

Minutes of the Meeting of Juvenile Justice Committee High Court of Madhya Pradesh held on 5th September, 2019 at 4:40 PM through Video Conferencing

PRESENT:-

1. Hon'ble Shri Justice J.K. Maheshwari, Chairperson, JJC High Court of M.P.
2. Hon'ble Shri Justice Rohit Arya, Member, JJC High Court of M.P (Indore)
3. Hon'ble Smt. Justice Anjali Palo, Member, JJC High Court of M.P.(Jabalpur)
4. Hon'ble Shri Justice G.S. Ahluwalia, Member, JJC High Court of M.P.(Gwalior)
5. Smt. Giribala Singh, Member Secretary, MP SLSA (Invitee)
6. Secretary, JJC High Court of M.P, Jabalpur
7. Smt. Rajpal Kaur, Addl. Director, DWCD, Bhopal
8. Shri Ashish Singh, Assistant Director, DWCD Bhopal
9. Shri Lolichen, Child Protection Specialist, UNICEF Field Office, Bhopal
10. Shri Rajesh Deoli Senior Technical Consultant, Secretariat, JJC-HC Jabalpur

Sr. No.3

Timely appointment of CWC Chairperson, Members or CWC and Members of JJB in case of vacancy

A response was received from DWCD during election in M.P. where it was informed that list of a vacant post is advertised in a newspaper. No further updated information provided by DWCD.

Hon'ble Committee after consideration has resolved that DWCD should send the current status & list of total vacant posts in CWCs, JJBs to Secretary, JJC High Court of M.P. within 01 week alongwith the documents of taking steps of filling the posts.

Sr. No.4

Violation of principle of equality and non-discrimination in distributing the children among CCl's by CWC

The Committee has directed Secretary-JJC-HC to supply the paper book on said point to DWCD, and seek action taken response, thereafter put the same in the next JJC meeting.

Sr. No.5

Imposition of Fine or Cost by the Courts in Madhya Pradesh to be utilized on Juvenile Justice Issues.

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Since the fine or cost imposed by the Hon'ble High Court are deposited in a fund handled by Madhya Pradesh State Legal Services Authority but it could not be utilized for any purpose and deposited in the account. Therefore, Juvenile Justice Committee directed the DWCD to create Juvenile Justice fund as per rules for which the Additional Director DWCD has apprised that an account has been opened for Juvenile Justice Fund Utilization.

Committee has directed the Member Secretary MPSLSA to have meeting with Officers from Department of Women & Child Development, Finance Department of Madhya Pradesh, Secretary Law and Legislative Affairs Department, MP and Secretary JJC and as to how the said fund can be transferred to Juvenile Justice Fund created by the DWCD and utilized for the welfare of the Juveniles in MP. The detailed report needs to be submitted to JJC within 15 days.

Item No. 1: Death of 03 children in Shri Ramakrishna Bal Grah & Maa Sharda Balika Grah, Ujjain (CCI).

Item No. 2: Sexual Offence in Mamta Balgarh Anoopur

Item No. 3: 03 Girl children absconded from Balika Grah, Shanti Niketan Ashram, Gwalior.

Item No. 4: Death of Juvenile in Observation Home Ratagar Khandwa

Item No. 5: Cases of cutting of veins in Balika Grah, Bhopal

Item No. 6: Sexual abuse with resident female child by employee of CCI (Shanti Niketan Ashram) Gwalior, published in daily newspaper "Patrika" dated 23.04.2019.

Since from Item No. 1 to Item No. 6 no response received from the Government, Committee has directed Secretary-JJC-HC to supply the paper book on following points to DWCD, and seek action taken response, thereafter put the same in the next JJC meeting.

Item No. 7: Letter from Hon'ble Justice Deepak Gupta, Judge, Supreme Court of India for organizing State Consultation on Juvenile Justice.

Committee after discussion has resolved that Mr. Lolichen from UNICEF will convene meeting with DWCD and prepare the Agenda for which Mr. Lolichen has assured that he will submit the Agenda by Monday i.e. on 09.09.2019.

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Item No. 8: Order issued by Commissioner Women and Child Development, MP to monitor CCIs, SAAs online and at Directorate Level.

In the above issue Committee has raised objection that by such order online monitoring of CCIs, SAA from DWCD office will violate children Right to Privacy and provisions of Juvenile Justice Act, 2015. Responding to the same Additional Director DWCD appraised that the said order has been withdrawn on 31.08.2019. Hon'ble Chairperson directed DWCD to not issue such orders which violates very fundamental provisions of JJ Act. As per the Committee no further action is required in this matter.

Item No. 9: Enquiry Report in the matter of Girl Child adopted from SAA Kilkari Udaan Bhopal and abandoned in Spain.

After perusal and discussion, JJC Committee has approved the said report and directed to send the same to Ministry of Women & Child Development, Department of Women & Child Development, Ministry of External Affairs, Hon'ble Chairperson Juvenile Justice Committee, Supreme Court of India.

Item No. 2: Matter pertains to directions by Hon'ble High Court of Madhya Pradesh in Civil Revision No.258/2017 and 260/2017 in order dated 12.02.2018 for initiation of contempt proceedings.

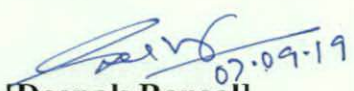
Committee has resolved to consider the same in the next meeting of JJC.

Therefore, if approved

- 1) For Sr. 3: May permit to send letter to DWCD with the direction to send the current status and list of total vacant posts in CWCs, JJBs to Secretary, JJC High Court of M.P. within 01 week.
- 2) For Sr. No. 4 and Item No. 1 to Item No. 6: May permit to send letter to DWCD alongwith Agenda concern to these points and seek action taken response within 01 week.

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- 3) For Item No. 7: May permit to send letter to Mr Lolichen, UNICEF Bhopal to send the Agenda for State Consultation by 09.09.2019.
- 4) For Item No. 9: May permit to send the inquiry report of the matter "Girl Child abandoned in Spain" to Ministry of Women & Child Development, Department of Women & Child Development, Ministry of External Affairs, Hon'ble Chairperson Juvenile Justice Committee, Supreme Court of India.


[Deepak Bansal]

Registrar J-1 and Secretary
Juvenile Justice Committee
(Committee No. 21)
High Court of M.P

HON'BLE SHRI JUSTICE G.S. AHLUWALIA
Member, MPHC JJC Bench Gwalior

s/d

HON'BLE SMT. JUSTICE ANJULI PALO
Member, MPHC JJC Principal Seat Jabalpur

s/d

HON'BLE SHRI JUSTICE ROHIT ARYA
Member, MPHC JJC Bench Indore

s/d

HON'BLE SHRI JUSTICE J. K. MAHESHWARI
Chairperson, MPHC JJC Principal Seat Jabalpur

s/d