

MINUTES OF THE MEETING OF THE HON'BLE MONITORING COMMITTEE OF JUVENILE JUSTICE COMPRISING HON'BLE MR. JUSTICE KISHORE KUMAR MANDAL, HON'BLE MR. JUSTICE ASHWANI KUMAR SINGH, HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH AND HON'BLE MR. JUSTICE ARVIND SRIVASTAVA HELD ON 06TH JULY, 2017 (THURSDAY) AT 4.30 P.M. IN THE VISITORS' ROOM OF THE PATNA HIGH COURT TO DISCUSS THE ISSUES RELATING TO JUVENILE JUSTICE IN THE STATE OF BIHAR

Volume-I

The P.U.Cs. relate to two complaints from Mr. Tej Bali Singh, Advocate, Juvenile Justice Aid Cell, Rohtas, from Mr. Mithilesh Kumar Singh, Advocate, Juvenile Justice Aid Cell, Bal Sakha, Saran, from Mr. Pankaj Singh, Begusarai and Mr. Prem Yadav, Darbhanga.

P.U.C. I - The complaint of Mr. Tej Bali Singh is with regard to non-implementation of the provision of Section 8(3) of the Juvenile Justice (Care and Protection of Children) Rules, 2016 (hereinafter referred to as the 'Rules') relating to inspection of Child Care Institutions at least once a month.

The Juvenile Justice Board, Rohtas be directed to ensure that there is strict compliance of the said provision and inspection carried out on a regular basis.

P.U.C. II - The second complaint by him relates to non-implementation of the provisions of Section 10 of the Juvenile Justice (Care and Protection of

Children) Act, 2015 (hereinafter referred to as the 'Act') and Rule 9 of the Rules.

Let instructions be issued to all the Chief Judicial Magistrates to forward a juvenile in conflict with law brought before them to the concerned Juvenile Justice Board along with the records of the case. In the event, the case relates to accused, who are both adult and juvenile, they shall ensure that the entire record is prepared and transmitted to Juvenile Justice Board without any loss of time. The matter be also referred to the Principal Secretary, Social Welfare Department, Government of Bihar as well as the Director General of Police, Bihar with a request that instructions be issued to the officer(s) concerned to act strictly in compliance of the provisions of Rule 9 of the Rules, relating to production of the juvenile(s) in conflict with law before the designated Child Welfare Police Officer.

P.U.C. III - The same is from Mr. Mithilesh Kumar Singh, Advocate relating to pendency of cases before the Juvenile Justice Board, Saran.

The matter was discussed.

P.U.C. IV - The same is received from Mr. Pankaj Singh, Begusarai relating to Peshkar and other employees of Juvenile Justice Board, Begusarai with regard to taking illegal gratification from the litigants.

The complaint be sent to the Principal Magistrate, Juvenile Justice Board, Begusarai to look into the matter and take appropriate action with intimation to the Committee with regard to the steps/action, if any, taken by him, within one month.

P.U.C. V - The same has been received from Mr. Prem Yadav, Darbhanga, and relates to complaint against the Peshkar and Office Clerk of the Juvenile Justice Board, Darbhanga.

The complaint be sent to the Principal Magistrate, Juvenile Justice Board, Darbhanga to look into the matter and take appropriate action with intimation to the Committee, with regard to the steps/action taken by him, if any, within one month

Volume-II

A concise report has been prepared by the Secretary, Juvenile Justice Committee of the High Court with regard to the recommendations of the North-Eastern, Eastern, Western and Northern Regions where Regional Round Table Conferences were held on effective implementation of the provisions of the Act.

The same be forwarded to the Principal Secretary, Department of Social Welfare, Government of Bihar to act in terms of the problems and solutions identified therein, expeditiously, and also comply with the directions of the

Hon'ble Supreme Court in the case of *Exploitation of Children in Orphanages in the State of Tamil Nadu Vs. Union of India and Ors.* and submit appropriate status report before the Hon'ble Supreme Court in terms of the judgment dated 5th May, 2017 with intimation to the Committee.

Volume-III

Discussed.

Action has already been initiated in the matter under agenda contained in Volume-II above.

Volume-IV

The same relates to a complaint of the Principal Magistrate, Juvenile Justice Board, Munger with regard to threat issued to him by a juvenile in conflict with law.

The Committee took serious note of the fact that the matter, through the District Judge, has been sent to the District Magistrate, and Superintendent of Police, Munger for taking appropriate action and providing adequate security to the officer concerned on 8th and 9th June, 2017. The Committee was informed that neither there has been any response from the officers nor any security provided to the Principal Magistrate. The Committee takes serious note of the same and, accordingly, directs the Registrar General of this Court

to call for a report from the District Magistrate as well as the Superintendent of Police, Munger as to what action has been taken on the request made by the District and Sessions Judge, Munger in this connection and the reason for not responding to such communication. The same be sent within one week and the matter be placed before the Chairman of the Committee.

Sd /- (Kishore Kumar Mandal, J.)

Sd /- (Ashwani Kumar Singh, J.)

Sd /- (Ahganuddin Amanullah, J.)

Sd /- (Anurind Srivastava, J.)