

WP (PIL) No. 01/2018

IN RE – EFFECTIVE IMPLEMENTATION OF JUVENILE JUSTICE
(CARE AND PROTECTION OF CHILDREN) ACT, 2015.

For Petitioner : Mr. S.S. Hamal, Amicus Curiae.
Ms. Priyanka Chhetri, Amicus Curiae.

For Respondents : Mr. Sudesh Joshi, Addl. Advocate General.
Mr. Yadev Sharma, Govt. Advocate.
Mr. Hissey Gyaltsen, Asst. Govt. Advocate.
Mr. Sujan Sunwar, Asst. Govt. Advocate.

Date: 24/03/2022

CORAM:

HON'BLE MR. JUSTICE BISWANATH SOMADDER, CHIEF JUSTICE
HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

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JUDGMENT: (per the Hon'ble, the Chief Justice)

Status report with regard to implementation of the directions of the Hon'ble Supreme Court in respect of Juvenile Justice (Care and Protection of Children) Act, 2015, has been filed on behalf of the concerned State respondents. Perusing the same, it appears that although several steps have been taken by the State in order to implement the directions of the Hon'ble Supreme Court, there are many steps which are yet to be taken, one of which is with regard to direction No. 6, which reads as follows:

"6. The NCPCR and the SCPCRs must carry out time-bound studies on various issues, as deemed appropriate, under the JJ Act. Based on these studies, the State Governments and the Union Territories must take remedial steps."

Learned Additional Advocate General of the State of Sikkim, who is appearing in this matter, assures this Court that he will take up the issue with the concerned authority so that the studies with regard to various issues as deemed appropriate under the relevant provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015, are completed as expeditiously as possible, preferably within a period of four months, but not later than six months from date.

So far as the other directions of the Hon'ble Supreme Court – which remain not fully complied – the learned Additional Advocate General assures this Court that all effective steps will be taken within a reasonable timeframe in order to render full compliance.

Considering such assurance, we do not find any cogent or justifiable reason in keeping the instant Public Interest Litigation pending.

We, accordingly, dispose of the same while giving an opportunity to the learned Amicus to approach this Court any time in future in the event there are unresolved issues centering around implementation of the directions of the Hon'ble Supreme Court.

(Meenakshi Madan Rai)
Judge

(Biswanath Somadder)
Chief Justice

jk/ds/ami