

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

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

Suo Moto

-----Petitioner

Versus

State And Ors.

-----Respondent

Connected With

1. D.B. Civil Writ Petition No. 13329/2019
2. D.B. Civil Writ Petition No. 13330/2019
3. D.B. Civil Writ Petition No. 13332/2019
4. 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. Farzand Ali AAG
Mr. D.K. Khatri, Joint Secretary,
RSLSA,
Mr. Govind Beniwal, Child Right
Activist
Mr. Aamir Khan, Dy. Director (SARA)
State Adoption Resource Agency

**HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA**

Order

08/02/2021

Shri D.K. Khatri, Joint Secretary, RSLSA, has placed on record the list depicting the position of human resources in the various Juvenile Justice Boards.

35 posts of stenographers Grade II are sanctioned but only 5 posts are filled and 30 posts are lying vacant. 35 posts of Reader Grade II are sanctioned from which, 21 posts are filled whereas 14 posts are lying vacant. Out of 35 posts of Junior Judicial Assistant/ Lower Divisional Clerk, Grade II, 22 posts are lying vacant. Out of

105 posts of Class IV employees, 102 posts are lying vacant. This is indeed a pathetic state of affairs and it is beyond compulsion as how the Juvenile Justice Boards would be functioning without appropriate staff.

We, therefore, direct that the vacancies shall be filled at the earliest by a feasible mode of recruitment.

Another report has been placed on record, as per which, officers are posted as Principal Magistrates in all the Juvenile Justice Boards in the State.

Observations were made by this Court in order dated 31.12.2020, for utilising the funds of District Mineral Foundation Trusts for upgrading the Child Care Institutions. Learned AAGs Shri A.K.Gaur and Shri Pankaj Sharma have placed on record certain documents which indicate that administrative sanction was granted by the District Mineral Foundation Trust, Udaipur on 28.08.2017 for up-gradation of the Government Observation Home and a sum of Rs.87.50 lacs odd was spent for this purpose from the Trust funds. Shri Gaur and Shri Sharma apprised the Court that now a new Trust fund has been created by the name State Mineral Foundation Trust and certain proportion of the amounts lying idle in the District Mineral Foundation Trusts is being transferred to the State Mineral Foundation Trust from which, suitable amounts can be set apart for up-gradation of Child Care Institutions in the State. Shri Sharma and Shri Gaur shall apprise the Court regarding position of funds in the District Mineral Foundation Trusts and State Mineral Foundation Trust on the next date of hearing and also make suggestions as to how much of amounts from these funds can be assigned for up-gradation of the

Child Care Institutions and upcoming Skill Development Center at Jodhpur.

Shri Farzand Ali, learned AAG also points out that Dy Director, State Adoption Resource Agency has been appointed to assist the Court in these matters.

List on 15.03.2021.

(DEVENDRA KACHHAWAHA),J

(SANDEEP MEHTA),J

21-Mamta/Devesh



सत्यमेव जयते