

**EXTRACT/MINUTES OF THE MEETING OF THE H.C. J.J. COMMITTEE FOR MONITORING
THE IMPLEMENTATION OF JUVENILE JUSTICE ACT, HELD ON 30.01.2018 (BY VIDEO
CONFERENCING).**

PRESENT:-

- | | |
|---|---------------------------------------|
| 1. Hon'ble Shri Justice J.K. Maheshwari | - Hon'ble Chairperson (Jabalpur) |
| 2. Hon'ble Shri Justice Rohit Arya | -Hon'ble Member (Indore) |
| 3. Shri Sanjeev Kalgaonkar | -Director Incharge MPSJA
(Invitee) |
| 4. Shri B.S. Bhadoria | -Member Secretary SLSA (Invitee) |
| 5. Pankaj Gaur | - Secretary JJC (Registrar J-I) |

Sr. No. 1 Follow up of previous meeting

Item No.1

District Judges were requested to:

1. continue holding the meeting of functionaries on quarterly basis and submit report.
4. ascertain whether nominated SJPU is actually working in the field.
5. apprise the condition of building housing JJBs, CWCs and CCIs.
7. Submit report in chart form about activities in the CCIs with respect to implementation of Pilot Project (Jabalpur).

Hon'ble Committee has resolved that Hon'ble Chairperson will write letter to Portfolio Judges apprising that reports are not being received from various districts and some reports are incomplete and improper, thus concerned District Judges under their jurisdiction be directed to submit report in complete and proper format within time to ensure proper implementation of Juvenile Justice Act. Hon'ble Committee has directed to prepare write-up of the reports and highlight the requirement and communicate the same to the Government for resolution and apprise about the steps taken in the next meeting.

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Item No.2.

Publicity of Child Line and Child Help Line Number

Government was asked to publicize the Child Line and Child Help Line Number in Newspaper, Hoardings, Radio, T.V. etc to be known to needy, and to make regular check-up as to functioning of child line on 24X7 basis and its extension to whole of M.P.

It has resolved in the meeting that that

- a. evidentiary proof be submitted for publicity done which has been submitted by Childline.
- b. there should be an attempt to extend the facility of Childline to rest of the 17 districts.
- c. actual benefits of Helpline number be also submitted.
- d. letter of Coordinator Childline be forwarded to Government for appropriate action.

Hon'ble Committee has shown grave concern on this point as in the previous meeting Joint Director WCD had informed that Childlines number will be reflected at all the Aganwadis, WCD Buildings within one month and thereafter in Bus Stands and Railway Stations but this has not been done. Further Joint Director WCD was also directed to reflect/advertise the Childline number in the Government Schools and Panchayat Office however no communication has been received from the Government. Hon'ble Committee has observed that since various steps have been taken by JJC of the High Court for implementation of JJ in the State, key recommendations have been launched in the State Conference on Juvenile Justice held on 29.07.2017 where Chief Minister, Minister of Women and Child Development, Law Minister and all Higher Authorities of concerned Departments were present there should be serious steps from the Government. The Committee has directed to issue letters to the Government in strict language to submit status report and blue print of their work in this regard. Hon'ble Committee

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further directed the Joint Director WCD to be present in the next meeting of JJC with evidence regarding compliance of the directions of committee.

Item No.4

Report

The implementation of Juvenile Justice Act is supervised mainly through report i.e. visitors report, JJB-I Form and JJB-2 reports. Reports from some districts are not received and some are not in proper format and on time. Memo were issued to District Judges to communicate about the discrepancies with a view to cure the defects.

Hon'ble Committee has resolved that Hon'ble Chairperson will write letter to Portfolio Judges apprising that reports are not being received from various districts and some reports are incomplete and improper, thus concerned District Judges under their jurisdiction be directed to submit report in complete and proper format within time to ensure proper implementation of Juvenile Justice Act. Hon'ble Committee has directed to prepare write-up of the reports and highlight the requirement and communicate the same to the Government for resolution and apprise about the steps taken in the next meeting.

8. Matter pertains to Second Regional Round Table conference organized on 12th & 13th March 2016 at MJA Uttan (Maharashtra) where a PPT was presented and underlined two points were taken as future goals.

1. Memo be sent to Addl. DGP (CID) to submit report pertaining to software for sharing of information between Police and JJBs and other stakeholders.

ADG (CID) Bhopal has informed that they have designed CCTNS for sharing information between Police and JJBs and other stakeholders.

Hon'ble Committee in the previous meeting has directed Jt. Director DWE to convene joint meeting with the experts who designed CCTNS and Anmol II and

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identify gaps and bottlenecks and then develop a proper software to cater the needs of all the stakeholders. Letter be issued to ADG (CID) & Commissioner WE. It will be preferable that the meeting of expert may also be attended by officials of WCD, Police Department and High Court.

Hon'ble Committee has shown grave concern in this regard as no communication has been received and has directed to issue strong reminder to the ADG (CID) & Commissioner (WCD) conveying displeasure of the committee and reminding that three Regional Conference and one State Conference (29.07.2017) has been conducted for awareness pertaining to implementation of JJA and in the presence Chief Minister, Law Minister, Minister of Women and Child Development, Chief Secretary of the State of M.P., DGP of M.P. etc the key recommendations were launched but still there is neutrality in this aspect, thus Commissioner (WE) and ADG (CID) make sure the presence of the officer not below the rank of Joint Direct & SP (CID) in the next meeting of the committee to apprise and discuss about the steps taken.

2. Letter be sent to Principal Secretary Medical Education to inform about the policy of State Government with regard to de-addiction is prevailing if not Government be requested to formulate the same.

In the previous meeting has been received, Hon'ble Committee after consideration of response from National Tobacco Control Prgoramm National Health Mission Madhya Pradesh has resolved to seek information about schemes from Social Justice Department and Rural Development Department and also to enquire from Drugs & Cosmetics Department as to whether they are sensitive in the matter of addiction related to thinner, whitener, Iodex etc and what they propose to do.

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Hon'ble Committee has shown grave concern in this regard as no communication has been received and has directed to issue strong reminder to the Principal Secretary/Commissioner of the concerned Department conveying displeasure of the committee and reminding that three Regional Conference and one State Conference has been conducted for awareness pertaining to implementation of JJA and in the presence Chief Minister, Law Minister, Minister of Women and Child Development, Chief Secretary of the State of M.P., DGP of M.P. etc the key recommendations were launched but still there is neutrality in this aspect on their side, thus Principal Secretary/Commissioner to make sure the presence of the officer in the next meeting of the committee to apprise and discuss about the steps taken.

**Sr. No. 2 Recommendations of the conference released at State
Conference on 29.07.2017 in the form of Flyer.**

i. Development of planned infrastructure.

As per the report submitted by the Government letter have been written to Collector Bhopal, Jabalpur and Indore to identify land for composite building of children home, CWC, JJB, observation home in the same premises and old age home nearby in the city of Indore, Bhopal, Gwalior and Jabalpur as pilot project looking into future prospective. Further, it has been reported that Government has identified two lands at Gwalior one behind Metro Hospital and another near IIITM.

Hon'ble Committee after consideration has directed to write letter to Commissioner WCD to furnish papers of land identified at Gwalior and Jabalpur and submit the status report regarding identification of land at Bhopal and Indore.

ii. Medical and Psychological Rehabilitation &

x. Creation of Resource Pool of Counselors and Psycho-Social Professionals.

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CONFERRING).

iii. Child- Friendly Police Stations and Provision for necessities.

Hon'ble Committee in the previous meeting directed to write letter to DGP and Home Secretary Government of M.P. to give the details of the scheme prevailing in M.P. for the said purpose and if not, to formulate the same within 4 months.

Hon'ble Committee has resolved to send reminder to DGP and Addl. Chief Secretary Home Department conveying displeasure of the committee as the recommendations has been launched in the State Conference on JJ held on 29.07.2017 in the presence of Chief Minister, Law Minister, Minister of Women and Child Development of M.P. and all Higher Authorities of concerned Departments but still response is awaited. Hon'ble Committee has directed that concerned officer from the Police Department should also be present in the next meeting to apprise about the steps taken on the directions of the committee and aforesaid letter to be endorsed to the Chief Secretary, ACS Home Government of M.P.

iv. Improvement in the functioning of Special Juvenile Police Unit and Child Welfare Police Officers. &

ix. Capacity Building and Educational Programmes.

Hon'ble Committee after consideration has directed representative of MPSJA and UNICEF to arrange for imparting training to the SJPU and CWPO and also directed MPSJA, UNICEF and WCD to organize workshops and conferences at regular intervals.

MPSJA has issued calendar regarding training schedule-

- Workshop on JJ Act, 2015 for Probation Officers of the Juvenile Justice Board is scheduled for 10.03.2018 (one day),
- Sensitization Programme on JJ Act, 2015 for DSPs posted in SJPU is 26.03.2018 (one day).
- Sensitization Programme on JJ Act, 2015 for CWC is 28.04.2018 (one day)

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- Induction/Refreshers Training of Principal Magistrates of JJB was for 19.05.2018 & 20.05.2018 (2 days),
- Workshop on JJ Act, 2015 for Members of JJBs on 20.05.2018 (1 days).
- Sensitization Programme on JJ Act, 2015 for DSPS posted in SJPU is 27.08.2018.

Hon'ble Committee has discussed the calendar in the meeting and directed that the programme for CWC Chairman and Members should be proponed and fixed for 2 days in the month of March instead of April and the workshop for SJPU (DSPs) should also be fixed for 2 days and postponed from March to April with a request to Police Department to meet the expenses. The Programme for Member of JJB fixed for 20.05.2018 (1 day) should be merged with the programme of Principal Magistrates JJBs for 19.05.2018 and 20.05.2018 (2 days) The programme SJPU (DSPs) be also held for 2 days in the month of August 2018.

- v. Educational, Skill Building and Entrepreneurial support for children in CCIs. &
- vi. After Care Plan and Rehabilitation.

Hon'ble Committee has directed the Jt. Director WCD to prepare scheme for providing training for short term i.e. 15 days, long term i.e. for 6 weeks which should be directed towards employment generation. Jt. Director WCD has also been directed to submit the schemes prevailing for the aforesaid point.

Letter No. 1648 dated 22.01.2018 have been received from Director Women Empowerment for preparation of guidelines for aftercare matters.

- vii. Free Legal aid and assistance of the child friendly Prosecutors.

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Dy. Secretary SLSA has informed that in the year 2017, 1864 advocates from the panel of legal aid were appointed to provide free legal aid to child in pending matter and about 3171 free legal advice have been tendered to children. In the year 2016 996 free legal aid advocates were appointed for providing legal aid and 2286 children provided for free legal advice.

Hon'ble Committee has directed to communicate holding of training of advocates, appointment of trained advocates as penal layers for children and develop the cadre of legal aid volunteers.

viii. Creation of dedicated cadre of District Child Protection Officers.

xi. Establishment of Secretariat for Juvenile justice Committee.

Discussed at Item No. 6

xii. Monitoring of Juvenile Justice System.

xiii. Funding.

xiv. Extensive Awareness Campaign.

Letter No. 1654 dated 25.01.2018 which is a letter written by Joint Director Women Empowerment to Child Protection Specialist UNICEF for arranging capacity building Educational Programmes and Awareness Programmes.

xv. Enactment of the Madhya Pradesh Juvenile Justice (Care and Protection) Rules 2016.

Letter No. 1656 dated 25.01.2018 which is a letter written by Joint Director Women Empowerment to Child Protection Specialist UNICEF, requesting to hold meetings for preparation of draft rules.

xvi. De-Institutionalization

Hon'ble Committee in Point no. ii, x, v, vii, viii, xi, xiii, xiv, xv & xvi after consideration has found that response from the Government is not satisfactory and thus has directed to issue strong letter to the Government to

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comply with the direction of Hon'ble Committee and submit evidentiary proof of their work and keep one of their officer not below the rank of Joint Director to be present in the meeting to apprise about the steps taken by them with all necessary documents. The department should also look for deinstitutionalization initially starting with the concept that child once entered in the system should not re-enter.

Sr. No. 2:- Establishment of Secretariat for Juvenile Justice Committee.

Hon'ble Committee after consideration has directed to make sure inauguration of Secretariat in the last week of February or in the first week of March.

Sr. No. 3:- Adoption

The State of M.P. is lagging behind in the field of Adoption as means of rehabilitation. This is evident from the news paper report.

Government has submitted list of Government/Non Government SAAs working in the state and their grants and performance.

List of Adoption cases pending at District Court Family Courts in the State of M.P. has been received from the Checker Section of the High Court of M.P. Jabalpur.

It has to be seen whether cases sent by SAAs to CWC for adoption, foster care and sponsorship are being dealt timely by CWC and if not whether action is taken against CWC.

Hon'ble Committee in the previous meeting has directed the Government to submit all their schemes within 2 weeks.

Following response received from the government

- 109 adoption till date
- 26 pre-adoption

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- 382 foster care
 - 42 sponsorships
- detailed directed have been issued to all DCPO for the directed of after care plan.

Hon'ble Committee has also been apprised about a matter pertaining to adoption pending on the Judicial Side.

The directions given thereunder will be dealt on the administrative side by the JJC.

Other:-

Message received from UNICEF.

Shri Lolichen, UNICEF Bhopal has made a complaint regarding beating up of four Pardhi teens in Police custody at Bhopal and has requested for appropriate action.

Hon'ble Committee after consideration has directed to call for status report in this regard from Superintendent of Police at Bhopal and copy be endorsed to IG of the Zone.

Therefore, if approved:

For Sr.No.1

1. **Point No.1, 4, 5 & 7:** May issue memo to all District and Sessions Judges.
2. **Point No.2:** May issue memo to P.S. & Commissioner WCD.
3. **Point No.9:**
 - i. i. May issue letter to ADGP (CID) PHQ Bhopal.
 - ii. May issue letter to Social Justice Department and Rural Development Department

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and Drugs & Cosmetics
Department.

4. Sr.No.2:

- i. May issue letter to P.S./Commissioner WCD.
- ii. & x. May send letter to P.S. & Commissioner WCD and Shri Lolichen PJ, UNICEF Bhopal.
- iii. May send letter to DGP and Home Secretary Government of M.P.
- iv. May issue letter to MPSJA and UNICEF.
- v. & vi. May send letter to P.S. & Commissioner WCD.
- vii. May send letter to Member Secretary SLSA.
- viii. May send letter to P.S. & Commissioner WCD.
- ix. May send letter to MPSJA, UNICEF and WCD.
- xii. May send letter to the Finance Department.
- xiii. May send letter to WCD, UNICEF and SLSA.
- xiv. May send letter to P.S. & Commissioner WCD.

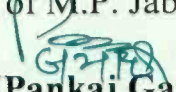
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For Sr.No.3

May send letter to P.S. &
Commissioner WCD.

For Others

May issue letter to Registrar (IT)
High Court of M.P. Jabalpur.


[Pankaj Gaur]
Secretary,

High Court of M.P. JJC

HON'BLE SHRI JUSTICE G.S. AHLUWALIA s/d
Member, Bench Gwalior

HON'BLE SHRI JUSTICE ROHIT ARYA s/d
Member, Bench Indore

HON'BLE SHRI JUSTICE J. K. MAHESHWARI s/d
Chairperson, Main Seat Jabalpur