



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1172 of 2026

Arpan Kalayan Samiti Through Its President, Near Maa Sharda Travels, Old Bus Stand, Pandri, Distt. Raipur Chhattisgarh

... Petitioner

versus

1 - State Of Chhattisgarh Through Its Secretary, Women And Child Development Department, Mahanadi Bhawan, Nava Raipur, Atal Nagar, Distt. Raipur Chhattisgarh

2 - Director Directorate Of Women And Child Development Department And Secretary State Child Protection Committee, Nava Raipur, Atal Nagar, Distt. Raipur Chhattisgarh

3 - Union Of India Through Secretary Women And Child Development Department, A Wing, Room No. 310, Shastri Bhawan, New Delhi - 110001 (India)

4 - District Program Officer Women And Child Development Department, Distt. South Bastar Dantewada Chhattisgarh

5 - Collector Distt. South Bastar Dantewada Chhattisgarh

6 - Directorate Of Women And Child Development Through Its Director, Indravati Bhawan, Block - 01, 2nd Floor, Nava Raipur, Atal Nagar, Distt. Raipur Chhattisgarh

... Respondents

Order Sheet

18/03/2026	Mr. Soumitra Kesharwani, counsel for the petitioner. Dr. Arham Siddiqui, Panel Lawyer for the State/ respondents 1, 2 & 4 to 6. Ms. Jyoti Singh, Advocate on behalf of Mr. Ramakant Mishra, Dy. Solicitor General for Union of India/respondent No.3. Heard on Ia No.01/2026, application for grant of stay. Learned counsel for the petitioner submits that the Petitioner-Institution is a registered society duly recognized by the respondent Authority to run a Child Care Institution (CCI), for which its registration is renewed from time to time and lastly, in the year 2023, the registration of the petitioner was renewed for a period of 5 years vide Notification dated 07.12.2023 and thereby it will expire on 06.12.2028. He further submits that on the basis of communications/ resolutions made by the Project Approval Board (PAB) of the Ministry of Women & Child Development (Govt. of India) on 23.08.2024 (Annexure-P/11) and 27.05.2025, the respondent-Director, Directorate of Women and Child Development, Raipur has issued a communication dated 29.12.2025 (Annexure-P/2) directing the respondent-District Program Officer, Women and Child Development, District South Bastar, Dantewada, to inform the petitioner that a direction has been issued by the Ministry of Women and Child Development to run CCIs by the State Government as Government institutions. In compliance with the said order, the aforesaid District Program Officer has issued the

impugned order dated 24.02.2026 (Annexure-P/1) directing the petitioner to furnish a list of permanent and temporary articles/assets of its Institution before 01.04.2026 in order to comply with the aforesaid direction issued by the Govt. of India.

Learned counsel further submits that the aforesaid communications have been issued in light of resolutions passed by the PAB in its meetings dated 12.08.2024 and 09.04.2025, however, in said resolutions, it is not mentioned by the PAB that the ownership and responsibility of administration and monitoring of the NGO running the CCI will be taken, rather vide the meeting dated 09.04.2025, a resolution was passed only to the effect that new/fresh NGOs be discouraged to run CCIs and that the State/UT may propose the functioning of new and additional CCIs.

In view of such submissions, counsel submits that in the garb of the aforesaid resolution passed by the PAB, without invoking the provisions of Section 41(7) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (**Act 2015**), the impugned communication/order (Annexure-P/1) issued by the District Program Officer, Women and Child Development Department, South Bastar, Dantewada to provide details of temporary and permanent assets in order to take charge of the CCI, is not justifiable and is bad in law. Hence, interim protection may be granted to the petitioner.

In reply, learned counsel for respondents No. 1, 2, 4, 5 & 6/State submits that both communications (Annexure-P/1

and P/2) have been issued by the respondents/Authorities in light of the proposal passed by the PAB on 12.08.2024 and 09.04.2025. He further submits that in the proposal dated 12.08.2024, only a request was made to the State Government to take ownership and administration for monitoring of existing NGOs to run CCIs in order to ensure effective delivery of services as mandated under the Act of 2015, from the year 2024 onward. He also submits that the State Government has not passed any order for the cancellation of the registration of the petitioner, rather, under the impugned order, only details of permanent and temporary assets have been sought from the petitioner. Hence, there is no requirement for interim protection in favour of the petitioner.

Learned counsel for the Union of India/respondent No. 3 submits that in light of the resolution passed by the PAB on 27.05.2025, a new policy regarding CCIs housing special needs children as well as specialized adoption agencies was formulated on 21.07.2025. Therefore, some time may be given to file a reply. However, interim protection may not be granted to the petitioner.

Considering the prayer of the counsel for the UOI, 2 weeks' time is granted to file reply to the main petition as well as the application for interim relief.

Heard learned counsel for the parties.

From, prima facie, perusal of the documents, it appears that the petitioner Institution has already been registered as a Child Care Institution under the provisions of

Bini	Section 41 of the Act of 2015, and it has been extended from time to time. The last registration was issued in favour of the petitioner on 07.12.2023 for a further period of 5 years, which has not been cancelled yet. Further, no circumstances as provided under Section 41(7) of the Act of 2015 have been made against the petitioner. Even from the perusal of the resolution passed by the Project Approval Board, it appears that no decision has been made to take over the ownership and responsibility of the existing NGO. Hence, considering the aforesaid facts and circumstances of the case, this Court is inclined to grant interim protection in favor of the petitioner until the next date of hearing. Therefore, it is directed that <u>no coercive steps shall be taken against the petitioner</u> in respect of the impugned communication dated 29.12.2025 (Annexure-P/2) and subsequent communication dated 24.02.2026 (Annexure-P/1), till the next date of hearing. List this case along with WPC No.508/2026 after 2 weeks. Sd/- (Naresh Kumar Chandravanshi) Judge
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