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

+ W.P.(C) 2495/2018, CM APPLs. 6877/2024, 23832/2024 & 23886/2024

COURT ON ITS OWN MOTION

.....Petitioner

Through: Mr. Anant Kumar Asthana, *Amicus Curiae*

Versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mrs. Avnish Ahlawat, Standing Counsel with Mr. Satyakam, ASC for GNCTD, Mr. Pradyut Kashyap, Mr. Nitesh Kumar Singh, Ms. Laavanya Kaushik, Ms. Aliza Alam & Mr. Mohnish Sehrawat, Advocates for respondent No.1 with Ms. Priyanka Kumar, Joint Director, Ms. Alia Saeed, Assistant Director and Mr. Hemant Mehta, LCPO from Department of Women and Child Development

Mr. Vivek Goyal, CGSPC & Mr. Gokul Sharma, Advocate for UOI

Mr. H.S. Phoolka, Senior Advocate with Ms. Prabhsahay Kaur, Ms. Rachna Tyagi, Ms. Shashi, Ms. Surpreet Kaur, Mr. A. Choudhary, Mr. Taruna Panwar & Ms. Tanvi Chaudhary Advocates for Intervener/BBA

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

22.08.2024

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1. Vide order dated 23.02.2024, this Court directed respondent No.1/Govt. of NCT of Delhi to complete all the formalities of selection process in CWCs and JJBs on or before 31.03.2024, failing which the Chief Secretary, GNCTD shall appear before the Court to explain as to why the order passed by this Court has not been complied with.
2. On the said date, learned Additional Standing Counsel appearing on behalf of GNCTD sought 15 days' time to ensure compliance of the said order. Accordingly, GNCTD was directed to comply with all formalities of selection process in CWCs and JJBs on or before 15.04.2024. Thereafter, an application being No. CM APPL. 23886/2024 was filed seeking extension of time to comply with the selection process in CWCs and JJBs.
3. Pursuant to order dated 23.02.2024, status report filed on behalf of respondent No. 1/GNCTD was taken on record. In the status report, it is noted that on 15.04.2024, the proposal for approval of re-constitution of State Level Selection Committee ('SLSC') has been sent for assent of Hon'ble President of India and the Department was in constant communication with the Ministry of Home Affairs, GNCTD to expedite the matter.
4. On 25.04.2024, learned Additional Standing Counsel for the State submitted that pursuant to directions contained in order dated 23.02.2024, steps have already been taken by the respondents/State and some assent/approval was awaited. Consequently, the appearance of Chief Secretary, GNCTD, Delhi was dispensed with till further orders.
5. It was further stated that upon receiving the consent of Hon'ble President for re-constitution of SLSC, the selection process for filling up



vacant post in respect of Chairpersons Members in ten Child Welfare Committees and Member Social Workers in seven Juvenile Justice Boards, from the candidates shortlisted and eligible, shall be taken up diligently and in a time bound manner.

6. On 20.05.2024, this Court directed the respondent to complete the selection process before the next date, failing which the incumbent Chairperson and members shall continue till the process is complete. The respondents were also directed to file fresh status report *qua* 41 issues, within four weeks, with advance copy to the concerned counsel and the matter was directed to be posted for today i.e. 22.08.2024.

7. Today, learned Additional Standing counsel appearing for GNCTD has placed before this Court copy of Gazetted Notification dated 12.08.2024, whereby Notification dated 09.08.2024 by the Department of Women and Child Development in respect of Selection Committee for selection of Member Social Workers, Juvenile Justice Boards and Chairperson and Members, Child Welfare Committees under Juvenile Justice (Care and Protection of Children) Act, 2002 and Model Rules, 2016, for a period of three years from the date of notification; has been published.

8. Learned Standing Counsel has also placed before this Court copy of communication dated 14.08.2024 of Department of Women and Child Development, Child Protection and Development Unit, GNCTD, Delhi whereby Additional Director (WCD) requesting the Chairperson Ms.Asha Menon, J (former Judge of this Court) to give convenient date and time for conducting interview for the positions of Chairperson, CWC; Member, CWC and Member Social Worker, in JJB. As stated, till date no communication in response to the above request has been received from the



Chairperson named above.

9. It seems that the respondents have not apprised Ms.Asha Menon, J the directions passed by this Court through various orders time and again directing the respondents to complete the selection process.

10. In view of above, the respondents are directed to send complete set of the present petition, alongwith all the order-sheets to the Chairperson of SLSC, within two days.

11. We request the Chairperson to complete the selection process by giving day to day sitting, preferably before the next date of hearing.

12. The respondents are directed to provide all the facilities and ministerial staff to the Chairperson, required for completing this exercise positively by 31.08.2024, so that selection process can be completed within two weeks thereafter.

13. Re-notify on 02.09.2024 for compliance and further direction, if required.

14. It is made clear that Para-5 of order dated 20.05.2024 shall remain in force till further orders.

15. All the concerned parties are directed to send compliance report within one week to the learned Amicus, who shall place the same on record, before the next date of hearing.

SURESH KUMAR KAIT, J

GIRISH KATHPALIA, J

AUGUST 22, 2024

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