residing in shelter homes at Maloya, Chandigarh. Around 61 migrant workers were counselled by the mental health team comprised of Consultant Psychiatrist and Clinical Psychologist. Not just that, considering the crises and its spread, it was realised that counselling services even to COVID-19 suspects, who visit hospitals, was also necessary. Resultantly, a Counsellor was deputed in the Government Multispeciality Hospital, Sector-16, immediately to provide counselling services to the persons coming for COVID testing. In fact, the necessary assistance/help to deal with mental health issues is not only being provided to those suffering from COVID-19, but in general to all those who need/require any such help.

Separate replies have also been filed even on behalf of respondents No. 2 (State of Punjab) and 3 (State of Haryana), and having examined the response of both the States, suffice it to say that the steps being taken, initiation of various programmes and various other initiatives to combat COVID-19 crises are closely parallel to the measures that have been taken by the Chandigarh Administration (respondent No.1).

Thus, in the wake of the above and having heard learned counsel for the parties, we do not find it necessary to dilate much over the issue, for at this stage, we are of the view that every possible endeavour is being made by the respondents to contain the crises and extend the mental health care services. As indicated earlier, various initiatives and programmes in this regard are in progress and have yielded tangible results. Undoubtedly, the concerns raised by the petitioner too are well founded and, of course, her suggestions and inputs to combat the crises are well researched and for a public good. However, in the given situation when the authorities are as it is faced with an unprecedented situation and task, and to the extent feasible, every possible measure is being taken to reach out to the masses to provide medical attention, it would rather be inexpedient to interfere with their thought process and implementation of various initiatives on the ground. Therefore, we rather find it expedient to dispose of this petition with liberty to the petitioner to move the respondents with all the suggestions and inputs she has, to help the authorities to address the issue. We are sanguine for all the parties to the petition have a common intent and purpose to achieve, in the event, the suggestions/inputs rendered by the petitioner are found feasible and effective, the same shall be factored in by the authorities to provide timely mental health care services to those who need immediate attention.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

July 03, 2020

AK Sharma

Whether speaking / reasoned: YES

Whether Reportable: NO

AMIT KUMAR
2020.07.06 13:17
I attest to the accuracy and
authenticity of this document