

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR**

D.B. Civil Writ Petition No. 3453/2018

Suo Moto

-----Petitioner

Versus

State And Ors.

-----Respondent

Connected With

D.B. Civil Writ Petition No. 13329/2019

D.B. Civil Writ Petition No. 13330/2019

D.B. Civil Writ Petition No. 13332/2019

D.B. Civil Writ Petition No. 13262/2020

For Petitioner(s) : Mr. Anirudh Purohit, Amicus Curiae

For Respondent(s) : Mr. Anil Kumar Gaur, AAG
Mr. Pankaj Sharma, AAG
Mr. Deepak Chandak
Dr. B.L. Saraswat, Asst. Director,
Child Rights Department
Ms. Deepika Bishnoi, Superintendent,
Balika Gruh, Jodhpur

**HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI**

Order

27/05/2022

Mr. Anil Kumar Gaur, learned AAG has submitted the progress report as per which, pursuant to the direction given by this Court, two courses have been started in the Skill Development Centre. However, till date Dormitory/ Hostel facility has not been completed and thus, the CNCP (Children in Need for Care and Protection) from other homes could not be shifted for providing skill development courses. We are of the firm opinion that providing skill development courses to CNCP lodged across the State of Rajasthan, is the primary objective of Bal Prashikshan and

Paramarsh Centre. Hence, we directed that the Dormitory/ Hostel facility shall be completed/ made functional by the next date of hearing.

In the intervening period, two serious incidents have taken place and the Court's attention is drawn thereto by Amicus Mr. Purohit. First incident took place at Jaipur wherein, one of the CICL (Child In Conflict with Law) boys, assaulted and killed another CICL boy lodged at the Observation Home, Jaipur. In another serious incident, a CICL girl lodged at the Balika Gruh, Jodhpur absconded from the facility, and was subsequently subjected to sexual assault by multiple assailants.

Mr. Anirudh Purohit, learned *Amicus Curiae*, submits that all the care givers who are attending to the children inside the observation homes, are being hired on contract basis and it cannot be expected that these care givers would be having the requisite zeal or commitment to the institutions and the children. He further submits that a huge chunk of the sanctioned posts are lying vacant in these institutions which is resulting into these kind of situations cropping up every now and then. Even the guards who are manning the gates of the Institutions are employed on contractual basis. This Court has been informed that 954 out of 1940 posts in the Social Welfare and Child Rights Department, are lying vacant. The situation is alarming. This Court expresses its displeasure on the inaction by the State Authorities in making appointments on the vacant posts in these institutions which are of extreme sensitive nature because children of both categories i.e., CICL and CNCP are being lodged therein.

We therefore direct that steps to fill in all vacant posts in these institutions across the State of Rajasthan shall be initiated within next thirty days.

Mr. Anirudh Purohit further submits that two more rooms are urgently required in the Skill Development Centre for additional courses and the State Government may be directed to release the funds for construction. The prayer so made is justified.

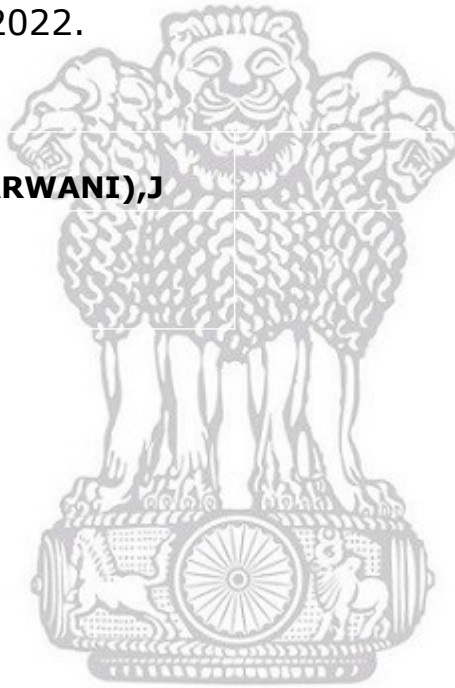
Mr. Gaur, learned AAG shall instruct the authority concerned to immediately release funds for completing the remaining part of project. Compliance report shall be submitted for the Court's perusal on the next date of hearing.

List on 12.07.2022.

(VINOD KUMAR BHARWANI),J

(SANDEEP MEHTA),J

16 to 20-/Devesh/-



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