

ITEM NO.1C
(For interim order)

COURT NO.3

SECTION PIL

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
WRIT PETITION (CIVIL) NO(s). 473 OF 2005

SAMPURNA BEHRUA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date: 12/10/2011 This Petition was called on for interim orders today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Collin Gonsalves, Sr. Adv.
Ms. Jyoti Mendiratta, Adv.

For Respondent(s) Mr. Arun K. Sinha, Adv

(St. of J & K) Mr. Sunil Fernandes, Adv.
Mr. Suhaas Joshi, Adv.
Ms. Ashtha Sharma, Adv.
Mr. Anis Suhrawardy, Adv.

(St. of Nagaland) Mr. Edward Belho, Adv.
Mr. K. Enatoli Sema, Adv.
Mr. Nimshim Vashum, Adv.

Mr. Avijit Bhattacharjee, Adv.

Mr. Gopal Singh, Adv.

Ms. Hemantika Wahi, Adv.

Ms. Kamini Jaiswal, Adv

Mr. Naresh K. Sharma, Adv

Ms. Sushma Suri, Adv

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Mr. D.S. Mahra, Adv

(St. of Meghalaya) Mr. Ranjan Mukherjee, Adv.
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(St. of W. Bengal) Mr. Chanchal Kr. Ganguli, Adv.
Mr. Avijit Sengupta, Adv.

Mr. V.G. Pragasam, Adv

(State of M.P.) Mr. Vikas Upadhyay, Adv.
Mr. B.S. Banthia, Adv
Mr. Naveen Sharma, Adv.

Mr.Khwairakpam Nobin Singh ,Adv.
Mr. Sapam Biswajit Meitei,Adv.

Mr. Radha Shyam Jena ,Adv.

Ms. Asha Gopalan Nair ,Adv.

Mr. Sanjay R. Hegde ,Adv

(St. of Jharkhand) Mr. Ratan Kumar Choudhuri ,Adv
Mr. Brahmajeet Mishra,Adv.
Mr. Akshay Shukla,Adv.

M/S Corporate Law Group ,Adv.

Mr. Jatinder Kumar Bhatia,Adv.

Mr. P.V. Yogeswaran,Adv.

Mr. P.V. Dinesh,Adv.

Mr. Atul Jha,Adv.

Mr. Dharmendra Kumar Sinha,Adv.

Mr. T. Harish Kumar,Adv.

Mr. Anuvrat Sharma,Adv.

Mr. Balaji Srinivasan,Adv.

Mr. Milind Kumar Adv.

Mr. Ajay Pal ,Adv.

Ms. A. Subhashini,Adv.

Mr. G.N.Reddy ,Adv

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Mr. Sudarshan Singh Rawat ,Adv

(For NALSA) Ms. Indu Malhotra,Sr.Adv.
Mr. Gagan Gupta,Adv.

Mr. Anil Shrivastav,Adv.

Mr. Rituraj Biswas,Adv.

Hon'ble Mr. Justice A.K. Patnaik
pronounced the interim order of the Bench
comprising of Mr. Justice R.V. Raveendran His
Lordship.

In terms of the interim order, certain
directions are given.

The matter be listed in the first week of
January, 2012 when the State Governments and the
Union Territories will file an affidavit stating
steps taken by them pursuant to this order.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master

(Signed interim order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO. 473 OF 2005

Sampurna Behura

.....Petitioner

Versus

Union of India and Others

.....Respondents

O R D E R

In this Writ Petition under Article 32 of the Constitution, the Court has been monitoring the implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 (for short 'the Act').

The Court has already passed several orders for constitution of Juvenile Justice Boards under Section 4 of the Act and Child Welfare Committees under Section 29 of the Act in different States and Union Territories and most of the States and Union Territories have taken steps to constitute the Juvenile Justice Boards and the Child Welfare Committees. As there were complaints that in many

districts Child Welfare Committees were not operational or functional and even Juvenile Justice Boards had not been constituted in the manner provided in the Act, in our

order dated 19.08.2011 we have requested the State Legal Services Authorities to coordinate with the respective Child Welfare Department of the States to ensure that the

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Juvenile Justice Boards and Child Welfare Committees are established and are functional with the required facilities.

2. We think that we must now monitor the implementation of the provisions of the Act relating to Special Juvenile Police Unit. Section 63 of the Act is

quoted hereinbelow:

"63. Special juvenile police unit.- (1) In

order to enable the police officers who frequently or exclusively deal with juveniles or are primarily engaged in the prevention of juvenile crime or handling of the juveniles or children under this Act to perform their functions more effectively, they shall be specially instructed and trained.

(2) In every police station at least one officer with aptitude and appropriate training and orientation may be designated as the 'juvenile or the child welfare officer' who will handle the juvenile or the child in co-ordination with the police.

(3) Special juvenile police unit, of which all police officers designated as above, to handle juveniles or children will be members, may be created in every district and city to co-ordinate and to upgrade the police treatment of the juveniles and the children."

3. The Home Departments and the Director Generals of Police of the States/Union Territories will ensure that at least one police officer in every police station with aptitude is given appropriate training and orientation and designated as Juvenile or Child Welfare Officer, who will handle the juvenile or child in coordination with the police as provided under sub-section (2) of Section 63 of

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the Act. The required training will be provided by the District Legal Services Authorities under the guidance of the State Legal Services Authorities and Secretary, National Legal Services Authority will issue appropriate guidelines to the State Legal Services Authorities for training and orientation of police officers, who are designated as the Juvenile or Child Welfare Officers. The training and orientation may be done in phases over a period of six months to one year in every State and Union Territory.

4. The Home Departments and the Director Generals of Police of the States/Union Territories will also ensure that Special Juvenile Police Unit comprising of all police officers designated as Juvenile or Child Welfare Officer be created in every district and city to coordinate and to upgrade the police treatment to juveniles and the children

as provided in sub-section (3) of Section 63 of the Act.

5. The matter be listed in the first week of January, 2012 when the State Governments and the Union Territories will file an affidavit stating steps taken by them pursuant to this order.

.....J.
(R. V. Raveendran)

.....J.
(A. K. Patnaik)

New Delhi,
October 12, 2011.