

**MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVN NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL**

The Quarterly Juvenile Justice Committee Meeting was held on 28.08.2021 in two sessions i.e. Session 1(11:00 am to 1:30 pm) and Session 2 (2:30 pm to 5:00 pm). The meeting was held in the presence of Committee Chairperson Hon'ble Shri Justice Sujoy Paul & Members Hon'ble Smt. Justice Anjali Palo & Hon'ble Shri Justice G.S. Ahluwalia. The participants included: -

**PRESENT:-**

1. Mr. Ashok Shah, Principal Secretary, Department of Women & Child Development, Bhopal.
2. Mr. Gopal Shrivastava, Principal Secretary, Department of Law & Legislative Affairs, Govt. of Madhya Pradesh
3. Mr. Ram Kumar Choubey, Director, MP State Judicial Academy.
4. Mr. Dharmindar Singh, Member Secretary, MP State Legal Services Authority, Jabalpur (Online mode).
5. Mr. Kailash Makwana, ADG (CID), Police Headquarter, Home Department, Govt. of Madhya Pradesh.
6. Ms. Pragya Srivastava, ADG (CAW), Police Headquarter, Home Department, Govt. of Madhya Pradesh.
7. Ms. Anuradha Shankar, ADG (Training), Police Headquarter, Home Department, Govt. of Madhya Pradesh.
8. Mr. Yogesh Choudhary, ADG (Cyber), PHQ, Home Department, Govt. of Madhya Pradesh.
9. Mr. D. Sreenivasa Varma, Secretary, Home Department, Govt. of Madhya Pradesh.
10. Mr. Dnyaneshwar B Patil, Secretary, Department of Revenue, Govt. of Madhya Pradesh.
11. Ms. Anubha Shrivastava, Deputy Secretary, School Education CPI/SED, Govt. of Madhya Pradesh.
12. Mr. B.S. Jamod, Director, Panchyat Raj, Govt. of Madhya Pradesh.
13. Ms. Nidhi Nivedita, Director, Department of Women & Child Development, Bhopal.
14. Ms. Shalini Dixit, AIG (CAW), PHQ, Home Department, Govt. of Madhya Pradesh.

  
08.09.2021

MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

15. Mr. Mahavir Singh Muzalde, AIG (CID), Home Department, Govt. of Madhya Pradesh.
16. Mr. Deepak Bansal, Registrar-J-1/Secretary Juvenile Justice Committee, High Court of Madhya Pradesh.
17. Mr. S.P.S. Bundela, Secretary, District Legal Service Authority, Bhopal
18. Mr. Prashant Saxena, Addl. Secretary, Department of Law & Legislative Affairs, Govt. of Madhya Pradesh.
19. Mr. Sudhir Kumar Jain, Joint Director, Scheduled Caste Development, Govt. of Madhya Pradesh.
20. Mr. Manoj Tiwari, Joint Director, Social Justice & Disabled Welfare Development, Govt. of Madhya Pradesh.
21. Mr. Vishal Nadkarni, Joint Director, Department of Women & Child Development, Bhopal.
22. Ms. Reeta Singh, Deputy Commissioner, Tribal Welfare Department, Govt. of Madhya Pradesh.
23. Mr. Sourav Dutta, Consultant, Rashtriya Gram Swaraj Abhiyan (RGSA) Panchayati Raj Institutions (PRIs), Govt. of Madhya Pradesh.
24. Mr. Lolichen P. Joseph, Child Protection Specialist, UNICEF, Bhopal (Online Mode).
25. Ms. Advaita Marathe, Child Protection Officer, UNICEF, Bhopal
26. Ms. Smita Shinde, Consultant, UNICEF, Bhopal
27. Mr. Rajesh Deoli, Senior Technical Consultant, Juvenile Justice Secretariat, High Court of Madhya Pradesh.

  
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MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVN NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

**Session-1**

(11:00 AM to 1:30 PM)

**MATTERS TO BE DISCUSSED WITH  
DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT**

**A. Timely appointment of Chairperson and Members of CWCs and  
Members of JJBs in case of vacancy:**

**Hon'ble Shri Justice G.S. Ahluwalia** presented data submitted by Department of Women & Child Development, Bhopal (DWCD) which had contradictions. Also, JJC Secretariat data was also not matching with DWCD data and notifications issued for appointing JJB members or CWC Chairpersons/members. He has highlighted these discrepancies.


**Mr. Ashok Shah, Principal Secretary, DWCD** assured to fill up all vacant positions by the end of September 2021.

**After consideration, the Juvenile Justice Committee has resolved that: -**

1. By 30<sup>th</sup> September 2021 all the remaining 19 vacant positions of Juvenile Justice Boards and 52 vacant positions in Child Welfare Committee shall be filled. After induction, training programmes shall be carried out immediately.
2. Henceforth, actual information shall be shared with Secretariat, HC-JJC. No conflicting data will be shared.

**B. Response awaited from Department of Women & Child  
Development:**

**Hon'ble Shri Justice Sujoy Paul & Hon'ble Shri Justice G.S. Ahluwalia** shared the issues faced by HC JJC in monitoring, as responses are not received from Department. The Hon'ble Chairperson mentioned 28 letters for which responses were awaited, out of which 01 letter was from 2019 pending before DWCD. Displeasure was expressed by the Committee and discussed the way out.

  
08.09.2021

MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

**Mr. Ashok Shah, Principal Secretary, DWCD** mentioned that hard copy may also be provided to Department because the hard copy won't be missed.

**After consideration, the Juvenile Justice Committee has resolved that: -**

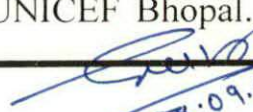
3. Joint Director, ICPS to be the Nodal Officer of Department of Women & Child Development, Bhopal for proper exchange of communication and response to Secretariat JJC, High Court of Madhya Pradesh. The contact details of Nodal Officer shall be shared with Secretariat (Phone number, email etc.) so that communication is not missed. The Nodal Officer shall place the letter before the right person (to whom letter is addressed to).
4. The Department of Women & Child Development shall prepare separate email account for JJC related communication so that no communication is missed.

**C. Sharing of findings from District Level Functionaries of Juvenile Justice (Care and Protection) Act, 2015:**

**Hon'ble Shri Justice Sujoy Paul** shared 19 findings of District Level Functionaries of Juvenile Justice (Care and Protection) Act, 2015 quoting issues and challenges in implementation of JJ Act, 2015. It was mentioned that while considering findings, it is revealed that there is a huge gap of coordination between various district stakeholders. It was also found that there is lack of awareness and understanding amongst district functionaries about concepts like deinstitutionalization, after care institutions, rehabilitation, individual care plan, education related rights of children, mental health, disabled children's rights, monitoring process, follow up of cases etc.

**After consideration, the Juvenile Justice Committee has resolved that: -**

5. To address the issues related to coordination and awareness amongst JJ Stakeholders JJC resolved that a Handbook detailing the SOPs for different stakeholders shall be developed in coordination with all the stakeholders- Departments and UNICEF Bhopal. The Handbook is

  
08.09.2021



**MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL**

under process. Once JJ Rules and new JJ Amendment Act, 2021 are out, it will be updated accordingly and a copy shall be shared by High Court JJC with all relevant stakeholders.

6. Copy of these 14 district level meeting's minutes to be shared with Department of Women & Child Development, Bhopal for further action in each district.

**D. During COVID 19: Compliance report of Hon'ble Supreme Court of India's order dated 03.04.2020:**

**Hon'ble Shri Justice Sujoy Paul** shared grievance relating to non response to letters issued by HC-JJC for compliance of Hon'ble Supreme Court of India's orders. He has expressed concern about response of Department. Either response is not sent or sent with considerable delay.

**Principal Secretary, DWCD** shared that department has developed a portal for registering orphan children during Covid-19 period. He also mentioned that CP-MIS for Child Care Institutions is ready to be released on 1<sup>st</sup> September 2021.

**Shri Deepak Bansal, Secretary, Juvenile Justice Committee** has mentioned that HC-JJC has not been informed about the said development. No indicators are shared as per State Action Plan- 2018 stakeholders.

**After consideration, the Juvenile Justice Committee has resolved that:-**

7. All the compliances of orders passed "In Re Contagion of COVID 19 virus in Children Protection Homes" Case shall be shared with Secretariat, HC-JJC, within stipulated time. Henceforth, the Department of Women & Child Development, will share detailed compliances of orders dated 15.12.2020 & 28.05.2021.
8. All the submissions/compliances of the order of the Hon'ble Supreme Court of India shall be shared with HC-JJC.

  
08.09.2021

**MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL**


9. The DWCD, Bhopal shall share the indicators of the CP-MIS with all stakeholders including HCJJC and UNICEF for review, feedback and integration of the same within 15 days.
10. The DWCD in collaboration with HC-JJC and UNICEF shall develop a comprehensive CPMIS, as discussed earlier in the state action plan-2018, which covers all aspects of child protection, for effective monitoring of care, protection and rehabilitation of children.
11. Considering the COVID 19's impact on children in Madhya Pradesh it was resolved that as per Hon'ble Supreme Court of India's orders proper assessment shall be made by State Government/Child Welfare Committees to find out children in need of care and protection in the State. The DWCD, Bhopal shall ensure carrying out the vulnerability mapping across all the districts and link vulnerable children/families with social protection schemes and alternative care programmes. This vulnerability exercise needs to be reflected in the weekly report to be submitted to HC JJC in response to letter no. 44 dated 10.06.2021.

**E. State Action Plan- 2018 : Key Action 11- Enactment of the Madhya Pradesh JJ Rules :**

**Hon'ble Smt Justice Anjali Palo** mentioned that the JJ Rules are not shared with HC-JJC so far and Department is already finishing translation of JJ Rules. Mr. R.K Choubey, Director, MP State Judicial Academy, Jabalpur stated that they are still waiting for the draft and Academy would like to examine the Rules as per State Action Plan 2018.

**After consideration, the Juvenile Justice Committee has resolved that: -**

12. Draft M.P Juvenile Justice (Care & Protection of Children) Rules to be shared with HCJJC, MP State Judicial Academy and MP State Legal Services Authority within 15 days from 28.08.2021 so that it could be reviewed by relevant Stakeholders of State Action Plan 2018.
13. The Department of Women & Child Development, Bhopal shall amend the Draft Rules to make it in line with the Juvenile Justice

  
08.09.2021



MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

(Care & Protection of Children) Amendment Act, 2021 and notify the MP JJ Rules by the end of 2021.

**F. Proposed Annual Planner for Child Care Institutions :**

**Hon'ble Shri Justice Sujoy Paul** mentioned that HC JJC Secretariat is proposing an Annual Planner for Child Care Institutions of Madhya Pradesh. The Purpose of this planner is to make children active in various activities so that there could be multi facet development of children.

**Shri Deepak Bansal, Secretary, Juvenile Justice Committee** has shared the gaps in filling the Individual Care Plan and absence of any kind of ties with other concerned departments. This initiative will enhance the mental, physical as well as holistic development of children.

**After consideration, the Juvenile Justice Committee has resolved that: -**

- 14.** The Secretariat shall share the proposed Annual Planner with Department of Women & Child Development, Bhopal and Department shall implement it by including more relevant points which will ensure holistic development of children living in CCIs. Also the activities are to be linked with various departments and the collaboration has to be made between DWCD and other departments for holistic development of children.

  
08.09.2021

MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

Session-2  
(2:30 PM to 5:00 PM)  
REVIEW OF STATE ACTION PLAN- 2018

**A. Key Action 1: Planned Composite Infrastructure**

**Hon'ble Shri Justice G.S. Ahluwalia** shared that he visited the site two days before this meeting with Collector Gwalior and found that the land is not the same land which was finalized by the then Chairperson, HC-JJC Hon'ble Shri Justice J.K. Maheshwari and Shri Justice G.S. Ahluwalia. He found that new land which was shown to him was less than allotted i.e. 16000 sq mt. Out of which only 11,000 sq mt. land was available. Some part of it was by encroached and some part of it was private land. Some portion of land has been used for constructing road. Shri Justice G.S. Ahluwalia has shown concern about it. He opined that atleast 2.023 Hectare of land is sufficient, therefore in all the places atleast 2.023 hectare of land must be made available to Department of Women & Child Development for constructing Composite Infrastructure.

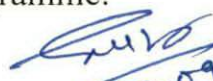
**After consideration, the Juvenile Justice Committee has resolved that: -**

**15.** The Department of Women & Child Development, Bhopal shall ensure re allocation of land with ample space for construction of planned Composite Infrastructure.

**16.** The Department of Revenue, Bhopal shall share proposals for 4 cities (Bhopal, Indore, Gwalior and Jabalpur) to Secretariat, HC JJC within 15 days from the date of meeting i.e. 28.08.2021.

**B. Key Action 2: Child Friendly Police Stations, with Resources**

**Hon'ble Shri Justice Sujoy Paul** highlighted concern of some JJBs who shared that SJPU's comes in police uniform while presenting the Child in conflict with law before the Board. He linked this issue with sensitivity of SJPU's/CWPO's while working on juvenile related laws. For which he suggested continuous sensitization training programme.

  
08.09.2021



MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

**Mr. D. Sreenivasa Varma, Secretary, Department of Home** shared that training is provided to SJPU's through Police Academy and UNICEF Bhopal. About establishment of Child Friendly Police Stations he mentioned that total 69 Child friendly Police Stations are established in the State. It was shared by him that proposal for establishment of Child Friendly Police Stations in all across the State is worth Rs. 105.24 Crore is pending before Department of Finance.

**After consideration, the Juvenile Justice Committee has resolved that: -**

17. Department of Home shall ensure that no SJPU's shall present children before JJ Board in regular police uniform.
18. The proposal amounting Rs. 105.24 Crore to establish Child Friendly Police Stations /corner/room is pending before Department of Finance since 2018. Another reminder needs to be sent by Department of Home to concerned department. Follow up needs to be done.

**C. Key Action 6: Development of SOPs**

**Hon'ble Shri Justice Sujoy Paul** mentioned that there is a need to issue SOPs as soon as possible. He stressed on gaps and challenges that has grown rapidly in absence of SOPs. The JJ Authorities are not aware about their roles and responsibilities. He further mentioned that until and unless accountability is fixed, no significant progress will take place under JJ Act.

**After consideration, the Juvenile Justice Committee has resolved that: -**

19. The Department of Women & Child Development, Bhopal shall develop SOPs immediately after release of MP JJ Rules.

**D. Pending Matters with Department of Home**

**Hon'ble Shri Justice Sujoy Paul** mentioned that Department of Home, Bhopal has not responded to HC JJC in most urgent cases like Child Trafficking, Children in Need of Care & Protection (living with their mother in jails).

*Sujoy Paul*  
08.09.2021

**MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL**

**After consideration, the Juvenile Justice Committee has resolved that: -**

20. The Department of Home, Bhopal shall appoint a Nodal Officer and share its contact details so that communication from HC JJC is not missed.
21. The Department of Home, Bhopal shall ensure a response in all the pending letters within 15 days.

**E. Key Action 3: Development of Child Protection Workforce**

**Hon'ble Shri Justice Sujoy Paul** has highlighted the massive number of vacant positions in the District Child Protection Units of the State i.e. 304 vacant positions. This severely impacts children in conflict with law and children in need of care and protection of the State.

All departments agreed about need of continuous trainings for all the stakeholders.

In this discussion, it was shared by Hon'ble Chairperson, JJC that HC-JJC is developing a Handbook on Duties & Responsibilities of Juvenile Justice Stakeholders. Although, it is complete but new Juvenile Justice (Care & Protection of Children) Amendment Act, 2021 and MP JJ Rules will be added to it once they are notified. He suggested that after completion of Handbook it will be shared with all the stakeholders so that the handbook is mutually agreed and released jointly.

**After consideration, the Juvenile Justice Committee has resolved that: -**

22. DWCD shall expedite the process of appointment and fill all the vacant positions in District Child Protection Unit (304 posts are vacant) and Child Care Institutions before 31<sup>st</sup> December 2021.
23. UNICEF's collaboration with DWCD should result in Child Protection workforce mapping, assessment of training needs and a strategy for regular and ongoing capacity development, including effective case management. The DWCD shall roll out these at the district and local level and share the timeline with Secretariat Juvenile Justice Committee.

*[Signature]*  
08.09.2021



MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

24. Once JJ Handbook on Duties & Responsibilities of Juvenile Justice Stakeholders is prepared by HC JJC, the same shall be shared to all the stakeholders for suggestions and finally shall be released in consensus.
25. The Department of Women & Child Development, Bhopal shall prepare appropriate terms of reference (TORs) and Job Description for all the functionaries and JJ Structures mentioned with clear line of accountability.
26. MP State Judicial Academy shall develop a decentralized framework to run continuous education (sensitization) programmes for JJ Stakeholders at District level/Divisional level in collaboration with Police Academy and Department of Women & Child Development, Bhopal. The subjects, curriculum and modalities shall be developed and shared with Department of Women & Child Development, Bhopal and High Court Juvenile Justice Committee, Jabalpur.

**F. Key Action 8: Standards of Care and linkage to services in CCIs**

**Hon'ble Shri Justice G.S. Ahluwalia** has mentioned about his visit to Observation Home, Gwalior where the condition of the Home was found to be pathetic.

**Hon'ble Smt. Justice Anjali Palo** shared that no response was received from Department of Women & Child Development, Bhopal regarding monitoring sheet of Child Care Institutions of 4 quarters, 2019. For which Department accepted that though response was received from High Court JJC but the letter is missing from Department.

**Shri Deepak Bansal , Secretary, Juvenile Justice Committee** highlighted the issue relating to legal identity documents useful to children living in child care institutions and After Care Institution.

**Dr. Vishal Nadkarni, Joint Director, ICPS** shared that in the past, security guards for child care institutions were provided by Home Guards but, now with the issuance of a circular by Department of Home, Bhopal the services are discontinued.

  
08.09.2021



MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

**Deputy Secretary, Department of Education, Smt. Anubha Shrivastav** has informed the Committee that she has joined recently.

On asking about Department of Education's mandate under Right to (Free & Compulsory) Education Act, 2015 to provide education to children living in Child Care Institutions, she has asked for time to respond to HC-JJC within 15 days.

**Department of Health** – There was no representation from Department of Health in the meeting.

**Hon'ble Chairperson JJC** has expressed displeasure over absentee Departments (Department of Labour, Department of Health, Directorate of Skill Development, Govt. of M.P., Department of Finance, State Institution of Rural Development (SIRF) & State Rural Livelihood Mission (SRLM)). In absence of those departments, the Committee couldn't discuss on issues relating to their respective roles in the implementation of JJ Act, 2015.

**After consideration, the Juvenile Justice Committee has resolved that: -**

27. Department of Women & Child Development, Bhopal shall ensure that the condition of Observation Home, Gwalior is improved and provide facilities and space as per JJ Act, 2015 & JJ Rules, 2016.
28. It was also resolved that the Department of Education, M.P shall ensure that all children in CCIs, including OH and Special Home, shall have good quality education as per RTE Act. As there is no involvement of Department of Education in Child Care Institutions, the Department shall submit a strategy report towards the same with HCJJC by the end of September 2021.
29. The Department of Women & Child Development & Department of Health shall strengthen the counseling and mental health support programme for children in CCIs. The gaps in implementation of Department of Health's order dated 28.08.20 for ensuring monthly visit to CCIs to treat mental health issues of Children living in Child Care Institutions.

*[Signature]*  
28.09.2021



MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVN NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

30. The Department of Home shall be accountable for ensuring adequate security at all the CCIs. It will ensure that proper security services either of Home Guards (wherever available) or service of outsourced agency (monitored by the department) are made available at every institution. For this, Department of Women & Child Development, Bhopal shall share list of CCIs where Guards are required within 15 days of 28.08.2021.
31. The Department of Women & Child Development, Bhopal shall ensure that all children living in child care institutions & After Care Institutions must have basic legal documents like Identity Cards, Aadhar Card, Voter Card, Samagra ID, Bank Passbook, ATM card, PAN Card, Ayusman Card etc. So that they don't face issue in their personal or professional life.

**G. Key Action 10: De-Addiction Centre For Children And Home for Specially Abled Children**

**Hon'ble Shri Justice Sujoy Paul** has highlighted the status of Key Action point 10. Only two de-addiction centres are established by Department of Social Justice & Disabled Welfare in two divisions i.e. Bhopal and Sagar (Damoh). The sub action point b i.e. Establishment of Special Education Centres in across all the divisions is not yet started.

**After consideration, the Juvenile Justice Committee has resolved that:-**

32. The Department of Social Justice & Disabled Welfare shall submit strategic plan (including timeline) to establish further 08 de-addiction centres for children in left out divisions of M.P.
33. The Department of Social Justice & Disabled Welfare shall submit strategic plan (including timeline) to establish Special Education Centres across the divisions for disabled children.

**H. Key Action 12: Child Protection Policy**

**Mr. Ashok Shah, Principal Secretary, DWCD** has shared that Child Protection Policy, 2020 is prepared and it is notified on 25th August 2021.

  
08.09.2021



MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVP NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

**After consideration, the Juvenile Justice Committee has resolved that: -**

34. Committee observed that Child Protection Policy's final draft has not been shared with State Action Plan-2018 stakeholders. It is to be noted that before finalization of any State Action Plan's key action points, the department shall share the final draft with relevant stakeholders as given under each key action points.
35. The Department of Women and Child Development, Bhopal shall share the Child Protection Policy, 2020 with HC-JJC, Department of Education, Department of Labour, Department of Health, Department of Tribal Welfare, Department of Social Justice & Disabled Welfare & UNICEF, Bhopal.
36. The Department of Women and Child Development, Bhopal shall develop an implementation strategy across all stakeholders concerned, build their orientation and capacity through the policy.
37. Government of Madhya Pradesh shall develop operational guidelines of the Child Protection Policy, shall develop operational guidelines especially by DWCD, Department of Education, Department of Health, Department of Social Justice & Disabled Welfare, Department of Labour, Department of Tribal Welfare & Department of Home (Police). The concerned departments shall develop guidelines for their engagement with children.

**Other Important Resolutions:**


38. All the Departments shall appoint one Nodal Officer and share name of the official, their contact details (phone number, email) who will ensure that HC-JJC correspondence don't miss to reach the appropriate authority as addressed by HC-JJC.
39. It was resolved that specialized capacity building programmes on Individual Care Plan shall be conducted by DWCD for Social Worker/Case Worker/Probation Officer, CWC, JJB, DCPO with the technical assistance from UNICEF, Bhopal to ensure Children coming in contact with Child Protection System are assessed and ICP is prepared properly.

  
08.09.2021



MINUTES OF QUARTERLY JUVENILE JUSTICE COMMITTEE MEETING HELD ON  
28.08.2021, 11:00 AM TO 5:00 PM, RCVN NORONHA ACADEMY OF ADMINISTRATION,  
BHOPAL

40. The Committee has observed that After Care Facilities are not effective, as a result, it was resolved that DWCD, Bhopal shall develop dedicated services for After Care beneficiaries including facilities-Career Counselling, Individual Care Plan, Life Skills Education Programmes.
41. Government has initiated a network for after care leavers. It is recommended that all care leavers are mobilized and are encouraged to be part of the care leaver's network. The Government shall set up dedicated service units to address the needs of adolescents and youth in after care.

  
08.09.2021  
**Deepak Bansal**

Registrar J-I & Secretary JJC  
High Court of M.P.

Hon'ble Shri Justice G.S. Ahluwalia s/d  
(Member JJC)

Hon'ble Smt. Justice Anjuli Palo s/d  
(Member JJC)

Hon'ble Shri Justice Sujoy Paul s/d  
(Chairperson JJC)