

ITEM NO.1

Court 5 (Video Conferencing)

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SMW (C) No(s). 4/2020

IN RE CONTAGION OF COVID 19 VIRUS
IN CHILDREN PROTECTION HOMES

Petitioner(s)

VERSUS

Respondent(s)

(IA No. 74294/2020 - APPROPRIATE ORDERS/DIRECTIONS IA No.74139/2020 - EXEMPTION FROM FILING AFFIDAVIT IA No. 61484/2020 - EXEMPTION FROM FILING AFFIDAVIT IA No. 59084/2020 - EXEMPTION FROM FILING AFFIDAVIT IA No. 75739/2020 - EXEMPTION FROM FILING AFFIDAVIT IA No. 75234/2020 - EXEMPTION FROM FILING AFFIDAVIT IA No. 74593/2020 - EXEMPTION FROM FILING AFFIDAVIT IA No. 74135/2020 - EXEMPTION FROM PAYING COURT FEE IA No. 74292/2020 - INTERVENTION APPLICATION IA No. 58712/2020 - INTERVENTION/IMPLEADMENT)

Date : 09-10-2020 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE AJAY RASTOGI

By Courts Motion

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 Mr. Mahesh Thakur, AOR
 Mr. Siddhartha Thakur, Adv.

 Mr. V. N. Raghupathy, AOR

UPON hearing the counsel the Court made the following
O R D E R

By the note filed on 08.10.2020, learned Amicus Curiae has brought to the notice of this Court the letter dated 24.09.2020 of the Senior Consultant, Legal Division, NATIONAL Commission for Protection for Children Rights (NCPCR) to all the District Magistrates/Collectors of the State of Karnataka directing repatriation and restoration of children placed in the Children Homes.

Ms. Aishwarya Bhati, learned Additional Solicitor General is directed to get instructions as to whether a general direction for repatriation and restoration of children placed in the Children Homes can be issued.

The learned Amicus Curiae expressed his concern regarding the general direction for repatriation and restoration of Children placed in Children Homes to the parents. He further submits that

the power to restore the child to the parents can be only after determining the suitability of the parents to take care of the child as provided in Section 40(3) of the Juvenile Justice Act, 2015.

Issue notice to the National Commission for Protection of Children Rights. The NCPCR is directed to submit its response to the note circulated by the learned Amicus Curiae on 08.10.2020.

List on 24.11.2020.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(ANAND PRAKASH)
COURT MASTER