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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 25.08.2023

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W.P.(C) 5238/2021 and CM APPL. 16076/2021

JEETENDER GUPTA

..... Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Chetan Sharma, ASG and Mr. Ravi Prakash, CGSC with Mr. Amit Gupta, Mr. Aman Rewaria, Mr. Farman Ali, Mr. Saurabh Tripathi, Mr. Vikramaditya Singh & Mr. Ghanshyam Jha, Advocates for respondent/ UOI.
Mr. Anuj Aggarwal, ASC with Ms. Ayushi Bansal, Mr. Yash Upadhyay, Advocates for respondents No.4 & 5/ GNCTD.

CORAM:**HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE SANJEEV NARULA****SATISH CHANDRA SHARMA, CJ. (ORAL)**

1. The Petitioner has filed the present Public Interest Litigation (“**PIL**”) seeking directions to be issued to the Respondent(s) to (i) safeguard the interests of children who were orphaned during the COVID-19 pandemic (“**COVID-19**”); and (ii) grant appropriate compensation to the family



members of those persons who passed away during COVID-19 on account of denial of access to adequate healthcare facilities.

2. During the pendency of the PIL, this Court vide an order dated February 8, 2023 observed that similar issues were pending consideration before the Hon'ble Supreme Court of India (the "**Supreme Court**") in writ petition bearing W.P. (C) 554 of 2021; and a *suo moto* writ petition bearing number W.P. (C) 4 of 2020 titled '*In Re: Contagion Of Covid 19 Virus In Children Protection Homes*'.

3. The Supreme Court in W.P. (C) 4 of 2020 vide an order dated April 3, 2020 formulated certain guidelines in relation to children in conflict with law and / or children housed in various foster/kinship homes who needed care and attention. The guidelines were issued to inter alia Child Welfare Committees ("**CWCs**"); Juvenile Justice Boards ("**JJBs**"); State Governments; and Child Care Institutions ("**CCIs**"). The Juvenile Justice Committee of every High Court ("**JJC**s") was directed to ensure compliance and regular monitoring of the directions issued by the Supreme Court in letter and spirit.

4. Thereafter vide an order dated June 11, 2020 the Supreme Court circulated a questionnaire in relation to the care and protection of children in conflict with the law; and directed JJC's to ensure that the relevant information is supplied by the various State Government(s). Vide an order dated July 15, 2020 the Supreme Court issued further general directions in relation to (i) education of children in CCIs; (ii) contact with children released from CCIs; (iii) review of cases of children in CCIs; (iv) examination by CWCs vis-à-vis institutionalisation / re-admission in view



of Section 3 (xiii) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (the “**JJ Act**”); and (v) other COVID-19 related measures. Pertinently in relation to NCT of Delhi, the Supreme Court requisitioned information in relation to educational arrangements made to meet the needs of children in CCIs from the Government of NCT of Delhi.

5. On January 21, 2021 certain additional guidelines came to be introduced by the Supreme Court in relation to education of children in CCIs; and education of children handed over to their parents, guardian and foster care. Moreover, the Supreme Court also directed the State Government(s) to provide the necessary infrastructure for the children in addition to the requisite number of tutors. On June 7, 2021 the Supreme Court observed that affected children should not face a situation of discontinuance of their education. In this regard, the State Governments were directed to also issue necessary instructions to private educational institutions to provide affected children with a 6 (six) month grace period. The Supreme Court took note that although various welfare measures were available to such children, the last mile penetration was not satisfactory. In this context, the Supreme Court issued 9 (nine) pointed directions to various stakeholders in relation to the monitoring and implementation of welfare measures provided to the affected children by the State including inter alia identification of affected children who have been orphaned on account of COVID-19. On 27 June, 2021 the Supreme Court directed the State Government(s) to ensure that orphaned children are permitted to continue in the same school for the Academic Year (“**AY**”) 2021-2022, and that the State Government take necessary steps towards to free admission of affected



children under the provisions of the Right of Children to Free and Compulsory Education Act, 2009.

6. In this context, the Ld. Counsel for the Respondent No. 4 & Respondent No. 5 by way of an affidavit dated August 17, 2021 placed on record a copy of the Gazette Notification in relation to the ‘Mukhyamantri COVID -19 PariwarSahayata Yojana’ dated June 22, 2021 (the “MMPASY”). Pertinently, the MMPASY provided for financial assistance to the families of those persons who passed away on account COVID-19 by way of (i) monthly financial assistance to the tune of INR 2,500 (Indian Rupees Two Thousand Five Hundred); and (ii) a one-time *ex-gratia* financial assistance to the tune of INR 50,000 (Indian Rupees Fifty Thousand). The relevant extracts of the MMPASY are reproduced as under:

“ DEPARTMENT OF SOCIAL WELFARE NOTIFICATION

Delhi, the 22nd June, 2021

F. 41(367)/DSW/FAS/COVID RELIEF/2021-22/2758-2771.—

In order to provide immediate financial relief incase of death of family member due to Covid-19 and continued financial assistance to families affected by the death of the bread earner due to Covid-19 pandemic the Lt. Governor of NCT of Delhi is pleased to notify the Mukhyamantri Covid-19 Pariwar Aarthik Sahayata Yojana.

1. Short Title, Extent and Commencement:

(a) The Scheme may be called as Mukhyamantri Covid-19 Pariwar Aarthik Sahayata Yojana.

(b) The Scheme shall be applicable for the NCT of Delhi.

(c) The scheme shall come into force with effect from the date of its publication in the Delhi Gazette.

2. Objectives and components of the scheme:

The objectives of the Scheme are:



(a) to provide financial assistance to the surviving family of the bread earner who has died due to Covid 19 pandemic in Delhi since the outbreak of the disease. Government will also consider a single member of the affected family to be enrolled as a civil defense volunteer. Besides these the state affirms to look after the health and education needs of the dependent children as per existing policy.

(b) To give an Ex-gratia payment of Rs 50000 for each death to the family of deceased. This Ex-gratia assistance shall be given to the kith and kin of the person deceased due to Covid-19, after he applies in the format prescribed by the Revenue Department, GNCTD.

3. The components, corresponding quantum of financial assistance, and eligibility are detailed below :-

(a) Component (A):- Monthly financial assistance to the family of the deceased ”

Situation (Death of working member of the family due to covid-19)	Eligible Dependent	Amount	Remarks
Husband	Wife	Rs. 2500 for life	Wife can get widow pension also in addition, if eligible
Wife	Husband	Rs. 2500 for life	NIL
Single Parent (Other parent already died (either due to covid or otherwise)/	Each Child Below 25 years of age	Rs. 2500 to each child of the deceased parents till they attain	Each Child below 25 years of age would be considered for Financial Assistance (In



<i>Separated/ Divorce</i>		<i>age of 25 years</i>	<i>these cases if one parent died of covid and other died in earlier years)</i>
<i>Both Husband and Wife died (where atleast one of them died due to covid)</i>	<i>Each Child below age of 25 years. Father or Mother in case of no children</i>	<i>Rs. 2500 to each child till the age of 25 years. In case of Father or Mother for life (only one will get the assistance)</i>	<i>Father & Mother can avail old age pension in addition to this if eligible.</i>
<i>Unmarried Working Son / Daughter</i>	<i>Father or Mother</i>	<i>Rs 2500 for life</i>	<i>Father & Mother can avail old age pension in addition to this if eligible.</i>
<i>Brother / Sister</i>	<i>Dependent Brother / Sister if they are physically or intellectually challenged</i>	<i>Rs 2500 for life</i>	<i>Physically or intellectually challenged sibling staying with the breadwinner and dependent on him.</i>

**In case Husband/ Wife of the deceased bread earner is getting the benefit of the scheme then the sibling in the special needs category as cited in last column shall not be eligible.*



***If family is survived by only minor children then applicant/ beneficiary will be the foster parent/ guardian who has been declared fit under the provisions of JJ Act by the Child Welfare Committee. The financial assistance shall be transferred to the joint bank account in the name of the minor child and the foster parent/guardian.*

**** The deceased and dependents both shall be residents of Delhi*

***** Death must be due to COVID related i.e. certified as COVID death (as per MHA data) or death within one month of testing COVID positive and verified by Health Department as Covid death.*

****** No income criterion
(ii) Methodology and Procedure*

<i>Documents required</i>	<i>The following documents shall be attached with the application:-</i> <i>1. Proof of residence of both deceased & dependents.</i> <i>2. Death certificate</i> <i>3. Proof of Covid death</i> <i>4. Documents establishing relationship between deceased & applicant</i> <i>5. Bank Account details of the applicant.</i> <i>6. In case of disabled dependent sibling, disability certificate</i> <i>7. Proof of age of the dependent children</i> <i>8. Others as required in e district portal</i>
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<i>Procedure</i>	<i>1. Health Department shall share list/ database of Covid deaths with Department of Social Welfare which in turn shall send that to the area SDMs through DC HQ Revenue Department for verification of cases falling in their respective jurisdiction.</i> <i>2. SDM will use a pool of 100 officials of Delhi government as created by the respective SDM to act as representatives at sub division level for conduct of home visit. SDM shall digitally assign Government's representative for home visit who shall go for verification at the address provided by the applicant and also provide assistance for submission of details in the applications.</i> <i>3. The Delhi Government's representative at the time of Home visit will collect all relevant details and fill it for the dependent in digital form using their tablet/mobile phone. They shall conduct the home visit with three objectives:</i> <i>a. Verify/clarify the details mentioned in the application form b. Recommend the preparation of the documents like death certificate, hospital report, etc to their SDM in genuine cases if the same is missing</i> <i>c. Note the details of children below 25 years to determine the quantum of Financial Assistance.</i> <i>4. Based on verified application and home visit, SDM to send his recommendation, within 5 working days of submission of report by the field staff. The recommendation shall be sent online through e district portal to District Social Welfare Officers of Department of Social Welfare for</i>
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	<i>sanction. SDM to recommend or reject the case in a period of total 12 days from the date of application.</i> <i>5. The District Social welfare officers of Social Welfare department shall scrutinise the documents submitted as per eligibility criteria and shall approve the request and process it for release of payments to the Social Welfare HQ within 3 days of receiving the recommendation from the SDM. The Financial Assistance request should be accepted or rejected (with reasons recorded) within a maximum time limit of 15 days of the application and the Financial Assistance should start from the month in which application was submitted.</i>
<i>Appellate mechanism</i>	<i>In case of the rejection of the application, the SDM would forward the rejected cases with reasons to DM online and SMS message to the applicants giving details of the officer and address for appeal. Such applicants (those whose application is rejected) can appeal to the District Magistrate for reconsideration. The DM shall dispose off the appeal based on SoP developed by SWD</i>

(b) Component (B) :-One time Ex-Gratia payment to the family of deceased

(i) Eligibility & Quantum of Assistance

In the case of death of any patient who is Covid positive, either in institutional setting or at home, an amount of Rs 50,000 would be given as ex-gratia to the family of the deceased. This would be irrespective of whether the deceased was the bread earner of the family. This ex- gratia amount would cover all deaths that has taken place due to COVID-19



pandemic, the Ex-gratia amount of Rs. 50,000/- would be given per death.

(ii) Methodology : This component of the scheme shall be operated by the Revenue Department and the detailed procedure for implementation as recommended by Revenue Department is as under:-

(iii) Methodology and Procedure

Documents required	The following documents shall be attached with the application to be filled by the applicant in concerned district:- 1. Proof of residence of both deceased & dependents. 2. Death certificate 3. Proof of Covid death 4. Documents establishing relationship between deceased & applicant 5. Bank Account details of the applicant.
Procedure	The Revenue Department is already running a scheme approved vide Cabinet Decision No, 2810 dated 05.03.2020 and circulated vide order No. F 1 (87)/Relief/ Building Collapse/ 2010/2663 dated 05.03.2020; granting Ex-gratia Relief in various eventualities. The disbursement procedure adopted in this scheme may also be followed for the scheme under consideration
Head of account for payment	The Disbursement may be made from Major Head "2245" Relief; for which all the power to sanction of relief to the victims have already been delegated to all the Deputy Commissioner being HOD in all cases in



	<i>accordance with scale approved</i>
<i>Competent Authority</i>	<i>The Competent Authority to grant the ex-gratia of Rs. 50000/- to the family of deceased died of Covid 19 shall be the concerned DM as already being done under the already running scheme stated above</i>
<i>Appellate Authority</i>	<i>In case of rejection of application by concerned DM, the applicant can file the grievance before the Divisional Commissioner.</i>

**Death must be due to COVID related i.e. certified as COVID death (as per MHA data) or death within one month of testing COVID positive and verified by Health Department as Covid death.*

By Order and in the Name of the Lt. Governor of the National Capital Territory of Delhi,

*Dr. RASHMI SINGH,
Spl. Secy./ Director, Social Welfare”*

7. It would be pertinent to note that 2130 (two thousand one hundred and thirty) children / families have been sanctioned the benefits under the MMPASY.

8. The Ld. Counsel for Respondent No. 2 by way of an affidavit dated June 24, 2021 placed on record before this Court numerous initiatives undertaken in relation to the grievance espoused by the Petitioner. The initiatives taken by Respondent No. 2 include *inter alia* (i) the establishment of Support, Advocacy & Mental Health Intervention for children in Vulnerable circumstances and Distress i.e., SAMVAD, a national initiative



& integrated resource for child protection, mental health & psychological care duly supported by the Ministry of Women and Child Development, Government of India (the “**Ministry**”); (ii) an advisory dated 29.04.2021 regarding continued operation of all one stop centres, women help-lines and designated officials under women safety / welfare measures such as Child Marriage Prohibition Officers (“**CMPOs**”) so as to help violence affected women and children in the circumstances created by the surge in COVID-19; (iii) an advisory dated 01.05.2021 wherein the Ministry has requested State Governments to ensure access to safe and quick health services for women infected with and / or facing hardship on account of COVID-19.

9. The Ld. Counsel for Respondent No. 2 has also placed on record a table outlining the various initiatives / measures taken in relation to the cause espoused herein. The same is reproduced hereunder:

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<i>S. No.</i>	<i>Preventive Measures</i>	<i>Action Taken</i>
1.	<i>Advisory regarding Preventive measures to Contain spread of COVID 19 in CCIs.</i>	<i>On 18.03.2020 an Advisory was issued by the Ministry of WCD to State/UT governments regarding preventive measures to be taken to contain the spread of Novel Corona virus amongst children living in CCIs. Copy of the Advisory dated 18.03.2020 is annexed and marked herewith as</i>



		ANNEXURE R2/5.
2.	<i>Childline to be functional as an emergency outreach service.</i>	<i>On 19.03.2020 Childline, the 24*7 emergency outreach tele service, supported by the government advised to continue assisting the children during the present scenario. Copy of the Advisory dated 19.03.2020 is annexed and marked herewith as</i> ANNEXURE R2/6. <i>On 23.03.2020 the State/UT Governments were informed regarding availability of Childline and requested to facilitate their functioning. Copy of the Letter dated 23.03.2020 is annexed and marked herewith as</i> ANNEXURE R2/7.
3.	<i>Appointment of Nodal officers</i>	<i>On 31.03.2020, the Ministry of</i> <i>WCD has appointed State Nodal</i> <i>officers and requested all States</i> <i>and UTs to ensure effective implementation of GoI schemes</i>



		supporting Homes. The States have been asked to specifically share the details of Children living in CCI, their health status, availability of medical care etc. on weekly basis, to ensure monitoring of the situation. Copy of the Letter dated 31.03.2020 is annexed and marked herewith as ANNEXURE R2/8.
4.	Coping strategies for parents/Caregivers	On 02.04.2020 Coping Strategies for Parents / Caregivers dealing with children shared by MWCD with all States/UTs, with the request to translate it in local language and share it with all concerned including Child protection staff. Copy of the Letter dated 02.04.2020 is annexed and marked herewith as ANNEXURE R2/9.
	Orientation Workshop for State and District level officers, CWCs, JJBs, DCPUs and CCI supervisors.	On 07.04.2020 MWCD through Zoom platform held an Orientation Workshop for State and District level officers, CWCs, JJBs and CCI supervisors ,to apprise them regarding important



		aspects of COVID-19 and their role in mitigation. Copy of the Orientation workshop dated 07.04.2020 by Respondent No.2 for State and District Level Officer, CWC'S, JBB'S AND CCI supervisors to appraise them regarding important aspects of Covid -1 9 is annexed and marked herewith as ANNEXURE R2/10
5.	<i>Suo Moto Writ Petition (Civil) No. 4 of 2020.</i> <i>In Re Contagion of COVID 19 Virus In Children Protection Homes, the Hon'ble Supreme Court of India vide its Orderd dated 03rd April 2020 passed the various directions to CWCs, JJBs, State Governments, measures to b</i> <i>taken by CCIs, Measures for children under Foster Care and Kinship Care.'</i>	Letter (F.No. C W-IU7/2020/-CW-II) dated gth April 2020 has been issued to all the States/UTs to take necessary action as per the order of Hon'ble Supreme Court dated 3rd~pr i2l0 20. Copy of the letter dated 08.04.2020 is annexed and marked herewith as ANNEXURE R2/11.
6.	<i>Orientation Workshop Childline Partners on</i>	<i>On 09.04.2020 MWCD has organized through the</i>



	<i>Covid- 1 organised Answer in Respondent No.2, MWCD Development.</i>	<i>use of virtual platforms viz., Zoom Cloud Meetings, YouTube Orientation workshop with Childline Partners. The Childline India Foundation (CIF) and its partner units along with Childline participated in the meeting. Copy of the Orientation Workshop (undated) organized by the Answering Respondent No.2 along with Childline India Foundation (CIF) is annexed and marked herewith as ANNEXURE R2/12.</i>
	<i>Meeting with States and Child Welfare Committees to discuss measures for Child Protection in Hotspots Districts released by the Ministry of Health and Family Welfare</i>	<i>A series of Meetings with States/UTs with COVID 19 123 Hotspot Districts was organized by Answering Respondent No. 2, MWCD Development in NIC Web Conference Room during 27.04.2020 to 29.04.2020. Senior Officers from the Ministry, States/UTs and representatives of Child Welfare Committees from the Hotspots Districts attended the meeting to discuss the measures taken for protection of</i>



		<i>vulnerable Children in these districts. Copy of the Minutes of Meetings dated 27.04.2020, 28.04.2020 and 29.04.2020 is annexed and marked here with as ANNEXURE R2/13, ANNEXURE R2/14 and ANNEXURE R2/15 respectively.</i>
7.	<i>Preventive measures to contain the spread of COVID-19 - Monitoring of Schemes by Nodal Officers and Submission of Reports to MHA (DAILY and WEEKLY)</i>	<i>The Ministry of Home Affairs</i> <i>vide their DO letters No.1101 111 512020-MHA-CR dated 22.04.2020 and 23.04.2020 had requested MWCD to provide with a daily weekly report on the implementation status of various schemes at level.</i> <i>Accordingly, the Weekly as well as daily reports were received from the States/UTs regarding the Child Protection Services scheme at ground level from 30.03.2020.</i> <i>Copy of the Letter dated 22.04.2002 and 23.04.2020 issued by the</i>



		<i>Ministry of Home Affairs (Respondent No. 1) is annexed and marked as ANNEXURE R2/16. (Colly)</i>
8.	<i>Using of structures under CPS for Children in distress.</i>	<i>D.O letter dated 21.05.2020 to all States / UTs for complimenting work done by them and for using structures established under CPS like Open Shelters for the relief of the Children of the Migrant Workers. Copy of the Letter dated 21.05.2020 is annexed and marked herewith as ANNEXURE R2/17.</i>
9.	<i>'Production before CWC</i>	<i>D.O. letter dated 30.04.2021 by Secretary, MWCD to Chief Secretaries with a request to direct DM in all the districts to ensure immediate action for rehabilitation of COVID orphaned children. Information about child may be shared with childline (1098). Copy of the letter dated 30.04.2021 is annexed and marked herewith as ANNEXURE R2/18.</i>



10.	<i>One CCI to be designated in each district</i>	<i>DO dated 04.05.2021 by JS (ASK) to all Pr. Secretary requesting states to designate one CCI in each district to support children for interim period when their parents are affected with Covid.</i> <i>All hospitals and COVID care facilities may be informed regarding this facility. Contact details of CWC members and designated CCI and 1098 may be prominently displayed at the reception of hospital. Copy of the Letter dated 04.05.2021 is annexed and marked herewith as ANNEXURE R2/19.</i>
11.	<i>In hospital admission form, column seeking name of person to whom children should be handed over</i>	<i>D.O letter dated 04.05.2021 by Secretary, MWCD to Secretary, Health regarding addition of column in hospital admission form seeking name of person to whom children should be handed over. Copy of the letter dated 04.05.2021 is annexed and marked herewith as ANNEXURE R2/20.</i>



12.	<i>Addition of column in hospital admission form seeking name of person to whom children should be handed over</i>	<i>Letter to IMA dated 04.05.2021 regarding addition of column in hospital admission form seeking name of person to whom children should be handed over and Display of CWC, Designated CCI and 1098 in the hospitals. Copy of the Letter to IMA dated 04.05.2021 is annexed and marked herewith as ANNEXURE R2/21.</i>
13.	<i>Assistance of children</i>	<i>Letter to Childline India Foundation dated 04.05.2021 requesting them to leverage Juvenile Justice set up and the facilities supported under Child protection Services, for ensuring immediate rehabilitation of children losing parents to Covid pandemic. Copy of the Letter to Childline India Foundation dated 04.05.2021 is annexed and marked herewith as ANNEXURE R2/ 22.</i>
14.	<i>Mentoring of Child Protection Functionaries by SAMVAD</i>	<i>Letter to States, NCPCR, CIF dated 04.05.2021 regarding support and assistance from SAMVAD, NIMHANS (Mentoring to</i>



		existing telephone helpline, mentoring of Child Protection Functionaries) Copy of the letter dated 04.05.2021 is annexed and marked herewith as ANNEXURE R2/23.
15.	<i>Guidelines regarding Care and Protection of Children affected due to COVID</i>	<i>Secretary, MWCD to Chief Secretaries of States / Administrators of UTs were issued in order to streamline and facilitate the actions being taken, the major responsibilities of primary duty holders have been enlisted to ensure the best interest of the Children during the Pandemic. Copy of the letter dated 02.06.2021 is annexed and marked herewith as ANNEXURE R2/24.</i>

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10. Pursuant to an order dated February 27, 2023, the Ld. Counsel appearing on behalf of Respondent No. 4 was directed to file an additional affidavit stating categorically the steps taken by Respondent No. 4 in order to safeguard the children who were orphaned on account of COVID-19 and underscore the benefits extended to such children from time-to-time. We have perused the affidavit filed by the Ld. Counsel for Respondent No and



we note that the 16 (sixteen) steps have been taken by Respondent No. 4 in order to safeguard the interests of children who were orphaned on account of COVID-19. The steps taken by Respondent No. 4 are as under

“5. That the steps taken by Department of Women & Child Development to safeguard the interest of the children and the benefits extended from time to time include the following:

(i) All the Child Care Institutions run by NGOs including the Open Shelters were asked to submit their requirements through a Need Assessment Form. Organizations sent their requirements for items like Face Masks, Sanitizers, Steam Inhalers, Oximeters, oxygen concentrators, Diapers, Dietary articles, etc.

(ii) The Department in May 2020 collaborated with an organisation Myra-Ek –Pahel under CSR convergence to further strengthen digital education and online educational classes.

(iii) Department published series of public notices and received overwhelming response as Rs. 8 Lakhs approximately in the Juvenile Justice Fund.

(iv) Any child in need of care and protection was produced before the CWC and the CWC passed orders for support and rehabilitation of the child, Children who were placed in kinship care were visited/contacted/checked upon by the District Child Protection Unit and the Child Welfare Committee.

(v) Non-financial assistance was also rendered, such as ration support to family, counselling support and linkages with other government schemes wherever needed. Dry Ration items were also provided as per requirement to the family of children, irrespective of their status of registration under Saksham Anganwadi & POSHAN 2.0 (erstwhile Integrated Child Development Services).



(vi) *The Department issued a Standard Operating Procedure for Child Care Institutions (CCIs) to Prevent COVID-19 infection, 08.04.2020, to address entire gamut of issues that CCIs were facing, with subheading as Child Centric/Staff Centric issues, Utility and Services, Medical Support, Health and Well Being, Capacity Building of Staff, etc.*

(vii) *Instructions were issued on 17.03.2020 to the Superintendents for actively taking up with Juvenile Justice Boards for the deserving cases for release on bail or parole. This caused release of juveniles and subsequent decongestion of homes. Department coordinated with Delhi State Legal Services Authority for any legal assistance required by Children in Conflict with Law.*

"(vii) A provision of cash relief of Rs 1500 and dry ration was made vide order dated- 14.04.2020 for Children in Conflict with Law at the time of their release from the institution on interim bail / parole/discharge.

(ix) *SOPs dated 16.04.2020, 01.07.2020, 08.07.2021, 04.05.2021 & 16.05.2021 were issued by the Department to all Govt. /NGO run Child Care Institutions for dealing with "New Admission" and "Suspected Case" of COVID-19. Separate Isolation/ Quarantine ward for Boys and Girls in respect of Child in Need of Care & Protection and Children in Conflict with Law were designated.*

(x) *A Public Notice on 13.04.2020 was published in 3 English and 3 Hindi newspapers for information of general public regarding setting up of a central "COVID-19 Cell" at the headquarter of the Department to address issues related to COVID 19 in management of CCIs.*

(xi) *A District Task Force (DITF) was constituted in all the Districts in Delhi vide order dated 04.05.2021 to take cognizance of any news/ message circulated on digital platform/ media regarding abandonment of children, any*



person offering or obtaining custody of a child through illegal means and take immediate action/s in respect thereof.

(xii) DWCD had approached NDMG, EDMG, SDMC and New Delhi Municipal Corporation to play audio messages on care & protection of children through their P.A. systems installed at various sites, vehicles, etc.

(xiii) Department tied up with Indian Academy of Paediatrics, Delhi for getting support of video tele-consultation services to the children residing in CCIs.

(xiv) Counsellors have been engaged on full time basis in each District Child Protection Unit and they are available for counselling of children as per the requirement spelt out by the CWC. Besides this, a psycho-social profiling is done by the counsellors at the CCI too.

(xv) Department, through its District Task Force, DCPUs and Anganwadi workers, carried out an intensive exercise to get information from various sources about such children who lost parents) during COVID-19 Pandemic. The children / families were assisted to apply for any kind of government scheme assistance, they were eligible under.

(xvi) Child Centric Convergence (CCC) Camps were organised where children and their families were facilitated for linkages with various schemes of Govt. with hand holding support in terms of completion of required documents, completing online registration & meeting other pre-requisites such as opening of Bank a/c, Aadhar etc

11. In furtherance of the aforementioned steps we note that between April, 2020 and April 2022 - 7006 (seven thousand and six) children circumstances (including 143 (one hundred forty three) children who lost either one or both parent(s) on account of COVID-19) who were in need of care and protection because of their circumstances, were identified and (a)



corresponding welfare measure and benefits were extended including (i) LADLI Scheme; (ii) Delhi Pension Scheme for Women in Distress; (iii) National Family Benefit Scheme; (iv) Delhi Pension Schemes for Women in Distress and National Family Benefit Scheme; (b) the Department of Women and Child Development, Government of NCT of Delhi in conjunction with the Department of Education, Government of NCT of Delhi facilitated admission and / or continuation of education (as the case may be); (c) various ration kits, dry ration kits and take home rations were provided. Lastly, we have been provided with a copy of a circular dated January 23, 2023 issued by the Directorate of Education, Government of NCT of Delhi qua free education to children affected by COVID-19 (the “**Education Circular**”). We note that the Education Circular is in accordance with the direction of the Supreme Court in W.P. (C) 4 of 2020.

12. This Court has perused the Affidavits filed by the Respondent(s) and taken note of the material placed on record. Certainly, various steps have been taken by the relevant stakeholders from time to time in furtherance of the cause espoused by the Petitioner herein. Therefore, no further orders are required in the present PIL. Accordingly, the PIL stands disposed of.

SATISH CHANDRA SHARMA, CJ

SANJEEV NARULA, J.

AUGUST 25, 2023

W.P.(C.) No.5238/2021

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