

ITEM NO.302

COURT NO.8

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s) (Civil) No(s) .473/2005

SAMPURNA BEHRUA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

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

Date : 04/12/2015 This petition was called on for hearing today.

CORAM :

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

For Petitioner(s)     Mr. Colin Gonsalves, Sr. Adv.  
                              Mr. Divya Jyoti Jaipurkar, Adv.  
                              Ms. Jyoti Mendiratta, AOR

For Respondent(s)  
UOI                        Mr. P.S. Patwalia, ASG  
                              Ms. V. Mohana, Sr. Adv.  
                              Mrs. Vibha Dutta Makhija, Sr. Adv.  
                              Ms. Natasha Vinayak, Adv.  
                              Mr. S. Wasim A. Qadri, Adv.  
                              Mr. Shalinder Shaini, Adv.  
                              Ms. Sunita Sharma, Adv.  
                              Mr. Gaurav Sharma, Adv.  
                              Mr. Zaid Ali, Adv.  
                              Mr. Ajay Sharma, Adv.  
                              Mrs. Anil Katiyar, Adv.  
                              Mr. D. S. Mahra, AOR  
                              Mr. B.V. Balaram Das, Adv.

NALSA                    Mr. Rajesh Kumar Goel, Director  
                              Mr. Gagan Gupta, AOR  
                              Mr. Saurabh Gupta, Adv.

For States of  
Andhra Pradesh        Ms. Prerna Singh, Adv. (NP)  
                              Mr. Guntur Prabhakar, Adv. (NP)

Arunachal Pradesh	Mr. Anil Shrivastav, AOR Mr. Rituraj Biswas, Adv.
Assam	Mr. Navnit Kumar, Adv. for M/s Corporate Law Group
Bihar	Mr. Gopal Singh, AOR Mr. Shivam Singh, Adv. Ms. Varsha Poddar, Adv.
Chhattisgarh	Mr. Jugal Kishore Gilda, Adv. Gen. Mr. Aniruddha P. Mayee, AOR Mr. Apoorv Kurup, Adv. Mr. Pawan Shree Agarwal, Adv. Ms. Charudatta Mahindran, Adv. Mr. A. Selvin Raja, Adv.
Gujarat	Ms. Hemantika Wahi, AOR Ms. Jesal Wahi, Adv. Ms. Puja Singh, Adv. Ms. Vinakshi Kadan, Adv.
H.P.	Mr. Suryanaryana Singh, AAG Ms. Pragati Neekhara, AOR
J & K	Mr. Sunil Fernandes, AOR Mr. Puneeth K.G., Adv.
Jharkhand	Mr. Jayesh Gourav, Adv. Mr. Ratan Kumar Choudhri, AOR
Karnataka	Mr. V.N. Raghupathy, Adv.
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Maharashtra	Mr. Mahaling Pandarge, Adv. Mr. Nishant R. Katneshwarkar, Adv.
Meghalaya	Mr. Ranjan Mukherjee, AOR Mr. S.C. Ghosh, Adv.

	Mr. S. Bhowmick, Adv.
Mizoram	Mr. P. V. Yogeswaran, AOR
Nagaland	Mrs. K. Enatoli Sema, Adv. Mr. Edward Belho, Adv. Mr. Amit Kumar Singh, Adv. Mr. Balaji Srinivasan, AOR
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Punjab	Mr. Ajay Bansal, AAG Mr. Vijendra Kasana, Adv. Mr. Gaurav Yadava, Adv. Mr. Jagjit Singh Chhabra, AOR
Sikkim	Ms. Aruna Mathur, Adv. Mr. Avneesh Arputham, Adv. Mr. Anuradha Arputham, Adv. Mr. Yusuf Khan, Adv. Mr. Shobhit Nanda, Adv. for M/s Arputham Aruna & Co.
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Tripura	Mr. Gopal Singh, AOR Mr. Rituraj Biswas, Adv. Ms. Varsha Poddar, Adv.
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Uttarakhand	Mr. Jatinder Kumar Bhatia, AOR Mr. Mukesh Verma, Adv.
West Bengal	Mr. Shankar Ghosh, Adv. Mr. Parijat Sinha, AOR
A&N Islands	Mr. K.V. Jagdishvaran, Adv. Mrs. G. Indira, AOR
Puducherry	Mr. V.G. Pragasaam, AOR Mr. Prabu Ramasubramanian, Adv.
Gauhati	Ms. Sneha Kalita, AOR

Mr. Anuvrat Sharma, AOR

Mr. Sanjay R. Hegde, AOR

Mr. Radha Shyam Jena, AOR

Mr. Milind Kumar, AOR

Mr. D.S. Chauhan, Adv.

Mr. Arun K. Sinha, AOR

Mr. Khwairakpam Nobin Singh, AOR

Mr. P. V. Dinesh, AOR

Mr. Naresh K. Sharma, AOR

Mr. G. N. Reddy, AOR

Ms. Kamini Jaiswal, AOR

Mr. Avijit Bhattacharjee, AOR

Mr. T. Harish Kumar, AOR

Ms. Sushma Suri, AOR

Mr. Sudarshan Singh Rawat, AOR

Mr. B. S. Banthia, AOR

UPON hearing the counsel the Court made the following

O R D E R

There is no appearance on behalf of the State of Andhra Pradesh. Initially, none was present on behalf of the State of Assam. Later on, Mr. Navnit Kumar, learned counsel enters appearance on behalf of the State of Assam.

Learned counsel for the States of Uttar Pradesh and West Bengal are present, but they have no definite instructions.

Learned Additional Solicitor General says that there has been absolutely no effective response from these States and they are not cooperating at all, with the result, there is no progress being made with regard to the implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000, particularly with regard to the appointment of probationary officers.

Under these circumstances, we are constrained to require the presence of the Chief Secretaries of these four States for the time being in Court on the next date of hearing. We expect each Chief Secretary concerned to be present with all the relevant records. As far as the other States are concerned, the matter will be considered on the next date of hearing.

Learned Additional Solicitor General says that he will once again take up the matter with the State Governments/Union Territories perhaps at the highest level to ensure effective compliance.

Learned Additional Solicitor General has given us a status report (which is taken on record) and the above orders have been passed on the basis of the status report.

Mr. Rajesh Kumar Goel, Director, NALSA requests for further time to complete the exercise of preparing the module of Probationary Officers. Although a request has been made for three months' time, we are inclined to give only one month's time in this regard. Accordingly, we extend the time till 31<sup>st</sup> January, 2016.

List the matter on 8<sup>th</sup> January, 2016 for the presence of the Chief Secretaries.

The Registry will not take on record any affidavit except by the Ministry of Women and Child Development.

(SANJAY KUMAR-I)  
AR-CUM-PS

(JASWINDER KAUR)  
COURT MASTER