

High Court of Sikkim

Record of proceedings

WP(PIL) No.01 of 2018

In RE : Effective Implementation of Juvenile Justice
(Care and Protection of Children) Act, 2015

Date : 30-09-2019

CORAM :

**THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, ACTING CHIEF JUSTICE
THE HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDGE**

For Petitioner

Mr. S. S. Hamal, Advocate as Amicus Curiae.
Ms. Priyanka Chhetri, Advocate as Amicus Curiae.

For Respondent

R-1 & R-2

Mr. S. K. Chettri, Assistant Government Advocate.
Ms. Pollin Rai, Assistant Government Advocate.

ORDER

Rai, ACJ

1. We have considered the Affidavit dated 18.09.2019 filed by the State Respondents No. 1 and 2
2. It is submitted by learned Amicus Curiae that certain posts in the Child Welfare Committees and Juvenile Justice Boards have been vacant from the month of March 2019 and requires to be filled up. Let all vacant posts be filled by December 31, 2019.
3. Posts of Members of State Commission for Protection for Child Rights (SCPCR) are also vacant. Let the posts for SCPCR be filled by January 2020.
4. South District has filled all necessary posts of Special Juvenile Police Unit (SJPU). Steps are to be taken for other districts for appointment of SJPU with Officers of the rank of Additional Superintendent of Police heading the SJPU.
5. It is submitted by learned Assistant Government Advocate that the Selection Committee for the purpose of selection of members of Child Welfare Committees and Juvenile Justice Boards,

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are yet to be constituted as steps could not be taken due to the enforcement of Model Code of Conduct in view of the Bye-Elections to be held on 21st October, 2019. Let necessary steps for constitution of the Selection Committee be completed by 30th November, 2019.

6. Steps for advertising the posts of Legal cum Probation Officer have been have initiated and will be advertised soon for the West and North districts. The Legal cum Probation Officer are in place in the East and South districts. For West and North districts, let steps be completed by 31st December, 2019.

7. The Social Justice and Welfare Department shall submit a list of Child Care Institutions', conditions which are considered for registering Child Care Institutions and why there is a constant increase in the number of Child Care Institutions. The Department shall furnish the list of in each of the Child Care Institutions.

8. It is also submitted by learned Assistant Government Advocate that Mr. T.R. Barfungpa, learned counsel who had been engaged by the Social Justice and Welfare Department to conduct the study on the rising incidents of Protection of Children from Sexual Offences cases in Sikkim has sought time till the end of November 2019 to furnish his report.

9 Let Compliance report be filed in February, 2020.

10. List on 19-02-2020.

Judge
30-09-2019

Acting Chief Justice
30-09-2019

Index : Yes/No

Internet : Yes/No