

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12744 of 2016

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In the matter of News report dated 27th July, 2016 of Hindustan Times, Patna relating to 'Apna Ghar'.

.... Petitioner/s

Versus

1. The State of Bihar & ors.
2. The Director General of Police, Bihar, Patna
3. The Senior Superintendent of Police, Bihar, Patna.
4. The Principal Secretary Department of Health, Patna.

.... Respondent/s

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Appearance :

For the Petitioner :

For the Respondents : Mr. Kaushal Kr. Jha, AAG-8
Mr. Krishna Chandra Jha, AC to AAG-8
Mr. Anish Kumar, AC to AAG-8

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 09-05-2017

Taking *suo motu* cognizance of a news item appearing in the daily newspaper with regard to the condition of a premises known as “Apna Ghar” which was nothing but a model Child Care Home for destitute and abundant children pointing out that lack of proper medical facility and other facilities for the children, this Court issued notice to the respondents and since 8th of August, 2016 the matter is being monitored by this Court from time to time and instructions issued.

Now from the counter affidavit filed by the respondents recently on 24th of April, 2017, we find that the State Government has taken various steps in the matter. The Department of Social Welfare,



Government of Bihar has provided administrative sanction of Rs.1,29,12,694/- for building construction, addition of toilet, bathroom etc and it is specifically indicated in the affidavit that all norms laid down by the Central Government in the schemes sponsored under the Integrated Child Protection Scheme are being implemented. The affidavit also indicates that medical facility and other infrastructure facility has also been developed and a three storied building is being constructed in Kankarbagh, Patna for the children, in addition to the one which is already in existence. It is further indicated that in collaboration with various non-government organization, further steps are being taken for improvement of the center in question. It is also stated that a Committee of police officer has also been constituted for monitoring the functioning of the establishment and to ensure the functions in a proper manner and shifting of the children after counselling and following various other process to their parents home is also being undertaken by the Committee.

Taking note of all these factors, we are satisfied that the State Government has taken adequate steps in the matter. However, as a matter of precaution and to ensure that the functioning of the Child Care Home in question is undertaken in accordance to the requirement of law and various directions issued by the Supreme Court from time to time, we direct the Secretary, Bihar State Legal Services Authority



to conduct inspection of the establishment from time to time and ensure that all the mandatory requirements and the directions issued by the Supreme Court for maintenance of such a center is carried out in the establishment in question and in case any discrepancies are found, the same shall be reported to the Executive Chairman of the Bihar State Legal Services Authority, who shall take remedial steps for implementing the provisions of the law with regard to the establishment in question. The Bihar State Legal Services Authority shall also have liberty to report the matter to the concerned officials of the Government and ensure that the establishment functions in accordance to the requirement of law.

With the aforesaid, the writ petition stands disposed of.

Let a copy of this order be forwarded to the Secretary,
Bihar State Legal Services Authority for necessary compliance.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.05.2017
Transmission Date	

