

ITEM NO.301

COURT NO.9

SECTION PIL

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

Writ Petition(Civil)No.473/2005

SAMPURNA BEHRUA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln.(s) for interim directions, exemption from filing O.T., permission to file additional documents, extension of time and office report)

Date : 10/04/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE UDAY UMESH LALIT

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

We have heard learned counsel for the parties.

For the time being, we are limiting the issue raised in this case to the functioning of Juvenile Justice Boards and immediately related issues.

We propose to take up some of the other issues on a later date.

In its written submissions, the Ministry of Women and Child Development has stated that it has developed an online mechanism for submitting quarterly reports.

The nature of this online mechanism is not mentioned in detail. Learned counsel appearing on behalf of the Ministry says that he will submit a detailed report and will also examine whether the monitoring mechanism can be improved. He also assures us that all the States and Union Territories will be impressed upon to submit their quarterly reports in terms of the monitoring mechanism.

We have also gone through the report prepared by NALSA in 2011 and the summary of the report prepared by NALSA in 2013 as also the response by the petitioner in 2013.

For the time being, we require the Member Secretary of NALSA to get in touch with the Member Secretary of the District Legal Services Authority/State Legal Services Authority in every State and Union Territory and obtain the following information as on 31.03.2015 in the form of a chart:

- (i) The number of Juvenile Justice Boards that are in existence as well as the vacancies in these Juvenile Justice Boards as on 31.03.2015;
- (ii) The number of pending inquiries with each Juvenile Justice Board as on 31.03.2015;
- (iii) The frequency of sittings of each Juvenile Justice Board, i.e., the number of days in a week the Juvenile Justice Board holds its sittings;

- (iv) The approximate distance between each Juvenile Justice Board and the Observation Home;
- (v) The actual working number of legal aid lawyers on the panel of the District Legal Services Authority for each Juvenile Justice Board;
- (vi) The nature and duration of training given to each of these legal aid lawyers attached to the Juvenile Justice Board;
- (vii) The number of Probation Officers that are required in the District as per the understanding of the Member Secretary of the District Legal Services Authority;
- (viii) The nature and duration of training that has been given to the existing probation officers.

Learned senior counsel appearing on behalf of NALSA says that the information will be made available sometime in July, 2015.

In the meanwhile, if the nature of training programmes for legal aid lawyers attached to the Juvenile Justice Boards and Probation Officers has not been developed by NALSA, they may take urgent steps to do so after having wide and detailed consultations with the stake holders including members of the Juvenile Justice Boards, members of the Child Welfare Committees, the police officers, NGOs and members of Civil Society. A properly documented training programme and schedule

should be prepared, unless it has already been done.

List the matter on 24th July, 2015.

(SANJAY KUMAR-I)
COURT MASTER

(TAPAN KUMAR CHAKRABORTY)
COURT MASTER