

APP

PROCEEDINGS OF THE MEETING OF THE STANDING COMMITTEE HELD ON
3RD OCTOBER, 2012 IN THE COMMITTEE ROOM

<u>Item No.</u>	<u>Agenda</u>	<u>Resolution</u>
7.	To consider the minutes of inspection of Begusarai Judgeship recorded by Hon'ble Mr. Justice V. N. Sinha, Hon'ble Inspecting Judge of Begusarai Judgeship on the basis of inspection held from 25.5.2012 to 27.5.2012. (XLVIB-01-2011)	<p>Discussed. The Registry will take follow up action.</p> <p><u>Further resolved</u> that the Committee monitoring the Juvenile Justice Board will do the needful in respect of implementation of the mandates under the Juvenile Justice (Care and Protection of Children) Act, 2000.</p> <p>Sd/- R.M.Doshit, C.J. Sd/- T.Meena Kumari, J.A.D. I Sd/- Shiva Kirti Singh, J.A.D. II Sd/- Shailesh Kumar Sinha, J. Sd/- Jayanandan Singh, J. Sd/- Sheema Ali Khan, J. Sd/- Mandhata Singh, J.</p>

17. I visited Children Home, Begusarai established and administered by the State Government on 27.5.2012 in the evening at about 6.45 P.M. and remained there until 7.30 P.M. During my stay at the Home neither the Assistant Director, Social Security nor the Superintendent of the Home was present though Smt. Meena Devi, House Mother was present along with Sri Lakshmi Prasad, Advocate, who claimed himself to be the member of the Child Welfare Committee,

Begusarai. It is not known under what capacity and at whose bidding and for what purpose Sri Prasad was present in the Home at 6.45 P.M. On the date of my visit 45 inmates were present in the Home. One of the inmate had suffered leg fracture and was lying with plaster on his wooden bed mattress, bed-sheet and pillow, but there was darkness in the room on account of load shedding. The other 44 inmates of the Home were on the roof sitting in darkness by the side of the space meant for sky/roof light without any fencing or protection and could suffer fall from the roof at any time. Accordingly, verbal instructions were issued to the House Mother to ensure fencing and proper protection on the roof to avoid fall of the child from the space meant for sky/roof light. Besides the House Mother there was a cook in the Home, who with the assistance of one attendant prepared food for the inmates. Besides the attendant assisting the Cook there were two other attendants in the Home who assisted the House Mother in attending to the inmates of the Home. It may be noted here that the attendants are none other but the inmates of the Home who have become adult and employed on payment of honorarium. There were 45 inmates in the Home but wooden bed with mattress, bed-sheet and pillow was available for only 12 inmates. The other inmates are said to be mentally retarded and it is said that they could not sleep alone, as such, for them there was no provision for wooden bed and they are made to share wooden bed with other inmates. Asking the mentally retarded inmate(s) to share wooden bed with other inmates of the Home is contrary to Section 58 of the Act and Rule 61 of the J. J. Rules, 2007 which require

mentally retarded inmate(s) to be kept separately under the care of a fit person/institution. The wooden beds were without any provision for mosquito net and barrier rod to prevent the child from falling during sleep. The toilet and bathrooms were not only dirty but also insufficient in number to cater to the needs of the 45 inmates. The sanitation and hygiene in the Home was wholly improper and contrary to Rule 42 of J. J. Rules, 2007. I visited the Home at 7 P.M. which is just ahead of the dinner time but by then food was not ready as raw cut potato was kept in an aluminium tub and the attendant assisting the Cook was preparing spice paste. On my query that only potato is being given as vegetable, the Cook informed me that the green vegetable is about to come. Before I left the Home, I could see brinjal brought from the market and kept in another pot for being mixed with the potato. There was a separate kitchen for the three attendants and the Cook. In the store, I could see rice, pulse and flour kept in bags but Rajma was available in a small jar which was insufficient even for one meal of the 45 inmates of the Home. The Staff available in the Home including House Mother was not as per the provisions made in Rule 68 of the J.J. Rules, 2007. There was neither any Counsellor nor Educator nor Paramedical Staff available in the Home. It is not known whether the registers and the Visitor-book as required under Rule 66 and 67 of the J.J. Rules, 2007 is maintained in the Home. Having visited the Children Home at Begusarai, to me it appears that the mandate of the Juvenile Justice (Care and Protection of Children) Act, 2000 to care, protect and restore the child in his childhood is not being acted upon and observed

for which not only the authorities of the Children Home, Additional Director, Social Security, Officers of the District Administration, Begusarai but also the authorities of the Directorate and Department of Social Welfare of the Government of Bihar appears to be responsible. In my considered opinion, the authorities should shift the Children Home, Begusarai to a premises which is adequate for providing living facilities as per the standards provided in the Act and the Rules and also provide for staff as per the provisions made in the Act and the Rules. Before shifting the Home to another building the mentally challenged/retarded children be shifted and separated from the other children as is required under Section 58 of the Act and Rule 61 of the Rules so as to provide mentally retarded and the other children proper mental/living condition. It may be stated here that under the provisions of the Act and the Rules, the mentally challenged/retarded children are to be kept separate from the other children.

sd/-
(V.N.Sinha, J.)