

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (PIL) No. 1052 of 2018

The Court on its own motion

Versus

The State of Jharkhand **Respondent**

with

W.P. (PIL) No. 139 of 2011

Bachpan Bachao Andolan **Petitioner**

Versus

The State of Jharkhand & Ors. **Respondents**

with

W.P. (PIL) No. 2782 of 2020

Chandan Singh **Petitioner**

Versus

State of Jharkhand & Anr. **Respondents**

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD**

Mr. Anup Kumar Agarwal, *Amicus Curiae*

(in W.P. (PIL) No. 1052 of 2018)

For the Petitioner : Mr. Jagjit Singh Chhabra, Advocate

(in W.P. (PIL) No. 139 of 2011)

Mr. Anup Kumar Agarwal, Advocate

(in W.P. (PIL) No. 2782 of 2020)

For the State : Mr. Rajiv Ranjan, Advocate General

Mr. Piyush Chitresh, A.C. to A.G.

For the JHALSA : Mr. Manoj Tandon, Advocate

Oral Order

19 / Dated : 07.09.2021

With consent of the parties, hearing of these matters has been done through video conferencing. They have no complaint about any audio and visual quality.

Heard the parties.

It is appreciated that after the direction given by this Court on the last occasion immediate steps have been taken and few children have been recovered and cases have been lodged. However, many brick kilns have been found to be closed due to rainy season and the worry of the petitioner is that whenever they will start work, again they will employ the child labour.

It is up to the State Authority to monitor this and find out if the children are employed for such type of work, proper action would be required to be taken.

However, it remains unexplained as to when a representation was given in the month of January itself to the Superintendent of Police, Garhwa and the Deputy Commissioner, Garhwa both, why no action could be taken and why ultimately this Court had to pass an order for acting in accordance with law.

Let proper affidavit be filed by both the Authorities.

That apart, let the Member Secretary, JHALSA, Ranchi also file an affidavit regarding the action taken by it after the representation was filed before the JHALSA, Ranchi in the month of January and also before the concerned District Legal Services Authority (DLSA).

The State has also to address the issue raised by the petitioner in I.A. No. 1523 of 2021 in its totality. So far as relief nos. 2 and 3 in W.P. (PIL) No. 139 of 2011 are concerned, they do not appear to be addressed properly.

Let further affidavit be filed in this regard.

Put up these matters tomorrow (08.09.2021) as first case at the top of the list for further hearing on the point of appointment of the members of Child Welfare Committee and the members of the Juvenile Justice Board and for this, we want the presence of the Member Secretary of the Selection Committee to apprise us as to how the process could be expedited and completed as early as possible.

Let the Secretary, Social Welfare Department, Government of Jharkhand, Ranchi remain present before this Court through video conferencing mode on the next date of hearing.

Let the name of Mr. Manoj Tandon, Advocate, be reflected in the daily cause list on behalf of JHALSA, henceforth.

(Dr. Ravi Ranjan, C.J.)

(Sujit Narayan Prasad, J.)

Raman/AKT