

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 473 OF 2005

Sampurna BehuraPetitioner

Versus

Union of India and OthersRespondents

ORDER

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 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 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.