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MINUTES OF THE MEETING OF THE MONITORING COMMITTEE, JUVENILE JUSTICE BOARD, COMPRISING HON'BLE MR. JUSTICE V.N. SINHA, HON'BLE MR. JUSTICE KISHORE KUMAR MANDAL, HELD ON 19.03.2014 (Wednesday) AT 4.30 P.M. IN THE COMMITTEE ROOM TO DISCUSS THE STATE OF AFFAIRS PREVAILING IN AFTER CARE HOME FOR WOMEN, GAIGHAT, PATNA WITH SECRETARY, DIRECTOR, SOCIAL WELFARE DEPARTMENT/DIRECTORATE OF THE STATE GOVERNMENT. DEPUTY DIRECTOR, SOCIAL WELFARE WAS ALSO PRESENT.

It is brought to the notice of all concerned that presently 279 inmates including 30 children are residing in the After Care Home. Amongst the inmates of the Home 15 are juvenile girls in conflict with law, Secretary of the Department agreed to shift the 15 girls in conflict with law to Observation Home for Girls at Muzaffarpur within one month. It was also agreed by the Secretary that the girls kept in the Observation Home, Muzaffarpur will be taken to the Court concerned on the date(s) fixed in the case of the juvenile through public transport and it shall be ensured that on every date fixed the inmates are present before the Court concerned to ensure that the Court proceeding is not delayed and completed within four months, as provided in the Statute. Secretary further agreed to shift 134 girls/victims of elopement cases presently residing at After

Care Home, Gaighat, Patna to Mokama, Patna in a rented building provided by Nazarat Hospital, Mokama, Patna.

2. Secretary further stated that the 23 victims of trafficking cases presently residing in the After Care Home, Gaighat, Patna shall be shifted to Protection, Correction Home for girl to be set up by the Government at Patna within two months. He also stated that Special Home for trafficking victims of less than 18 years of age shall also be established within three months. It is also stated by the Secretary that advertisement is required to be published in newspaper to establish the Protection, Correction, Special Home(s) for trafficking victim of above /less than 18 years of age. Let the required advertisement be published at the earliest and aforementioned Home(s) be established within the time indicated above.

3. 84 mentally challenged inmates are presently residing in After Care Home, Gaighat, Patna although Director, Mental Asylum, Koilwar, Bhojpur and Director-in-Chief, Health Services, Bihar had undertaken before the High Court Committee on 14.11.2011 that the mentally challenged inmates of the Home shall be shifted to the Mental Asylum, Koilwar, Bhojpur within a period of two months from that date (14.11.2011). In this connection, reference was also made to a judicial order passed by a

Division Bench of this Court dated 06.07.2011 in C.W.J.C. No.9314 of 2009. In the light of the resolution of the High Court Committee and the order dated 06.07.2011 Secretary, Social Welfare spoke to Principal Secretary of the Health Department of the Government who expressed regret for not adhering to the time schedule undertaken in the resolution of the Committee dated 14.11.2011 as also the direction of the Division Bench contained in order dated 06.07.2011 and assured the Committee that within two months all the 84 mentally challenged inmates of After Care Home, Gaighat, Patna shall be shifted to the Mental Asylum at Koilwar, Bhojpur.

4. Secretary, Welfare Department also brought to the notice of the Committee that the Department has established Short Stay Home for women in 22 districts of the State and submitted that any women produced before a Court in those 22 districts, if required to be sent to Observation, After Care Home, should be first sent to a Short Stay Home in the district and if such Home is not available in that particular district, to the adjoining district and from the Short Stay Home should be sent to Observation Home, Muzaffarpur or to After Care Home, Gaighat, Patna or to the Home established in the campus of Nazarat, Mokama, Patna.

5. In the light of the request of the Secretary, Social Welfare, let appropriate direction be issued to the District & Sessions Judge, who in turn should communicate the same to the Magistrates serving in his jurisdiction.

Sd. (V. N. Sinha, J.)

Sd. (Kishore Kumar Mandal, J.)