

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

BACHPAN BACHAO ANDOLAN & ANR.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR.PRAGYNA SHARMA, SENIOR COUNSEL WITH MS.TANVI CHAUDHARY, MS.SURABHI KATYAL, MS.PRUTHA BHAVSAR AND MR ANKIT SHAH(6371) for the Applicant(s) No. 1,2

MR.G.H.VIRK, LD.GOVERNMENT PLEADER WITH MS.DHARITIRI PANCHOLI AND MS.HETAL PATEL, ASST.GOVERNMENT PLEADERS for the Opponent(s) No. 1,2,5

MR.G. M. JOSHI, SENIOR COUNSEL FOR LAW OFFICER BRANCH(420) for the Opponent(s) No. 3

MR CHINTAN N DESAI(9940) for the Opponent(s) No. 3

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 : 08/05/2026**ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)**

1. Mr.Pragyan Sharma, the learned Senior Advocate appearing for the petitioner raises a concern with regard to the allocation of the task to conduct Social Audit to another institution, other than what has been disclosed in the affidavit dated 18.09.2025.
2. The submission is that, before this Court, it was stated in the aforesaid affidavit of the Principal Secretary, Social Justice and Empowerment Department, Government of Gujarat that a Memorandum of Understanding (MoU) has been signed on

- 16.09.2025, between Social Justice and Empowerment Department, Government of Gujarat and Gujarat National Law University(GNLU), Gandhinagar to conduct social audit, training programmes and research projects.
3. And that the Gujarat National Law University(GNLU), Gandhinagar will provide aid in conducting social audit by leveraging their analytical skills, research capabilities and by reviewing matters concerning the establishment of Child Welfare Committees, Juvenile Justice Boards, Special Juvenile Police Units, Children Homes, Specialised Adoption Agencies, Open Shelter/Shelter Homes, Observation Homes and Special Homes.
 4. Further, the Gujarat State Commission for protection of Child Rights (SCPCR) will oversee the entire Social Audit process which will summarize the findings, identify shortcomings, and recommend the corrective measures to ensure strict adherence with the directions contained in the judgment of the Hon'ble Apex Court delivered on 05.05.2017 in Writ Petition (Criminal) No. 102 of 2007 reported in (2017) 7 SCC 594, in consonance with the provisions of the Juvenile Justice Act, 2015 and Mission Vatsalya Guidelines.
 5. However, there is change in the institute which will be conducting Social Audit now. The submission is that once Principal Secretary, Social Justice and Empowerment Department, has committed to this Court that there cannot be any change without intimation to the Court.
 6. Mr.G. H. Virk, the learned Government Pleader appearing for the respondent prays for and is granted adjournment today to enable him to bring the correct and complete facts on record as to the manner in which such a decision is taken.

7. During the course of deliberations, it was also submitted by Mr.G. H. Virk, the learned Government Pleader that the change of the institute to conduct the Social Audit will also be reviewed and appropriate response be given to the court on the next date fixed.
8. Taking note of the above, we post the matter on **19.06.2026** at **12:30 PM**.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

SAHIL S. RANGER