

SUPREME COURT OF INDIA

RE: Exploi. of Chiln. Inj Orph. in ST. of T.N.

Vs.

Union of India (UOI)

W.P. (Crl) No. 102 of 2007

(B. Sudershan Reddy and S. S. Nijjar JJ.)

01.09.2010

ORDER

1. Pursuant to this Court's Order dated 31st March, 2010 in the matter of exploitation of Children in Orphanages in the State of Tamil Nadu, the National Commission for Protection of Child Rights (N.C.P.C.) has submitted a detailed report. Learned standing counsel for the State of Assam and Manipur as well as learned ASG appearing for the Union of India seeks time to file their response to the report submitted by the Commission. Two months time is granted to file the response. Response from the State of Tamil Nadu, Kerala and Karnataka shall also be filed within two months from today. But in the meanwhile, it is just and necessary to direct:

“a) The Deputy Commissioner of N.C. Hills should ensure that the Schools, Hostels and Children Home Complex presently occupied by the armed/ security forces are vacated within a month's time and it should be ensured that the school buildings and hostels are not allowed to be occupied by the armed or security forces in future for whatsoever purpose.

b) The State of Manipur and Assam are directed to ensure that no child below the age of 12 years or those at primary school level are sent outside for pursuing education to other States until further orders.

c) The Ministry of H.R.D., Government of India is directed to submit a list of schools and hostels (district-wise), collected from the State Governments/Union of Territories Administrations which are currently occupied by the armed/security forces in the North Eastern States duly indicating the date from which or duration for which such schools and hostels have been occupied by the security forces.

d) The Ministry of DONER is directed to hold special meetings with North Eastern States especially Assam, Arunachal Pradesh, Manipur, Meghalaya and Nagaland to

assess their requirement in terms of educational infrastructure, such as construction of school buildings, hostels and children homes for support by the Ministry.”

2. The N.C.P.C.R shall continue to be engaged with the 'source as well as destination' States for addressing the protection issues concerning children taken from one State to another. It is directed to hold meetings and apprise the situation/ progress in this matter to this Court.
3. The Union of India and all the State Governments are directed to render necessary assistance to NCPC.
4. The Ministry of Home Affairs is directed to ensure that the para military forces vacate the school and hostel buildings occupied by them and submit an Action Taken Report to this Court as well as NCPC within two months from today. The Ministry shall file a proper affidavit in this matter on the next date of hearing of this Writ Petition.
5. List this matter for further directions on 15th November, 2010.
6. In the meanwhile, the Registry is directed to supply the copy of the report of the National Commission for Protection of Child Rights dated 31st March, 2010 to the standing counsel for the State of Assam, Manipur, Tamil Nadu, Karnataka and Kerala.