

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 29TH MARCH, 2017 (WEDNESDAY) AT 4.30 P.M. IN THE COMMITTEE ROOM OF THE PATNA HIGH COURT TO DISCUSS THE ISSUES RELATING TO ADOPTION MATTERS UNDER JUVENILE JUSTICE IN THE STATE OF BIHAR

P.U.C.- With regard to letter dated 07.03.2017, received from the Principal Secretary, Social Welfare Department, Government of Bihar, relating to the pendency and delay in disposal of matters specially related with child adoption, the issue was discussed. In view of the upcoming meeting of the Principal Judges at the Bihar Judicial Academy on 15th and 16th April, 2017, they shall be sensitized relating to giving priority in disposal of such matters.

The following points have been brought to the notice of the Committee:

(a) The directions given by the Hon'ble Supreme Court of India in *Sampurna Behrua vrs. Union of India and Ors.* vide order dated 24.07.2015 passed in Writ Petition(s) (Civil) No(s).473/2005 have not been complied with.

(b) In spite of several requests, the State Government has failed to fill up the vacancies in Juvenile Justice Boards.

(c) In many districts, the term of the Social Members of the J.J.B. and C.W.Cs. has been completed much before and contrary to the provisions of the Act and the Rules, the tenure has been extended.

(d) Without there being any provision in law, Members appointed in a particular J.J.B. are being attached with other J.J.Bs. where the posts are lying vacant.

(e) In spite of several requests, Observation Homes have not been set up in each district of the State of Bihar. There are only 12 Observation Homes in the State for boys and there is no Observation Home for girl children who are in conflict with law.

(f) The girl children, in conflict with law, are being kept in After Care Home for girls which also is available only at two places in the State of Bihar.

(g) There is no place of safety for boys or girls in the entire State which is a matter of grave concern.

(h) Till date, two Social Workers could not be placed in any S.J.P.Os. as a result of which social background reports are not being prepared affecting disposal of cases.

(i) All the Police Stations of the State of Bihar are not having lady officers to investigate the cases relating to girl children under the POCSO Act.

In view of the points noted above, the Committee further resolved to meet again on 13th April, 2017 with a request to the Principal Secretary, Social Welfare Department, Government of Bihar to be present to apprise the Committee relating to the corrective steps taken by the State in the aforesaid matters.

sd/- (Kishore Kumar Mandal, J.)

sd/- (Ashwani Kumar Singh, v.)

sd/- (Ahganuddin Amanullah, v.)

sd/- (Aurind Srivastava, v.)