

Mental Health Rights of Students in Indian Higher Education: A Legal Analysis

Prof. Seema A. Patil*

Assistant Professor, TMV's, Lokmanya Tilak Law College, Pune, Maharashtra, India

Abstract: Human beings experience a strong mind-body connection, where mental, physical, and social health are closely linked and influence one another. For students, maintaining good mental health is particularly important, as it impacts not only their learning and academic performance but also their social interactions and overall well-being. While college and university life offer numerous opportunities, it also presents challenges like academic pressure, peer competition, social adjustments, and the stress of transitioning to independent living. These factors can affect students' mental resilience, sometimes leading to issues like anxiety, depression, and stress. Although awareness about student mental health is increasing, many higher education institutions in India still lack effective systems and policies to provide support, resulting in gaps in care, guidance, and protection for students in need.

In India, the legal and policy framework related to mental health includes different laws and constitutional provisions that aim to protect the rights and dignity of individuals. These laws recognize important rights such as the right to health and a dignified life, protection from discrimination, access to healthcare services, and the right to privacy and confidentiality. In the context of higher education, these safeguards are important to ensure that students receive proper support and are treated with fairness, respect, and understanding within educational institutions.

This paper studies the mental health rights of students in Indian higher education from a legal point of view. It uses a doctrinal and analytical approach to examine relevant laws, policies, and case law. The study highlights key challenges such as a lack of awareness, gaps in institutional support, social stigma, and ethical issues related to consent and confidentiality. It also points out the gap between what the law provides and what is actually practised in universities. The paper suggests practical measures to improve legal safeguards and strengthen the role of institutions, and emphasizes that protecting students' mental health is not only a legal duty but also an important moral responsibility of educational institutions.

Keywords: Student Mental Health, Legal Framework, Higher Education, Students' Rights, Mental Health Policies, Institutional Responsibility, Confidentiality

I. INTRODUCTION

The mind is its own place, and in itself can make a heaven of hell, a hell of heaven."

John Milton ((John Milton, *Paradise Lost*, Book I,)

This quote highlights how important mental health is, especially for students. A healthy mind helps them handle challenges better, while poor mental health can make even normal situations feel overwhelming. So, in simple words, our happiness or suffering does not depend only on external conditions, but also on our thoughts and mental state.

Mental health is a very important part of our overall health and well-being. It is not just about the absence of mental illness, but about how we think, feel, and behave in our everyday lives. It includes our emotional, psychological, and social well-being, which together shape our ability to understand ourselves and respond to the world around us. Good mental health helps us manage stress, face challenges with confidence, and maintain positive relationships with

others. It plays a key role in how we make decisions, express our emotions, and cope with difficult situations. When a person has sound mental health, they are better able to balance personal, academic, and social responsibilities. Mental health is important at every stage of life. In childhood, it influences learning, behaviour, and emotional development. During adolescence, it becomes even more crucial as individuals face academic pressure, identity issues, and social expectations. In adulthood, mental health affects work performance, relationships, and overall quality of life. Therefore, maintaining good mental health is essential for leading a healthy, productive, and fulfilling life. Ernstmeyer, K., & Christman, E. (Eds.). (2022)

Mental health is influenced by many different factors. It depends on a person's own ability to understand and manage their thoughts, emotions, behaviour, and relationships with others. At the same time, the environment in which a person lives also plays an important role. Factors such as family support, culture, financial conditions, social surroundings, and even political situations can affect mental well-being. In addition, a person's personality, past experiences, and genetic makeup also contribute to their mental health. World Health Organization. (2025, October 8).

In recent years, mental health concerns among students have increased significantly. Students in higher education face many pressures, such as academic workload, competition, career uncertainty, family expectations, and the need to adjust socially. These challenges can affect their emotional well-being and may lead to problems like stress, anxiety, and depression. Even though awareness about mental health is increasing, many students still hesitate to seek help due to stigma, lack of awareness, or fear of being judged.

In any society, law plays an important role in addressing social issues, and mental health is no exception. Legal frameworks help in recognising mental health as an essential part of human dignity and ensure that individuals are treated with fairness and respect. In India, various constitutional provisions and laws protect mental health by recognising rights such as equality, dignity, access to healthcare, and privacy. These protections are meant to support all individuals, including students. However, in reality, these rights are not always effectively implemented within higher education institutions, and proper support systems are often lacking.

As members of society, students are entitled to these legal protections. They have the right to access mental health support, to be treated without discrimination, and to study in a safe and

supportive environment. Therefore, educational institutions have an important responsibility not only to provide education but also to care for the mental well-being of their students. This includes creating awareness, offering counselling services, maintaining confidentiality, and responding to mental health concerns sensitively and responsibly.

The present study examines the mental health rights of students in Indian higher education from a legal perspective. It aims to analyze existing legal frameworks and assess how effectively they protect students' rights in practice. The paper also identifies key challenges in implementation and proposes practical measures to strengthen legal safeguards and improve institutional responsibility. It emphasizes the importance of creating a supportive, inclusive, and legally informed educational environment where students can maintain their mental well-being and reach their full potential.

II. CONCEPT AND MEANING OF HEALTH AND MENTAL HEALTH

The World Health Organization (WHO) defines health as follows:

"Health is a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity." Schramme, T. (2023).

This definition, given in 1948, explains that health is much more than simply the absence of illness. A person is truly healthy when their body is physically fit, their mind is calm and stable, and they are able to maintain positive and meaningful relationships with others. In simple terms, health includes physical well-being, emotional balance, and the ability to live harmoniously in society. It also involves the capacity to handle stress, work productively, and enjoy life.

Therefore, health should be understood as a complete state of well-being rather than merely the absence of disease. It highlights the need to view health in a broad and holistic manner, focusing not only on the treatment of illness but also on promoting the overall well-being of individuals and society. Health is not merely the absence of disease or illness; it refers to a state of complete physical, mental, and social well-being. This definition, introduced in 1948, highlights that true health goes beyond physical fitness and includes emotional stability, psychological balance, and healthy social relationships. In other words, a person is considered healthy not only when they are free from illness, but also when they are able to lead a balanced,

fulfilling, and meaningful life. This perspective emphasizes the need to address health in a holistic manner, focusing on the overall well-being of individuals as well as the community.

A. Mental Health

According to the World Health Organization (WHO) - “Mental health is a state of mental well-being that enables people to cope with the stresses of life, realize their abilities, learn well and work well, and contribute to their community.” Mental health, according to the WHO, is "more than the absence of mental disorders." Managing active situations and preserving well-being and happiness are key components of peak mental health. Additionally, the organization highlights the significance of maintaining and reestablishing mental health on an individual, community, and societal level. (Felman & Tee-Melegrito, 2024)

Mental health is about how we feel inside, how we think, and how we connect with others. It shapes the way we handle everyday situations how we deal with stress, make decisions, and build relationships. It isn't just about the absence of illness, but about feeling balanced, understood, and able to cope with life's ups and downs. Mental health matters at every stage of life, from childhood to old age, influencing how we grow, live, and experience the world. (National Library of Medicine)

III. IMPORTANCE OF MENTAL HEALTH FOR STUDENTS

Mental health plays a very important role in a student's life because the mind and body are closely connected. When a student feels mentally well, it positively influences their physical health, relationships, and overall well-being. For students, good mental health is essential as it directly affects how they learn, think, and engage in school activities. It helps them focus better, understand concepts more clearly, and perform well academically.

It also supports their ability to build healthy and meaningful relationships with friends, teachers, and family members. Along with this, mental well-being contributes to better physical health and helps students manage stress in a more balanced and effective way. In simple terms, when a student's mental health is strong, it becomes easier for them to grow, learn, and handle the challenges of student life with confidence. (Marshall-Seslar, A. (2023, August 8)

Good mental health brings many positive changes in a student's life. It helps them grow not just academically, but also emotionally and socially. The benefits of good mental health in students include: (Marshall- Seslar, A. (2023, August 8)

- **Better productivity:** Students feel more motivated and focused, which helps them work towards their academic goals.
- **Healthy coping skills:** They are able to understand daily stress and deal with it in a calm and positive way.
- **Higher self-esteem:** Students start believing in themselves and feel confident about their abilities.
- **Active participation:** They take more interest in learning and actively engage in classroom activities.
- **Strong relationships:** Students are able to make good friends, work well with others, and build positive connections with teachers and mentors.
- **Improved physical health:** Good mental health supports better sleep, eating habits, exercise, and overall lifestyle.
- **Greater life satisfaction:** Students feel proud of what they achieve and stay motivated to explore their interests and passions.

In simple words, when students are mentally healthy, they feel happier, more confident, and better prepared to handle both studies and life.

IV. LAWS AND POLICIES IN INDIA DEAL WITH THE RIGHT TO STUDENTS' MENTAL HEALTH

i. Constitution of India: Article 21

The Supreme Court of India, in *Sukdeb Saha vs. State of Andhra Pradesh*, recognized mental health as an essential part of the constitutional right to life under Article 21 of the Constitution of India. This interpretation expands the scope of Article 21 beyond physical survival to include psychological well-being.

ii. Supreme Court Mandates New Mental Health Policies for Students Giridhar, L.
(2025, September 3)

In a landmark decision, the Supreme Court of India in *Sukdeb Saha vs. State of Andhra Pradesh* (25 July 2025) recognized student mental health as an essential part of the fundamental right to life under Article 21 of the Constitution of India. The case arose from the tragic death of a 17-year-old NEET aspirant, which was initially treated as a suicide despite several inconsistencies in the investigation. Through this judgment, the Court set an important legal precedent by making it mandatory for all educational institutions across India—whether public or private, including schools, colleges, universities, coaching centers, training institutes, and hostels—to implement proper and comprehensive mental health safeguards for students.

The Supreme Court of India, using its powers under Article 32 of the Constitution of India, has issued 15 binding directions applicable to all educational institutions, including schools, colleges, universities, coaching centers, training institutes, and hostels both public and private.

These guidelines aim to prevent student suicides, identify mental distress at an early stage, and build strong support systems for students.

Major Directions of the Court

- **Uniform Mental Health Policy:** All institutions must adopt a proper mental health policy based on national initiatives like UMMEED Draft Guidelines, MANODARPAN, and the National Suicide Prevention Strategy. This policy must be reviewed every year and made publicly available.
- **Appointment of Mental Health Professionals:** Institutions with more than 100 students must appoint at least one trained counsellor, psychologist, or social worker. Smaller institutions should connect with external professionals for support.
- **Student–Counsellor Support System:** Students should have easy and regular access to counselors or mentors, especially during exams or stressful periods, ensuring continuous and confidential support.
- **No Academic Segregation or Shaming:** Institutions must not divide students based on performance or shame them publicly. Unrealistic academic pressure should also be avoided.

- **Mental Health Emergency Protocols:** Clear procedures must be in place for emergencies, including links to hospitals, mental health services, and help lines like Tele-MANAS. These numbers should be clearly displayed.
- **Mandatory Staff Training:** Teachers and staff must receive mental health training at least twice a year. This includes identifying warning signs, providing basic support, and knowing when to refer students for help.
- **Support for Vulnerable Students:** Institutions must treat all students, especially those from marginalized groups, with sensitivity and without discrimination.
- **Reporting and Complaint System:** There must be safe and confidential systems to report issues like harassment, ragging, bullying, or abuse. Institutions must act quickly and responsibly, or they may face legal consequences.
- **Parent Awareness Programs:** Parents should be educated about student mental health so they can avoid putting excessive pressure on themselves and can support their students better.
- **Annual Mental Health Report:** Institutions must maintain records of mental health activities and submit a yearly report to authorities like UGC, AICTE, CBSE, or State Education Departments.
- **Focus on Overall Development:** Institutions should promote extracurricular activities like sports and arts, and review exam systems to reduce stress and encourage holistic growth.
- **Career Counselling Services:** Proper career guidance must be provided to students and parents to reduce pressure and help students explore different career options.
- **Safe Hostel Environment:** Hostels must ensure a safe environment free from bullying, harassment, and harmful substances.
- **Suicide Prevention Measures:** Institutions should take preventive steps like installing safe infrastructure and restricting access to high-risk areas.

- **Special Focus on Coaching Hubs:** Cities with high student pressure, such as Kota, Jaipur, Hyderabad, and Delhi, must implement stricter mental health measures and provide continuous psychological support.

iii. National Suicide Prevention Strategy (NSPS), 2022 (Mental Health First Aid India)

The National Suicide Prevention Strategy provides a comprehensive plan to reduce suicide rates and related harm in India. It focuses on early identification of mental health issues, community support, responsible media reporting, limiting access to harmful means, and providing crisis help services. The strategy also highlights the need for coordinated efforts among different sectors such as health, education, social welfare, and law enforcement to effectively address the problem.

iv. The National Commission for Allied and Healthcare Professions Act, 2021 (Mental Health First Aid India)

The National Commission for Allied and Healthcare Professions Act aims to regulate and maintain proper standards of education and services provided by allied and healthcare professionals in India. It provides for the assessment of institutions, the creation of Central and State Registers, and the development of a system to improve access to healthcare services. The Act also promotes research, development, and the adoption of modern scientific advancements, along with matters connected to these objectives.

v. UGC Issues Guidelines for Mental Health and Well-Being in Higher Educational Institutions

The University Grants Commission, through its 2026 Guidelines on Mental Health and Well-Being in Higher Educational Institutions, has taken a significant step toward strengthening mental health support systems within the academic environment. These guidelines mandate the establishment of Mental Health and Well-being Centre's (MHWBCs) equipped with private counselling spaces, proper record management systems, and strict confidentiality measures. Institutions are also required to constitute Mental Health and Well-being Monitoring Committees and appoint qualified mental health professionals, faculty mentors, and peer supporters to ensure continuous support for students.

Further, Higher Educational Institutions must provide 24×7 helpline services integrated with Tele-MANAS and collaborate with national programs for counselling, treatment, and awareness initiatives. The guidelines also emphasize allocation of funds, regular data reporting, and promotion of research on student mental health. The MHWBCs are entrusted with the responsibility of screening, identifying, and addressing students' emotional, psychological, academic, and behavioral concerns, thereby promoting a structured and institutionalized approach to student mental well-being. Shubhi (2026, January 17).

VI. Limitations and Implementation Challenges Khan, B., Sandhu, G. K., & Kaushal, R. (2025).

Despite its progressive provisions, the implementation of the Mental Healthcare Act faces several challenges:

- **Infrastructure and Human Resources:** There is a significant shortage of trained mental health professionals, including psychiatrists, psychologists, and psychiatric social workers, especially in rural areas.
- **Administrative Delays:** The establishment and effective functioning of Mental Health Review Boards and State Mental Health Authorities have been slow and inconsistent.
- **Awareness and Legal Literacy:** There is limited awareness about the rights guaranteed under the Act among patients, families, healthcare providers, and even law enforcement authorities.
- **Social Stigma:** Deep-rooted social stigma continues to discourage individuals from seeking mental health care, thereby limiting the actual exercise of their rights.
- **Federal Disparities:** Implementation varies across states due to differences in resources, administrative efficiency, and political commitment.

VII. Role of Educational Institutions in Promoting Mental Well-being among Students Mental Health First Aid India. (2026, January 12)

Schools and colleges play a crucial role in promoting students' mental well-being. In today's context of increasing academic and social pressures, institutions must adopt a structured and preventive approach to mental health care. The following strategies can be effectively used-

- 1. Shift from Crisis-Based to Preventive Approach:** Educational institutions should move from responding only to crises to adopting preventive strategies by introducing universal mental health programs for all students. This helps in early identification of issues and promotes overall well-being.
- 2. Integration of Life Skills Education:** Life skills education should be incorporated into the curriculum to build resilience, enhance coping abilities, and improve emotional awareness, decision-making, and stress management among students.
- 3. Learning from Successful Models:** Institutions can learn from initiatives like Kerala's Unarv Program, which has effectively integrated mental health into education and improved student well-being.
- 4. Establishment of Peer Support Systems:** Colleges should promote peer support systems where trained students provide initial emotional support, as peers are often more approachable and can help identify distress early.
- 5. Use of Digital Mental Health Platforms:** Digital platforms can be used for awareness, self-help, and basic screening on a wider scale. However, it is important to ensure that digital tools are used only as a support system and not as a replacement for professional, in-person mental health care, especially in serious cases.

India currently does not have a specific, binding law that directly regulates mental health in educational institutions. However, the Ministry of Education (MoE) and the Ministry of Health and Family Welfare (MoHFW) have taken several steps to promote mental well-being. These include various guidelines, advisories, and schemes, some aimed at the general public and others specifically designed for students. These initiatives are in line with the broader goals of the National Education Policy, which focuses on reducing academic stress by shifting away from routine learning towards understanding-based education. A key part of this approach is the introduction of counselling services in educational institutions, aimed at supporting students' mental health more holistically. ResGov (2025)

VIII. CONCLUSION

Mental health has increasingly been recognized as a vital component of human dignity and well-being, particularly in the context of students in higher education. The evolving legal framework in India, including the Mental Healthcare Act, judicial recognition by the Supreme Court of India, and policy initiatives by bodies like the University Grants Commission, reflects a progressive shift toward a rights-based and institutional approach to mental health. These

developments affirm that mental health is not merely a medical concern but a fundamental legal and social issue.

However, despite these advancements, a significant gap persists between legal provisions and their effective implementation. Challenges such as lack of infrastructure, shortage of trained professionals, limited awareness, and deep-rooted social stigma continue to hinder the realization of mental health rights in practice. In educational institutions, where students face increasing academic and social pressures, the absence of structured and accessible support systems further aggravates the problem.

Bridging this gap requires a multi-dimensional approach. Strengthening institutional responsibility, ensuring proper implementation of guidelines, enhancing mental health awareness, and promoting a culture of openness and support are essential steps. Legal frameworks must be complemented by practical measures at the ground level, including counselling services, peer support systems, and preventive mental health programs.

In conclusion, promoting students' mental well-being goes beyond mere compliance with legal or institutional requirements; it reflects a deeper commitment to their dignity, equality, and overall development. It calls for a coordinated approach involving legal frameworks, educational institutions, and society at large to create a safe, inclusive, and supportive environment. Such an approach enables students to flourish not only academically but also in their emotional and personal lives.

Refernces

1. John Milton, *Paradise Lost*, Book I, Online Library of Liberty, Liberty Fund, "Satan's Reign," available at :<https://oll.libertyfund.org/quotes/john-milton-satan-reign>
2. Ernstmeyer, K., & Christman, E. (Eds.). (2022). *Nursing: Mental health and community concepts*. Chippewa Valley Technical College, available at: <https://www.ncbi.nlm.nih.gov/books/NBK590044>

3. Chapter 1 Foundational Mental Health Concepts, Available at : <https://www.ncbi.nlm.nih.gov/books/NBK590044/>
4. World Health Organization. (2025, October 8). *Mental health*. Available at: <https://www.who.int/news-room/fact-sheets/detail/mental-health-strengthening-our-response>
5. Schramme, T. (2023). Health as complete well-being: The WHO definition and beyond. *Public Health Ethics*, 16(3), 210–218. <https://doi.org/10.1093/phe/phad017>
6. WHO definition of health, Available at : https://margheritacollege.in/online_portal/attendance/classnotes/files/1695287388.pdf?utm
7. Felman, A., & Tee-Melegrito, R. A. (2024, March 22). *What is mental health?* Medical News Today. <https://www.medicalnewstoday.com/articles/154543>
8. National Library of Medicine. (n.d.). *Mental health*. MedlinePlus <https://medlineplus.gov/mentalhealth.html>
9. Marshall-Seslar, A. (2023, August 8). *Why is mental health important for students: Overview*. McMillen Health. <https://www.mcmillenhealth.org/tamtalks/student-mental-health>
10. Giridhar, L. (2025, September 3). *Supreme Court mandates new mental health policies for students*. Pacta. <https://www.pacta.in/post/supreme-court-mandates-new-mental-health-policies-for-students>
11. Shubhi. (2026, January 17). *UGC issues guidelines for mental health and well-being in higher educational institutions*. <https://www.scconline.com/blog/post/2026/01/17/ugc-guidelines-for-mental-health-in-higher-educational-institutions>
12. Khan, B., Sandhu, G. K., & Kaushal, R. (2025). *Mental Health Laws In India: Bridging The Gap Between Legal Protection And Social Stigma*. International Journal Of Innovative Research In Law. <https://Ijirl.Com/Wp-Content/Uploads/2025/12/Mental-Health-Laws-In-India-Bridging-The-Gap-Between-Legal-Protection-And-Social-Stigma.Pdf>

13. Mental Health First Aid India. (2026, January 12). *Are Indian schools & colleges ready to prioritize students' mental health and wellness?*
<https://www.mhfaindia.com/blog/indian-schools-colleges-prioritize-student-mental-health-wellness>
14. ResGov. (2025). *Mental health in education in India: Why new Supreme Court guidelines matter*, <https://www.resgov.org/resources/mental-health-in-education-in-india-why-new-supreme-court-guidelines-matter>