

Supreme Court Legal Aid Committee (Iii)

Vs

Union of India and Others

Writ Petition (Criminal) No. 1451 of 1985

(Ranganath Misra, G. L. Oza JJ)

05.09.1989

ORDER

1. It is stated by the counsel appearing for the States including that of Nagaland that affidavits as directed have been filed. Mr. Jain appearing in support of the writ petition has asked for a direction to the State to set up Advisory Boards both at the state and the district levels, as contemplated in the scheme so that implementation of the various provisions of the Act can be facilitated.
2. We are of the view that for the present the Board in terms of the provision of the scheme should be set up at the State level and steps at the district level may be deferred for the present.
3. Each of the States including the State of Jammu & Kashmir to which the scheme would apply though not under the Act in view of its consent, is directed to set up its Advisory Board in terms of the scheme. Implementation of the Act would be convenient if in the Board to be set up the ministers of Law and Social or Children's Welfare, as the case may be, the Secretary to Government in the relevant department, the Head of the Police Establishment (Director General or the Inspector General, as the case may be), the Head of the Health Directorate, two members of the bar with appropriate aptitude, an acknowledged lady social worker, a Member of Parliament and a Member of the State Legislature, one or two social workers of acknowledged repute preferable connected with children's rehabilitation activity are included. It would be open to the State Government to make small variations depending upon the requirements of any particular State. The total number of the Advisory Boards should not be below 15 and not above 20. The State Government should indicate as to who would be the Chairman and Secretary respectively of the Board. Such Committee should be set up within six weeks from today and report of compliance shall be filed with the Registry of this Court within eight weeks. The first meeting of the Board should be within four weeks of its constitution and every such Board is directed to send its first proceeding to the Registry.

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