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NOTIFICATION

CRIMINAL MISCELLANEOUS PETITION NO. 2045 OF 1990.
(Application for directions)

IN

WRIT PETITION (CRIMINAL) NO. 1171 OF 1982.
(Under Article 32 of the Constitution of India)

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRIMINAL MISCELLANEOUS PETITION NO. 3357/1989, 783, 1712/1713, &
2045/90. In W.P, (Crl.) No. 1171 of 1982.

Lamxi Kant Pandey

Petitioner

Versus

Union of India & Ors.

(For contempt & directions) (with office report).. Respondents

Date : 12/7/90 This/These matter was/were called on for hearing today.

CORAM :

HON'BLE
HON'BLE
HON'BLE

MR. JUSTICE RANGANATH MISRA
MR. JUSTICE M.M. PUNCHHI
MR. JUSTICE S.C. AGRAWAL

For the appearing parties : Petitioner-in-person.

Mr. Gopal Singh, Adv.
Mr. N.K. Sharma Adv.
Mr. D. Bhandari, Adv.
Mr. V.C. Mahajan, Sr. Adv.

Mr. Ms. Subhashini, Adv.
 Mr. V.N. Pateil, Adv.
 Mr. A.S. Bhasme, Adv.
 Mr. M.K. Ramamurthi, Sr. Adv.
 Mr. Ms. Chandan Ramamurthi, Adv.
 Mr. N.F. Chaudhary, Adv.
 Mr. Indra Makwana, Adv.
 Mr. Ms. Kamini Jaiswal, Adv.
 Mr. R.K. Mehta, Adv.
 Mr. Ms. Urmila Kapoor, Adv.
 Mr. M. Veerappa, Adv.
 Mr. Uma Nath Singh, Adv.
 Mr. R.P. Singh, Adv.
 Mr. K.R. Nambiar, Adv.
 Mr. Kailash Vasdev, Adv.
 Mr. Mahabir Singh, Adv.
 Mr. G. Prabhakar, Adv.
 Mr. S.K. Bhattacharya, Adv.
 Mr. R.S. Suri, Adv.
 Mr. D.P. Mukharjee, Adv.
 Ms. S. Dikshit, Adv.
 Mr. N.K. Sharma, Adv.
 Mr. Probir Choudhary, Adv.
 Mr. V. Krishnamurthy, Adv.
 Mr. T.V.S.N. Chari, Adv.
 Mr. K. Swamy, Adv.
 Ms. H. Wahi, Adv.

O R D E R

The remaining States and Union Territories served in terms of the Court's order are Arunachal Pradesh, State of West Bengal and the Union Territories of Andaman & Nicobar Islands and Lakshadweep as also Dadra and Nagar Haveli. All these States & Union Territories have now entered appearance and have filed their affidavits. In view of the fact that there has been compliance with the notice of the Court the contempt proceedings are dropped.

A petition filed on behalf of the All India Lawyer's Union, Tamil Nadu, Madras, has brought to the notice of the Court the fact that at the time the main judgment was delivered the operative law was contained in the Children's Act and the Juvenile Court was authorised to deal with the children concerned. With the enforcement of the Juvenile Justice Act, 1986, u/s 63 the provisions of the earlier law have been repealed as Chapter III of the Juvenile Justice Act, 1986, has contained provisions for neglected juveniles. Under this Chapter the power to deal with relevant aspects vests in the Board constituted under that Act and, therefore, reference made in the main judgment to the Children's Act in regard to production of neglected juveniles and the procedure adopted to be followed in regard to such children including power to commit them to suitable custody now vest in the

Board. The main judgment shall, therefore, be deemed to have been modified by operation of the law and reference made to Juvenile Courts for such purposes shall be taken to be to the Board under Juvenile Justice Act, 1986. We would like to clarify the position that as a result of the change in the law the Juvenile Court under the Children Act would no longer deal with these matters and the Board constituted under the Juvenile Justice Act, 1986 shall be appropriate authority for such purpose. This alteration shall be operative from 1st of September, 1990 so that adequate notice will be available of this change and for the purpose of informing the courts and the people dealing with this matter. We direct that this part of the order shall be given adequate publicity in law journals and the Registrar General shall have it otherwise publicised. The matter shall now be called on 21.9.1990,

Sd/-
(P.K. Bajaj)
Court Master

Sd/-
(Raj Gopal)
Court Master