

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SMW (Civil) No(s). 6/2021

IN RE : CHILDREN IN STREET SITUATIONS

(IA No. 6462/2022 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 6393/2022 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 25655/2022 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 165478/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 25546/2022 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 25476/2022 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 25345/2022 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 19193/2022 - EXEMPTION FROM FILING O.T.
IA No. 2125/2022 - EXEMPTION FROM FILING O.T.
IA No. 25540/2022 - EXEMPTION FROM FILING O.T.
IA No. 42125/2022 - INTERVENTION APPLICATION
IA No. 26600/2022 - INTERVENTION/IMPLEADMENT
IA No. 42135/2022 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

WITH

SMW(C) No. 4/2020 (PIL-W)

(Mr. Gaurav Agrawal, Advocate (A. C)).

IA No. 86654/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 106490/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 64373/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 74294/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 66078/2021 - CLARIFICATION/DIRECTION
IA No. 137902/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 74139/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 79258/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 29743/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 66077/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 103479/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 137767/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 6264/2022 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 76604/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 14581/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 103339/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 134784/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 164115/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 61484/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 76104/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 14448/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 65469/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 87334/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 106492/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 155722/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 59084/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 75739/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 14077/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 65158/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 155677/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 75234/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 13962/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 148051/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 74593/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 9708/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 56612/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 66729/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 105604/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 139251/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 9678/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 66079/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 105407/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 139238/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 8020/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 29795/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 103990/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 30270/2021 - EXEMPTION FROM FILING O.T.
IA No. 74135/2020 - EXEMPTION FROM PAYING COURT FEE
IA No. 66075/2021 - INTERVENTION APPLICATION
IA No. 86651/2021 - INTERVENTION APPLICATION
IA No. 74292/2020 - INTERVENTION APPLICATION
IA No. 58712/2020 - INTERVENTION/IMPLEADMENT)

W.P.(Cr1.) No. 274/2020 (PIL-w)

(IA No. 139277/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 10286/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 8311/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 97311/2020 - GRANT OF INTERIM RELIEF)

Date : 02-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE B.R. GAVAI

For the parties :

By Courts Motion, AOR

Mr. Gaurav Agrawal, AOR (A.C.)

FOR NCPCR

Mr. K.M. Nataraj, Ld. ASG
Ms. Swarupama Chaturvedi, AOR
Ms. Indira Bhakar, Adv.
Ms. Saumya Kapoor, Adv.
Ms. Himanshi Goel, Adv.

Ms. Anitha Shenoy, Sr Adv
Ms. Srishti Agnihotri, AOR
Mr. Abishek Jebaraj, Adv.
Ms. Sanjana Grace Thomas, Adv.
Ms. A. Reyna Shruti, Adv.
Ms. Aarti Krupa Kumar, Adv.
Ms. Ayushma Awasthi, Adv.

Ms. Aishwarya Bhati, Ld ASG
Mr. S.S.Rebello, Adv.
Ms. Swati Ghildiyal, Adv.
Mr. Akshay Amritanshu, Adv.
Ms. Chinmayee Chandra, Adv.
Mr. B.K. Satija Adv.
Mr. Piyush Beriwal Adv.
Mr. Arvind Kumar Sharma, AOR
Mr. B. V. Balaram Das, AOR
Mr. Gurmeet Singh Makker, AOR

Nishanth Patil, AOR

Mr. Abhishek Atrey, AOR

Mr. Shekhar Raj Sharma, Dy. AG
Mr. Sanjay Kumar Visen, AOR
Mr. Paras Dutta, Adv.
Mr. Navin Gupta, Adv.
Mr. Shalen Bhardwaj, Adv.
Mr. Suresh Kumar Bhan, Adv.

Ms. Preeti Singh, AOR

Mr. Sibho Sankar Mishra, AOR
Mr. Niranjana Sahu, Adv.
Mr. Rajesh Kumar Nayak, Adv.

Ms. Uttara Babbar, AOR
Mr. Raj Bahadur Yadav, AOR

Mr. Anmol Rattan Siddhu, AAG
Mr. R.K. Rathore, Adv.
Mr. Raghav Gulati, Adv.
Ms. Jaspreet Gogia, AOR

Mr. Krishnanand Pandeya, AOR
Ms. Astha Sharma, AOR

Mr. Mahfooz Ahsan Nazki, AOR
Mr. Polanki Gowtham, Adv
Mr. Shaik Mohamad Haneef, Adv
Mr. T. Vijaya Bhaskar Reddy, Adv
Mr. K.V. Girish Chowdary, Adv
Ms. Rajeswari Mukherjee, Adv

Mr. Ankit Goel, AOR

Ms. Anindita Pujari, AOR
Mr. Azad Bansala, Adv.
Mr. Siddhartha Srivastava, Adv.
Ms. Prakriti Rastogi, Adv.
Mr. Mohit Kaushik, Adv.

Mr. Arjun Garg, AOR
Mr. Aakash Nandolia, Adv.
Ms. Sagun Srivastava, Adv.

Mr. Raghvendra Kumar, Adv.
Mr. Anand Kumar Dubey, Adv.
Mr. Narendra Kumar, AOR

Ms. Amiy Shukla, AOR

Mr. Chirag M. Shroff, AOR
Mr. Amandeep Mehta, Adv.

Mr. Ajay Pal, AOR

Mr. Kunal Chatterji, AOR
Ms. Maitrayee Baneerjee, Adv.
Mr. Rohit Bansal, Adv.

Ms. Bansuri Swaraj, AAG
Dr. Monika Gusain, AOR

Mr. Romy Chacko, AOR
Mr. Sudish Kumar Singh, Adv.

Ms. Diksha Rai, AOR
Mr. Ankit Agarwal, Adv.
Ms. Ragini Pandey, Adv.
Applicant-in-person, AOR

Mr. Avijit Mani Tripathi, AOR
Mr. Upendra Mishra, Adv.
Mr. T.K. Nayak, Adv.
Mr. P.S. Negi, Adv.
Mr. K.V. Kharlyngdoh, Adv.

Ms. Meenakshi S. Kamble, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. S.K. Rajora, Adv.
Mr. Subhash S. Kadam, Adv.
Ms. Kavya S. Lokande, Adv.
Mr. Naresh Kumar, AOR

Mr. Suhaan Mukerji, Adv.
Mr. Raghent Basant, Adv.
Mr. Nikhil Parikshith, Adv.
Mr. Vishal Prasad, Adv.
Mr. Abhishek Manchanda, Adv.
Mr. Sayandeep Pahari, Adv.
Mr. Tanmay Sinha, Adv.
M/S. PLR Chambers And Co., AOR

Mr. Naresh K. Sharma, AOR
Mr. Himanshu Tyagi, AOR
Mr. Amrish Kumar, AOR

Mr. Abhimanyu Tewari, AOR
Ms. Eliza Bar, Adv.

Mr. Ramendra Mohan Patnaik, AOR
Mr. Amit Kumar, Adv.
Mr. Ziya Ahmad, Adv.

Mr. S. Udaya Kumar Sagar, AOR
Ms. Sweena Nair, Adv.
Mr. P. Mohith Rao, Adv.

Mr. Siddhesh Kotwal, Adv.
Ms. Manya Hasija, Adv.
Ms. Preeti Singh, Adv.
Mr. Nirnimesh Dube, AOR

Mr. Nishe Rajen Shonker, AOR
Ms. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv.
Mr. Abraham C. Mathews, Adv.

Mr. Sachin Patil, AOR
Mr. Rahul Chitnis, Adv.
Mr. Aaditya A. Pande, Adv
Mr. Geo Joseph, Adv.

M/S. Manoj Swarup And Co., AOR

Mr. Shuvodeep Roy, AOR
Mr. Ishaan Borthakur, Adv.

Mr. Nikhil Goel, AOR
Ms. G. Indira, AOR
Mr. Manish Kumar, AOR
Mr. Ankur S. Kulkarni, AOR
Mr. Gopal Singh, AOR

Mr. Gopal Jha, AOR
Mr. Nishant Verma, Adv

Mr. V. Krishnamurthy, Sr. Adv./AAG
Dr. Joseph Aristotle S., AoR.
Ms. Nupur Sharma, Adv.
Mr. Shobhit Dwivedi, Adv.
Mr. Sanjeev Kumar Mahara, Adv.
Ms. Jessica Bhardwaj, Adv.

Mr. G. Prakash, AOR

Mr. Amit Kumar Singh, Adv.
Ms. K. Enatoli Sema, AOR
Ms. Chubalemla Chang, Adv.

Mr. Gautam Narayan, AOR

Ms. Asmita Singh, Adv.

Mr. V. N. Raghupathy, AOR

Mr. Aravindh S., AOR

Ms. C. Rubavathi, Adv.

Mr. S. C. Verma, Sr. Adv./Adv. General

Mr. Sumeer Sodhi, AOR

Mr. Arjun Nanda, Adv.

Mr. Sharan Thakur Adv

Mr. Mahesh Thakur AOR

Mr. Siddhartha Thakur Adv

Mr. Bishwendra Singh, Adv.

Mr. Ajay Kanojia Adv

Ms. Vipasha Singh Adv

Mr. Saurabh Trivedi, AOR

Ms. Mukti Chowdhary, AOR

Ms. Shobha Gupta, AOR

Mr. Rajendra Kr. Panigrahi, Adv.

Mr. Nishant Bahuguna, Adv.

Mr. Vidit Agarwal, Adv.

Mr. Shubham Jalan, Adv.

Ms. Prachi Sharma, Adv.

Ms. Sakshi Tiwari, Adv.

Dr. Manish Singhvi, Sr Adv

Mr. Arpit Parkash, Adv

Mr. Sandeep Kumar Jha, AOR

M/S. Knc, AOR

Mr. Mukesh Kumar Maroria, AOR

Mr. Pukhrambam Ramesh Kumar, AOR

Mr. Karun Sharma, Adv.

Ms. Anupama Ngangom, Adv.

Immanuel Meitei, Adv.

Ms. Garima Prasad, Sr. Adv./AAG

Mr. Rohit K. Singh, AOR

Mr. Pritam Bishwas, Adv.

Mr. Akshay Chowdhary, Adv.

Mr. Parth Yadav, Adv.

Mr. M. Yogesh Kanna, AOR

Mr. Bharat Singh, Adv.

Mr. Pashupathi Nath Razdan, AOR

Mr. Kayesh Begg, Adv.

Mr. Prakhar Srivastav, Adv.

Mr. Malak Manish Bhatt, AOR

Mr. Pai Amit, AOR

Mr. G.M. Kawoosa, Adv.
Ms. Taruna Ardhendumauli Prasad, AOR

Ms. Pinky Behera, AOR

Ms. Pragya Baghel, Adv.
Ms. Pallavi Langar, AOR

Ms. Radhika Gautam, AOR

Ms. Archana Pathak Dave, Adv.
Ms. Deepanwita Priyanka, AOR

Mr. Neeraj K. Sharma, Adv.
Mr. Harsh Singhal, Adv.
Mr. Prahil Sharma, Adv.
Ms. Priyanka Sharma, Adv.
Mr. G.S. Makker, AOR

Ms. Mrinal Elkar Mazumdar, Adv.
Mr. Mukesh Kr. Verma, Adv.
Mr. Neeraj Kr. Sharma, Adv.
Ms. Indira Bhakar, Adv.
Mr. G.S. Makker, AOR

Mr. S.k. Singhanian, Adv.
Mr. varun Chugh, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. G.S. Makker, AOR

Mr. Anil Hooda, Adv.
Mr. Harish Pandey, Adv.
Ms. Sanskriti Pathak, Adv.
Mr. Anurag Tripathi, Adv.
Mr. G.S. Makker, AOR

Mr. Piyush Beriwal, Adv.
Mr. G.S. Makker, AOR

Mr. Salim Ali Khan, AOR

UPON hearing the counsel the Court made the following
O R D E R

SMW(C) No. 4/2020

Mr. Gaurav Agarwal, learned Amicus Curiae, submitted that apart from those children who have lost their parents during Covid-19, there are a large number of children in this country who had to dis-

continue their education due to migration of their parents, loss of livelihood of their parents/guardians as well as deficiency in learning processes from online schooling.

The NCPCR is directed to ponder over the suggestions made by the learned Amicus Curiae and submit its suggestions before the next date of hearing.

The State Governments/Union Territories are also directed to submit their responses as to the course of action they would take in ensuring that such of those students who have dropped out due to the adverse effects of the pandemic, would continue in schools.

List on 09.05.2022.

W.P.(CrI.) No. 274/2020.

After discussing the matter with Ms. Anitha Shenoy, learned senior counsel appearing for the Petitioner in Writ Petition (CrI.) No.274 of 2020, Mr. Gaurav Agarwal, learned Amicus Curiae has submitted a note for the hearing. In the said note, learned Amicus Curiae has brought to our notice that in one of the cases taken up as pilot project for examination of children, who were victims of child trafficking, through video conferencing, *i.e.*, Sessions Trial No.52 of 2019 tried by Special Judge, POCSO Act, Jaipur City - 1, judgment has been

delivered on 22.03.2022. Victims of child trafficking, who are residents of other states, have been examined through video conferencing utilising the facility available in the courts nearer to the place of their residence.

We are informed by the learned Amicus Curiae that the results of the pilot project are encouraging and they need to be continued. A list of pending inter-state child trafficking cases has been furnished to this Court. The Registry is directed to transmit the said list to the Registrars of the High Courts, who in turn will bring the same to the notice of the concerned trial courts.

In case of any difficulty, the court point coordinators and the remote point coordinators shall take the guidance of NALSA, which is willing to coordinate with the relevant participants for the purposes of recording testimony, through video conferencing, of victims of child trafficking from remote points. The trial courts are directed to give preference to recording of evidence of victims of child trafficking, residing in different districts / states, through video conferencing.

List on 05.09.2022.

(Geeta Ahuja)
Court Master

(Anand Prakash)
Court Master