

SO
24/11/13

PROCEEDINGS OF THE MEETING OF THE MONITORING COMMITTEE
CONSTITUTED UNDER THE JUVENILE JUSTICE (CARE AND PROTECTION
OF CHILDREN) ACT, 2000 COMPRISING HON'BLE MR. JUSTICE V.N.SINHA
AND HON'BLE MR. JUSTICE MUNGESHWAR SAHOO HELD ON 07.10.2013
AT 4.30 P.M. IN THE CHAMBERS OF HON'BLE MR. JUSTICE V.N.SINHA.

Paper Book-I

PUC I- Call for a report from D.J., Saharsa by sending the copy of petition of Shila Devi (PUC-I) about the disposal of Saharsa P.S. Case No. 46/03, G.R. No. 221/03 and its appeal, if any.

PUC II- Call for a report from M.D. Women Development Corporation (Mahila Vikash Nigam), Patna by sending a copy of PUC-II.

PUC III- Petitioner of PUC III be informed that the request is contrary to the provision of Rule 9 of Model Rule and Rule 8 of Bihar Govt., J.J.Rule.

PUC IV- Seek a report from Secretary, Social Welfare Department, Govt. of Bihar about the contents of representation of Sri Shankar Kumar and Pramod Sharan dated 6.6.2013 (PUC) with reference to Section 29(4) of the Act and Rule 22(2), (3) and (4) of Juvenile Justice (Care and Protection) Rule, 2007 and Rule 2012 framed by the Govt. of Bihar. Report will also indicate C.W.C. has been constituted for every district, if not then the time within which it shall be constituted preferably within a month.

Paper Book-2


Perused the petition dated 27.5.2013 of advocate Civil Court, Rohtas at Sasaram. It appears that the prosecution instituted against the juvenile in conflict with law is not being conducted and concluded in time as provided in Juvenile Justice (Care and Protection of Children) Act, 2000, Model Rule 2007 and the State Rule 2012. In this connection, we perused Section 14 of the Act and Rule 13(7) of the Model Rule and sub-rule 7 of Rule 13 of State Rule, 2012, wherefrom it appears that the

enquiry for ascertaining the age of juvenile and also to find out the correctness of accusation/charge in non-serious cases, in which the punishment does not exceed 7 years, is to be concluded within 30 days, 4 months subject to further extension of two months, as provided under Rule 12, Section 14 of the Act read with sub-rule 6 and 7 of Rule 13 respectively. The Committee is aware that even after passage of more than the time provided for concluding the enquiry, the enquiry remain pending thereby clogging in the docket and delaying the disposal of recent cases within the time provided under the Act, Rules. To ensure disposal of enquiry in recent cases lodged against juvenile the enquiry kept pending in old cases are required to be concluded without any further delay and matter disposed of. The cases lodged against juvenile prior to coming into force of Juvenile Justice (Care and Protection) Act, 2000 and pending in the court of ACJM should first be transferred to the concerned J.J. Board and then disposed of by the Board. The old cases which have already been transferred to the J.J. Board concerned be disposed of and a report submitted as soon as possible.

Paper Book-3

Perused the list of married/pregnant women together with petition (at pages 13-18). Copy of the petitions be sent to concerned Court with a direction to do the needful and to submit report forthwith.


(V.N.Sinha, J.)


(Mungeshwar Sahoo, J.)