

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P. (PIL) No. 139 of 2011**

Bachpan Bachao Andolan	---		---	----	Petitioner
	Versus				
The State of Jharkhand and others	---		---		Respondents

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**CORAM: Hon'ble Mr. Justice Aparesh Kumar Singh**  
**Hon'ble Mr. Justice Ratnaker Bhengra**

For the Petitioner: Mr. Amit Kr. Tiwari, Advocate

For the Resp – State: M/s Rajeev Ranjan Mishra, GP-II, Arbind Kr, JC to GP-II

54/ 04.07.2018 A supplementary counter affidavit has been filed yesterday on behalf of the Women, Child Development and Social Security Department in pursuance to our orders passed on the previous date.

2. Learned GP-II Mr. Rajeev Ranjan Mishra has sought to place the affidavit. According to him, department has taken a number of steps in the direction in which this public interest litigation is progressing. As a prologue, it starts with the mention of special bodies created both in the districts and at State level i.e. Jharkhand State Child Protection Society (JSCPS) at State level; District Child Protection Unit (DCPU) in all 24 districts; Child Welfare Committee (CWC) and Juvenile Justice Board (JJB) functional in all 24 districts of the State. It also talks about creation of Jharkhand State Commission for Protection of Child Rights (JSCPCR) under the Commission for Protection of Child Rights Act, 2005. It further refers to the establishment of 10 Observation Home and 01 Special Home for child and juvenile in conflict with law as well as 25 Children Home, 15 Specialized Adoption Agency (SAA), 05 Open Shelter Home for Children in need of care and protection in various districts of Jharkhand State for providing institutional rehabilitation, as mandated by the Juvenile Justice Act, 2015. In the financial year 2018-19, the JSCPS has proposed opening of 08 new Children Home, 05 Open Shelter Home and 11 Specialized Adoption Agency for providing institutional rehabilitation to the Child in Need of Care and Protection (CNCPP). Out of proposed 08 new Children Home, 04 would be dedicated for the purpose of Specially Abled Children below 18 years of age. Annexure-A & B containing the minutes of the meeting are enclosed in support thereof. All these homes are running as per the norms of Integrated Child Protection Scheme (ICPS). Budget has been disbursed as per the norms of ICPS by the JSCPS.

3. The Society in collaboration with Plan India Jharkhand have proposed to start Digital Learning Support Centre (DLSC) at 09 Children Home and Observation Home at Ranchi for educational rehabilitation of children residing

in these homes. It has also secured approval to start awareness programme through Prasar Bharti and other related issues. The Society has taken various steps to ensure that each child in these institutions are provided linkages with formal education, adequate nutrition, required medical services conducive for their well-being. State Government has provided various skill development linkages in these homes in order to improve the skills of the children for better future employability in collaboration with UNICEF, Sahyog Village, Save the Children and Kerala Ayurveda. State Government has shown keen interest to collaborate with Tata Steel on various child protection issues. It would be followed up by the Department and JSCPS for its early roll out (Annexure- E & F). JSCPS has always encouraged collaboration with multiple stakeholders i.e. Civil Society and NGOs at various levels. Time to time, directions have been issued to the Deputy Commissioners to ensure minimum sittings of CWCs and JJBs, as mandated by the Jharkhand Juvenile Justice Rules, 2018. JSCPS in collaboration with Save the Children, has conducted various rounds of trainings and social mapping to improve the working abilities and case management of CWCs.

4. A Child Protection Management Information System (CPMIS) has been developed to monitor the case management along with other obligatory compliances, as laid down in Juvenile Justice Act and Rules framed thereunder. The CPMIS has different modules to track the missing and trafficked children in Jharkhand. State Government has ensured specific arrangement in the form of State Resource Center (SRC) in the State of Jharkhand and a reception point in New Delhi at Jharkhand Bhawan has been established for the effective repatriation and rehabilitation of the child trafficking survivors.

5. Special Juvenile Police Units (SJPU) has been set up in all the districts of the State and Child Welfare Police Units (CWPU) have been appointed at all Police Stations. Eminent persons from Civil Society have also been identified for each district to monitor and advice on Child Care Institutions (CCI). State Government has ensured sufficient budgetary allocation for Juvenile Justice Fund in the financial year 2018-19 (Annexure-G).

6. The affidavit further refers to the various modules / manuals which have been finalized and incorporated as strategy intervention for further roll out to multiple delivery structures, so that effective implementation of the same may accordingly be ensured. These modules have also been referred to in our previous order. They address the requirement of training of Child Welfare Committee (CWC), Juvenile Justice Board (JJB), Special Juvenile Police Unit (SJPU),

District Child Protection Unit (DCPU), Functionaries of Child Care Institutions and Village Level Child Protection Committee (VLCPC).

7. The department in collaboration with UNICEF and Vedic Society has initiated pilot project in three blocks of Latehar to strengthen VLCPC and to identify the vulnerable families while linking them with different Government schemes. Various initiatives have been taken in that regard and 814 vulnerable families have been identified in 08 Panchayats, out of which, 412 families have been linked with various Government schemes to reduce their vulnerabilities. JSCPS has also initiated recruitment of Community Cadres at Panchayat level, targeting one block in Gumla and West Singhbhum to strengthen VLCPC. The Society in collaboration with Sahyog Village has established child friendly labs for imparting training of plumbing and electrical in batches of which, 30 have successfully secured job placement. Skill center has been established in Ranchi Observation Home for training in Computer Application, Soharai Painting and Screen Printing to children in conflict with law in Observation Home.

8. Earlier, statewide awareness programme were conducted during Diwali and Chhat Puja with community participation on various issues relating to Child Rights, Child Marriage, POCSO, Child Trafficking, etc. The JSCPS is committed to establish Composite Rehabilitation Center (CRC) for child protection within a period of two months. Ministry of Women and Child Development, Government of India has, in principle, accorded approval in its meeting of Project Approval Board (PAB) held on 23.04.2018 for establishment of CRC. This Composite Rehabilitation Centre is not only committed to provide institutional response for the children in need of care and protection, but also purposefully linking all the Observation Homes to impart residential skill development and vocational training to bring such children in mainstream (Annexure-I). The Society has received proposal from Art of Living Foundation to ensure / enhance quality strategic intervention by including socio physiological confidence and leadership for such children.

9. Learned counsel for the State submits that small steps that have been taken due to sagacious intervention of the Court and the Department in collaboration with NGOs and UNICEF would ultimately lead to a giant leap towards the welfare of the children in the State and protection of their rights. Learned counsel submits that further progress report would be filed, for which suitable time may be granted. Learned counsel for the petitioner has sought time to go through the affidavit and offer his response.

10. As prayed for, three weeks' time is allowed to the learned counsel for the parties.

11. A report has been submitted by JHALSA which is at Flag 'P'. It has sought to convey that Standing Operating Procedure (SOP) have been framed for effective implementation of the guidelines for sponsorship and foster care. SOP is enclosed to the report. The Member Secretary, JHALSA has conveyed that the Authority shall work in close coordination with the Department of Women, Child Development and Social Security, Government of Jharkhand for imparting training to the duty holders under different training modules prepared by the department. It shall carry out the direction of this Court in its letter and spirit.

12. We find from the report at Flag 'O' of the learned Registrar General that suo motu Writ Petition W.P. (PIL) 1052/2018 (**Court on its Own Motion Versus The State of Jharkhand**) has been initiated by the Hon'ble Division Bench presided over by Hon'ble the Acting Chief Justice in compliance of the direction of Hon'ble Supreme Court in para-95 of the judgment dated 09.02.2018 passed in Writ Petition (Civil) No. 473/2005 (**Sampurna Behura Versus Union of India & others**). It appears that some of the issues being addressed in this PIL may overlap with those in W.P.(PIL) No. 1052/2018. In that view of the matter, let the instant PIL be listed along with W.P.(PIL) No. 1052/2018 before the appropriate Bench.

(Aparesh Kumar Singh, J)

(Ratnaker Bhengra, J)

Ranjeet/