

ITEM NO.59

COURT NO.9

SECTION II-D

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No.1425/2025

AMIT KUMAR & ORS.

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[MS. APARNA BHAT, AMICUS CURIAE]

Date : 14-07-2025 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE R. MAHADEVAN

For Appellant(s) :

Mr. Mehmood Pracha, Adv.
Mr. R. H. A. Sikander, AOR
Mr. Jatin Bhatt, Adv.
Mr. Sanawar, Adv.
Mr. Kshitij Singh, Adv.
Ms. Nujhat Naseem, Adv.
Mr. Sikander, Adv.

IA 159139/25

Mr. Sanpreet Singh Ajmani, Adv.
Amitoz Kaur, Adv.
Mr. Amit Kumar, Adv.
Ms. Shivani A., Adv.

For Respondent(s) : Mr. Arvind Kumar Sharma, AOR

Ms. Mrinal Gopal Elker, AOR
Ms. Chhavi Khandelwal, Adv.

Mr. K.M. Nataraj, ASG
Mr. Brijender Chahar, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Abhijit Pandove, Adv.
Mr. Amit Sharma Ii, Adv.
Mrs. Bani Dikshit, Adv.
Mr. Varun Chugh, Adv.
Mr. Gaurang Bhushan, Adv.
Mr. Jagdish Chandra, Adv.
Mr. Vatsal Joshi, Adv.
Mr. Chitransh Sharma, Adv.

Ms. Aparna Bhat, Amicus Curiae
 Mr. Mayank Sapra, AOR
 Ms. Madhulika Mohta, Adv.
 Ms. Lalima Das, Adv.

Mr. Sanpreet Singh Ajmani, AOR

Mr. Sameer Abhyankar, AOR
 Ms. Yashika Sharma, Adv.
 Mr. Aryan Srivastava, Adv.
 Ms. Yachna Sharma, Adv.
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 Mr. Gaurang Bhushan, Adv.
 Ms. Bani Dikshit, Adv.
 Mr. Jagdish Chandra, Adv.
 Mr. Karan Chahar, Adv.

Ms. Vidushi Bajpai, AOR
 Mr. Ravinder Pal Singh, Adv.
 Mr. Goverdhan Prasad Tiwari, Adv.

Mr. M. R. Shamshad, Sr. Adv.
 Mr. Manu Krishnang, Adv.
 Mr. Amith Krishnan H, AOR

Mr. K M Natraj, A.S.G.
 Mr. Shiv Mangal Sharma, A.A.G.
 Ms. Nidhi Jaswal, AOR

Mr. Mahesh Agarwal, Adv.
 Mr. Rishi Agrawala, Adv.
 Mr. Aroon Menon, Adv.
 Ms. Madhavi Agarwal, Adv.
 Mr. Sanjeevi Seshadri, Adv.
 Mr. Akshay Agarwal, Adv.
 Mr. Manish Sharma, Adv.
 Mr. E. C. Agrawala, AOR

UPON hearing the counsel the Court made the following
 O R D E R

1. Heard Ms. Aparna Bhat, the learned Amicus and Mr. Mehmood Pracha, the learned counsel appearing for the original petitioners and on the other hand, Mr. K.M. Nataraj, the learned Additional

Solicitor General appearing for the Union of India and the State of Rajasthan and Mr. Brijender Chahar, the learned ASG appearing for the Government of National Capital Territory of Delhi and the Ministry of Education, Department of Higher Education.

2. Taking into consideration the averments made in the Interlocutory Application No.158509/2025 filed by the Amicus seeking appropriate directions for induction of the Ministry of Home Affairs, Government of India into the National Task Force, the application is allowed.

3. Taking into consideration the averments made in the Interlocutory Application No.145387/2025 filed by Mr. Sudharshan Lamba, the learned Advocate-on-Record seeking impleadment as Respondent viz. Union of India, Ministry of Education, Department of Higher Education, the said application is allowed.

4. Cause title be amended accordingly.

5. Let notice be issued on the Interlocutory Application No.158510/2025 filed by Ms. Bhat seeking exemption from liability of deduction of Tax at Source (TDS) on payment made by the National Task Force, returnable on 21-7-2025.

6. Ms. Bhat has also filed a Status Report No.1/2025 on behalf of the National Task Force.

7. The Report reads thus:-

STATUS REPORT NO. 1 OF 2025 ON BEHALF OF THE NATIONAL TASK FORCE ON MENTAL HEALTH OF STUDENTS AND PREVENTION OF STUDENT SUICIDES (NTF)

1. The National Task Force on the Mental Health of the students and prevention of student suicides in higher education institutes ("NTF") was set up by this Hon'ble Court by judgment dated 24.03.2025 in Amit Kumar & Ors. v. Union of

India & Ors. [Criminal Appeal No.1425/2025]. The NTF is Chaired by Hon'ble Mr. Justice (Retd.) S. Ravindra Bhat.

2. Taking into account the urgency of the matter, the first meeting of the task force was held virtually on 28.03.2025. Post that, there have been three meetings with the ex-officio members present (12.04.2025 and 26.04.2025 in-person and 24.05.2025, virtual). The Core group of the NTF has been meeting regularly both virtually and in-person to carry forward their work, of which the most recent was a two day in-person planning meeting which took place on 04.07.2025 and 05.07.2025, in New Delhi.

3. During the course of these sittings and between the meetings, the NTF has undertaken the following tasks:

a) Devised an overall plan to complete the various tasks involved in the work. It was decided that a multi-pronged approach is necessary to get a comprehensive picture of the situation. To that end, the NTF decided that a mixed methodology would be followed, involving a quantitative and qualitative research approach. There would be a survey administered through questionnaires targeting different stakeholders. This would be supplemented by field visits, inviting members of the public to write to the NTF using the interactive section on the Website and also visit certain places and hold in-person meetings. This would be in addition to holding various stakeholder consultations and interactions with Central Government officials, State Government officials, and technical bodies like the University Grants Commission (UGC), All India Council for Technical Education (AICTE), etc.

b) The NTF members have also undertaken a preliminary literature review, review of the existing laws and policies, and developed questionnaires for the conduct of a set of surveys, targeting all institutions of higher education, students, faculty members, parents and mental health practitioners.

c) The questionnaires have been piloted through field visits in four institutions i.e. Jamia Millia Islamia and Ramjas College (Delhi University) in Delhi and the Institute of Science and the Bangalore Medical College and Research Institute in Bengaluru. The purpose of the questionnaire piloting was to test the student survey and to test the viability of small in-person group meetings with students, faculty, and heads of various committees, as well as visits to on-site facilities concerned with student welfare and mental health.

d) To ensure that the research meets ethical standards and requirements, the questionnaire has also been reviewed by the Ethics Review Committee of the National Institute of Mental Health and Neurosciences (NIMHANS) and has been granted approval. The Ethics Review Committee, consisting of eight reviewers, thoroughly reviewed the questionnaire and had raised various concerns which were addressed by the NTF following which the same has been cleared by the Ethics Review Committee.

e) The NTF has worked with the National Informatics Centre (NIC) to create an interactive website and has uploaded the questionnaires in English and Hindi. The Website would be launched in the first week of August, 2025.

f) The NTF has also planned various stakeholder meetings to gain further insights into the experiences of persons working in the field.

g) After extensive deliberations, the mechanism of rolling out the Institutional survey has been finalised and would be rolled out in the next few days.

h) In the last meeting of the NTF, the members have identified cities in various parts of the country for field visits, ensuring regional representation and diversity of different kinds of institutions. The NTF has also been guided by the suicide statistics in the selection of cities.

i) Three Research Assistants have been engaged to assist in the research process.

CHALLENGES:-

4. The NTF has been facing certain challenges which have delayed its work:

a) One of the biggest challenges has been the setting up of the Secretariat and finding a physical space for the work of the NTF which is accessible in all respects. The NTF is yet to identify the space.

b) In addition to that, the creation of a website is taking longer than expected.

c) The academic institutions were closed for the summer break and before that students were busy with exams which in turn delayed the onset of field work by two months.

d) Even though the Government of India has written to various State Governments to appoint Nodal Officers, response has not been received from all the States. In certain cases, data solicited has not been forthcoming and this requires constant follow up. There are some issues with the National Crime Records Bureau (NCRB) data since the existing NCRB data does not provide unit level data on suicides by students. There are various gaps in the data received from the UGC, AICTE, Dental Council and the National Medical Commission (NMC) which is currently being analysed by the NTF. The NTF has, therefore, filed a separate application before this Hon'ble Court seeking appointment of Secretary, Ministry of Home Affairs (MHA) as an ex-officio member so that the MHA would facilitate access of data to the NTF.

e) NTF is not a legal entity and, hence, the process of management of financial resources had to be identified to ease the work of the NTF and the same is being finalised.

8. We have looked into the challenges faced by the NTF as referred to above.

9. We must make all possible endeavours to ensure that the difficulties faced by the NTF are taken care of at the earliest.

10. We request Mr. K.M. Nataraj and Mr. Brijinder Chahar to immediately look into the difficulties faced by the NTF and speak to the authorities concerned in this regard.

11. We direct the Union to provide a suitable physical space for the work of the NTF which is accessible in all respects.

12. The NTF must have a suitable space with adequate area so that they can convene their meetings periodically without any inconvenience.

13. Let this allotment of physical space be done within a period of four weeks from today without fail.

14. We have already allowed the Interlocutory Application appointing Secretary, Ministry of Home Affairs (MHA) as an ex-officio member of the NTF.

15. We request MHA to facilitate access of data to the NTF.

16. We also request Mr. K.M. Nataraj and Mr. Brijender Chhahar to help the NTF create a website at the earliest.

17. Ms. Bhat invited attention of this Court to Para 71 of our Judgment dated 24-3-2025.

18. Para 71 reads thus:-

"We direct the Chief Secretaries of all the States/Union Territories to nominate a high ranking officer, not below the rank of Joint Secretary in the Department of Higher Education of the respective State/Union Territory, to act as the nodal officer on behalf of the respective State/Union Territory. We further direct all the concerned departments/authorities of the respective State/Union Territory to cooperate with the nodal officer concerned and furnish necessary information, data and assistance as may be sought by such nodal officer.

19. Ms. Bhat pointed out that the 12 States/Union Territories herein below either have not appointed any Nodal Officer and if they have in fact appointed then they should inform the National Task Force:-

1. Arunachal Pradesh
2. Bihar
3. Gujarat
4. Haryana
5. Karnataka
6. Kerala
7. Maharashtra
8. Meghalaya

9. Mizoram

10. Tamil Nadu

11 UT of Jammu & Kashmir & Ladakh

12. Lakshadweep

20. All the States/Union Territories, referred to above, if they have appointed Nodal Officers, the details in that regard shall be furnished to the National Task Force at the earliest.

21. If no Nodal Officer has been appointed till this date, we grant two weeks' time to appoint a Nodal Officer, failing which we shall be compelled to take appropriate action against the Chief Secretary of the respective States/Union Territories.

22. We would also like to know from the Additional Solicitor General appearing for the Government of National Capital Territory of Delhi as regards the progress in the investigation of the two FIRs relating to suicide committed by 2 students who were studying in IIT, Delhi. In the same manner, we would like to know the status of the investigation undertaken by the Police of State of West Bengal relating to suicide committed by a student who was studying in IIT, Kharagpur.

23. The State of Rajasthan shall also file a report as regards the investigation undertaken pursuant to the FIR registered on 23-5-2025 as also in connection with the FIR No.237/2023 registered on 4-8-2023 at Police Station, Kota, Rajasthan.

24. The Investigating Officer from Kota, Rajasthan is personally present in the Court today. He need not remain present on the next date of hearing.

25. We express our sincere gratitude to the NTF for working relentlessly.

26. The efforts which the NTF are putting to espouse the cause will go a long way in fulfilling the ultimate goal with which this Court constituted the NTF.

27. List on 21-7-2025.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)