



\$~1 & 10

***IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2495/2018

COURT OF ITS OWN MOTION Petitioner
Through
versus

GOVT. OF NCT OF DELHI AND ORS. ... Respondents
Through : Mr. Rahul Mehra, Standing
Counsel (Crl.) with Mr.
Satyakam, ASC, GNCTD.

+ W.P.(C) 11187/2017

COURT ON ITS OWN MOTION Petitioner
Through
versus

GOVT OF NCT OF DELHI & ORS. ... Respondents
Through : Mr. Rahul Mehra, Standing
Counsel (Crl.) with Mr.
Satyakam, ASC, GNCTD.
Mr. Vivek Goyal, CGSC
with Mr. Harsh Ranjan
Shahi, Advs. for UOI.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER
22.03.2018

%

1. The writ petition being W.P.(C)No.2495/2018 has been registered pursuant to the orders dated 9th February, 2018 passed by the Supreme Court of India. W.P.(C)No.2495/2018 and W.P.(C) 2495/2018 & 11187/2017

page 1 of 4



W.P.(C)No.11187/2017 are both concerned with Juvenile Justice Boards. We are taking up both these writ petitions together for consideration.

2. Pursuant to the orders passed by this court and the inspections undertaken, Mr. Satyakam, Additional Standing Counsel for the GNCTD informs this court that with regard to the work identified in all the 21 child care institutions in Delhi, the financial estimates were placed for administrative approval and expenditure sanctions before the concerned authorities.

3. Dr. Nisha Aggarwal, Deputy Director, Child Protection Unit of Department of Women and Child Development is present in court and informs this court that inasmuch as the financial year is also almost closing, some of the estimates have recently been approved and cleared. It is reasonably expected that upon the commencement of the new financial year from 1st April, 2018, approvals and clearances for the remaining estimates are obtained from the Finance Department. This appears to be fair.

4. In view of the above stated position, the Chief Engineer, Public Works Department shall ensure that wheresoever the clearances and approvals have been received, the work shall commence forthwith and be completed at the earliest.

5. We request Mr. Satyakam, Additional Standing Counsel for GNCTD; Ms. Bharti Ali from the NGO-HAQ and Mr. Anant Asthana, Advocate to jointly and severally visit the child care

W.P.(C) 2495/2018 & 11187/2017

page 2 of 4



centres and inform this court about the status of the deficiencies noted by them in their report.

6. We are informed that a part of the premises of Sewa Kutir, wherein the de-addiction is being managed, has not been inspected. The Committee is directed to closely inspect, if not already done, every nook and corner of the complexes owned by the Government of NCT of Delhi wherein any activity relating to child care is being undertaken and draw up any deficiencies, etc. in the same.

7. We are further informed by the members of the Committee that the Government of NCT of Delhi does not have any counsellors on regular employment. Counselling has to be an essential part of every child care centre. We are informed that so far as counselling in child care centres being run by the GNCTD is done, there are only counsellors employed on contractual basis. The children who are lodged in the institutions are most vulnerable and are at a critical developmental stage would be deprived of the positive inputs which counselling would provide to them for their reintegration as well as their subsequent rehabilitation. This deserves immediate attention of the authorities.

8. Mr. Satyakam shall place a status report with regard to the number of sanctioned posts of counsellors which exist in the GNCTD; their essential qualifications; remunerations; method of recruitment; last date when the recruitment exercise was undertaken as well as the proposed date of their recruitment.



9. We are informed that there are other matters wherein overlapping issues are pending in this court. The GNCTD shall take steps for ensuring that the same are consolidated with these petitions.

10. We record our appreciation for the assistance tendered to this court by Ms. Bharti Ali and Mr. Anant Asthana, Id. *amici curiae*.

11. List this matter on 9th April, 2018.

Dasti under signatures of the Court Master.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

MARCH 22, 2018

aj