

BEFORE THE HON'BLE SUPREME COURT OF INDIA

ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. OF 2020

IN THE MATTER OF PUBLIC INTEREST LITIGATION

IN THE MATTER OF

GAURAV KUMAR BANSAL

.....PETITIONER

VERSUS

UNION OF INDIA & ANOTHER

.....RESPONDENTS

SYNOPSIS CUM LIST OF DATES

Petitioner is an advocate practicing Law before this Honble Court and is acting as an "ENABLER" to facilitate and support Persons with Disabilities for improving their individual resilience.

By way of the present Writ Petition filed in the nature of PUBLIC INTEREST LITIGATION, petitioner wish to invite kind attention of this Honble Court on the issue of violation of Section 21 of Mental Healthcare Act – 2017 (hereinafter referred as MHCA-2017) which deals with Right to Equality and Non Discrimination.

It is respectfully submitted that Chapter V of MHCA-2017 deals with RIGHTS OF PERSONS WITH MENTAL ILLNESS and as such guarantees several rights including the Right to Equality and Non Discrimination to the Persons with mental Illness. That one of the Right which MHCA – 2017 provides is that Insurer is directed to not to discriminate with PMI only on the basis of Mental illness and as such is further mandated by the Parliament of India to treat Persons with Mental illness alike others as far as MEDICAL INSURANCE is



concerned. (Annexure P-1 at Page No to)

For the sake of convenience of this Honble Court, relevant part of Section 21 of MHCA – 2017 (which deals with MEDICAL INSURANCE for PERSONS WITH MENTAL ILLNESS) is reproduced herewith:

21. RIGHT TO EQUALITY & NON
DISCRIMINATION

(4) Every insurer shall make provision for medical insurance for treatment of mental illness on the same basis as is available for treatment of physical illness.

It is also important to mention here that inclusion of Section 21 (4) in MHCA – 2017 is a result of ratification of UNCRPD by Government of India. Article 25 of UNCRPD deals with HEALTH and Clause (e) of the same deals with prohibition of discrimination against Persons with Disabilities in the provisions of HEALTH INSURANCE as well as LIFE INSURANCE. (Annexure P-2 at Page No to)

For the sake of convenience of this Honble Court, relevant part of Article 25 of UNCRPD (which deals with Health Insurance for Persons with Disabilities) is reproduced herewith:

ARTICLE 25

HEALTH

State Parties recognize that persons with disabilities have the right to enjoyment of the highest attainable standard of health without



discrimination on the basis of disability. State parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender sensitive, including health related rehabilitation. In particular, State Parties shall:

(e) Prohibit discrimination against persons with disabilities in the provisions of health insurance, and life insurance where such insurance is permitted by National Law, which shall be provided in a fair and reasonable manner;

It is respectfully submitted that following the letter and spirit of Section 21(4) of MHCA – 2017 and Article 25 (e) of UNCRPD, Respondent No. 02 on dated 16.08.2018 issued a circular to all the insurers to comply with the provisions of the Mental Health Act, 2017. (Annexure P-3 at Page No)

In order to check out the end result of Circular dated 16/08/2018 issued by Respondent No. 02, petitioner filed an application dated 10/01/2019 under section 06 of the Right to Information Act – 2005. (Annexure P-4 at Page No)

It is respectfully submitted that by way of the said RTI dated 10/01/2019 petitioner requested Respondent No. 02 to kindly provide information of the following points under Section 06 of Right to Information Act – 2005:



- a. How many Insurers are registered with Insurance Regulatory and Development Authority of India.
- b. Names of the Insurers who have implemented the order dated 16/08/2018 issued by IRDA wherein all insurance companies were directed to comply with the Section 21 (4) of Mental Healthcare Act – 2017 with immediate effect.
- c. Name of the insurers against whom IRDA has taken action for Non Implementation of Order dated 16/08/2018 issued by IRDA wherein such companies were directed to comply with Section 21 (4) of Mental Healthcare Act – 2017 with immediate effect.
- d. Date wise detail of actions taken by IRDA against Insurance companies for Non Implementation of Order dated 16/08/2018 issued by IRDA where such companies were directed to comply with the Section 21 (4) of Mental Healthcare Act -2017 with immediate effect.

It is respectfully submitted that on dated 06/02/2019, Respondent No. 02 replied to the RTI dated 10/01/2019 wherein it was informed that till date none of the Insurers have implemented the order dated 16.08.2018 issued by IRDA.



It is also pertinent to mention here that Respondent No. 02 vide its Reply dated 06/02/2019 also informed the petitioner that IRDA as taken no action against any of the Insurer for non implementation of its order dated 16.08.2018. (Annexure P-5 at page no to page no)

Despite of the fact that one year has passed, situation as far as implementation of Section 21 (4) of MHCA -2-17 remains the same and what surprised the petitioner is that instead of REGULATING insurance companies, Respondent No. 02 is acting more like a facilitator for Insurers.

Grievance of the petitioner is that despite having specific provisions under the law, Respondent No. 2 is reluctant in taking immediate action. The biasness of the Respondent No. 2 is in itself discrimination against persons with mental illness and as such is causing immense hardship for persons with mental illness. Instead of levying punishment on Insurers for not including the provision of the Mental Health Care Act, 2017, Respondent No. 2 is bypassing its responsibilities.

Here it is pertinent to point out that Respondent No. 2 was formed with the prime mission to protect the interests of the policyholders. However, the act of Respondent No. 2 seems to divert from its main motive.

It is respectfully submitted that THE INSURANCE ACT – 1938 was enacted in the year 1938 to consolidate and amend the law relating to the business of insurance. Section 102 of the insurance Act – 1938 deals with Penalty for default in complying with or act in

contravention of this Act.

For the sake of convenience of this Honble Court, relevant part of Section 102 is reproduced herein below:

102.

If any person, who is required under this Act,
or rules, or regulations made there under

(b) to comply with directions, fails to comply
with such directions;

he shall be liable to a penalty not exceeding
Five Lakh Rupees for each such failure and
punishable with fine.

What hurt the petitioner is that inspite of taking action against the INSURERS for non complying of its Circular dated 16/08/2018, Respondent No. 02 on dated 27/09/2019 has again issued another HALF BAKED GUIDELINE wherein not a single whisper has been made about Circular dated 16/08/2018 which talks about the inclusion of PERSONS WITH MENTAL ILLNESS in HEALTH INSURANCE SCHEMES. (Annexure P-6 at Page No. to)

It is clear from the above that Respondent No. 02 is neither serious on the issue of inclusions of PERSONS WITH MENTAL ILLNESS in HEALTH INSURANCE SCHEME nor is penalizing them for non compliance of its Circular dated 16/08/2018.

That due to the above discrimination done at the hands of Respondent No. 02, thousands of persons who are fit for discharge



but are languishing in Mental Hospitals have been deprived of getting HEALTH INSURANCE SCHEMES which ultimately will harm their path of REHABILITATION.

That the case of petitioner is that inaction by Respondent No. 02 is also hampering the Rehabilitation process of thousands of Persons with Mental Illness which is Ordered by this Honble Court in Writ Petition (Civil) No. 412 of 2016 and is under constant monitoring of this Honble Court in M.A. 2532 of 2018 in Writ Petition (Civil) No. 412 of 2016 and Contempt Petition (Civil) No. 1653 of 2018.

Hence, the present petition.

13/12/2006 United Nation Convention on Rights of Persons with Disabilities was adopted.

March 2017 India ratifies UNCRPD.

April 2017 Mental Healthcare Act 2017 signed by President on 7th April, 2017.

May, 2018 Mental healthcare Act 2017 comes into force.

It is respectfully submitted that Section 21 (4) of MHCA – 2017 mandates every insurer to make provision for medical insurance for treatment of mental illness on the same basis as is available for treatment of physical illness.

16.08.2018 General Manger (Health) of Respondent



No. 2 issued a Circular dated 16/08/2018 wherein all insurance companies were directed to comply with section 21(4) of Mental Health care Act, 2017 with immediate effect.

10/01/2019

Petitioner filed an RTI dated 10/01/2019 and requested Respondent No. 02 to provide information with respect to steps taken by them for implementation of its Circular dated 16/08/2018.

06.02.2019

Respondent No. 02 replied on dated 06/02/2019 wherein Petitioner was informed that that till date no insurance companies have inculcated the provisions of section 21(4) of Mental Health care Act, 2017.

02.03.2020

Hence the present petition drawn and filed.

Petitioner
Through
Gaurav Kumar Bansal
Advocate
A-26, Basement, Jangpura Extension
New Delhi – 14
advocategauravkumarbansal@gmail.com
09811164777

New Delhi
02/03/2020



BEFORE THE HON'BLE SUPREME COURT OF INDIA

ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. OF 2020

IN THE MATTER OF PUBLIC INTEREST LITIGATION

IN THE MATTER OF

GAURAV KUMAR BANSAL

.....PETITIONER

VERSUS

UNION OF INDIA & ANOTHER

.....RESPONDENTS

AND IN THE MATTER OF

GAURAV KUMAR BANSAL

S/O SH. Vishnu Bansal

A26, Basement, Jangpura Extension
New Delhi – 110014 (New Address)

B-88, F2, Shalimar Garden Extension – II
Sahibabad, Ghaziabad,
Uttar Pradesh (Old Address)

.....Petitioner

VERSUS

UNION OF INDIA

Through Its Secretary

Ministry of Health and Family Welfare

Nirman Bhawan,

New Delhi -110011

.....Respondent No. 01

INSURANCE REGULATORY DEVELOPMENT

AUTHORITY OF INDIA

Through

Chairman

Sy. No. 115/1

Financial District

Nanakramguda, Gachibowli,
Hyderabad – 500032

Also At

Gate No. 03, Jeevan Tara Building,



First Floor,
Sansad Marg,
New Delhi – 110001

.....Respondent No. 02

AND IN THE MATTER OF

WRIT PETITION (PUBLIC INTEREST LITIGATION) FILED UNDER
ARTICLE 32 OF THE CONSTITUTION OF INDIA FOR THE ISSUE WRIT
/ ORDER / DIRECTION IN THE NATURE OF MANDAMUS AGAINST
RESPONDENT NO. 02 TO IMPLEMENT SECTION 21(4) OF THE
MENTAL HEALTHCARE ACT – 2017

TO,

THE HON'BLE CHIEF JUSTICE
AND HIS COMPANION JUSTICES OF THE
HON'BLE SUPREME COURT OF INDIA

The humble petition of the
petitioner above named

MOST RESPECTFULLY SHOWETH:-

01. That following are the details which petitioner is required to
disclose in the Writ Petition as per Order XXXVIII Rule 12(2) of
Supreme Court Rules – 2013:

- a. That name of the petitioner is Gaurav Kumar Bansal, son of
Sh. Vishnu Bansal resident of A26, Basement, Jangpura
Extension, New Delhi – 14 and is an advocate practicing



before this Hon'ble Court and the PAN number of petitioner is BAGPB4322K and the annual income of petitioner ranges between 5 Lakhs to 6 Lakhs.

- b. That cause of action for filing present Writ Petition under Article 32 of Constitution of India is that Section 21(4) of the Mental Healthcare Act – 2017 bounds every insurer to make provisions for medical insurance for treatment of mental illness on the same basis as is available for treatment of physical illness. That in order to implement Section 21(4) of MHCA – 2017, Respondent No. 02 issued a letter dated 16/08/2018 wherein General Manager (Health) directed all the insurance companies to comply with Section 21 (4) of the Mental Healthcare Act – 2017 with immediate effect. Grievance of the petitioner is that after the issuance of letter dated 16/08/2018, Respondent No. 02 has neither done any kind of follow up with the Insurance companies nor has taken any kind of action against the defaulting Insurance Companies, hence the present petition filed in the nature of Public Interest Litigation.
- c. It is respectfully submitted that inclusion of Section 21 (4) in MHCA – 2017 is a result of ratification of UNCRPD by Government of India. Article 25 of UNCRPD deals with HEALTH and Clause (e) of the same deals with prohibition of discrimination against Persons with Disabilities in the provisions of HEALTH INSURANCE as well as LIFE



INSURANCE. It is respectfully submitted that following the letter and spirit of Section 21(4) of MHCA – 2017 and Article 25 (e) of UNCRPD, Respondent No. 02 on dated 16.08.2018 issued a circular to the all insurers to comply with the provisions of the Mental Health Act, 2017.

- d. That the nature of injury caused to or likely to be caused to the Public is that this Hon'ble Court by way of M.A. No. 2352 of 2018 in Writ Petition (Civil) No. 412 of 2016 and Contempt Petition (Civil) No. 1653 of 2018 is continuously monitoring the issue of Rehabilitation of thousands of Persons who are fit for discharged but are languishing in different Mental Hospitals across country. That because of the inaction of Respondent No. 02 thousands of persons who are in dire need of Health Insurance scheme and are subject matter in M.A. No. 2352 of 2018 in Writ Petition (Civil) No. 412 of 2016 and Contempt Petition (Civil) No. 1653 of 2018 have been deprived of taking benefit of Health Insurance Scheme. Needless to mention here that term REHABILITATION in itself is a broad term which includes Medical, physical, occupational, communication and psychosocial services as well as training in everyday skills and mobility. Grievance of the petitioner is that because of the inaction of Respondent No. 02 thousands of such persons are not able to avail the benefit of HEALTH INSURANCE, hence the present petition.



- e. That there is no personal interest involved in the present matter.
 - f. That the petitioner has not involved in any kind of civil, criminal or revenue litigation with regard to the issued raised by him and as such have no legal nexus with the issue involved in the Public Interest Litigation.
 - g. It is respectfully submitted that petitioner has not forwarded any kind of representation to Respondents.
02. That petitioner is an Advocate and is trying his level best to fight for the enforcement and protection of civil, political and fundamental rights of under privileged and deprived section of society.

It is respectfully submitted that petitioner by way of Writ Petition (Civil) No. 412 of 2016 filed before this Hon'ble Court is also fighting for rehabilitation of 12000 – 15000 persons who are fit for discharge but are living in 43 Government run Mental Hospital with Mentally ill persons across Country.

Further, it is respectfully submitted that this Hon'ble Court in Writ Petition (Civil) No. 1496 of 2018, filed by the petitioner, has also expressly observed that persons with mental illness are also human beings and their dignity cant be violated.



Furthermore, this Hon'ble Court has issued notices to all the States and UTs in a Writ Petition (Civil) No. 924 of 2019 preferred by the petitioner and as such has directed them to respond on the implementation of Section 29(2) of Mental Healthcare Act – 2017 which talks about the formulation, Planning, Designing and Implementation of a Public Health programmes for reduction of Suicides and attempted suicides in the country.

03. That following are the facts and circumstances which lead the petitioner to filed the present Writ Petition:

- I. It is respectfully submitted that on dated 07/04/2017, Mental Healthcare Bill received the assent of Hon'ble President of India.
- II. On dated 02/01/2018, Ministry of Health and Family Welfare, Union of India issued a notification and appoints 07/07/2018 as the date on which Act – 2017 shall come into force.
- III. On dated 07/07/2018, Mental Healthcare Act – 2017 came into force.
- IV. It is respectfully submitted that Chapter V of MHCA-2017 deals with RIGHTS OF PERSONS WITH MENTAL ILLNESS



and as such guarantees several rights including the Right to Equality and Non Discrimination to the Persons with mental Illness.

- V. That one of the Right which MHCA – 2017 guarantees to Persons with Mental illness is that Insurer is directed to not to discriminate with PMI only on the basis of Mental illness and as such is further mandated by the Parliament of India to treat Persons with Mental illness alike with other persons as far as MEDICAL INSURANCE is concerned.

True copy of the Mental Healthcare Act – 2017 is annexed hereto and marked as Annexure P-1 at Page No to .

- VI. For the sake of convenience of this Honble Court, relevant part of Section 21 of MHCA – 2017 (which deals with MEDICAL INSURANCE for PERSONS WITH MENTAL ILLNESS) is reproduced herewith:

SECTION 21.

RIGHT TO EQUALITY & NON DISCRIMINATION

(4) Every insurer shall make provision for medical insurance for treatment of mental illness on the same basis as is available for treatment of physical illness.

- VII. It is also important to mention here that inclusion of Section



21 (4) in MHCA – 2017 is a result of ratification of UNCRPD by Government of India. Article 25 of UNCRPD deals with HEALTH and Clause (e) of the same deals with prohibition of discrimination against Persons with Disabilities in the provisions of HEALTH INSURANCE as well as LIFE INSURANCE.

True copy of United Nation Convention on the Rights of Persons with Disabilities is annexed hereto and marked as Annexure P-2 at Page No to .

VIII. For the sake of convenience of this Honble Court, relevant part of Article 25 of UNCRPD (which deals with Health Insurance for Persons with Disabilities) is reproduced herewith

ARTICLE 25

HEALTH

State Parties recognize that persons with disabilities have the right to enjoyment of the highest attainable standard of health without discrimination on the basis of disability. State parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender sensitive, including health related rehabilitation. In particular, State Parties shall:



(e) Prohibit discrimination against persons with disabilities in the provisions of health insurance, and life insurance where such insurance is permitted by National Law, which shall be provided in a fair and reasonable manner;

IX. It is respectfully submitted that following the letter and spirit of Section 21(4) of MHCA – 2017 and Article 25 (e) of UNCRPD, Respondent No. 02 on dated 16.08.2018 issued a letter to the all insurers to comply with the provisions of the Mental Health Act, 2017.

True copy of the letter dated 16/08/2018 issued by Respondent No. 02 is annexed hereto and marked as Annexure P-3 at Page No .

X. That In order to check out the end result of letter dated 16/08/2018 issued by Respondent No. 02, petitioner filed an application dated 10/01/2019 under section 06 of the Right to Information Act – 2005 and as such requested Respondent No. 02 to provide information of the following points:

a. How many Insurers are registered with Insurance Regulatory and Development Authority of India.

b. Names of the Insurers who have implemented the order dated 16/08/2018 issued by IRDA



wherein all insurance companies were directed to comply with the Section 21 (4) of Mental Healthcare Act – 2017 with immediate effect.

c. Name of the insurers against whom IRDA has taken action for Non Implementation of Order dated 16/08/2018 issued by IRDA wherein such companies were directed to comply with Section 21 (4) of Mental Healthcare Act – 2017 with immediate effect.

d. Date wise details of action taken by IRDA against Insurance companies for Non Implementation of Order dated 16/08/2018 issued by IRDA where such companies were directed to comply with the Section 21 (4) of Mental Healthcare Act -2017 with immediate effect.

True copy of the RTI dated 10/01/2019 preferred by the petitioner is annexed hereto and marked as Annexure P-4 at page no to .

XI. It is respectfully submitted that on dated 06/02/2019, Respondent No. 02 responded to the RTI dated 10/01/2019 wherein it was informed that till date none of the Insurers



have implemented the order dated 16.08.2018 issued by IRDA.

- XII. It is also pertinent to mention here that Respondent No. 02 vide its Reply dated 06/02/2019 also informed the petitioner that IRDA has taken no action against any of the Insurer for non implementation of its order dated 16.08.2018.

True copy of the RTI Reply dated 06/02/2019 issued by Respondent No. 02 is annexed hereto and marked as Annexure P-5 at page no to page no

- XIII. That despite of the fact that one year has passed, situation as far as implementation of Section 21 (4) of MHCA -2-17 remains the same and what surprised the petitioner is that instead of REGULATING insurance companies IRDA is acting more like a facilitator for Insurers.
- XIV. That the grievance of the petitioner is that despite having specific provisions under the law, Respondent No. 2 is reluctant in taking immediate action. The biased behavior of the Respondent No. 2 does not show in favour of the disabled persons and is inclined towards the Insurers. Instead of levying punishment on Insurers for not including the provision of the Mental Health Care Act, 2017, Respondent No. 2 is bypassing its responsibilities.



- XV. That it is pertinent to point out that Respondent No. 2 was formed with the prime mission to protect the interests of the policyholders. However, the act of Respondent No. 2 seems to divert from its main motive.
- XVI. It is respectfully submitted that THE INSURANCE ACT – 1938 was enacted in the year 1938 to consolidate and amend the law relating to the business of insurance. Section 102 of the insurance Act – 1938 deals with Penalty for default in complying with or act in contravention of this Act.
- XVII. For the sake of convenience of this Honble Court, relevant part of Section 102 is reproduced herein below:

Section 102.

If any person, who is required under this Act, or rules, or regulations made there under

(b) to comply with directions, fails to comply with such directions;

he shall be liable to a penalty not exceeding Five Lakh Rupees for each such failure and punishable with fine.

- XVIII. That what hurt the petitioner is that inspite of taking action against the INSURERS for non complying of its letter dated 16/08/2018, Respondent No. 02 on dated 27/09/2019 has again issued another HALF BAKED GUIDELINE.



True copy of the Guideline dated 27/09/2019 issued by Respondent No. 02 is annexed hereto and marked as Annexure P- 6 at Page no to Page No .

- XIX. Here it is also important to point out that the said Guideline has neither mentioned about the circular dated 16/08/2018 nor talk about Section 21 (4) of the Mental Healthcare Act - 2017 which talks about the inclusion of PERSONS WITH MENTAL ILLNESS in HEALTH INSURANCE SCHEMES.
04. It is clear from the above mentioned facts and circumstances that Respondent No. 02 is neither serious on the issue of inclusions of PERSONS WITH MENTAL ILLNESS in HEALTH INSURANCE SCHEME nor is taking any pain for compliance of its letter dated 16/08/2018.
05. That due to the above discrimination done at the hands of Respondent No. 02, public at large have been deprived of getting insured in Mental Health related issues.
06. That the said inaction by Respondent No. 02 is also hampering the Rehabilitation process of thousands of Persons with Mental Illness which is Ordered by this Honble Court in M.A. No. 2352 of 2018 in Writ Petition (Civil) No. 412 of 2016 and Contempt Petition (Civil) No. 1653 of 2018.



07. That by way of the present petition filed in the nature of Public Interest Litigation, petitioner request urgent intervention of this Honble Court and as such prays for the issuance of Writ in the nature of mandamus against Respondent No. 02 to implement Section 21 (4) of the Mental Healthcare Act – 2017.
08. That the balance of convenience is in favour of the petitioner and ends of justice shall suffer if the relief as prayed is not granted.
09. That petitioner has not filed any other petition praying similar relief before this Honble Court or any other court.

GROUNDS

- A. Because Article 25 of United Nation Convention on the Rights of Persons with Disabilities prohibits discrimination against persons with disabilities in the provisions of Health Insurance.
- B. Because Section 21(4) of the Mental Healthcare Act – 2017 bound every insurer to make provisions for medical insurance for treatment of mental illness on the same basis as is available for treatment of physical disability.
- C. Because by way of the Circular issued on dated 16/08/2018, Respondent No. 02 also directed all the Insurance Companies to comply with the mandate as provided under Section 21(4) of



the Mental Healthcare Act – 2017.

- D. Because as per RTI Reply dated 06/02/2019, Respondent No. 02 informed the petitioner that no insurance company has complied with its circular dated 16/08/2018 and till date situation is the same.
- E. Because as per RTI reply dated 06/02/2019, Respondent No. 02 also informed the petitioner that they have taken no action against any Insurance Company for violating Section 21(4) of the Mental Healthcare Act – 2017.
- F. Because under the Insurance Act, Respondent No. 02 has enough powers to penalize the defaulting Insurance companies.
- G. Because instead of making efforts to direct the Insurance companies to comply with the mandate of Section 21 (4) of the Mental healthcare Act – 2017 or to act in accordance with Circular dated 16/08/2018 issued by them only, Respondent No. 02 has again issued a Half Baked Guideline dated 27/09/2019.
- H. Because in its Guideline dated 27/09/2019, Respondent No. 02 intentionally, willfully and deliberately has neither mentioned about its letter dated 16/08/2018 not mentioned about Section 21(4) of the Mental Healthcare Act-2017.
- I. Because the above inaction clearly indicates that Respondent



No. 02 has not only failed in putting its house in order and is acting as a facilitator rather than a Regulator.

- J. Because the balance of convenience is in favour of the petitioner and the ends of justice shall suffer if the relief as prayed is not granted.
- K. Because petitioner has not filed any other petition in this Honble Court or in any other Court / Tribunal / Commission seeking similar relief as prayed in the present petition.

PRAYER

In view of the above mentioned facts and circumstances this Honble Court may graciously be pleased to:

- a. Issue Writ / Order / Direction in the nature of Mandamus against Respondent No. 02 to implement Section 21(4) of the Mental Healthcare Act – 2017.
- b. Issue Writ / Order / Direction in the nature of Mandamus against Respondent No. 02 to submit an ACTION TAKEN REPORT on the issue of implementation of Section 21(4) of Mental Healthcare Act – 2017.
- c. Pass any Order / Direction which this Honble Court may deems fit and proper.



AND FOR THIS ACT OF KINDNESS, APPLICANT AS IN DUTY BOUND
SHALL EVER PRAY.

Drawn and Filed By

Gaurav Kumar Bansal
Advocate
Petitioner – In – Person
A-26, Basement
Jangpura Extension
New Delhi – 14
09811164777
advocategauravkumarbansal@gmail.com

New Delhi
02/03/2020



SECTION: _____

NEXT DATE OF HEARING ON: _____

THIS MATTER NOT LISTED COMING FIVE DAYS

IN THE SUPREME COURT OF INDIA

CIVIL/CRIMINAL/APPELLATE/ORIGINAL/ JURISDICTION

SLP/C.A./Crl. A./W.P./T.P./Civil/Crl. No. OF 2020

Gaurav Kumar BansalPetitioner(s)

VERSUS

Union of India and Another

.....Respondent(s)

INDEX OF PAPERS

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FILED BY



GAURAV KUMAR BANSAL
ADVOCATE
PETITIONER IN PERSON
A-26, JANGPURAEXTENSION
NEW DELHI
9811164777

Filed on
02/03/2020

MEMO OF APPEARANCE

To
The Registrar
Supreme Court of India
New Delhi

Sir,

Please enter my appearance for the above-named appellant(s)/ Petitioner(s)
/Respondent(s) in the above mentioned matter

Dated day of 2020

Gaurav Kumar Bansal
Advocate
Petitioner – In - Person

The address for service of the said Advocate is:

A-26, Basement, Jangpura Extension, New Delhi - 14



is false.

DEPONENT

BEFORE HON'BLE SUPREME COURT OF INDIA

WRIT PETITION (CIVIL) NO. OF 2020

ORIGINAL JURISDICTION

(IN THE MATTER OF PUBLIC INTEREST LITIGATION)

IN THE MATTER OF

GAURAV KUMAR BANSAL

.....PETITIONER

VERSUS

UNION OF INDIA & ANOTHER

.....RESPONDENTS

PAPER BOOK

WITH

I.A. NO. OF 2020

[APPLICATION FOR SEEKING PERMISSION TO APPEAR AND
ARGUE IN PERSON]

(FOR INDEX KINDLY SEE INSIDE)

Drafted and Filed By

Gaurav Kumar Bansal
Advocate
Petitioner – In – Person
A26, Baement, Jangpura Extension
New Delhi – 14



have been given in detail in the accompanying Writ Petition and for the sake of brevity the Petitioners seek indulgence of this Hon'ble Court to refer to and rely on the same for the purpose of hearing the present Application.

03. That by way of this application, petitioner is seeking permission to appear and argue the present petition in person and the reason for the same is that the petitioner is well conversant with the facts and circumstances of the present case and is also an advocate practicing law before this Hon'ble Court and thus is not willing to engage an advocate for the present Writ Petition filed in the Public Interest Litigation. Further the petitioner is not willing to accept an advocate who can be appointed to him by the Hon'ble Court.
04. That the balance of convenience is in favour of the petitioner and the ends of justice shall suffer if the relief as prayed is not granted by this Hon'ble Court.

PRAYER

In view of the above mentioned facts and circumstances this hon'ble Court may graciously be pleased to grant the permission to the petitioner to appear and argue his case in person.

AND FOR THIS ACT OF KINDNESS THE PETITIONER, AS IN DUTY BOUND, SHALL EVER PRAY.

DRAWN & FILED BY

GAURAV KUMAR BANSAL
ADVOCATE
PETITIONER IN PERSON

New Delhi



Verified at New Delhi on this 02nd day of March, 2020 that the contents of this Affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from nor any part of it is false.

DEPONENT

