

SUPREME COURT OF INDIA

Re: Exploi. of Chiln. in Orph. in St. of T.N

·
Vs.

Union of India (UOI)

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

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

07.03.2011

ORDER

1. We have heard the learned Counsel appearing in the matter
2. Having regard to the facts and circumstances of the case, we consider it appropriate to direct the impleadment of the National Commission for Protection of Child Rights as Respondent.
3. This Court, vide its order dated 10.01.2011, inter alia, directed the Ministry of Development of North Eastern Region to issue appropriate directions to the concerned northeastern States and call for the particulars as regards the requirement in terms of educational infrastructure such as, construction of school buildings, hostels and children homes etc., for the necessary support by the Ministry. The north-eastern States were, accordingly, directed to submit the details of the requirements regarding educational infrastructure. In this regard, no information is coming from the Ministry of DONER.
4. It is stated that the States of Manipur and Assam have already submitted the requirements to the Ministry of DONER.
5. However, no information is forthcoming from the States of Arunachal Pradesh, Meghalaya and Nagaland. In the circumstances, the States of Arunachal Pradesh, Meghalaya and Nagaland are directed to file proper affidavits as to whether they have submitted their requirements to the Ministry of DONER.
6. Since no information is forthcoming from Ministry of DONER, we consider it appropriate to implead the Ministry of DONER as Respondent.
7. Learned Additional-Solicitor General accepts notice on behalf of the newly impleaded Ministry of DONER.

State of Jharkhand

8. So far as the State of Jharkhand is concerned, it is admitted that out of a total number of 47 locations where security forces have been housed in schools and hostels, only 26 of them have been vacated by the security forces. Rest of them still continue to be in occupation of the security forces. In the circumstances, there shall be a direction directing the State of Jharkhand to forthwith take appropriate steps and vacate the security forces from the school buildings, hostels, etc., within two months from today. The State of Jharkhand is directed to file its compliance report. The State of Jharkhand is further directed to submit a detailed affidavit as to whether those buildings stated to have been vacated by the security forces have already been handed over to the concerned department and whether the schools are actually being run in those buildings. There shall be a similar direction for all the States where the school buildings, hostels, etc. were under the occupation of security forces.

State of Tripura

9. So far as the State of Tripura is concerned, it is admitted that still 16 school buildings, hostels etc., continue to be under the occupation of the security forces and the State requires six months' further time to vacate them. We are not inclined to grant time as prayed for by the State. There shall be a similar direction directing the State of Tripura to vacate the security forces from the school buildings, hostels etc., in their occupation within two months from today. The State Government shall file the compliance report.

State of Arunachal Pradesh and Nagaland

10. So far as the States of Arunachal Pradesh and Nagaland are concerned, no information is forthcoming and in the circumstances, the States of Arunachal Pradesh and Nagaland are directed to file proper affidavit as to whether they have complied with the earlier directions issued by this Court.

11. Stand over for four weeks.