

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) (WRIT PETITION (PIL)) NO. 149 of 2021**

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BACHPAN BACHAO ANDOLAN & ANR.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR DHAVAL M BAROT(2723) for the Applicant(s) No. 1,2

GOVERNMENT PLEADER for the Opponent(s) No. 1,2,5

NOTICE SERVED for the Opponent(s) No. 4

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CORAM:**HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA****AGARWAL**

and

HONOURABLE MR.JUSTICE D.N.RAY**Date : 18/07/2025****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)**

For the last two dates fixed in the matter, the learned advocate Mr. Pragyan Sharma, who was conducting the matter and also the learned advocate Mr. Dhaval Barot, whose name is reflected in the cause list, have remained absent.

2. On 7.2.2025, taking note of the observations of the Apex Court in the judgment delivered on 05.05.2017 in **Writ Petition (Criminal) No. 102 of 2007 reported in (2017) 7 SCC 594**, we have directed the State Government to finalise the policy for conducting Social Audit taking clue from the directions contained in paragraph No. '103' of the above decision of the Apex Court. The format for Social Audit in

terms of the Model formats prepared by the Union of India as per the directions issued by the Apex Court, was directed to be finalised and the report of the first quarter of the working of the State Commission in discharging its functions in accordance with the provisions of Section 23 of the Commissions for Protection of Child Act, 2005 was directed to be placed before this court.

3. Alongwith the affidavit dated 20.03.2025, it is brought on record that Model Social Audit Format prepared by the Ministry of Woman and Child Development, Government of India has been placed before a Committee constituted vide Government Resolution dated 15.03.2025, which has finalised the format in its meeting held on 18.03.2025, in consonance with the Juvenile Justice Act, 2015 and Mission Vatsalya Guidelines to conduct social audits/evaluation. The Social Audit would include evaluation of Child Welfare Committees, Juvenile Justice Boards, Special Juvenile Police Units, Children Homes, Specialised Adoption Agencies, Open Shelter/Shelter Homes, Observation Homes, Special Homes and Places of Safety for Children in need of protection or Children in conflict with law.

4. Pertinent is to note that the State Commission has been set in place only recently by the notifications dated 24.10.2024 and 12.12.2024 issued by the Social Justice and Empowerment Department, State of Gujarat and the Model Social Audit Format has been finalised only in the month of March, 2025. The result is that there is requirement of conducting Social Audit by the State Commission in the prescribed format, of all the above noted institutions in the State of Gujarat.

5. We, therefore, require the State Commission to do the needful and submit the Social Audit Report before this Court, which is to be conducted strictly in accordance with the directions of the Apex Court in the judgment and order dated 05.05.2017, read with the Juvenile Justice Act, 2005 and the relevant guidelines.

6. Let this matter be posted on **19th September, 2025** at **2.30. p.m.**

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

C.M. JOSHI