

# Sishu Surakhya

The Juvenile Justice Committee  
Orissa High Court



## MESSAGE FROM THE CHIEF JUSTICE



**Hon'ble Shri Justice K. S. Jhaveri**  
Chief Justice, Orissa High Court

It is a matter of great pleasure for me to know that the Juvenile Justice Committee of the Orissa High Court is going to publish the 5th issue of the quarterly newsletter '**Sishu Surakhya**' with special focus on Deinstitutionalisation, Family and Community based Alternative Care. The purpose behind the publication is to make aware the people at large about the activities of different stakeholders under juvenile justice system in the State of Odisha and their endeavour for effective implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015.

The Juvenile Justice Committee of the Orissa High Court is actively involved in protecting the rights of children by developing policies and strategies and monitoring performance of juvenile justice institutions. It plays a pivotal role in safeguarding the interest of the children who are in need of care and protection and the children who are in conflict with law.

While congratulating the efforts of the Juvenile Justice Committee in bringing out '**Sishu Surakhya**' in a new format, I sincerely hope that it will continue to sensitize people by disseminating useful information about the rights of children. I wish the publication a grand success.

*K. S. Jhaveri*  
(K.S. JHAVERI)

## MESSAGE FROM THE CHAIRPERSON



**Hon'ble Shri Justice S. K. Mishra**  
Judge, Orissa High Court &  
Chairperson, Juvenile Justice Committee

It is said, '*Child is the father of man*'. Children are the most precious and significant part of our society as they are our future. They need a protective, positive and favourable environment devoid of any violence, abuse and exploitation to grow into adulthood.

I am delighted that the Fifth issue of the Newsletter '**Sishu Surakhya**' is giving special focus on the State Level Consultation on "**De-institutionalisation, Family and Community based Alternative Care**" held on 21st & 22nd September, 2019. It should be kept in mind that institutionalization should be a last resort and conscious efforts should be made for adopting methods of alternative care involving the family. I am happy to share that the newsletter '**Sishu Surakhya**' is a potent instrument for sensitization of juvenile justice issues where the stakeholders share their ideas, experiences, highlight their efforts and achievements for effective implementation of Juvenile Justice.

The Juvenile Justice Committee of the Orissa High Court has been working vigorously to safeguard the interest of the children in need of care and protection as well as the children who are in conflict with law. The committee not only develops programs, policies and strategies to address juvenile justice issues, but is also actively involved in the field of dispensation of justice to the children. Reductions in pendency of cases of adoption, cases of JJBS and CWCs, information sharing among child protection institutions and involving experts to address problems in the existing system has been a continuing concern of the Juvenile Justice Committee for which meetings, seminar are being organized regularly. This Newsletter is a mirror of activities of the Juvenile Justice Committee and its stakeholders.

I wish this issue of '**Sishu Surakhya**' great success.

*S.K. Mishra*  
Justice S.K. Mishra

## FOCUS

DE-INSTITUTIONALISATION,  
FAMILY AND COMMUNITY BASED  
ALTERNATIVE CARE



Hon'ble Shri Justice Sanjaya Kumar Mishra, Judge & Chairperson, Juvenile Justice Committee, Hon'ble Shri Justice Satrugana Pujabari, Judge & Member, Juvenile Justice Committee, Smt. Anu Garg, Principal Secretary, WCD & MS and Ms. Monika Neilsen, UNICEF during the Inaugural Session of State JJ Conference held on 21st & 22nd September 2019, at Odisha Judicial Academy, Cuttack



Hon'ble Shri Justice Biswajit Mohanty, Judge & Member, Juvenile Justice Committee, Chairing Technical Session 4 on Prevention of Institutionalisation and Family Strengthening, Quality of Services of Children : Standards of Care, Compliance & Monitoring



Hon'ble Dr. Justice A. K. Rath, Judge, Orissa High Court, Hon'ble Shri Justice K. R. Mohapatra, Judge, Orissa High Court, and Hon'ble Dr. Justice A. K. Mishra, Judge, Orissa High Court Participating in the State Level Conference held on 21st & 22nd September 2019, at Odisha Judicial Academy, Cuttack



"Children are living beings - more living than grown-up people who have built shells of habit around themselves. Therefore it is absolutely necessary for their mental health and development that they should not have mere schools for their lessons, but a world whose guiding spirit is personal love."

- Rabindranath Tagore

## Juvenile Justice Committee Orissa High Court



**Hon'ble Shri Justice S. K. Mishra**  
Judge, Orissa High Court  
Chairperson, Juvenile Justice Committee



**Hon'ble Shri Justice Biswajit Mohanty**  
Judge, Orissa High Court  
Member, Juvenile Justice Committee



**Hon'ble Shri Justice S. Pujahari**  
Judge, Orissa High Court  
Member, Juvenile Justice Committee



**Hon'ble Shri Justice Biswanath Rath**  
Judge, Orissa High Court  
Member, Juvenile Justice Committee

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MESSAGE FROM THE DESK OF  
EDITOR-IN-CHIEF

The preamble of the Juvenile Justice (Care and Protection of Children) Act, 2015 makes it amply clear that the object of the enactment is to cater to basic needs of children found to be in conflict with law and children in need of care and protection.

In India, kinship and community-based care has been in practice for many decades and is largely provided by extended family members or members of the community in the absence of the parents of a child apart from adoption. While Chapter VII of Juvenile Justice (Care and Protection of Children) Act, 2015 deals specifically with Rehabilitation and Social Re-integration of such children; preference of family and community based care over institutional care is not widely prevalent in practice.

Institutionalisation should be seen as the last resort for children who are bereft of parental care. The objective of de-institutionalisation is not necessarily based on rehabilitation, but based on principle of reintegration of children in society. Studies conducted over the years have found out that family and environmental factors have a huge impact on the upbringing of a child. De-institutionalisation is both psychologically desirable and cost effective solution for children in need of care and protection.

In this endeavour to create awareness, The Juvenile Justice Committee of the Orissa High Court organised a State Level Consultation on September 21st & 22nd, 2019 focusing on **De-institutionalisation, family and community based alternative care**. The Juvenile Justice Committee plays a proactive role in addressing various issues on Juvenile Justice with regard to knowledge development of key stake holders, review and monitoring the performance of the Juvenile Justice Institutions and dissemination of best practices in order to strengthen Juvenile Justice System in the State of Odisha.

I am sure that the 5th issue of "**Sishu Surakhya**", the quarterly Newsletter of the Juvenile Justice Committee presented in a new design will appeal to all our readers. This issue focuses on the State Level Meeting on "**De-institutionalisation, Family and Community based Alternative Care**". The Newsletter also contains a roundup of visit by Hon'ble Shri Justice Biswanath Rath, Member of Juvenile Justice Committee to different child care institutions across the state. We have also made a special effort to provide analysis of data on disposal of cases by PMJJBs, CWCs etc. district wise up to end of third quarter of 2019. We have included a new column '**Stakeholders**' to report on activities and events by the different stakeholders under the Juvenile Justice (Care and Protection of Children) Act, 2015. The directions of Hon'ble Supreme Court of India in **Suo Moto Writ Petition (Criminal) No.1 of 2019** regarding rise of rape cases against minors also finds a place in this issue.

I sincerely hope all readers will find the issue informative.

**Biswajit Mohanty**

Judge, Orissa High Court

**STATE LEVEL CONSULTATION ON EFFECTIVE IMPLEMENTATION OF JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015-FOCUS ON DE-INSTITUTIONALISATION, FAMILY AND COMMUNITY BASED ALTERNATIVE CARE  
- A REPORT -**

**Ms. Minakshi Das**  
Secretary, Juvenile Justice Committee  
Orissa High Court



*Hon'ble Shri Justice S.K. Mishra, Judge & Chairperson, Juvenile Justice Committee, Hon'ble Shri Justice S. Pujahari, Judge & Member, Juvenile Justice Committee, Smt. Anu Garg, Principal Secretary, WCD & MS and Ms. Monika Nielsen, UNICEF during the inaugural session.*

The Hon'ble Juvenile Justice Committee of the Orissa High Court in co-ordination with the Women & Child Development Department, Government of Odisha and UNICEF, Bhubaneswar organized a One and half day State Level Consultation on Effective Implementation of Juvenile Justice (Care and Protection of Children) Act, 2015 with Special Focus on De-institutionalisation, Family and Community based Alternative Care on 21st and 22nd September, 2019 at the Odisha State Judicial Academy, Cuttack.

The objectives of the conference were as follows:-

- To inculcate the idea of doing away with institutional care and promote family and community based alternative care
- To focus on alternative modes of non-institutional care, strengthening family system and facilitating family based care for children in need of care and protection.
- Youth leaving care: services and challenges
- To understand Data Management and monitoring.
- To understand and implement adoption as a form of alternative care.



*Hon'ble Shri Justice S. Pujahari, Judge & Member, Juvenile Justice Committee, Orissa High Court delivering the welcome address*

The Consultation commenced with the welcome address of **Hon'ble Shri Justice S. Pujahari, Judge, Orissa High Court & Member High Court Juvenile Justice Committee**. His Lordship welcomed every principal stakeholder present in the auditorium and informed that the focus of the state level meet was to deliberate on **"De-institutionalization, family and community based alternative care"**. He affirmed in his speech that every child has the right to live in the natural environment in which he or she was born. Therefore, deliberations on the merits and demerits of institutional as well as non-institutional care are a necessity. He said

“UNCRC delineates that every decision should be in the best interest of the child and deinstitutionalization should be preferred over institutions.”



*Dr. Monika Nielsen, Chief of Field Office, UNICEF, Odisha, addressing the audience during the inaugural session.*

**Dr. Monika Nielsen, Chief of Field Office, UNICEF, Odisha**, informed the audience, that not just India, many countries around the world, are grappling with the problem of excessive child care institutions. An estimated eight million children are living in institutions worldwide because institutionalization is predominantly used over alternative care. UNCRC states that every child has the right to live in a loving and caring environment. Therefore, in line with the UNCRC, we must push for deinstitutionalization. No residential institute, no matter how well maintained, can ever replace the love and care given by a family. There is also no environment to support them after they complete 18 years of age, she pointed out. She said “We have to look into their wellbeing because one day they’ll become parents too. They need to be reached out to.”



*Ms. Anu Garg, Principal Secretary, WCD & MS, Govt. of Odisha addressing the audience during the inaugural session.*

**Ms. Anu Garg, Principal Secretary, WCD & MS, Govt. of Odisha** stressed on the need to make the world a better place for children. She highlighted Odisha Government’s commitment towards achieving this end. She reminisced that in the yesteryears there were no specialized courts for children, no specialized judges, JJBs

or CWCs; but today we are fortunate to have these institutions and mechanisms to look into the best interest of children. She emphasized that a survey of Orphans in the State has been planned. It is to be undertaken involving Anganwadi workers who, at the grass root level know better than anyone about the plight of every child. She said till now, Gender Budgeting has been followed. Now Odisha state will focus on Child Budgeting. Child budgeting would facilitate convergence among departments and prevent duplication and better documentation. She reiterated that there is child line service across 24 districts in Odisha and efforts have been made to extend it to all the districts. The WCD department has been working to promote deinstitutionalization of children. 11,000 children were deinstitutionalized during 2017-18 and 6,000 children were deinstitutionalized in 2018-19. In the first quarter of this Financial Year, already 2,000 children have been deinstitutionalized in the State of Odisha. (Table on pg.7)



*Hon'ble Shri Justice S. K Mishra, Judge and Chairperson, Juvenile Justice Committee, Orissa High Court delivering the inaugural address.*

**Hon'ble Shri Justice S. K Mishra, Judge and Chairperson, Juvenile Justice Committee, Orissa High Court** in his inaugural address said “Much like a seed planted in the environment blooms into a tree, the child also needs to be nurtured in the family with parental care”. Parental love and care can facilitate a child to flourish as a capable adult. He expressed his dismay over an increasingly reliance on institutionalization. He also pointed out that even though the Juvenile Justice (Care and Protection of Children) Act, 2015 enshrined the provisions of alternative care measures, these are not always utilised. He emphasized various modes of non-institutional care starting from Kinship care to Foster care and re-emphasized that the objective of the State Level Consultation is to inculcate the idea of doing away with institutional care and focus on alternative modes involving the family. He reiterated that institutionalization should be a last resort and implored everyone to participate and discuss in the technical sessions of the consultation.

**Technical Session-1**  
**De-institutionalisation, Family and Community based Alternative care**

**“Institutions should be a thing of the past”**



*Dignitaries on the dais : Hon'ble Shri Justice S. K Mishra, Judge and Chairperson, Juvenile Justice Committee, Orissa High Court, Ms. Tessa Boudrie, RD, AH&HC, Mr. Rajendra Meher, Founder & CEO, YCDA, Odisha & Mrs. Vandana Kandhari, CPS, UNICEF, Delhi*

The first technical session was chaired by **Hon'ble Shri Justice S.K. Mishra, Judge and Chairperson, Juvenile Justice Committee, Orissa High Court**, where he denoted that Odisha is indeed the **Juvenile Capital of India**, as it has actively shown commitment towards the cause of children. It has undertaken various schemes and measures to support a child in need of care and protection and has a dedicated workforce to achieve this end. The speakers **Ms. Tessa Boudrie**, Regional Director, Asia for Hopes & Home for Children; **Ms. Vandana Kandhari**, Child Protection Specialist, UNICEF, Country Office, Delhi and **Mr. Rajendra Meher**, Founder and CEO YCDA, Orissa presented an overview of de-institutionalization, transition and family/community based alternative care models with reference to best practices in International, National and State perspective with the learnings derived there from. Tessa Boudrie shared the Romanian experience which showed that de-institutionalisation is more cost effective for Govt and better for child's mental health and physical wellbeing. Then an interactive session followed where real life experiences were shared by foster mothers (Pictures at page 7).

**Key lessons and Submissions**

- Need for appropriate guidelines on various care aspects.
- Need to recognize various forms of non-institutionalized after care practices
- Need to develop a State specific scheme
- Need to develop roadmap to handle challenges.

**Technical Session-2-**  
**Youth Leaving Care: Services and Challenges**  
**“Children are the wards of the State”**



*Dignitaries on the dais : Hon'ble Shri Justice S. Pujahari, Judge and Member, Juvenile Justice Committee, Orissa High Court, Dr. Kiran Modi, Founder Managing Trustee, Udayan Care*

The second technical session was chaired by **Hon'ble Shri Justice S. Pujahari, Judge and Member, Juvenile Justice Committee, Orissa High Court**, wherein he emphasised on aftercare. He said that to ensure right to equality and to reduce the risk of the youths after leaving CCIs from falling into exploitation, abuse and neglect, aftercare is needed. The speaker **Dr. Kiran Modi**, Founder Managing Trustee, Udayan Care shared the insights from a study on aftercare practices, challenges, learning, importance of linkage with skill development mission, technical education and other opportunities for re-integration of care leavers in the society. Then real life experiences were shared by careleavers Mr. Gyan Ranjan, Ms. Priyanka Adabaria and Mr. SK Karim, who have transitioned from child care institutions to aftercare. (Details at Page - 7)

**Key Lessons and Submissions:**

- One of the biggest challenges of aftercare is the lack of documentation and data to show the number of children who come out of the institution after 18 years and their status on social re-integration.
- Girl care leavers do not have aftercare homes. Therefore they are sent to Homes for Destitute Women. Girls need different upbringing and safe environment.
- No follow up mechanism on children's status in the community after leaving CCIs.
- Low awareness among the different stakeholders, low financial and HR investment, and lack of personalized care plan along with transitional planning.
- All these lead to Care-Leavers being unprepared for independent living. Support should be given by providing documentation, job skill training and increased monetary support till they are self sufficient.

- Looking after the mental health of the children is important as they are already traumatized from the separation. Counsellors should be provided and if care-leavers show an interest in creative arts it should be encouraged and supported and given sponsorship so that they can become independent.

**Technical Session-3-  
Data Management and Monitoring  
“Effective data management can help in the  
development of Children”**



*Dignitaries on the dais : Hon'ble Shri Justice K.R. Mohapatra, Judge, Orissa High Court and Mr. Sayed Mansoor, Child Protection Specialist, UNICEF, Bihar*

In the third technical session was chaired by **Hon'ble Shri Justice K.R. Mohapatra, Judge, Orissa High Court**, wherein he gave a brief introduction about the importance of data management. He said data management is required with special focus on child care, welfare and protection, in order to implement all laws and schemes. The speaker **Mr. Sayed Mansoor**, Child Protection Specialist, UNICEF, Bihar deliberated about the importance of effective data management in promoting and monitoring quality of service for children in need of care and protection and in conflict with law with reference to standard of care, compliance, monitoring, de-institutionalization and alternative care.

**Key Submissions and Challenges**

- There are no singular model for data management of children and there are multiple portals and databases which cause overlapping of information.
- There is incomplete information of the children and lack of data of child care institutions.
- Unless there is a singular mechanism, it will be difficult to get a comprehensive and composite database.
- Capacity building is again an issue and there is need for huge efforts to be put into the training of the key functionaries to operate these data management systems at field level.

**Technical Session-4-  
Prevention of institutionalization  
and promotion of quality of services and standards  
of care for children –  
Best practices and learnings from the State  
“Institutionalization should be taken as last resort”**



*Dignitaries on the dais : Hon'ble Shri Justice Biswajit Mohanty, Judge and Member of Juvenile Justice Committee, Orissa High Court, Mrs. Anu Garg, Principal Secretary of Department of Women and Child Development & Mission Shakti, Government of Odisha, Ms.Nina Nayak, former member, NCPCR and Ms. Mamtaz, Research Officer DWCD, Karnataka*

The fourth technical session was chaired by **Hon'ble Shri Justice Biswajit Mohanty, Judge and Member of Juvenile Justice Committee, Orissa High Court**. It was discussed that a child should be placed in the institution as a last resort only after reasonable inquiry. Further, in this session, **Mrs. Anu Garg, Principal Secretary of Department of Women and Child Development & Mission Shakti, Government of Odisha, Ms.Nina Nayak**, former member, NCPCR Member and child rights specialist and **Ms. Mamtaz**, Research Officer DWCD, Karnataka deliberated about the prevention of institutionalization and promoting quality services and standards of care for children, role of different stake holders and the measures taken by other states.

**Key Submissions and Challenges**

- Child should be placed in the institution as last resort only after reasonable inquiry.
- The first option should always be family and then community but not a CCI.
- There is an urgent need of dedicated people and experienced workers in this area.
- There should be shelters that would provide facilities like day-care, etc. as the biggest challenge for Odisha is to eradicate poverty and gate keeping should be strengthened.
- Dropout rates from school should be curbed and JJ institutions should have effective monitoring especially in rural areas.
- Kutumbashree: Kerala's Model for Poverty Eradication, the movement of women in Kerala, could be used as a model for promoting de-institutionalisation.
- Children in CCI's should be exposed to family based care.

**Technical Session-5-  
Adoption as a form of Alternative Care  
“Parenthood requires love, not DNA”**



*Dignitaries on the dais : Hon'ble Dr. Justice A.K. Mishra, Judge Orissa High Court, Mr. Jagannath Pati, Joint Director, CARA, Government of India and Mr. Harihar Naik, Member OSCPCR*

The fifth and final technical session was chaired by **Hon'ble Dr. Justice A.K. Mishra, Judge Orissa High Court**. He briefly spelled out the Central Adoption Resource Agency's (CARA) role as a central authority which works towards the formulation and facilitation of the adoption guidelines and policies. He said that awareness on the legal adoption should be done more through training, sensitization and other methods. The speakers **Mr. Jagannath Pati**, Joint Director, CARA, Government of India and **Mr. Harihar Naik**, Member OSCPCR deliberated about the law relating to adoption including the recent Adoption Regulations 2017 framed by CARA and its implementation in Odisha.

**Key Lessons and Submissions**

- Pendency of applications before CWC for declaring a child legally free for adoption
- Lack of co-ordination between the different agencies causes disruptions in the process of adoption.
- The medical examination reports and other documents are not issued in proper time, which also pose a challenge.
- The agencies are really not focusing on the children of the higher age groups, which is detrimental for these older children.
- Monitoring of Adoption agencies by the State should be stricter.
- In the absence of timely submissions of documents by the related agencies, adjudication gets delayed.

**INTERACTIVE SESSION WITH SHARING  
OF REAL LIFE EXPERIENCES**



**Mrs. Bidyut Lata Khamari**, a foster mother from Bolangir district, a paralegal volunteer with District Legal Services Authority, Bolangir shares her experience as mother of two biological children & foster mother of five other children (Technical Session-1).



**Mrs. Aliva Mahapatra**, another foster mother from Bhubaneswar narrated her experience. Her child was deinstitutionalized and reintegrated back to the family. (Technical Session-1)



**Mr. Gyan Prakash**, an adult living independently shared that he got his Aadhar, passport and Birth certificate for higher education from the government with the help of DCPO. Despite this, he has no residence certificates. He wants to go for a defence job, but as no residence certificate is available, it is difficult to apply. He appealed for exemption from residential certificates for orphan children to get job and other benefits. (Technical Session-2)



**Ms. Priyanka Adabaria** who left CCI broke down while stating that Rs. 2000 furnished by the state Government was not enough to meet the needs of a growing woman. She implored the dignitaries to help her. (Technical session-2).

Similarly, **Mr. SK Karim**, a care-leaver who applauded the efforts of the government and sought help from the dignitaries present. (Technical Session-2, Pic. at Page-12)

**INTERACTIVE SESSIONS WITH THE AUDIENCE**

After every technical session there was an open house discussion between the resource persons and the audience. Many queries with regard to Juvenile Justice issues were answered and discussed. The main topic of discussion and queries were on the role of foster mothers on the implementation of the purpose of alternative care for children, norms established by the Central and the State Government on juvenile issues, success of group aftercare programme, feasibility of alternative care in the State like Odisha which is rural based and tribal dominated. There was also discussion on effective data management and monitoring.



## ROUND-UP OF THE VISITS OF THE HON'BLE MEMBER OF JUVENILE JUSTICE COMMITTEE, ORISSA HIGH COURT TO DIFFERENT CHILD CARE INSTITUTIONS

Hon'ble Shri Justice Biswanath Rath, Judge & Member, Juvenile Justice Committee, Orissa High Court paid surprise visits to different Child Care Institutions namely **Red-Cross School for Blind**, Ambapua, **Susan Memorial Day Star Home**, Mohana and **Banabasi Seva Samiti**, Baliguda on 31.08.2019, 01.09.2019 and 02.09.2019 respectively. He interacted personally with the children in the CCIs, spoke to them and the concerned staff in charge of the CCIs to ascertain their problems while also taking out time to play with the children. His Lordship personally inspected the hostels, the classrooms, the kitchen etc. and made various observations and pointed out the deficiencies. Later on he also discussed all the issues with the concerned authorities so that these are resolved at the earliest.



## ODISHA'S JUVENILE JUSTICE FACT SHEET

### ► De-Institutionalisation in Odisha : (Source: Department of Women and Child Development & Mission Shakti, Government of Odisha)

- In total, 1665 children have been **deinstitutionalized** in third quarter of 2019. (Refer to **Table on Page -9**)
- Over 4166 children were **restored to parents** or families in that period.
- Around 34 children were declared legally free for **adoption**, 36 children were placed in pre-adoption **foster care**, and 52 children had been placed in adoption. 46 children were taken in In-country adoption and 6 in Inter-Country Adoption.
- Between July-Sept 2019, 431 children were provided with **sponsorship** out of which 172 were provided with preventive sponsorship and 259 for rehabilitative sponsorship.
- In the third qtr of the year, 943 children were sent to child care institutions. 73 children were placed in the custody of **fit person/ institutions** and 298 others such as **transferred to other districts/state**.

### ► Adoption Cases: There has been a significant reduction in pendency of adoption cases at the end of the third quarter by the District Courts and by Family Courts. (Refer to **Table on Page 10**)

- Courts of District Judges: Around 19 district courts had zero pendency. 37 adoption cases were pending before the other District Courts in the beginning of the Sep 2019 and total 11 adoption cases were instituted during the month. Around 13 cases were disposed of taking the total pendency to 35. **Khurda and Kendrapara have disposed of all the cases making the districts zero pendency at end of quarter.**
- Family Courts : There is a significant reduction in pendency of adoption cases at the end of the third quarter by the Family Courts placing the figure at 19 in total. Family Court , Rourkela has disposed of all the adoption cases and Family Court at Jajpur, Keonjhar, Mayurbhanj and Sonapur have significantly reduced the pendency.

### ► JJB Cases: PMJJBs have made efforts in reduction of pendency of the Juvenile cases during 01.01.2019 to 30.09.2019. Over 5283 cases were pending as on 01.01.2019. 1329 numbers of cases were instituted during the period and at the end of the period **1006 cases were disposed of** taking the total pendency to 5606 by 30.09.2019. Ganjam saw the highest number of disposal. (Refer to **Table on Page9**)

### ► CWC Cases: There is a sharp reduction in pendency of CWC cases during the third quarter of 2019. 1620 numbers of cases were pending in the beginning of the quarter and 4564 cases were instituted during the quarter and 5107 cases were disposed of sharply reducing pendency to 1544 at the end of the quarter. (Refer to **Table on Page 10**)

### ► POCSO Cases: There is a significant rise in sexual offences against children during 01.01.2019 to 30.09.2019. 7998 cases were pending at the beginning of the year and 1972 POCSO cases were instituted during the period and 746 cases were disposed of taking the total pendency to 9224 at the end of the period. Cuttack witnessed the highest number of disposal, followed by Rayagada and Balasore district (Refer to **Table on Page 9**)



**CASES UNDER JJ (CPC) ACT**

Institution, Disposal and Pendency of Cases under JJ (CPC) Act as on 30.09.2019					
Sl. No.	Name of the Judgeship	Opening Balance as on 01.01.2019	Institution 01.01.2019 to 30.09.2019	Disposed of during 01.01.2019 to 30.09.2019	Closing balance as on 30.09.2019
1	Angul	110	66	50	126
2	Balasore	208	26	30	204
3	Bargarh	257	75	68	264
4	Bhadrak	123	31	56	98
5	Bolangir	137	54	8	183
6	Boudh	73	12	7	78
7	Cuttack	315	53	60	308
8	Deogarh	15	5	2	18
9	Dhenkanal	83	45	29	99
10	Gajapati	13	21	3	31
11	Ganjam	445	82	140	387
12	Jagatsinghpur	45	21	10	56
13	Jajpur	162	44	50	156
14	Jharsuguda	179	48	5	222
15	Kalahandi	57	35	43	49
16	Kendrapara	124	29	38	115
17	Keonjhar	122	66	56	132
18	Khurda	602	123	69	656
19	Koraput	268	59	14	313
20	Malkangiri	20	17	11	26
21	Mayurbhanj	153	43	42	154
22	Nabarangpur	66	19	7	78
23	Nayagarh	64	19	18	65
24	Nuapada	38	5	23	20
25	Phulbani	85	31	42	74
26	Puri	395	38	49	384
27	Rayagada	23	25	19	29
28	Sambalpur	574	166	4	736
29	Sonepur	51	18	0	69
30	Sundargarh	476	53	53	476
	<b>Total</b>	<b>5283</b>	<b>1329</b>	<b>1006</b>	<b>5606</b>

**CASES UNDER POCSO ACT**

Institution, Disposal and Pendency of Cases under POCSO Act as on 30.09.2019					
Sl. No.	Name of the Judgeship	Opening Balance as on 01.01.2019	Institution 01.01.2019 to 30.09.2019	Disposed of during 01.01.2019 to 30.09.2019	Closing balance as on 30.09.2019
1	Angul	276	64	33	307
2	Balasore	516	119	50	585
3	Bargarh	224	41	7	258
4	Bhadrak	455	83	47	491
5	Bolangir	157	46	2	201
6	Boudh	54	14	2	66
7	Cuttack	481	130	80	531
8	Deogarh	72	17	1	88
9	Dhenkanal	249	60	30	279
10	Gajapati	45	19	16	48
11	Ganjam	499	125	41	583
12	Jagatsinghpur	146	75	29	192
13	Jajpur	558	138	40	656
14	Jharsuguda	136	29	1	164
15	Kalahandi	218	70	41	247
16	Kendrapara	258	65	25	298
17	Keonjhar	394	79	44	429
18	Khurda	638	140	20	758
19	Koraput	215	52	1	266
20	Malkangiri	72	32	18	86
21	Mayurbhanj	441	107	49	499
22	Nabarangpur	220	40	5	255
23	Nayagarh	107	42	11	138
24	Nuapada	63	19	16	66
25	Phulbani	316	54	42	328
26	Puri	357	88	28	417
27	Rayagada	105	50	51	104
28	Sambalpur	265	93	13	345
29	Sonepur	53	15	1	67
30	Sundargarh	408	66	2	472
	<b>Total</b>	<b>7998</b>	<b>1972</b>	<b>746</b>	<b>9224</b>

**DE- INSTITUTIONALIZATION & AFTER CARE PROGRAMME STATUS IN ODISHA**

	Name of the District	Source - Department of Women & Child Development and Mission Shakti, Govt. of Odisha							Total No. of Children involved in After Care Programme from April to Sept 2019		
		July 2019		August 2019		Sept 2019		Total	Male	Female	Total
		Male	Female	Male	Female	Male	Female				
1	Angul	2	5	3	3	9	1	23	0	0	0
2	Balangir	4	11	16	3	6	1	41	0	4	4
3	Balasore	4	8	1	5	40	10	68	0	0	0
4	Bargarh	6	1	1	3	4	1	16	2	4	6
5	Bhadrak	18	9	7	5	10	2	51	0	0	0
6	Boudh	2	0	0	0	0	0	2	0	0	0
7	Cuttack	13	14	2	2	26	12	69	28	14	42
8	Deogarh	4	5	6	3	4	2	24	0	0	0
9	Dhenkanal	50	23	19	3	5	4	104	0	0	0
10	Gajapati	8	5	4	1	0	1	19	0	0	0
11	Ganjam	8	18	1	20	0	10	57	6	7	13
12	Jagatsinghpur	4	0	2	4	10	3	23	0	0	0
13	Jajpur	6	0	105	1	7	0	119	0	0	0
14	Jharsuguda	14	8	24	9	8	7	70	1	6	7
15	Kalahandi	10	15	3	0	13	0	41	15	6	21
16	Kandhamal	5	8	1	17	0	2	33	6	9	15
17	Kendrapara	3	1	17	1	2	0	24	0	0	0
18	Keonjhar	25	30	19	23	28	17	142	0	0	0
19	Khurda	107	48	157	45	96	50	503	25	46	71
20	Koraput	12	13	25	3	3	4	60	0	0	0
21	Malkangiri	3	0	1	0	0	0	4	13	4	17
22	Mayurbhanj	8	5	13	1	8	2	37	0	0	0
23	Nawarangpur	1	8	2	0	5	2	18	0	0	0
24	Nayagarh	1	4	5	8	1	2	21	0	0	0
25	Nuapada	2	2	2	0	0	0	6	0	0	0
26	Puri	5	7	9	15	5	3	44	0	0	0
27	Rayagada	2	2	1	0	0	15	20	0	0	0
28	Sambalpur	2	4	0	5	7	1	19	0	0	0
29	Subarnapur	1	0	0	0	0	0	1	0	0	0
30	Sundargarh	1	2	1	0	1	1	6	0	0	0
	<b>Total</b>	<b>331</b>	<b>256</b>	<b>447</b>	<b>180</b>	<b>298</b>	<b>153</b>	<b>1665</b>	<b>96</b>	<b>100</b>	<b>196</b>

## ADOPTION CASES

THE PENDENCY AND DISPOSAL OF ADOPTION CASES FOR MONTH OF SEPTEMBER 2019 BY **DISTRICT COURTS**THE PENDENCY AND DISPOSAL OF ADOPTION CASES FOR MONTH OF SEPTEMBER 2019 BY **FAMILY COURTS**

Sl. No.	Name of the District Court	Pendency of adoption cases at the beginning of the month	Institution of adoption cases during the month	Disposal of adoption cases during the month	Total pendency of adoption cases at the end of the month
1.	ANGUL	00	00	00	00
2.	BALASORE	00	00	00	00
3.	BARAGARH	00	00	00	00
4.	BHADRAK	00	00	00	00
5.	BOLANGIR	06	00	00	06
6.	BOUDH	00	00	00	00
7.	CUTTACK	04	01	02	03
8.	DEOGARH	00	00	00	00
09.	DHENKANAL	00	00	00	00
10.	GAJAPATI	03	00	01	02
11.	GANJAM	06	02	00	08
12.	JAGATSINGHPUR	00	00	00	00
13.	JAJPUR	00	00	00	00
14.	JHARSUGUDA	00	00	00	00
15.	KALAHANDI	00	00	00	00
16.	KENDRAPARA	01	00	01	00
17.	KEONJHAR	00	00	00	00
18.	KHURDA	01	00	01	00
19.	KORAPUT	08	05	05	08
20.	MALKANGIRI	00	01	00	01
21.	MAYURBHANJ	00	00	00	00
22.	NABARANGPUR	02	01	00	03
23.	NAYAGARH	00	00	00	00
24.	NUAPADA	00	00	00	00
25.	PHULBANI	04	00	02	02
26.	PURI	02	01	01	02
27.	RAYAGADA	00	00	00	00
28.	SAMBALPUR	00	00	00	00
29.	SONEPUR	00	00	00	00
30.	SUNDARGARH	00	00	00	00
	<b>TOTAL</b>	<b>37</b>	<b>11</b>	<b>13</b>	<b>35</b>

Sl. No.	Name of the Family Court	Pendency of adoption cases at the beginning of the month	Institution of adoption cases during the month	Disposal of adoption cases during the month	Total pendency of adoption cases at the end of the month
1.	BALASORE	00	00	00	00
2.	BARGARH	00	00	00	00
3.	BERHAMPUR	00	00	00	00
4.	BHADRAK	00	00	00	00
5.	BHUBANESWAR	00	00	00	00
6.	BOLANGIR	00	00	00	00
7.	CUTTACK	00	00	00	00
8.	DHENKANAL	01	00	00	01
09.	JAJPUR	04	00	02	02
10.	KALAHANDI	00	00	00	00
11.	KENDRAPARA	00	01	00	01
12.	KEONJHAR	06	01	03	04
13.	KHURDA	00	00	00	00
14.	KORAPUT	00	00	00	00
15.	MAYURBHANJ	06	00	01	05
16.	NABARANGPUR	00	00	00	00
17.	NAYAGARH	00	00	00	00
18.	PHULBANI	00	00	00	00
19.	PURI	00	00	00	00
20.	ROURKELA	00	01	01	00
21.	SAMBALPUR	00	02	00	02
22.	ANGUL	00	01	00	01
23.	RAYAGADA	00	00	00	00
24.	BOUDH	00	00	00	00
25.	SONEPUR	04	00	01	03
26.	JAGATSINGHPUR	00	00	00	00
	<b>TOTAL</b>	<b>21</b>	<b>06</b>	<b>08</b>	<b>19</b>

## CWC CASES

## THE PENDENCY AND DISPOSAL OF CHILD WELFARE COMMITTEES (CWCs) CASES FOR THE THIRD QUARTER, 2019

Sl. No	Name of the CWC	Opening Balance as on 01.07.2019	Institution during the 3 <sup>rd</sup> quarter, 2019	Disposal during the 3 <sup>rd</sup> quarter, 2019	Pendency as on 30.09.2019
1	ANGUL	36	30	35	31
2	BALASORE	01	211	212	00
3	BARAGARH	46	49	65	30
4	BHADRAK	08	249	546	02
5	BOLANGIR	17	150	145	22
6	BOUDH	13	122	122	13
7	CUTTACK	501	237	200	538
8	DEOGARH	36	44	66	14
9	DHENKANAL	162	28	90	44
10	GAJAPATI	16	356	221	151
11	GANJAM	157	514	553	118
12	JAGATSINGHPUR	03	83	80	03
13	JAJPUR	270	04	142	128
14	JHARSUGUDA	15	146	146	15
15	KALAHANDI	00	155	155	00
16	KENDRAPARA	00	41	135	00
17	KEONJHAR	27	177	178	26
18	KHURDA	157	178	146	189
19	KORAPUT	54	85	82	57
20	MALKANGIRI	17	101	63	55
21	MAYURBHANJ	00	119	108	11
22	NABARANGPUR	15	108	116	07
23	NAYAGARH	00	07	151	01
24	NUAPADA	00	80	80	00
25	PHULBANI	05	278	276	07
26	PURI	31	477	475	33
27	RAYAGADA	01	177	175	03
28	SAMBALPUR	00	66	66	00
29	SONEPUR	16	51	38	29
30	SUNDARGARH	16	241	240	17
	<b>TOTAL</b>	<b>1620</b>	<b>4564</b>	<b>5107</b>	<b>1544</b>

## DIRECTIONS OF THE HON'BLE SUPREME COURT FOR EXCLUSIVE POCSO COURTS

The Hon'ble Supreme Court of India has given directions in **Suo Moto Writ Petition (Criminal) No.1 of 2019 (Ref: Alarming Rise in the number of reported child rape incidents)** that is to be implemented by the Union of India and the State Governments forthwith:

- I. In each district of the country , if there are more than 100 cases under POCSO Act, an exclusive/designated special court will be set up, which will try no other offence except those under POCSO Act.
- II. Such Courts will be set up under a Central Scheme and will be funded by the Central Government, which fund will not only take care of the appointment of the Presiding officer, but also the appointments of support persons, Special Public Prosecutors, Court staff and infrastructure including creation of child-friendly environment and vulnerable witness Court rooms, etc.
- III. While drawing up the panel(s) of support persons in each district which should not exceed a reasonable number keeping in mind the total number of cases to be tried by the Special Court to be set up in each district, care should be taken to appoint persons who are dedicated to the cause and apart from academic qualifications are oriented towards child rights; are sensitive to the needs of a child and are otherwise child friendly. The same standards would also apply in the matter of appointment of Special Public Prosecutors.
- IV. The following suggestions of the learned Amicus Curiae shall also be implemented by the Ministry of Women and Child Development through such agency as may be considered appropriate:- "A short clip intended to spread an awareness of the subject in general, namely, prevention of child abuse and prosecution of crimes against children, should necessarily be screened in every movie hall and could also be transmitted by various television channels at regular intervals. A child helpline number should also be displayed not only in such clip but also at various other prominent places, in schools and other public places."
- V. A direction has been given to the directors of the state forensic science laboratories and the concerned authority in the State Government to ensure that the existing and available forensic science laboratories in each State will function in an effective manner in so far as analysis etc of the samples collected under the POCSO Act are concerned and reports of such analysis be sent promptly and without any delay.

## STAKE HOLDERS



The Two Days Training Programme for District Judges and Family Court Judges on the topic of Adoption was held on 20.05.2019 and 21.05.2019 at Odisha Judicial Academy, Cuttack

The 2nd Phase Training of Principal Magistrates, Prospective Principal Magistrates and Members of JJB was held from 22nd to 29th June, 2019 at OJA, Cuttack.



A one day State Level Training Programme on Adoption Regulations, 2017 was held on 04.06.2019 at Panthanivas, Bhubaneswar. Participants including all DCPOs, Chairpersons of CWCs, Managers of SAAs and other dignitaries, 108 nos. in total were present in the programme. The main objective of the programme was to orient the participants regarding the Adoption Regulation, 2017.



Induction Training of newly joined staff of OSCPS, SARA and DCPUs was held from 08.07.2019 to 12.07.2019 at Mission Shakti Bhawan, Bhubaneswar.

**HIGHLIGHTS OF THE STATE LEVEL JUVENILE JUSTICE CONSULTATION**  
HELD ON 21ST & 22ND SEPTEMBER 2019 AT ODISHA JUDICIAL ACADEMY, CUTTACK



Hon'ble Shri Justice Sanjaya Kumar Mishra, Judge and Chairperson, Juvenile Justice Committee, Orissa High Court delivering the Inaugural Address



Hon'ble Shri Justice S. K. Mishra, Judge & Chairperson, JJ Committee, High Court of Orissa Ms. Tessa Boudrie, Regional Director, AH&HC, Mr. Rajendra Meher, Founder & CEO, YCDA & Ms. Vandana Kandhari, CPS, UNICEF during Technical Session-1



Hon'ble Shri Justice S.Pujahari, Judge & Member, JJ Committee, High Court of Orissa and Dr.Kiran Modi, Founder Managaing Trustee,Udayan Care interacting with the audience during Technical Session-2



Hon'ble Shri Justice K. R. Mohapatra, Judge, Orissa High Court and Mr. Sayed Mansoor, CPS, UNICEF, Bihar deliberating on the importance of effective data management in Technical Session-3



Hon'ble Shri Justice Biswajit Mohanty, Judge & Member, JJ Committee, High Court of Orissa, Ms.Mamta, R.O., WCD Department, Govt of Karnataka, Mrs.Anu Garg, Principal Secretary, WCD & MS, Govt. of Odisha and Ms. Nina Nayak, Former Member NCPDR & First Chairperson of SCPCR, Karnataka sitting over Technical Session - 4



Hon'ble Dr. Justice A. K. Mishra, Judge, High Court of Orissa, Mr. Jagannath Pati, Joint Director, CARA and Mr. Harihar Naik, Member, OSCPCR in Technical Session-5 on Adoption as form of Alternative Care.



Tessa Boudrie, Regional Director, AH&HC addressing in Technical Session-1 on De-institutionalisation, Family and Community Based Alternative Care



Ms. Nina Nayak, Former Member, NCPDR and Child Right Specialist addressing Technical Session-4



S.K. Karim, A Care Leaver sharing his experience after leaving CCI.



Hon'ble Judges, Dignitaries, Resources Persons and Participants of State Level Juvenile Justice Consultation held on 21st - 22nd September 2019 at Odisha Judicial Academy, Cuttack

