

(2012) 04 AHC CK 0185

In the Allahabad High Court

Case No : Criminal Miscellaneous P.I.L. Writ Petition No. 4207 of 2012

In Re: The Government Children's Home

Date of Decision : 16-04-2012

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 327(2)
Penal Code, 1860 (IPC) — Section 376, 376(2)(c), 376(2)(f)

Citation : (2012) 5 ADJ 253

Hon'ble Judges : Ashok Srivastava, J; Amar Saran, J

Bench : Division Bench

Advocate : Manju R. Chauhan, Amicus Curiae, for the Appellant; Usha Kiran, K.K. Ray, D.R. Chaudhary and A.G.A., for the Respondent

Final Decision : Disposed Of

Judgement

1. Pursuant to our order dated 6.4.2012 taking suo motu cognizance in the matter after a news report in the "Hindustan" daily of crimes of sexual abuse of minor orphan girls in the Shivkuti, Allahabad Rajkiya Shishu Grih (Government Home for infants) the District Magistrate (DM) and the Senior Superintendent of Police (SSP), Allahabad have appeared in Court on 11.4.2012. The Chief Probation Officer representing the Principal Secretary, Women and Child Development, U.P was also present. On the request of Shri D.R. Chaudhary, learned Government Advocate to hear the case in camera looking to the sensitivity of the matter, we have heard the case in chambers on 11.4.2012.

An affidavit of the District Magistrate, Allahabad and a personal affidavit of the Principal Secretary, Women and Child Development, U.P., Lucknow have been filed. A report on the basis of spot visits have also been submitted by Mrs. Manju R. Chauhan, learned Amicus Curiae, and by Ms. Usha Kiran on our direction.

Intervention applications filed by Shri K.K. Roy in this public interest litigation on behalf of the intervenor Utpala Shukla and another on behalf of Utkarsh Dixit and others, are also taken on record. Orders therein will be passed on a subsequent date of hearing.

2. It appears that due to the public and press outcry raised, and our previous order the administration does appear to have taken the matter seriously at this stage.

MAGISTERIAL INQUIRY REPORT DATED 8.4.2012

3. The officiating District Magistrate/Chief Development Officer (CDO), Allahabad had directed on 5.4.2012 that a Magisterial inquiry be conducted within 3 days by a team comprising Ms. Pravina, Additional City Magistrate-II (ACM II), Allahabad, Smt. Nitika Dubey, District Backward Classes Welfare Officer and Shri S.N. Tripathi, District Economic and Statistics Officer. This remarkably perceptive, candid and prompt inquiry report dated 8.4.2012 reveals a shocking picture where the main delinquent Vidya Shankar Ojha, a contract chowkidar has been found committing the most heinous and barbaric acts of sexual abuse with minor girls aged 6 to 10 years for the past several years in the Shivkuti Shishu Grih. It also shows that other employees including superintendents, house mothers, cook, Class 4 workers such as helpers, nurses, nursery teachers and sweepers have either facilitated (or at least overlooked) the immoral acts of Ojha, sometimes even after being eye witnesses of this grave crime. In fact their indifference or active concealment is tantamount to their virtual connivance in the crimes of Vidya Bhushan Ojha.

Shorn of details the report makes the following points:

Although the FIR was lodged after consultation with the Probation Officer against the offender for rape with one girl A about which the Superintendent Urmila Gupta claims to have gained knowledge only on 5.4.2012, the report finds sexual abuse of seven girl-child inmates by the suspended and presently jailed daily wager chaukidar (watchman) Vidya Bhushan Ojha.

Ojha had been indulging in these misdeeds for several years after his appointment as a chowkidar in the adoption unit of the home for 6 months in 2006. It was unclear how he was continuing in the home till 5.4.2012. Under a Government Order only an earlier inmate of the children's home who had crossed 18 years of age could be appointed as a "chowkidar" in the home.

The said victim A claims to have been raped a few days earlier in the kitchen and then in the toilet. She had been sexually assaulted several times earlier by Ojha. When she tried to cry out during the incident, Ojha had gagged her mouth.

A also named a boy-child witness, who corroborated the incident before the committee.

A also stated that Ojha had sexually assaulted two other girls B and C and threatened to kill them if they disclosed this fact to anyone.

4 other girl inmates disclosed that Ojha would force them to broom, sweep, cook and clean the toilet, and on their failure to perform their tasks, he would administer a beating to them. They also complained about Ojha's bad character,

and that they would need to run away whenever he tried to catch them.

As the 2 other girls B and C named by victim A had been shifted to the Mumfordganj government home for bigger girls in December 2011, the committee questioned them there.

B confirmed the allegations against Ojha. B also stated that Ojha had sexually abused A, C and one D.

C being mentally challenged was unable to say anything about the incidents with her.

9 girls who had been transferred to the Mumfordganj home in the past 12 months, (after they completed the age of 10 years), on being jointly questioned confirmed the beatings, forced cooking, washing of clothes, cleaning of toilets etc. at the instance of Ojha, Munim, Bhola, Vinod Kumar and Rama Aunty. They used to beat the girls with brooms, dandas, wipers and wires etc. for extracting work from them.

One of the 9 girls mentioned that she had witnessed Ojha sexually abusing E. Another girl mentioned sexual abuse of a girl F by Ojha. They also stated that when they complained about the misdeeds of Ojha to the then superintendent Suman Srivastava, the complaints fell on deaf ears and instead of disciplinary action against Ojha, the girls were rebuked.

Smt. Rama Singh disclosed that one adopted girl child G was returned to the home by the adoptive parents as they found her to have been sexually violated. At that time Suman Srivastava was the superintendent, but she took no action against the offender Ojha. Hence the committee has also found Suman Srivastava to be culpable for the incidents. Overlooking of his crimes emboldened Ojha to indulge in further immoral acts.

The 4th Class employee, cook Smt. Ramapati, would usually get the cooking done by the girls by force and threats and would take the help of Ojha for cooking, giving him access to the kitchen, the venue for his misdeeds. B disclosed that Ojha would send Ramapati "mausi" outside the kitchen, and that the latter even saw Ojha committing rape on her from the kitchen window, but Ramapati never tried to interfere or protect the victim from Ojha.

Rama Singh the house mother, and Nirmala Mishra, the 4th Class employee were entrusted with the task of looking after the children and washing their clothes. But the girls revealed that Ojha used to wash the clothes on a washing machine. If Rama Singh and Nirmala Mishra had attended to the underclothes of the girls, then the incident would have been noticed by these persons, and the incident would not have come to light at the instance of the adoptive mother of the newly adopted girl (This mother had found blood stains on the panty worn by the adopted child, who revealed that the panty belonged to A who on questioning disclosed about the misdeeds of Ojha).

The two nurses Krishnavati and Uma Jaiswal appear to have used the services of the older girls to give medicines to the infants. It was only because of their distance from the girls that the girls had not revealed the happenings to them. The report concluded that the other employees not having knowledge of the sexual abuse of the children in the home was due to the absence of dialogue, lack of feeling for the children and the consequent absence of faith of the children that they would be protected by the staff members at the time of need. Because of the indifference of the staff, the violated girls remained silent and did not complain of the injustice meted out to them and whenever they mustered courage to complain they were rudely rebuffed. Hence the report indicted the superintendents, assistant superintendent and subordinate staff of gross neglect and dereliction of duties in failing to provide care, love and protection to the children.

4. It appears that consequent to the scathing report ten employees including the Superintendent Urmila Gupta, Assistant Superintendent, Chaya Badwal two nurses, Km. Uma Jaiswal, and Smt. Krishnavati, one nursery teacher, Kusum Gupta, two house mothers, Rama Singh and Preeti Lata, Class 4 employee Ramapati, helper Smt. Nirmala Mishra, and one male class-IV employee, Prem Singh have already been suspended and disciplinary proceedings have been initiated against them, and they have been attached to other districts.

5. We are also informed that Vidya Bhushan Ojha, the principal accused, a Chaukidar on contract at the Shishu Grih, and the Superintendent of the Home Urmila Gupta have already been arrested and the arrests of others are on the anvil. Also the Superintendent and Assistant Superintendent of the Children's home (Shishu) have been transferred and others appointed in their place. Even the Probation Officer, Ila Pant posted in Allahabad has been transferred outside Allahabad and is replaced by another officer.

6. To check such incidents in the future, the Committee has recommended:

(a) In Government Children Homes where girls are lodged, as far as possible, no male employee should be posted. In case they are posted, they should be kept out of the living area.

(b) There should be efforts for making the staff serving in the Government Children's Homes more sensitive to the problems of children and girls, and constant trainings and counseling of the staff are needed for this purpose.

(c) Higher officials must make at least 2 inspections every month, in which they should make efforts to talk to each staff member and inmate separately.

(d) In the Government institutions, in each room and in the galary, CCTV Cameras should be fixed and they should be monitored regularly.

(e) It should be necessary for the Superintendents to reside in the Homes.

BASIC REASONS FOR THE EPISODE

7. We may mention that if similar promptitude and transparency (instead of cover-up actions) and consequential actions by way of arrests and suspension orders as in this case had earlier been taken when such misdemeanours occurred in the past, the Allahabad Shishu Grih episode or other similar incidents would never have transpired. The abject surrender before Ojha, turning a blind eye to his grave misdeeds and even protection for his crimes appears to have happened because government servants across the board (subject to a few notable exceptions) have lost the capacity to do any work or to assume responsibility, their conscience appears to have died and inspite of receiving fat salaries (compared to the wages of lowly paid private or contractual employees) they have no scruples in passing off their work to other persons and exploiting the helpless for getting their jobs done, and infinite greed for cash or kind benefits outside the scope of their employment. Regrettably worker unions in India have played a very negative role and never pulled up their members, even when found involved in grave and unconscionable crimes involving moral turpitude (as in the present case), but have readily expended all their energies in protecting such culprits and getting them reinstated. Influential politicians also leave no stone upturned for getting criminally minded employees belonging to their caste group or known to their supporters reinstated, with disastrous consequences which embolden the culprit, resulting in recurrence of such acts of criminal misconduct with earlier victims and also with other girls.

8. The indifference of higher officials to the conditions of the homes and the children therein is because it appears to be a low priority area and orphans are not politically important as they have no voice, no vote and no one to espouse their cause. The Court must also express its disappointment that the Child Welfare Committees consisting mainly of Social Workers which have been constituted under the Juvenile Justice Act (2000) [JJ Act] for attending to the welfare of children, have shown little proactive sensitivity for addressing the myriad problems relating to children, but have simply been passing orders in a mechanical and bureaucratic manner, with no sense of mission and thus have given little relief to children in distress.

It was in this background that Ojha the lowly paid contract chowkidar would do the kitchen work, run the washing machine and perform sundry jobs, and in complete callousness to their human or child rights, exploit helpless little orphan girls or boys and force them to do the work meant for adults by violence, threats or petty allurements and simultaneously gratify his perverse sexual needs, whilst other regular properly paid employees who had a distaste for any work or were seeking petty pilferage or diversion of gifts, cash or other items meant for the orphan child would look the other way. We are aware that some spouses of previous District Magistrates had great love and concern for the welfare of these little children, and frequently visited the homes and laved the children with gifts and tried to improve the facilities in the homes. But so great must have been the threat of beating and the terror looming over the heads of the little inmates at the instance of Ojha and his supporters, that not a word regarding the

happenings was leaked out to the high ups during their visits to the home or during the children's outings by the victim girls. It was only on the present occasion, when such an outcry was raised, the main offender was even arrested, and some of the victims had been shifted to the Mumfordganj girls' home for over ten year olds, that they mustered up enough courage to reveal the facts to the police and to the magisterial committee.

POSITIVE DEVELOPMENTS:

9. We must however note a positive development that a Government Office Order dated 9.4.2012 has been issued by the Women and Child Development Section which inter alia directs constitution of Committees in each district to be known as the "Inspection, Evaluation and Advisory Committees" to be chaired by an Additional District Magistrate nominated by the D.M., an officer not below Circle Officer's level appointed by the SSP/SP, a doctor appointed by the Chief Medical Officer, two reputed social workers/local NGOs, and the District Probation Officer. The D.M. may in consultation with the District Judge also seek the co-operation and advice of a Judicial Magistrate who may be an invitee to the committee.

10. The committees are to carry out surprise inspections of all the homes each month, when they shall check the food quality, medical health, education and training programmes, conduct of employees towards children, arrangements for children's play, entertainment and rehabilitation and for restoring them to their families. Personal profiles of each individual child are to be prepared, staff attendance monitored and restrictions on entries of male employees to the women's, girls and infant homes have to be ensured. Hearing of complaints of children in isolation has been suggested. No employees should be present when inmates are being questioned regarding their conduct. The D.M.s, SSPs are to seriously address the findings of the committee during their inspections which are also to be forwarded to the Women Welfare Directorate, and they are to take the complaints of inmates and reports of absconding or deaths of inmates very seriously and order preliminary inquiries wherever required. The D.M.s, SSPs are also to sensitize concerned station officers to obtain information from time to time about the running of such institutions, and the Local Intelligence Unit (LIU) is also to obtain confidential intelligence about the homes and to take every step for providing protection to children and for preventing their exploitation. Active NGOs and recognized women's organizations may also be joined in these matters.

11. Another order of the Principal Secretary, Women and Child Development dated 9.4.2012 addressed to all DMs, SSPs/SPs in addition to incorporating the suggestions made by the Committee in its report dated 8.4.2012 and the directions mentioned in the Government Office Order of the same date also directs keeping of complaint boxes in the institutional premises for receiving confidential complaints of boys/girls and women so that minor problems may be immediately addressed by the Probation officers or the district level Committee,

and grave issues be communicated to the D.M.s/SSPs, Director, Women Welfare, U.P. for redressal at their levels. Joint committees of the staff and inmates in the homes are also to be constituted (with effective participation of children at all stages) which are to meet twice a week and to address issues relating to health, entertainment, education, food, personal problems and behaviour of staff with children. The fridge, TV ration and other facilities for inmates should not be usurped for their personal use by the in-charges/staff of the homes. The food is to be tested for quality and taste before being offered to inmates. There should be prohibition on drinking and smoking on the premises by the employees or others. There should be no verbal abuse of inmates or any kind of physical or emotional exploitation of the inmates. No bribe may be taken for helping inmates meet their parents. The police should render help for tracing out the parents/guardians of the inmates and for reaching them home. Education, and vocational training in the institutions be made more effective. If the inmates are found illiterate at the time of inspection then appropriate action be taken against the educators. It should be made mandatory for the superintendents to reside in the homes.

However the acid test will not be the issuance of such lofty and comprehensive circulars or G.O.s., but in ensuring their observance. Only when parties which violate or ignore the directions and laws are promptly and effectively punished, that the issuance of such circulars will assume any value. Presently also such statutes and Rules such as the Juvenile Justice Act and Rules incorporating these directions exist, but they seem to be observed more in their breach.

OTHER IMPORTANT ISSUES:

12. One important issue which has been left out in the report is the appointment of sensitive, hard working and perceptive superintendents and in-charges especially in the homes for women, girls and infants, as they occupy the crucial position in the homes. More than infrastructure and other facilities in the home, appointment of good in-charges appears to be the single most important factor for improving the conditions in the homes, and the lives of the inmates therein. It appears to be a positive trend that good case workers are now being selected to be in-charges of children's or girls homes in preference to senior persons possibly on the basis of their performance.

The Senior Superintendent of Police (SSP) informs that steps are being taken for completing the investigation against Vidya Bhushan Ojha who has been taken into custody. He further states that the in-charges and other home staff who failed to take preventive or punitive action against Ojha when the girl victims made disclosures to them or they otherwise learnt of his misdeeds are also culpable under the penal law for having facilitated the crimes of Ojha and their arrests are also being carried out.

We fail to understand why no action has been taken against the previous superintendent Suman Srivastava regarding whose culpability the Magisterial

Committee has recorded a clear finding that she was engaged in protecting Ojha in spite of her awareness of his misdeeds.

It has been reported that a large number of civil society and media persons are repeatedly visiting the home and seeking to question the victims and other inmates disturbing the peace of the campus, and traumatizing the victims. As the girl child victims are already traumatized and there is a risk that their identities may become public, we think the administration should put restraints on the visits by publicity seeking individuals to the homes at this stage.

PAST MISCONDUCTS AND ACTIONS:

13. As this Court was under the impression that absence of deterrent actions in the past in similar cases of sexual abuse had resulted in episodes like the present, we had enquired from the Principal Secretary in our previous order dated 6.4.2012 as to what action had been taken against employees in the past when such misconduct had come to light. In response the Secretary's affidavit refers to only two such inquiries in the past, one relating to Kaushal Kumar, a class-IV employee in the Government Children Homes (Infant), Agra relating to crimes of sexual misdemeanour committed in 2009 and another regarding Suresh Kumar, class-IV employee of Government Children Homes (Infant), Rampur relating to the years 2004-2005.

14. In the first case of Kaushal Kumar of 2009, the allegations were that he used to get drunk and misbehave with the minor inmates at the home. Two victims specifically confirmed allegations of sexual abuse by this delinquent employee and he was suspended and thereafter dismissed from service by an order of the Director (Women Welfare) dated 11.1.2011.

15. The allegations in the other case relating to Suresh Kumar, the class-IV employee working at Government Children Homes (Infant), Rampur were very grave. Suresh Kumar is said to have sexually abused a large number of minor orphan girls in the Rampur Home in the year 2004-05. In the case of three girls there was even medical corroboration of their being sexually assaulted repeatedly by this delinquent. However, Suresh Kumar after being suspended on 20.9.2005 got the inquiry proceedings against him delayed on one pretext or another usually by expressing dissatisfaction with the impartiality of the inquiry officers (who were usually Probation Officers). To our dismay this miscreant even succeeded in getting himself reinstated on 22.9.2009 due to the delay in the conduct of the inquiry proceedings. He even made charges against one nurse Smt. Santosh Saxena, (who may have been the rare government employee instrumental in exposing the misdeeds of this miscreant), that she gave only 50% of the allotted rations to the children. Further he complained that she had been able to procure the adverse medical reports of the girls confirming the allegations of rape against this delinquent through the agency of her husband who was a senior pharmacist in the Rampur district hospital. This delinquent employee could only be dismissed as late as on 26.2.2011, after 6 years of his

initial suspension, after inquiry by the Director, Mahila Kalyan.

16. It is obvious that in his case also without the complicity of a large number of persons in the Rampur Children's Home, such repeated acts of sexual abuse of a large number of inmates over a long period of time was not possible. We think that because of the tardy and inadequate action in just two cases, no deterrent effect has been caused to any intending offender who chooses to make tiny girl children in his custody in the government orphanage objects of his lust.

We fail to understand as to how this delinquent employee succeeded in getting himself reinstated without the connivance of the authorities at the highest level.

17. We also fail to understand why he was not prosecuted u/s 376 IPC and other stringent provisions under the criminal law, and see no impediment to his prosecution even at this stage, as there is no period of limitation for the offence of rape by a staff member with a minor girl aged below 10 years in a children's institution which is punishable with imprisonment for not less than 10 years and which may extend up to life imprisonment with fine in view of Section 376(2)(c) or Section 376(2)(f) IPC.

18. We think that the present incident of sexual abuse of a large number of minor girls was possible because of delays or non-action or inadequate action against delinquent employees, in the present and other matters when found engaging in such grave crimes. Only exemplary punishments for such offenders and expeditious disposal of their inquiries and trials, possibly within two or three months, can send out an appropriate deterrent message to others who may contemplate committing such dastardly crimes in future.

DIRECTIONS:

19. We direct that at this stage when the children have been traumatized and there is risk of the names or identities of the victim being leaked out, restrictions must be placed on the visits of publicity seeking individuals to the home. At a later stage for ensuring transparency in the running of the homes, and for monitoring of the conditions therein, visits by concerned persons may be encouraged who want to financially or otherwise help the institutions or children, or have a long standing engagement with women's/girls or child rights issues, subject to their obtaining permission under Rule 73 of the Juvenile Justice Rules (JJ Rules) from the officer-in-charge of the home, Child Welfare Committee or the district administration.

20. We further direct that in the present case as well as in all future cases of sexual misconduct by particular employees and acts of connivance or complacency by superintendents and other staff who having knowledge of the sexual misdemeanours and exploitation of minor girls by the said employee, choose to ignore or actively try to conceal information regarding the misconduct, the inquiry against the offender committing the crime, as well as the superintendent or other staff member covering up the crime be concluded within

one month, or in exceptional circumstances to be recorded in writing within two months. For further extension of the period, the written permission of the Principal Secretary be taken, who must specify the extended period, record reasons for extending the time of inquiry beyond two months and seek an explanation from the inquiry officer of the reasons for failure to conclude the inquiry in two months. The government may consider issuing a suitable government order to this effect.

21. We suggest that the suspension orders against an employee directly involved in cases of rape and other sexual misdemeanours and acts of violence with minor female inmates and superintendents, and other staff members who remain mute spectators and refuse to prevent such crimes or connive in protecting the offender, or other cases of grave nature such as pilfering items meant for the orphans or inmates, or taking bribes in any manner, the said suspension orders be ordinarily not revoked or the employee reinstated on the mere ground of delay or on other minor grounds. Only the Principal Secretary (Women and Child Development) be authorized to revoke the suspension order in the most exceptional circumstances for reasons to be recorded in writing. The State government may also consider issuing a suitable government order to this effect.

22. We direct the SSP to ensure that the investigation is completed with the utmost expedition against Vidya Bhushan Ojha and to have a report submitted on the progress in investigation on the next listing. The SSP, Allahabad or a senior officer supervising the investigation not below the rank of Deputy S.P. nominated by the SSP be present in Court on the next date of hearing.

23. The SSP should also inform this Court on the next date whether the other accused who are wanted for concealment of the crime and for facilitation of the offence by Ojha have been apprehended or not.

24. The SSP may consider getting Vidya Bhushan Ojha tried separately for the cases of rape against different child victims.

25. The investigation and trial should be conducted in camera having regard to the sensitivity and dignity of the female child victims, at a suitable venue in accordance with section 327(2) of the Code of Criminal Procedure.

26. The media and other persons are prohibited from identifying the victims or in publishing their names or photographs. In case of violation of this direction this Court shall initiate stringent measures to punish persons who publicize such information.

27. The State government is directed to prosecute the Class IV employee Suresh Kumar, who was working at the Rajkiya Bal Grih (Shishu) Rampur at the material time, u/s 376 (2)(c) and section 376(2)(f) IPC and to ensure that the investigation and trial be concluded very expeditiously, if possible within 3 months.

28. The Principal Secretary may explain why no action has been taken against

the previous superintendent Suman Srivastava inspite of her clear indictment in the Magisterial Committee's report dated 8.4.2012 and consider the advisability of also taking action against the said employee.

29. The Principal Secretary (Women and Child Development), U.P., and Director (Mahila Kalyan) are directed to hand pick Superintendents and in-charges of Women's, girls and children's homes not necessarily on the basis of seniority, but on the basis of hard work, performance, and sensitivity to the needs of the women/child inmates.

30. The District Magistrate, Allahabad may also appear personally on the next date or send an officer such as the Chief Development Officer to apprise this Court regarding the follow up action taken for removing male employees from working in the living areas in Government Bal Shishu Grih, girls and women's homes, improving the conditions in the homes, appointing inspecting committees of government and private functionaries, opening up the process of confidential dialogue with individual inmates and prompt redressal of their grievances, and for ensuring prompt disposal of the proposed disciplinary inquiries against the delinquents adjudged prima facie guilty of committing rape or of concealment and shielding the person involved in sexual abuse as indicated by the Magisterial Committee report dated 8.4.2012, within the period mentioned above.

31. We hope that the recommendation made by the Committee in its report dated 8.4.2012 which have also been reiterated in the Government Office Order and the Principal Secretary's order dated 9.4.2012 (Annexures 7 and 8 to the Principal Secretary's affidavit) and the directions of this Court hereinabove and in its order dated 4.4.2012 in Cr. Misc. Writ Petition No. 27037 of 2011 shall be implemented in letter and spirit, particularly with regard to formation of committees in all districts to be headed by the DM's nominee of ADM rank, removing male workers from living areas in the women's, children's (infant) and girls homes, developing systems for receiving direct feedback from the victimized children and taking action on the same against the culpable employees, expeditiously concluding disciplinary inquiries in cases of misconduct of this nature against the main offender as also against the officers-in-charge or other staff engaged in protecting such offenders, within the period stipulated above. A compliance report may be submitted to this Court on the next listing through the Chief Probation Officer or other senior officer, who shall personally appear on that date on behalf of the Principal Secretary. We direct all the District Judges (Chairpersons, District Legal Services Authorities) to nominate officers not below the rank of Senior Judicial Magistrates to participate in the Committee meetings set up in pursuance of the Government circular dated 9.4.2012 for monitoring the running of the homes and for addressing the problems of the inmates therein. The said Judicial Officers may forward their observations and suggestions to the District Legal Services Authority, State Legal Services Authority and this Court which is monitoring the matters relating to such institutions. The UP State Legal Services Authority shall ensure compliance of

this direction. In this regard the Apex Court has already directed on 19.8.2011 in Sampurna Behura v. Union of India, in Writ Petition (C) No. 473 of 2011, "As considerable co-ordination is required, the Executive Chairmen and Member Secretaries of the State Legal Services Authorities may arrange for periodic supervision and visits to ascertain the functioning of the Children Homes, Observation Homes etc."

List this case on 26.4.12 alongwith Cr. Misc. Writ Petition No. 20737 of 2011, Re: In the Matter of Children detained in Rajkiya Bal Grih, Varanasi. Let a copy of this order be given forthwith to the Government Advocate, Ms. Usha Kiran, learned AGA, Smt. Manju R. Chauhan, Amicus Curiae and be forwarded within twenty four hours to the Principal Secretary, (Women and Child Development), U.P., Director (Mahila Kalyan), U.P., U.P. Member Secretary, State Legal Services Authority (UPSLSA), Member Secretary, National Legal Services Authority (NALSA) all district judges in U.P., District Magistrate and SSP, Allahabad.