

IN THE HON'BLE SUPREME COURT OF INDIA

Subject: Writ Petition (Civil) No.1166/2019 titled Enakshi Ganguly & Anr v. Union of India and Ors.

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HIGH COURT OF JAMMU AND KASHMIR

AT SRINAGAR

(Office of the Jammu and Kashmir Juvenile Justice Committee)

Composition of the J&K Juvenile Justice Committee:

Hon'ble Mr. Justice Ali Mohammad Magrey, Chairman
Hon'ble Mr. Justice Dhiraj Singh Thakur, Member;
Hon'ble Mr. Justice Sanjeev Kumar, Member; &
Hon'ble Mr. Justice Rashid Ali Dar, Member.

**Srinagar,
26.09.2019**

A report on the exercise undertaken by the Jammu and Kashmir Juvenile Justice Committee pursuant to the direction dated 20.09.2019 passed by the Hon'ble Supreme Court in writ petition (Civil) No.1166/2019, titled Enakshi Ganguly & anr v. Union of India & ors., with regard to the facts stated therein.

1. On 20.09.2019, the Hon'ble Supreme Court was pleased to pass a direction in the aforesaid writ petition, *inter alia*, to the following effect:

“As the issues highlighted pertain to alleged detention of children, we direct the Juvenile Justice Committee of the High Court of Jammu & Kashmir to undertake an exercise with regard to the facts stated in the writ petition and revert to us within a week from today.”

When the order of the Hon'ble Supreme Court was brought to the notice of the Committee, it immediately convened a meeting on 23.09.2019 and resolved to ascertain facts from the concerned

(2)

State agencies as to the assertions and allegations made in the writ petition in question, based on media reports. The Committee also decided to obtain data from the courts subordinate to the High Court of J&K, and the Registrars Judicial of the two wings of the High Court about the bail applications or Habeas Corpus Petitions, if any, moved on behalf of Juveniles or where it was claimed that the arrested person(s) or the detainees were juveniles, and the processes undertaken therein. The Committee further resolved to seek information in this regard from the Mission Director (ICPS), J&K, Srinagar. A copy of the minutes of the meeting of the Committee held on 23.09.2019 is appended to this report as annexure 'A'. It may be mentioned here that, as decided and resolved by the Committee in the aforesaid meeting, the Director General of Police, J&K, and the Divisional Commissioners of Jammu, Kashmir and Ladakh, were directed to obtain separately reports/information on each and every assertion / allegation made in the petition and the media reports from their field agencies and to submit the same to the Committee through the Registrar General, High Court of J&K by 1 O'clock on 24.09.2019. However, on 24.09.2019, the authorities sought time to do the needful which, by resolution dated 24.09.2019 of the Committee, was allowed till 25.09.2019. A copy of the resolution dated 24.09.2019 is appended hereto as annexure 'B'

2. Pursuant to the aforesaid directions made by the Committee, the Additional Director General of Police (Cord.)

PHQ, Srinagar, vide his communication no. Legal/SC-23/III/2019/57413 dated 25.09.2019 submitted a report, addressed to the Registrar General of the High Court of J&K. The aforesaid report in original alongwith its enclosure – the list of juveniles in conflict with law – apprehended with effect from 05.08.2019, is appended hereto as annexure 'C'. The Divisional Commissioner, Kashmir, vide his communication no. DivCom/ARA-EG/70/2019 dated 25.09.2019 endorsed the aforesaid report submitted by the Police Headquarters. The said communication forms annexure 'D' hereto.

3. In its aforesaid report, the Director General of Police has categorically refuted the assertions and allegations made in the media reports and, consequently, in the writ petition. More specifically, it has been stated in the aforesaid report as under:

“Eversince the historic decision regarding abrogation of Article 370 was taken, it was necessitated to take immediate preventive measures in order to protect life and property of the people and avoid any problem that could breach the peace and public tranquillity, same, was strictly taken in consonance with the law of the land. However, in connection with children whosoever was found in conflict with law, same was strictly dealt (with) in consonance (with) the provisions of the Juvenile Justice (Care and Protection of Children Act (2013)

[State Act] and strict directions have been provided from time to time to deal with the children strictly in accordance with the provisions of the relevant Act. The averments hence surfaced in the petition have been wrongly reflected in the petition and stand devoid of merits.

It is pertinent to state that no child has been kept or taken into illegal detention by the Police authorities as strict adherence is placed on the provisions of Juvenile Justice (Care and Protection of Children) Act. The State has appointed an officer of the rank of ADGP as nodal officer for implementation of the Act. At District level an officer has been nominated for the purpose and it has been ensured that at every Police Station level a juvenile police officer has been designated. As and when any report in respect of a juvenile in conflict with law is received, the said juvenile is dealt strictly as per the prescribed law on the subject."

Apart from stating the above, the Director General of Police, in its aforesaid report, has categorically denied the specific allegations made in the writ petition in the following manner:

1. The specific allegations made in the petition have not been corroborated from the information received from the field formations. The individual

case where it is alleged that in violation of law the juveniles have been picked up by the Police and lodged in the Police lockups have been found not factually true. It is nothing but facts having been imagined from thin air submitted before the Hon'ble Court.

2. The reported incident of an 11 year old from Pampore having been detained is not factually correct. The authenticity of the reportage is quite doubtful. It seems that this report has been generated with the intention to malign the police and to create the story which may have element of sensationalism.

3. The incident alleged to have happened in Soura Srinagar, upon enquiry, was also found to be without basis. The area falling under police station Soura had witnessed substantial disturbance in which even minors were found to be involved. However, nothing of the sort as alleged had taken place. The report carried out by Washington Post does not indicate the source which has quoted this incident so as to check the veracity of this information. So far the report submitted in this regard does not substantiate the alleged facts of the incident reported in the petition.

4. The third incident quoted in the petition titled 'Night Fill us with Dread' reported from Baramulla

carried by 'the Quint' dated 26.08.2019 appears to have been solely based on fictional imagination. A report received from the concerned district has denied that such an incident has taken place. It appears very strange that International Print Media and online news portals could carry this false report but not the local media.

5. Mehjoor Nagar Incident: On 22.08.2019 P/S Rajbagh picked up two individuals namely Muhammad Younis Rah and Shabir Ahmad Rah sons of Ali Muhammad Rah R/O Mehjoor Nagar Srinagar who were involved in case FIR No.80/2019 U/S 147, 148, 336, 427, 341 RPC of P/S Rajbagh. The two boys were found to be involved in stone pelting and after proper counselling by the SHO, they were handed over to their parents on the same day.

6. Umarhair incident Momin and Omar: The incident reported in the TRT World on 29th August, 2019, which is alleged to have happened in Umarhair is again not corroborated by the field report sought in this connection as such accordingly denied.

7. The report carried by Washington post on 30th August, 2019 about two boys namely Farhan and Junaid is again based on wrong reporting and has not provided the specifics of the alleged incident. It is

difficult, almost impossible, to enquire and seek report in an alleged incident like this.

8. The incident reported in Scroll on 28th August, 2019 is on the face of itself negating one. Not even a wee bit of credibility is inspired by it. The report suggests as if police is a predator on a prowl because it defies common sense that if a boy is on his way to hospital with tea and food, carried by him, that he would be arrested and put behind the bars. This is nothing but an attempt to demoralize the police.

9. Regarding the arrest of 12 year old boy at Eidgah on 17th August 2019, it is emphatically denied that such an arrest was made. It happens often that when minor / juveniles indulge in stone pelting that they are momentarily held up on the spot and sent home. Some of these incidents are exaggerated beyond proportions and inimical elements often give flight to their febrile imagination.

10. The report carried by Washington Post on 30th August, 2019 about a 17 year boy Danish having been whisked away after police men jumped over the wall is again lacking details, therefore, the police is handicapped in responding to it in an effective manner. Since, essential facts have not been given for

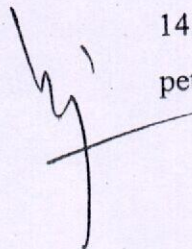
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the police to respond to it, hence it cannot be responded effectively.

11. The news item carried out by the magazine Caravan on 16th August, 2019 seems highly improbable because the report itself states that one CRPF personnel was talking to the uncle of the injured girl and, in the meanwhile, another CRPF personnel catapulted a stone which hit the girl in her eye causing injuries to her. It appears to be against the common sense because the stone could well have hit the CRPF jawan talking to the uncle of the injured girl. The most probable explanation for the injury is that the girl was hit by a stone thrown by some stone pelter, if at all such injury had occurred.

12. Asif Muhammad: As per field verification conducted, no such report has surfaced or based on facts. The news reported in Washington Post on 9th August, 2019 is obviously false and baseless.

13. Osaib Altaf: The incident as reported has been found to be baseless as no such death has been reported to the police authorities as per verification report received from the field formations.

14. With respect to the assertions reflected in the petition regarding making of arrests in Pulwama,



Pampore, Tral, Awantipora and Khrew, it is to submit that the averments reflected in the petition are vehemently denied. It is only one juvenile in conflict with law, namely, Burhan-ud-Din Hilal S/O Hilal Ahmad Bhat R/O Gulzarpora, Awantipora, who was apprehended on 09.08.2019 owing to his involvement in case FIR no.106/2019 U/S 147, 148, 332, 336, 341, 427 RPC of P/S Awantipora. The provision of Section 11 of JJ Act has been complied with in letter and spirit. The juvenile was apprehended in his own interest as it was apprehended that the said juvenile would fall in the company of violent mob and exposing himself to moral, physical and psychological danger. The said juvenile in conflict with law was immediately handed over to his parents on the same day. No large scale picking up of minors in the jurisdiction of above places was made and the allegations are purely concocted and motivated.

It is to further submit that averments made in the petition are totally baseless, fallacious and offer only a biased version, based on media reports that have no evidentiary value. The State machinery has been constantly upholding the rule of law and not a single juvenile in conflict with law has been illegally

detained. The procedure as envisaged under Juvenile Justice (Care and Protection of Children) Act is being followed in letter and spirit. If at all the juvenile in conflict with law has been subjected to custody, the same has been placed in Observation Home under the orders of respective Juvenile Justice Board. The said Observation Homes offer temporary accommodation for the juveniles in conflict with law which also act as reformatories where conducive atmosphere for their counselling and rehabilitation is in place. There have been cases wherein it is established by the investigating agencies that certain juveniles in conflict with law are involved in stone pelting, rioting and causing damage to the public and private property, it is only the procedure prescribed under the law that is being followed in such cases and clear instructions to that effect have been issued to subordinate police formations. The child welfare committees are effectively working in the State and the petition is only an exaggeration to settle some political score and to demoralize the State action which has only been within the parameters of law."

4. It may be mentioned here that the State has established two Observation Homes: one at Harwan, Srinagar, and the other at R.

) S. Pora, Jammu. The Mission Director, JKCPS, J&K, Srinagar, vide his communication no.SMD/CPS/PS/Sgr/2019/Camp/01

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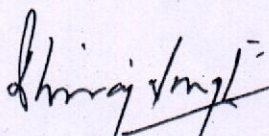
dated 24.09.2019 submitted the list of juveniles in conflict with law received in these Observation Homes since 05.08.2019. The communication alongwith its two enclosures comprising seven leaves is appended hereto as annexure 'E'. Perusal of the first enclosure with the communication depicts that in all 36 Juveniles in conflict with law were received at Observation Home Harwan, Srinagar, with effect from 05.08.2019 till 23.09.2019 out of whom 21 have been bailed out; whereas enquiries are going on with regard to the remaining 15. Similarly, at Observation Home R. S. Pora, Jammu, 10 juveniles in conflict with law were received out of whom 06 have been bailed out; whereas enquiry is going on with regard to the remaining 04.

5. It may be added here that in certain regular Habeas Corpus Petitions, challenging regular detention orders passed by District Magistrates against them under Public Safety Act, the detainees have claimed to be juveniles. Whenever such petitions come up before the different Benches of the Court, the Court is directing holding of enquiry to ascertain the factum of age, and, if the detainee is found to be juvenile, appropriate orders in accordance with law would follow. Photocopy of an order of the Court passed in one such petitions which was listed yesterday, i.e., on 25.09.2019, is enclosed herewith as annexure 'F'.

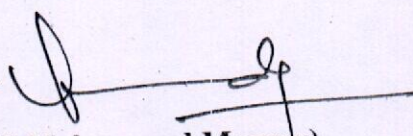
6. So far as this Committee is concerned, ever since its establishment, it has been taking the requisite steps to ensure that the provisions of the law concerning juveniles are effectively

implemented. The Committee also occasionally conducts inspections of the Observation Homes to ensure that the juveniles lodged there are provided appropriate lodgement, bedding, clothes, food, recreation facility, health care etc.

7. This report is directed to be forwarded to the Registrar General, High Court of J&K, who shall ensure its submission before the Hon'ble Supreme Court within time.



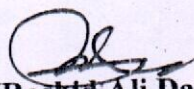
(Dhiraj Singh Thakur)
Judge/Member



(Ali Mohammad Magrey)
Judge / Chairman



(Sanjeev Kumar)
Judge/Member



(Rashid Ali Dar)
Judge/Member

HIGH COURT OF JAMMU AND KASHMIR

AT SRINAGAR
(Office of the Jammu and Kashmir Juvenile Justice Committee)

Srinagar,
23.09.2019

Minutes of the meeting of the Jammu and Kashmir Juvenile Justice Committee held under the Chairmanship of Hon'ble Mr. Justice Ali Mohammad Magrey, at 1 PM on this the 23rd day of September, 2019 in the High Court Complex at Srinagar, commencing the exercise with regard to the facts stated in the writ petition (Civil) No.1166/2019, titled Enakshi Ganguly & anor v. Union of India & ors., in compliance of the direction dated 20.09.2019 passed by the Hon'ble Supreme Court in the aforesaid writ petition.

Present:

Hon'ble Mr. Justice Ali Mohammad Magrey, Chairman

Hon'ble Mr. Justice Dhiraj Singh Thakur, Member; [through Video Conferencing]

Hon'ble Mr. Justice Sanjeev Kumar, Member

Hon'ble Mr. Justice Rashid Ali Dar, Member.

1. Copies of the Writ Petition. (Civil) No.1166/2019, titled Enakshi Ganguly & anor v. Union of India & ors., along with its annexures and the orders dated 16.09.2019 and 20.09.2019 passed by the Hon'ble Supreme Court in the above writ petition were placed by the Registrar General, High Court of J&K, before the Chairman and the Members of the Committee at around 2 PM on Saturday, 21.09.2019. On receipt of the aforesaid documents, the Chairman of the Committee, keeping in view the importance and urgency involved in the matter, coupled with the fact that one of the Members of the Committee, namely, Hon'ble Mr. Justice

Sanjeev Kumar, was out of the State in Gauhati, in connection with attending the conference organised by the Hon'ble Supreme Court of India, immediately addressed a communication to the Registrar General requiring him to convene a meeting of the Committee on Monday, i.e., today.

2. This Committee perused the averments made in the writ petition together with the annexures appended thereto and the orders passed by the Hon'ble Supreme Court. Insofar as this Committee is concerned, the Hon'ble Supreme Court in its order dated 20.09.2019 has directed as under:

"As the issues highlighted pertain to alleged detention of children, we direct the Juvenile Justice Committee of the High Court of Jammu & Kashmir to undertake an exercise with regard to the facts stated in the writ petition and revert to us within a week from today."

The aforesaid writ petition is reportedly next listed before the Hon'ble Supreme Court on Friday, 30.09.2019. Given the time allowed to this Committee, as aforesaid, the matter involves urgency.

3. There are numerous assertions made in the petition, based on media reports – print and electronic – alleging arrests, detention, beating and maiming of juveniles etc. in the Valley of Kashmir ever since 05.08.2019.

4. At the outset, this Committee wishes to bring it on record that it or any of its Members individually has not received any complaint or representation or anything like that from any individual, lawyer, human rights' activist, group of persons, organization, Civil Society Member or any other person complaining about the arrest of any juvenile, though regular Habeas Corpus Petitions challenging arrests and detentions have continuously been filed before the High Court

by Advocates and, reportedly, bail applications for release of persons arrested by Police involved in different offences have also been presented before and dealt with by the Courts subordinate to the High Court in the Valley. Nonetheless, since serious allegations are contained in the press reports as put forth in the writ petition, some mechanism needs to be evolved to verify these reports and then, if the same are, or any incident reported therein is, found to be true, further course of action within the competence of this Committee would be undertaken in accordance with the provisions of the relevant law.

5. In this regard, the Committee is of the view that it would need to obtain reports from the concerned agencies of the State, like the Police and the Divisional Administration, about the assertions made in the writ petition. The Committee is of the view that it would be apposite to direct the Director General of Police J&K, and the Divisional Commissioner, Jammu, Kashmir and Ladakh, to separately obtain reports/information on each and every assertion / allegation made in the petition and the media reports from their field agencies, like Police Stations /Executive Magistrates (Tehsildars), and to submit the same to this Committee through the Registrar General High Court of J&K by 1 O'clock of Tuesday, 24.09.2019. To enable the authorities / officers to do the needful, copies of these minutes alongwith copies of the writ petition together with its annexures shall be forwarded to them today itself. In this regard, the Registrar General shall personally contact the Director General of Police and the Divisional Commissioners requesting them to depute some responsible officers of their offices to collect these documents from him for their further action, as aforesaid.

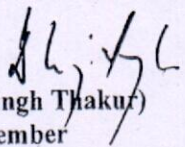
6. Further, the Committee is also of the view that it would be in the fitness of things to collect information from all the Courts of the State subordinate to the High Court as well as from the Registry of

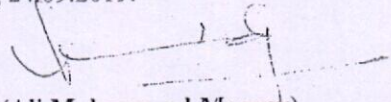
this Court as to whether there has been any bail application or Habeas Corpus Petition, as the case may be, filed on behalf of a juvenile or where it is claimed or complained that the arrested person or detainee was or is a juvenile. This information shall also be called for by 1 O'Clock of Wednesday, 24.09.2019. The Registrar General, High Court of J&K, shall put in all efforts to ensure that this information is collected from the Principal District and Sessions Judges of the State who in turn shall collect such information from the courts subordinate to them / Remand Magistrates in their respective Districts. Furthermore, the Registrar General shall ask all the Principal District and Sessions Judges of the State to obtain information from the Juvenile Justice Boards within their jurisdiction as to whether any juvenile in conflict with law has been produced before or dealt with by them with effect from 05.08.2019 till date.

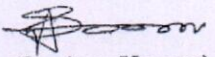
7. The Committee is also of the view that it would be befitting to obtain a report from the Mission Director (ICPS), J&K Srinagar Social Welfare Department, J&K, in his capacity as being the implementing Agency of integrated Child protection Scheme whether any juvenile, within his knowledge, has been arrested detained, beaten or maimed by the Police or security forces with effect from 05.08.2019 till date or any such instance or juvenile in conflict with law has been brought to his notice. The Registrar General shall obtain this information from the officer by the same time and date as aforesaid.

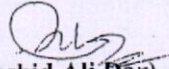
8. On receipt of the reports / information on the aforesaid lines, this Committee would be in a position to, and would, submit its report to the Hon'ble Supreme Court, and take further course of action as by law enjoined upon it.

9. This Committee[✓] resolves accordingly. Copy of these minutes/resolutions is ordered to be sent immediately to the Registrar General for further action at his end. This Committee shall meet again at 1 O'clock on Tuesday, 24.09.2019.


(Dhiraj Singh Thakur)
Judge/Member


(Ali Mohammad Magrey)
Judge/Chairman


(Sanjeev Kumar)
Judge/Member


(Rashid Ali Dar)
Judge/Member

(18) 'B'
Annexure-B

HIGH COURT OF JAMMU AND KASHMIR

AT SRINAGAR

(Office of the Jammu and Kashmir Juvenile Justice Committee)

**Srinagar,
24.09.2019**

Minutes of the meeting of the J&K Juvenile Justice Committee held on 24.09.2019 at the High Court Complex Srinagar

Present:

Hon'ble Mr. Justice Ali Mohammad Magrey, Chairman
Hon'ble Mr. Justice Dhiraj Singh Thakur, Member, [through Video Conferencing];
Hon'ble Mr. Justice Sanjeev Kumar, Member; &
Hon'ble Mr. Justice Rashid Ali Dar, Member.

1. Pursuant to the decisions taken, resolutions passed and directions given by the Committee in its meeting held on 23.09.2019, the following, authorities / Officers / agencies have submitted their respective reports / responses which have been placed before this Committee today by the Registrar General:


- i) Principal District & Sessions Judges of Anantnag, Udhampur, Srinagar, Kupwara, Reasi, Samba, Poonch, Kargil, Kulgam and Pulwama.
- ii) Registrar Judicial High Court of J&K Jammu

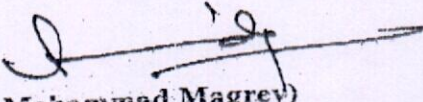
Other authorities as reported by Registrar General of the High Court, have sought, and are given, further time till tomorrow to submit their responses.

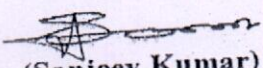
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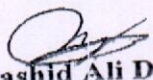
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2. Registrar General shall submit the report/responses received from the authorities/officers/agencies before the Committee. Since the Committee is required to prepare a consolidated report founded on the feedback so received and as may be received from the field agencies of the State / concerned authorities with regard to the assertions and allegations contained in the writ petition to be submitted to the Supreme Court, it is resolved that such consolidated report be prepared by the Hon'ble Chairman of the Committee and then placed before the Committee for perusal and signatures so that it is submitted before the Supreme Court well before the next date fixed in the case.


(Dhiraj Singh Thakur)
Judge/Member


(Ali Mohammad Magrey)
Judge / Chairman


(Sanjeev Kumar)
Judge/Member


(Rashid Ali Dar)
Judge/Member

Website: www.jkpolice.gov.in
e-mail: phaik@nic.in



Annexure - C
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Telefax: 0194-2443027 (Sg)
:0191-2456863 (Jmul)

POLICE HEADQUARTERS

JAMMU AND KASHMIR

✓ SRINAGAR

No. Legal /SC-23/III/2019/57413

Dated: - 25.09.2019

The Registrar General,
High Court of J&K,
Srinagar.

Subject:- Report in terms of Resolution dated 23.09.2019 of Hon'ble Juvenile Justice Committee High Court of J&K pursuant to the directions passed by the Hon'ble Supreme Court in the writ petition (Civil) No. 1166/2019, titled Enakshi Ganguly & Anr Vs Union of India and Ors.

Sir,

Kindly refer to your office letter No. 16970-73/RG dated 23.09.2019 regarding the subject cited above, whereby information/report to each and every assertion/allegation made in the above titled writ petition was sought.

In this regard it is submitted that the petitioners claim to have information of instances where it is alleged that child rights as envisaged under Juvenile Justice (Care and Protection of children), Act are being violated with impunity by law enforcing agency. At the first instance it is submitted that the averments reflected in petition are based upon hearsay and haphazard media reports, without any specific evidences/ detailed assertions regarding the factual matrix wherever such assertion/ incidences have been reported. The instances as quoted and claimed by the petitioners regarding arrest / detaining of children in different areas of Kashmir Zone cannot be independently verified or confirmed given the consideration of the facts reflected in the petition. The answering respondent is also not aware of any of these transgressions which the petitioners have submitted in the petition.

The petitioners have painted a very grim picture for the purpose of effect only. The ground situation as is prevailing since past more than one month due to historical decision taken by the Union Government bearing on the constitutional relationship between the State

of Jammu and Kashmir and Union of India is not a routine one passing of innocuously without ruffling feathers of the vested interests who provoke the public and vulnerable children to take law in their own hands and indulge in agitation by whipping up passion of the people. It is to submit that the children being prone to such malicious propaganda without understanding the consequences of indulging in violent activities are being used as shield by some vested interests.

Ever since the historic decision regarding abrogation of Article 370 was taken, it was necessitated to take immediate preventive measures in order to protect life and property of the people and avoid any problem that could breach the peace and public tranquillity, same was strictly taken in consonance with the law of the land. However, in connection with children whosoever was found in conflict with law, same was strictly dealt in accordance the provisions of the Juvenile Justice (Care and Protection of Children) Act and strict directions have been provided from time to time to deal with the children strictly in accordance with the provisions of the relevant Act. The averments hence surfaced in the petition have been wrongly reflected in the petition and stand devoid of merits.

It is pertinent to state that no child has been kept or taken into illegal detention by the Police authorities as strict adherence is placed on the provisions of Juvenile Justice (Care and Protection of Children) Act. The state has appointed an officer of the rank of ADGP as nodal officer for implementation of the Act. At District level an officer has been nominated for the purpose and it has been ensured that at every Police station level a juvenile police officer has been designated. As and when any report in respect of a juvenile in conflict with law is received, the said juvenile is dealt strictly as per the prescribed law on the subject.

In light of the above quoted writ petition, the allegations/averments reflected in the petition were got verified from respective districts on the strength of which the below mentioned reply is submitted.

1. The specific allegations made in the petition have not been corroborated from the information received from the field formations. The individual case where it is alleged that in violation of law the juveniles have been picked up by the police and lodged in the police lockups have been found not factually true. It is nothing but facts having being imagined from thin air submitted before this Hon'ble court.
2. The reported incident of an 11 year old from Pampore having been detained is not factually correct. The authenticity of the reportage is quite doubtful. It seems that this report has been generated with the intention to malign the police and to create the story which may have element of sensationalism.
3. The incident alleged to have happened in Soura Srinagar, upon enquiry was also found to be without basis. The area falling under police station Soura had witnessed substantial disturbance in which even minors were found to be involved. However, nothing of the sort as alleged had taken place. The report carried out by Washington Post does not indicate the source which has quoted this incident so as to check the veracity of this information. So far the report submitted in this regard does not substantiate the alleged facts of the incident reported in the petition.
4. The third incident quoted in the petition titled "Night Fill us with Dread" reported from Baramulla carried by "The Quint" dated 26-08-2019 appears to have been solely based on fictional imagination. A report received from concerned district has denied that such an incident has taken place. It appears very strange that International Print Media and online news portals could carry this false report but not the local media.
5. Mehjoor Nagar Incident:- On 22-08-2019 P/S Rajbagh picked up two individuals namely Muhammad Younis Rah and Shabir Ahmad Rah Sons of Ali Muhammad Rah R/O Mehjoor Nagar Srinagar who were involved in case FIR NO. 80/2019 U/S 147,148,336,427,341 RPC of P/S Rajbagh. The two boys were found to be involved in stone pelting and after proper counselling by the SHO, they were handed over to their parents on the same day.
6. Umarhair incident Momin and Omar:- The incident reported in the TRT World on 29th August 2019 which is alleged to have

happened in Umarhair is again not corroborated by the field report sought in this connection as such accordingly denied. .

7. The report carried by Washington Post on 30th August 2019 about two boys namely Farhan and Junaid is again based on wrong reporting and has not provided the specifics of the alleged incident. It is difficult, almost impossible to enquire and seek report in an alleged incident like this.
8. The incident reported in Scroll is again on 28th August 2019 is on the face of itself negating one. Not even a wee-bit of credibility is inspired by it. The report suggests as if police is a predator on a prowl because it defies common sense that if a boy is on his way to hospital with tea and food carried by him, that he would be arrested and put behind the bars. This is nothing but an attempt to demoralise the police.
9. Regarding the arrest of 12 year old boy at Eidgah on 17th August 2019, it is empathetically denied that such an arrest was made. It happens often that when minor / juveniles indulge in stone pelting that they are momentarily held up on the spot and sent home. Some of these incidents are exaggerated beyond proportions and inimical elements often give flight to their febrile imagination.
10. The report carried by Washington Post on 30th August 2019 about a 17 year boy Danish having been whisked away after policemen jumped over the wall is again lacking details, therefore the police is handicapped in responding to it in an effective manner. Since, essential facts have not been given for the police to respond to it, hence it cannot be responded effectively.
11. The news item carried by the Magazine Caravan on 16th August 2019 seems highly improbable because the report itself states that one CRPF personnel was talking to the uncle of the injured girl and in the meanwhile another CRPF personnel catapulted a stone which hit the girl in her eye causing injuries to her. It appears to be against the common sense because the stone could well have hit the CRPF Jawan talking to the uncle of injured girl. The most probable explanation for the injury is that the girl was hit by a stone thrown by some stone pelters, if at all such injury had occurred.
12. Asif Muhammad:- As per field verification conducted, no such report has surfaced or based on facts. The news reported in

Washington Post on 9th August 2019 is obviously false and baseless.

13. *Osaib Altaf:- The incident as reported has been found to be baseless as no such death has been reported to the police authorities as per verification report received from the field formations.*
14. *With respect of the assertions reflected in the petition regarding making of arrests in Pulwama, Pampore, Tral, Awantipora and Khrew, it is to submit that the averments reflected in the petition are vehemently denied. It is only one juvenile in conflict with law namely Burhan-Ud-Din Hilal S/O Hilal Ahmad Bhat R/O Gulzarpora Awantipora who was apprehended on 09-08-2019 owing to his involvement in case FIR No. 106/2019 U/S 147,148,332,336,341,427 RPC of P/S Awantipora. The provisions of section 11 of JJ Act have been complied with in letter and spirit. The juvenile was apprehended in his own interest as it was apprehended that the said juvenile would fall in the company of violent mob and exposing himself to moral, physical and psychological danger. The said juvenile in conflict with law was immediately handed over to his parents on the same day. No large scale picking up of minors in the jurisdiction of above places was made and the allegations are purely concocted and motivated.*

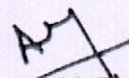
It is to further submit that averments made in the petition are totally baseless, fallacious and offer only a biased version based on media reports that have no evidentiary value. The State machinery has been constantly upholding the rule of law and not a single juvenile in conflict with law has been illegally detained. The procedure as envisaged under Juvenile Justice (Care and Protection of Children) Act is being followed in letter and spirit. If at all the juvenile in conflict with law has been subject to custody, the same has been placed in observation home under the orders of respective Juvenile Justice Board. The said observation homes offer temporary accommodation for the juveniles in conflict with law which also act as reformatories where conducive atmosphere for their counselling and rehabilitation is in place. There have been cases wherein it is established by the investigating agencies that certain juveniles in conflict with law are involved in stone pelting,

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rioting and causing damage to the public and private property, it is only the procedure prescribed under the law that is being followed in such cases and clear instructions to that effect have been issued to subordinate police formations. The Child Welfare Committees are effectively working in the State and the petition is only an exaggeration to settle some political score and to demoralize the State action which has only been within the perimeters of law.

Further the details of Juveniles apprehended under different provisions of law since 05-08-2019 in the State is annexed as Annexure A for kind perusal and appropriate course of action.

Yours faithfully


(A.K. Chowdhary) - IPS,
ADGP (Cord.) PHQ.

For Director General of Police,
PHQ J&K Srinagar.

ANNEXURE-A

JUVENILES ARRESTED SINCE 05-08-2019 TO TILL DATE.

Sr NO	POLICE STATION OF DISTRICT SRINAGAR	FULL PARTICULARS	AGE	NATURE OF ARREST		DATE OF ARREST MENTIONING PLACE OF LODGEMENT DURING PERIOD OF ARREST	DATE OF RELEASE	STATUS OF JUVENILE ACCUSED			PRESENT PLACE OF LODGEMENT
				FIR	PREV.			POLICE	JUDICIAL	PSA	
1	NISHAT	Irshad Nabi Bhat S/O Ghulam Nabi Bhat R/O Pati Brein	17		107,151 Cr.PC	18-08-2019 P/S Nishat	Released on 18-08-2019	--	--	--	Released
2	HARWAN	Dawood Ahmad Fomda S/O Gulzar Ahmad R/O Fakir Gojri	15	--	107, Cr.PC	20-08-2019, P/S Harwan	Released 20-08-2019	--	--	--	Released
3	M.R GUNJ	Saliq Jan S/o Feroz Ahmad Sofi R/o Solina Srinagar	17	46/2019 U/S 307,148,149,336 RPC	-	21/09/2019	-	-	JUDICIAL	-	Juvenile Home
4	M.R GUNJ	Basit Sidique S/o Mohammad Sidique R/o Rainawari	17	46/2019 U/S 307,148,149,336 RPC	-	21/09/2019	-	-	JUDICIAL	-	Juvenile Home
5	SAFAKADAL	Muveed Ahmad Baba s/o Shabir Ahmad R/o Firdous Colony Eidgah	16	123/2019 U/S 336,332 RPC	-	03-09-2019, Juvenile Home	Released on 12-09-2019 from Juvenile Home	-	-	-	Released
6	BATAMALOO	Ayan Tariq S/O Tariq Ahmad Sheikh R/O Lane 9 Sector A Firdous Abad Batamaloo	17	70/2019 U/S 147,336,332,341 RPC of P/S Batamaloo	-	20-08-2019 P/S. BATAMALLO	20/08/2019	-	-	-	Released
7	BATAMALOO	Burhan Ashraf Dar S/O Mohd Ashraf R/O Tengpora Byepass	16	70/2019 U/S 147,336,332,341 RPC of P/S Batamaloo	-	15-08-2019 P/S. BATAMALLO	15/08/2019	-	-	-	Released
8	BATAMALOO	Farhan Khan S/O Faisal Ahmad R/O Bazar Batamaloo	17	70/2019 U/S 147,336,332,341 RPC of P/S Batamaloo	-	10-08-2019 P/S. BATAMALLO	10/08/2019	-	-	-	Released
9	BATAMALOO	Mehrab Showkat S/O Showkat Ahmad Malla R/O New Colony Batamaloo	17	70/2019 U/S 147,336,332,341 RPC of P/S Batamaloo	-	10-08-2019 P/S. BATAMALLO	10/08/2019	-	-	-	Released

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10	BATAMALOO	Mohsin Feroz S/O Feroz Ahmad Rah R/O Salfiya Colony Batamaloo	17	72/2019 U/S 147,336,332,341, 427 RPC of P/S Batamaloo	-	06-08-2019 P/S. BATAMALLO	06/08/2019	-	-	-	Released
11	BATAMALOO	Sahil Gani Gilkar S/O Abdul Gani R/O Danderkhah Batamaloo	17	72/2019 U/S 147,336,332,341, 427 RPC of P/S Batamaloo	-	06-08-2019 P/S. BATAMALLO	06/08/2019	-	-	-	Released
12	BATAMALOO	Sameer Ahmad Haroon S/O Mohammad Ibrahim R/O SD Colony	17	72/2019 U/S 147,336,332,341, 427 RPC of P/S Batamaloo	-	06-08-2019 P/S. BATAMALLO	06/08/2019	-	-	-	Released
13	BATAMALOO	Samit S/O Late Raj Pal R/O Khargoda Meerat UP	17	72/2019 U/S 147,336,332,341, 427 RPC of P/S Batamaloo	-	08-08-2019 P/S. BATAMALLO	08/08/2019	-	-	-	Released
14	BATAMALOO	Zahid Ahmad Sheikh S/O Farooq Ahmad R/O SD Colony Batamaloo	17	72/2019 U/S 147,336,332,341, 427 RPC of P/S Batamaloo	-	06-08-2019 P/S. BATAMALLO	06/08/2019	-	-	-	Released
15	BATAMALOO	Saqib Ahmad Bhat S/O Fayaz Ahmad Bhat R/o SD Colony Batamaloo	11	-	107 CrPC	05-08-2019 P/S. BATAMALLO	05/08/2019	-	-	-	Released
16	BATAMALOO	Sahil Ahmad Sheikh S/O Zahoor Ahmad R/O Baranpathar Batamaloo	9	-	107 CrPC	07-08-2019 P/S. BATAMALLO	07/08/2019	-	-	-	Released
17	BATAMALOO	Wasif Ahmad Bhat S/O Tariq Ahmad R/O SD Colony Batamaloo	11	-	107 CrPC	07-08-2019 P/S. BATAMALLO	07/08/2019	-	-	-	Released
18	BATAMALOO	Uzair Showkat Dar S/O Showkat Ahmad Dar R/O Lane No.17 Firdous Abad Batamaloo	13	-	107 CrPC	24-08-2019 P/S. BATAMALLO	24/08/2019	-	-	-	Released
19	BATAMALOO	Burhan Bashir Bhat @ Saqib S/O Abdul Rashid Bhat R/O Bazar Batamaloo	13	-	107 CrPC	08-09-2019 P/S. BATAMALLO	08/09/2019	-	-	-	Released
20	BATAMALOO	Asif Ashraf Khan S/O Mohd Ashraf R/O Chachinaar Aaloosa Bandipora A/P Dhobi Masjid Batamaloo	13	-	107 CrPC	08-09-2019 P/S. BATAMALLO	08/09/2019	-	-	-	Released

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21	KARAN NAGAR	Arif Ahmad Khan S/O Mohd Ramzan Khan R/O Nowa Kadal Sgr.	16	-	107 CrPC	12-09-2019 P/S. KARAN NAGAR	12/09/2019	-	-	-	Released
22	KARAN NAGAR	Ayain Rafiq Wani S/o Mohd Rafaiq S/O Chattabal	17	-	107,151 CrPC	03-09-2019 P/S. KARAN NAGAR	03/09/2019	-	-	-	Released
23	KARAN NAGAR	Burhan Bashir Gojri S/O Bashir Ahmad Gojri R/O Chattabal	16	-	107 CrPC	04-09-2019 P/S. KARAN NAGAR	04/09/2019	-	-	-	Released
24	KARAN NAGAR	Faizan Maqbool Gojri S/O Mohd Maqbool R/O Choto Bazar Sgr.	17	-	107 CrPC	04-09-2019 P/S. KARAN NAGAR	04/09/2019	-	-	-	Released
25	KARAN NAGAR	Fardeen Shabir Dar S/O Shabir Ahmad Dar R/O Chattabal	17	-	107,151 CrPC	03-09-2019 P/S. KARAN NAGAR	03/09/2019	-	-	-	Released
26	KARAN NAGAR	Musaib Farooq S/O Farooq Ahmad R/O Zampa Kadal	17	-	107 CrPC	10-08-2019 P/S. KARAN NAGAR	10/08/2019	-	-	-	Released
27	KARAN NAGAR	Talib Reyaz Khan S/O Reyaz Ahmad R/O Rajbagh Sgr.	16	-	107 CrPC	16-09-2019 P/S. KARAN NAGAR	16/09/2019	-	-	-	Released
28	SHAHEED GUNJ	Mubashir Mushtaq Bhat S/O Mushtaq Ahmad R/O Batamaloo	17	-	107 CrPC	08-09-2019 P/S. SHAHEED GUNJ	08/09/2019	-	-	-	Released
29	SHAHEED GUNJ	Ribass Mehraj S/O Mehraj-UD-Din Pathan R/O Tankopora	14	-	107,151 CrPC	18-08-2019 P/S. SHAHEED GUNJ	18/08/2019	-	-	-	Released
30	SHAHEED GUNJ	Zaid Bashir S/O Bashir Ahmad Shah R/O Kani Kadal	16	-	107,151 CrPC	05-09-2019 P/S. SHAHEED GUNJ	05/09/2019	-	-	-	Released
31	SHAHEED GUNJ	Jalib Jan Bhat S/O John Mohd Bhat R/O Shaheed Gunj	16	-	107 CrPC	27-08-2019 P/S. SHAHEED GUNJ	27/08/2019	-	-	-	Released
32	SHAHEED GUNJ	Jameel Shakeel Khan S/O Shakeel Ahmad R/O Bandipora A/P Habba Kadal	13	-	107 CrPC	15-09-2019 P/S. SHAHEED GUNJ	15/09/2019	-	-	-	Released
33	SADDER	Amir Bhat S/O Mohd Ashraf Bhat R/O Mehjoor Nagar	16	-	107 CrPC	30-08-2019 P/S. SADDER	30/08/2019	-	-	-	Released
34	SADDER	Sahil Ahmad Dar S/O Ab Ahad Dar R/O Muchwa	14	-	107 CrPC	18-08-2019 P/S. SADDER	18/08/2019	-	-	-	Released
35	SADDER	Mohd Saifullah S/O Shameem Ahmad R/O Irfan Colony, Natipora	17	-	107 CrPC	23-08-2019 P/S. SADDER	23/08/2019	-	-	-	Released

36	SADDER	Saifullah S/O Shameem Ahmad Khusoo R/O Natipora	17	-	107 CrPC	25-08-2019 P/S.SADDER	25/08/2019	-	-	-	Released
37	SADDER	Armanul Haq Shah S/O Fayaz Ahmad Shah R/O Rambagh	15	-	107 CrPC	27-08-2019 P/S.SADDER	27/08/2019	-	-	-	Released
38	SADDER	Umar Imtayaz Bhat S/O Imtiyaz Ahmad Bhat R/O Rambagh	16	-	107 CrPC	27-08-2019 P/S.SADDER	27/08/2019	-	-	-	Released
39	SADDER	Fahad Ahmad Sheikh S/O Mehraj-U-Din R/O Azad Bastr Natipora	14	-	107 CrPC	30-08-2019 P/S.SADDER	30/08/2019	-	-	-	Released
40	SADDER	Hamzah Shah S/O Ab Majeed Shah R/O Bagi Pora Natipora	16	-	107 CrPC	30-08-2019 P/S.SADDER	30/08/2019	-	-	-	Released
41	SADDER	Sahaib Mushtaq S/O Mushtaq Ahmad R/O Kralpora	16	-	107 CrPC	03-09-2019 P/S.SADDER	03/09/2019	-	-	-	Released
42	SADDER	Aylan Altaf Bhat S/O Altaf Ahmad Bhat R/O Batapora	13	-	107 CrPC	04-09-2019 P/S.SADDER	04/09/2019	-	-	-	Released
43	SADDER	Aadil Ayoub Ganie S/O Mohd Ayoub Ganie R/O Methan	17	-	107 CrPC	04-09-2019 P/S.SADDER	04/09/2019	-	-	-	Released
44	SADDER	Mudasir Shafi Mir S/O Mohd Shafi R/o Mehjoor Nagar	14	-	107 CrPC	04-09-2019 P/S.SADDER	04/09/2019	-	-	-	Released
45	SADDER	Faisal Kurheed Ahangar S/O Kurbseed Ahmad R/O Natipora	12	-	107 CrPC	05-09-2019 P/S.SADDER	05/09/2019	-	-	-	Released
46	SADDER	Faizan Rafia Khan S/O Mohd Rafia R/O Natipora	14	-	107 CrPC	05-09-2019 P/S.SADDER	05/09/2019	-	-	-	Released
47	SADDER	Musa Manzoor Ganie S/O Manzoor Ahmad R/O Mehtan Chanapora	14	-	107 CrPC	08-09-2019 P/S.SADDER	08/09/2019	-	-	-	Released
48	SADDER	Musaib Hussan Khan S/O Gh Hassan R/o Pamposh Colony Chanapora	17	-	107 CrPC	08-09-2019 P/S.SADDER	08/09/2019	-	-	-	Released
49	SADDER	Yasir Ahmad Ganie S/O Ab Hamid Ganie R/O Mehtan Chanapora	14	-	107 CrPC	08-09-2019 P/S.SADDER	08/09/2019	-	-	-	Released

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50	SADDER	Sajad Manzoor S/O Manzoor Ahmad R/O Chanapora	17	-	107 CrPC	08-09-2019 P/S.SADDER	08/09/2019	-	-	-	Released
51	SADDER	Suhaib Ahmad Wani S/O Ab. Hameed Wani R/o Rangreth	16	-	107 CrPC	22-08-2019 P/S.SADDER	22/08/2019	-	-	-	Released
52	SADDER	Faizan Ayoub Tantray S/O Mohd Ayoub R/O Rangreth	14	-	107 CrPC	05-09-2019 P/S.SADDER	05/09/2019	-	-	-	Released
53	SADDER	Fayazan Shoib Bhat S/O Gh Ahmad Bhat R/O Pampore Kadiabai	16	-	107 CrPC	31-08-2019 P/S.SADDER	31/08/2019	-	-	-	Released
54	RAJBAGH	Momin Gulzar Bhat S/O Gulzar Ahmad R/O Kursoo Rajbagh	17	-	107 CrPC	18-08-2019 P/S.RAJBAGH	18/08/2019	-	-	-	Released
55	RAJBAGH	Mosin Bhat S/O Fayaz Ahmad Bhat R/O Padshibagh	15	-	107 CrPC	20-08-2019 P/S.RAJBAGH	20/08/2019	-	-	-	Released
56	RAJBAGH	Zahid Ahmad Laway S/O Fayaz Ahmad R/O Mehjoor Nagar	15	-	107 CrPC	20-08-2019 P/S.RAJBAGH	20/08/2019	-	-	-	Released
57	RAJBAGH	Younis Rah S/O Ali Mohd Rah R/O Mehjoor Nagar	16	-	107 CrPC	20-08-2019 P/S.RAJBAGH	20/08/2019	-	-	-	Released
58	RAJBAGH	Zahid Ahmad Dar S/O Manzoor Ahmad Dar R/O Azad Basti Natipora	17	-	107 CrPC	22-08-2019 P/S.RAJBAGH	22/08/2019	-	-	-	Released
59	RAJBAGH	Mushtaq Ahmad S/O Ab Aziz Garoo R/O Mehjoor Nagar	15	-	107 CrPC	22-08-2019 P/S.RAJBAGH	22/08/2019	-	-	-	Released
60	RAJBAGH	Tahir Nazir Bhat S/O Nazir Ameen Bhat R/O Iqbal Colony Mehjoor Nagar	17	-	107 CrPC	24-08-2019 P/S.RAJBAGH	24/08/2019	-	-	-	Released
61	RAJBAGH	Mohd Younis Gassi S/O Gh Qadir Gassi R/O Mehjoor Nagar	16	-	107 CrPC	24-08-2019 P/S.RAJBAGH	24/08/2019	-	-	-	Released
62	RAJBAGH	Adnan Reyaz S/O Reyaz Ahmad Dar R/O Kursoo Rajbagh	14	-	107 CrPC	26-08-2019 P/S.RAJBAGH	26/08/2019	-	-	-	Released
63	RAJBAGH	Usman Fayaz Wani S/O Fayaz Ahmad Wani R/O Mehjoor Nagar	16	-	107 CrPC	01-09-2019 P/S.RAJBAGH	01/09/2019	-	-	-	Released

64	SOURA	Adnan Farooq Khan S/o Farooq Ahmad Khan R/o Ellahiebagh Soura	15	65/2019 U/S 147, 148, 149, 336, 427, 307 RPC	-	08-08-2019,	08/08/2019	-	-	-	Released
65	SOURA	Amir Niyaz Dar S/o Niyaz Ahmad Dar R/o Kokerbagh Zoonimar	17	65/2019 U/S 147, 148, 149, 336, 427, 307 RPC & 66/2019 147, 148, 336, 427,	-	10-08-2019 P/S.SOURA	10/08/2019	-	-	-	Released
66	SOURA	Momin Ahmad Dar S/o Manzoor Ahmad Dar R/o Umerhari Buchpora	16	68/2019 U/S 147, 148, 149, 336, RPC	-	06-09-2019 P/S.SOURA	06/09/2019	-	-	-	Released
67	SOURA	Nasir Ahmad Dar S/o Mohammad Ramzan R/o Dugpora Soura	13		107, 151 CrPC	09-08-2019 P/S.SOURA	09/08/2019	-	-	-	Released
68	NIGEEN	Mohammad Hussain Akhoon S/o Mohammad Shafi R/o Ashie Bagh	14		107 CrPC	08-08-2019 P/S.NIGEEN	08/08/2019	-	-	-	Released
69	SOURA	Farhan Nazir S/o Nazir Ahmad Dar R/o Dagpora Soura	14		107, 151 CrPC	09-08-2019 P/S.SOURA	09/08/2019	-	-	-	Released
70	SOURA	Jibran Majeed Bhat S/o Abdul Majeed R/o Hyderpora Bypass	14		107 CrPC	02-09-2019 P/S.SOURA	02/09/2019	-	-	-	Released
71	SOURA	Faheem Anjum Khan S/o Mohammad Anjum R/o budshah nagar	14		107 CrPC	02-09-2019 P/S.SOURA	02/09/2019	-	-	-	Released
72	LALBAZAR	Aqib Shah S/o Mohammad Younis Shah R/o New Colony Lalbazar	15		107, 151 CrPC	08-08-2019 P/S.LALBAZAR	08/08/2019	-	-	-	Released
73	LALBAZAR	Tabish Jan S/o Jan Mohammad R/o New Colony Lalbazar	15		107, 151 CrPC	08-08-2019 P/S.LALBAZAR	08/08/2019	-	-	-	Released
74	SOURA	Fardeen Ahmad Bilali s/o Bilal Ahmad Zargar R/o Bilal Colony Soura A/p Natipora	15		107 CrPC	02-09-2019 P/S SOURA	02/09/2019	-	-	-	Released
75	SOURA	Momin Lateef Wani S/o Mohammad Lateef R/o Dar Mohalla Zoonimar Soura	15		107 CrPC	13-09-2019 P/S SOURA	13/09/2019	-	-	-	Released
76	NIGEEN	Zahid Ahmad Bango S/o Ghulam Qadir Bango R/o Habak Shanpora	16		107, 151 CrPC	07-08-2019 P/S NIGEEN	07/08/2019	-	-	-	Released

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77	LALBAZAR	Kushnama Zargar S/o Shafat Ahmad R/o New Colony lalbazar	16		107, 151 CrPC	09-08-2019 P/S LALBAZAR	09/08/2019	-	-	-	Released
78	LALBAZAR	arsalan Bashir S/o Bashir Ahmad R/o New Colony Lalbazar	16		107, 151 CrPC	09-08-2019 P/S LALBAZAR	09/08/2019	-	-	-	Released
79	LALBAZAR	Naqib Nazar Bhat S/o Nazir Ahmad Bhat R/o Umer Colony lalbazar	16		107, 151 CrPC	06-08-2019 P/S LALBAZAR	06/08/2019	-	-	-	Released
80	ZAKURA	Faizan Ahmad Mir S/o Mushtaq Ahmad R/o Gasoo	16		107 CrPC	22-08-2019 P/S ZAKURA	22/08/2019	-	-	-	Released
81	SOURA	Towheed Farooq Gudoo S/o Farooq Ahmad	16		107 CrPC	05-08-2019 P/S SOURA	05/08/2019	-	-	-	Released
82	NIGEEN	Abdul Manan S/o Mukhtar Ahmad Shah r/o Illahibagh	17		107 CrPC	16-08-2019 P/S NIGEEN	16/08/2019	-	-	-	Released
83	SOURA	Shahnawaz Ahmad Bhat S/o Bashir Ahmad R/o Mandibal	17		107 CrPC	17-08-2019 P/S SOURA	17/08/2019	-	-	-	Released
84	NIGEEN	Murtaza Bashir S/o Gulzar Ahmad Bhat R/o Nowshera	17		107 CrPC	29-08-2019 P/S NIGEEN	29/08/2019	-	-	-	Released
85	PARIMPORA	Afridi Ayoub S/o Mohammad Ayoub Mir R/o Panzinara	15	82/2019 U/S 147,148,336,341, 427 RPC	-	22-09-2019 P/S PARIMPORA	22/09/2019	-	-	-	Released
86	PARIMPORA	Basit Ahmad Baba s/o Mohammad Yousuf r/o Barthana	16	-	107 CrPC	08-08-2019 P/S PARIMPORA	08/08/2019	-	-	-	Released
87	PARIMPORA	Shahnwaz Ahmad Charhanji S/o Ali Mohammad R/o Boatman Colony	15		107 CrPC	09-08-2019 P/S PARIMPORA	09/08/2019	-	-	-	Released
88	PARIMPORA	Bilal Ahmad Khan S/o Mohammad Rafiq R/o Mansoor Colony	15		107 CrPC	09-08-2019 P/S PARIMPORA	09/08/2019	-	-	-	Released
89	PARIMPORA	Sameer Ahmad Lango S/o Manzoor Ahmad r/o Firdous Colony Bemina	15		107 CrPC	10-08-2019 P/S PARIMPORA	10/08/2019	-	-	-	Released
90	PARIMPORA	Danish Ahmad Khan S/o Abdul Rashid Khan R/o Mansoor Colony Bemina	16		107 CrPC	10-08-2019 P/S PARIMPORA	10/08/2019	-	-	-	Released

91	PARIMPORA	Javid Ahmad Gasi S/o Ghulam Mohammad R/o Shalteng	16		107 CrPC	12-08-2019 P/S PARIMPORA	12/08/2019	-	-	-	Released
92	PARIMPORA	Tawseef Ahmad Sheikh S/o Shahjahan R/o Chattabal	16		107 CrPC	13-08-2019 P/S PARIMPORA	13/08/2019	-	-	-	Released
93	PARIMPORA	Sahrab Ahmad Mir S/o Abdul Ahad Mir R/o Barthana	17		107 CrPC	17-08-2019 P/S PARIMPORA	17/08/2019	-	-	-	Released
94	PARIMPORA	Adil Mushtaq S/o Mushtaq Ahmad R/o Lasjan	14		107 CrPC	20-08-2019 P/S PARIMPORA	20/08/2019	-	-	-	Released
95	PARIMPORA	Rayees Ahmad Bhat S/o Abdul Khaliq r/o Panzinara	17		107 CrPC	21-08-2019 P/S PARIMPORA	21/08/2019	-	-	-	Released
96	PARIMPORA	Faisal Mehraj handoo S/o mehraj Ud Din handoo R/o Khawaja Bagh Maloora	17		107 CrPC	21-08-2019 P/S PARIMPORA	21/08/2019	-	-	-	Released
97	PARIMPORA	Adil Ahmad Khanday S/o Mehraj Ud Din Khanday R/o Purarteng	15		107 CrPC	23-08-2019 P/S PARIMPORA	23/08/2019	-	-	-	Released
98	PARIMPORA	Irfan ahmad Malik S/o Zahoor Ahmad Malik R/o Panzinara	16		107 CrPC	24-08-2019 P/S PARIMPORA	24/08/2019	-	-	-	Released
99	PARIMPORA	Suhail Ahmad Daga s/o John Mohammad Dagga R/o Mansoor colony Bemina	16		107 CrPC	12-09-2019 P/S PARIMPORA	12/09/2019	-	-	-	Released

(34)

S.No.	District	Full Particulars	Age in years	Nature of arrest	Date of arrest , mentioning place of lodgement during the period of arrest	Date of release	Status of Juvenile accused	Present place of lodgement
100	Budgam	Furkan Farooq Ganie S/O Farooq Ahmad Ganie R/O Beerwah	17	FIR	18/08/2019, in case FIR No.136/2019 U/S 148, 149, 353, 342, 341, 336, 188 RPC of Police Station Beerwah	18/08/2019	-	
101	Budgam	Faisal Shafi Waza s/O Mohd Shafi Waza R/O Beerwh	16	FIR	17/08/2019, in case FIR No.136/2019 U/S 148, 149, 353, 342, 341, 336, 188 RPC of Police Station Beerwah	17/08/2019	-	
102	Budgam	Usman Mehraj Waza S/O Mehraj Waza R/O Beerwah	14	FIR	17/08/2019, in case FIR No.136/2019 U/S 148, 149, 353, 342, 341, 336, 188 RPC of Police Station Beerwah	17/08/2019	-	
103	Budgam	Umar Ahmad S/O Ab. Ahad Dar R/O Narwar Beerwah	16	FIR	21/08/2019, in case FIR No.136/2019 U/S 148, 149, 353, 342, 341, 336, 188 RPC of Police Station Beerwah	21/08/2019	-	
104	Budgam	Nadeem Ahmad Mir S/O Bashir Ahmad R/O Kandroo	16	FIR	23/08/2019, in case FIR No.136/2019 U/S 148, 149, 353, 342, 341, 336, 188 RPC of Police Station Beerwah	23/08/2019	-	
105	Budgam	Tanveer Ahmad Sheikh S/O Manzoor Ahmad R/O Galwanpora	16	Preventive	26-08-2019 (Juvenile Home Harwan)	31/08/2019	-	
106	Budgam	Mehraj Ahmad Tantray S/O Ghulam Nabi R/O Gariend Khurd	15	Preventive	26-08-2019 (Juvenile Home Harwan)	31/08/2019	-	
107	Budgam	Hamid Bashir Paul S/O Bashir Ahmad Paul R/O Pymus	14	Preventive	26-08-2019 (Juvenile Home Harwan)	29/08/2019	-	
108	Budgam	Ishfaq Ahmad Ganie S/O ab Aziz Ganie R/O Pymus	13	Preventive	26-08-2019 (Juvenile Home Harwan)	31/08/2019	-	

S.No.	District	Full Particulars	Age in years	Nature of arrest	Date of arrest, mentioning place of lodgement during the period of arrest	Date of release	Status of Juvenile accused	Present place of lodgement
109	Budgam	Riyaz Ahmad Dar S/O Abdul Ahad Dar R/O Dafpora	17	FIR	23/08/2019, in case FIR No.250/2019 U/S 147, 148, 149, 188, 332, 307, 336 RPC of Police Station Budgam	23/08/2019	-	
110	Budgam	Faisal Bilal S/O Bilal Ahmad Khan R/O Kawoosa Khalisa	16	FIR	15-08-2019, in case FIR No113/2019 U/S 147, 148, 149, 188, 332, 307, 336 RPC of Police Station Magam (Juvenile Home Harwan)	19/08/2019	-	
111	Budgam	Adil Ahmad Mir S/O Ab Rashid Mir R/O Kawoos Khalisa	17	FIR	15-08-2019, in case FIR No113/2019 U/S 147, 148, 149, 188, 332, 307, 336 RPC of Police Station Magam (Juvenile Home Harwan)	19/08/2019	-	
112	Budgam	Musaib@Shahid S/O Riyaz Ahmad Mir R/O Kawosa	16	FIR	15-08-2019, in case FIR No133/2019 U/S 147, 148, 149, 188, 332, 307, 336 RPC of Police Station Magam (Juvenile Home Harwan)	19/08/2019	-	
113	Budgam	Amir Altaf Sheikh S/O Altaf Ahmad Sheikh R/O Kawosa Khalisa		FIR	16-08-2019, in case FIR No133/2019 U/S 147, 148, 149, 188, 332, 307, 336 RPC of Police Station Magam	16/08/2019	-	
114	Ganderbal	Sajad Ahmad Santra S/O Jaleel Ahmad Santra S/O Kunmulla Kangan	15	FIR	08-08-2019, in case FIR No. 49/2019 U/S 147, 148, 149, 336, 341 RPC of Police Station Kangan	08/08/2019	-	
115	Kulgam	Zahid Ahmad Lone S/O Gh Mohd R/O Yaroo	14	Preventive	07/08/2019	07/08/2019	-	
116	Kulgam	Ubaid Ahmad Bhat S/O Late Bashir Ahmad Bhat	16	FIR	19-08-2019, in case FIR No. 103/2016 and 104/2016 of P/S D.H.Pora (Juvenile Home Harwan Srinagar)	05/09/2019		

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S.No.	District	Full Particulars	Age in years	Nature of arrest	Date of arrest, mentioning place of lodgement during the period of arrest	Date of release	Status of Juvenile accused	Present place of lodgement
117	Kulgam	Ubaid Ahmad Mir S/O Gh Ahmad Mir R/O Nagam	17	FIR	07/08/2019	07/08/2019		
118	Kulgam	Owais Ahmad Thoker S/O Manzoor Ahmad Thoker R/O K.B Pora	16	FIR	18/08/2019 in case FIR No. 37/2019 of Police Station D.H.Pora (Juvenile Home Harwan Srinagar)	11/09/2019		
119	Kulgam	Obaid Ahmad Rah S/O Nishat Ahmad R/O Surdona	16	FIR	11-09-2019 in case FIR No. 49/2019 of Police Station Qaimoh (Juvenile Home Harwan Srinagar)	15/09/2019		
120	Kulgam	Mujeeb-UI-Rahman S/O Ab Rehman R/O Sursona	13	FIR	11-09-2019 in case FIR No. 49/2019 of Police Station Qaimoh (Juvenile Home Harwan Srinagar)	15/09/2019		
121	Kulgam	Mohd Umar Baht S/O Bashir ahmad R/O Sursona	15	FIR	11-09-2019 in case FIR No. 49/2019 of Police Station Qaimoh (Juvenile Home Harwan Srinagar)	15/09/2019		
122	Kulgam	Waheed Ahmad Khanday S/O Ab Hamid R/O Sursona	12	FIR	11-09-2019 in case FIR No. 49/2019 of Police Station Qaimoh (Juvenile Home Harwan Srinagar)	15/09/2019		
123	Pulwama	Saqib Ahmad Bhat S/O Gh Nabi Bhat R/O Naina	17	Preventive	19-08-2019 P/S Litter.	19/08/2019		
124	Pulwama	Aqib Ahmad Dar S/O Gh Qadir R/O Naina	18	Preventive	19-08-2019 P/S Litter.	19/08/2019		

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S.No.	District	Full Particulars	Age in years	Nature of arrest	Date of arrest, mentioning place of lodgement during the period of arrest	Date of release	Status of Juvenile accused	Present place of lodgement
125	Pulwama	Faizan Ahmad Ganie S/O Mohammad Ayoub R/O Laroo	Below 18 years has not produced any certificate	FIR	05-09-2019 in case FIR No. 169/2019 U/S 148, 149, 336, 341 RPC	05/09/2019		
126	Pulwama	Ishfaq Gani Dar S/O Ab Gani Dar R/O Laroo	15	FIR	05-09-2019 in case FIR No. 169/2019 U/S 148, 149, 336, 341 RPC	05/09/2019		
127	Pulwama	Sajad Ahmad Dar S/O Gh Mohidin R/O Laroo	16	FIR	05-09-2019 in case FIR No. 169/2019 U/S 148, 149, 336, 341 RPC	05/09/2019		
128	Shopian	Sameer ahma Najjar S/O Abdul Hameed Najjar R/O Sindoo Shirmal	14	FIR	02-09-2019 in case FIR No. 53/2019 U/s 147, 148, 149, 336, 353, 307 RPC of Police Station Shopian (Juvenile Home Harwan Srinagar)	19/09/2019		
129	Awantipora	Burhan-Din Hilal S/O Hilal Ahmad S/O Gulzarpora	16	Preventive	09/08/2019	09/08/2019		
130	Sopore	Mohsin Ashraf Mir S/O Mohammad Ashraf Mir R/O Taliyan Mohllah Arampora	16	Preventive	21/09/2019	21/09/2019		
131	Sopore	Qasim Nabi Ganie S/O Ghulam Nabi Ganie R/O Bomai	14	FIR	17-08-2019, in case FIR No. 53/2019 U/S 147, 148, 149, 336, 427, 341 RPC of P/S Bomai	17/08/2019		

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S.No.	District	Full Particulars	Age in years	Nature of arrest	Date of arrest, mentioning place of lodgement during the period of arrest	Date of release	Status of Juvenile accused	Present place of lodgement
132	Sopore	Irfan Mushtaq Khan S/O Mushtaq Ahmad Khan R/O	15	FIR	17-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	17/08/2019	-	
133	Sopore	Khursheed Ahmad Zargar S/O Abdul Majeed Zargar R/O Eidipora Bomai	15	FIR	17-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	17/08/2019	-	
134	Sopore	Jafar Islam Bhat S/O Abdul Ahad Bhat R/O Darpura	15	FIR	17-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	17/08/2019	-	
135	Sopore	Aabid Ahmad Ganie S/O Ghulam Mohi-ud-din Ganie R/O Bomai	16	FIR	17-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	17/08/2019	-	
136	Sopore	Furqan Sultan Sheikh S/O Mohammad Sultan Sheikh R/O Eidipora	16	FIR	17-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	17/08/2019	-	
137	Sopore	Shakir Lateef Rather S/O Lateef Ahmad Rather R/O Bomai	13	FIR	09-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	09/08/2019	-	
138	Sopore	Asif Ahmad Rather S/O Bashir Ahmad Rather R/O Bomai	13	FIR	09-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	09/08/2019	-	
139	Sopore	Aarish Fayaz Bhat S/O Fayaz Ahmad Bhat R/O Bomai	15	FIR	17-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	17/08/2019	-	
140	Sopore	Owais Farooq Baba R/O Farooq Ahmad Baba R/O Darpura	13	FIR	18-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	18/08/2019	-	

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S.No.	District	Full Particulars	Age in years	Nature of arrest	Date of arrest , mentioning place of lodgement during the period of arrest	Date of release	Status of Juvenile accused	Present place of lodgement
141	Sopore	Barkat Tariq Sheikh S/O Tariq Ahmad Sheikh R/O Darpura	14	FIR	18-08-2019, in case FIR No. 53/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	18/08/2019		
142	Sopore	Faizan Ahmad Khuroo S/O Abdul Majeed R/O Sonawari	11	FIR	15-09-2019, in case FIR No. 59/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	15/09/2019		
143	Sopore	Dawood Afzal Malla S/O Mohammad Afzal Malla R/O Sonawari	17	FIR	08-09-2019, in case FIR No. 59/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	08/09/2019		
144	Sopore	Adil Nabi Khuroo s/O Ghulam Nabi Khuroo R/O Sonawari	17	FIR	08-09-2019, in case FIR No. 59/2019 U/S 147,148,149,336,427, 341 RPC of P/S Bomai	08/09/2019		



(40)
Amber-10

Divisional Commissioner, Kashmir, Srinagar

Phone/ Fax: (0194) -2487777, 2477775, 2452558, 2455357

**The Registrar General,
J&K High Court,
Srinagar**

No: DivCom/ARA-Eg/70/2019

Dated: -25/09/2019

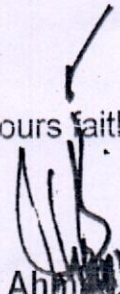
Subject: - Report in terms of resolution dated 23.09.2019 of Hon'ble Juvenile Justice Committee High Court of J&K pursuant to the directions passed by the Hon'ble Supreme Court in the writ petition (Civil) No. 1166/2019, titled Enakshi Ganguly and Anr v. Union of India & ors.

Respected Sir,

Kindly refer to your letter No 16970-73/RG dated 23.09.2019, In this connection, I the undersigned hereby endorse the report submitted by ADGP, Coordination Police Head Quarter, J&K vide his No Legal/SC-23/III/2019/57413 dated 25.09.2019.

Encl: A/A

Yours faithfully


Baseer Ahmad Khan, IAS
Divisional Commissioner
KASHMIR

41
Annexure - E



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GOVERNMENT OF JAMMU AND KASHMIR
Jammu & Kashmir State Child Protection Society
Integrated Child Protection Services, J&K

The Director General,
Women & Child Development,
Jammu & Kashmir Government,
Civil Secretariat,
Srinagar.

No. SMD/CPS/PS/Sgr/2019/ *camp/01*

Dated: 24.09.2019

Sub: Information regarding Juveniles detained under JJ Act from 5th August, 2019.

Sir,

As intimated by the Superintendent Observation Home, Harwan & Superintendent R.S Pura Jammu, 46 Juveniles with the break-up of 36 in Srinagar and 10 in Jammu have been detained from 5th August, 2019 till date in Juvenile Homes of Srinagar & Jammu respectively. 25 Juveniles have been bailed out (21 from Srinagar and 4 from Jammu) & 21 are still lodged in the said Observation Homes (15 in Srinagar & 6 in Jammu).

It is requested that the requisite information may kindly be provided to the Register General of Hon'ble High Court of J&K at Srinagar for its onward submission to the Hon'ble Apex Court of the country.

The communications received from both the Superintendents are enclosed for ready reference.

Encls: 7 Leaves

Yours faithfully,

M. Tariq Ali
(Mr. Tariq Ali) KAS
Mission Director, JK CPS J&K. 24/9/19

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OFFICE OF THE SUPERINTENDENT OBSERVATION HOME HARWAN SRINAGAR
LIST OF CHILDREN RECEIVED AND BAILED OUT IN OBSERVATION HOME SINCE AUGUST
5th 2019 TILL 23rd SEPTEMBER 2019

S.No.	Date of Adm.	Name of the child/Parentage	Residence	Gender	Age	Standard in which Studying	Through which Court	FIR No/ Offence	Police Station	Status
1	16/8/19	Musaib Riyaz S/O Riyaz Ahmad	Kawoosa Budgam	Male	15 Years	10 th	Executive Magistrate 1 st class Budgam	Complaint U/S 107/ 151 Cr.Pc	Police Post Narbal	Bailed on 19/8/19
2	16/8/19	Adil Ah. Mir S/o Ab. Rashid Mir	Kawoosa Budgam	Male	15 Years	10 th	Executive Magistrate 1 st class Budgam	Complaint U/S 107/ 151 Cr.Pc	Police Post Narbal	Bailed on 19/8/19
3	16/8/19	Faisal Bilal S/o Bilal Ah. Khan	Kawoosa Budgam	Male	13 Years	9 th	Executive Magistrate 1 st class Budgam	Complaint U/S 107/ 151 Cr.Pc	Police Post Narbal	Bailed on 19/8/19
4	19/8/19	Ubaid Ah. Bhat S/O Bashir Ah. Bhat	D.H.Pora Kulgam	Male	16 Years	11 th	JJB Kulgam	104 of 2016 U/S 147, 148, 149, 336, 332, 307, 392, 429, 436 RPC. 13 ULA (P) Act. 3PSS Act.	D.H.Pora	Bailed on 5/9/19
5	23/8/19	Zaid Mubarak S/O Mubarak Ah. Bhat	Qaimoh Kulgam	Male	17 Years	11 th	JJB Kulgam	45 of 2019 U/S 147, 148, 354, 323, 447, 34 RPC.	Qaimoh	Bailed on 23/8/19

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S.No.	Date of Adm.	Name of the child/Parentage	Residence	Gender	Age	Standard in which Studying	Through which Court	FIR No/ Offence	Police Station	Status
6	23/8/19	Riyaz Ah. Dar S/O Ab. Ahad Dar	Daffpora Nasarpura Budgam	Male	17 Years	11 th	JJB Budgam	250 of 2019 U/S 147, 148, 149, 336, 332, 188, 307 RPC	Budgam	Bailed on 27/8/19
7	26/8/19	Tanveer Manzoor S/O Manzoor Ah. Sheikh	Galwan- Pora. Budgam	Male	16 Years	11 th	Executive Magistrate 1 st class Budgam	Complaint U/S 107/ 151 CrPC.	Budgam	Bailed on 31/8/19
8	26/8/19	Mehraj Ah. Tantray S/O Gh. Nabi Tantray	Garend Khurud Budgam	Male	15 Years		Executive Magistrate 1 st class Budgam	Complaint U/S 107/ 151 CrPC.	Budgam	Bailed on 31/8/19
9	26/8/19	Hamid Bashir S/O Bashir Ah	Pymus Budgam	Male	14 Years	10 th	Executive Magistrate 1 st class Budgam	Complaint U/S 107/ 151 CrPC.	Budgam	Bailed on 29/8/19
10	26/8/19	Ishfaq Ah. Ganaie S/O Khursheed Ah. Ganie.	Pymus Budgam	Male	14 Years	9 th	Executive Magistrate 1 st class Budgam.	Complaint U/S 107/ 151 CrPC.	Budgam	Bailed on 31/8/19
11	26/8/19	Ubaid Ah. Hanji S/O. Bashir Ah. Hanji	Khaspora Yaripora Kulgam	Male	15 Years		JJB Kulgam	69 of 2019 U/S 498 A, 306 RPC.	Kulgam	Present / Inquiry
12	27/8/19	Shahid Ah. Malik S/O Manzoor Ah. Malik	Batpora Kulgam	Male	16 Years		JJB Kulgam	37 of 2019 U/S 13 (2), 18, 18 B, 19, 38, 39 ULA (P) Act.	Kulgam	Bailed on 11/9/19
13	27/8/18	M. Nadeem Mir S/O Bashir Ah. Mir	Beerwah Budgam	Male	15 Years	10 th	JJB Budgam	48 of 2019 U/S 148, 149, 307, 336, 427, 353, 332 RPC. 132 RP Act.	Beerwah	Bailed on 30/8/19

S.No.	Date of Adm.	Name of the child/Parentage	Residence	Gender	Age	Standard in which Studying	Through which Court	FIR No/ Offence	Police Station	Status
14	28/8/19	Owais Ah. Kundoo S/O Ab. Ahad Kundoo	Dawood Colony Soura	Male	16 Years		JJB Srinagar	52 of 2019 U/S 147, 148, 149, 152, 336, 427, 341 RPC	Safakadal	Bailed o 2/9/19
15	29/8/19	Wahid Farooq Dar S/O Farooq Ah. Dar	Qaimoh Kulgam	Male	15 Years		JJB Kulgam	90 of 2018 U/S 147, 148, 149, 336, 307, 427 RPC.	Qaimoh	Bailed o 3/9/19
16	31/8/19	Majid Bashir S/O Bashir Ah. Bhat	Chari Shraif Budgam	Male	17 Years	8 th	Executive Magistrate 1 st class. Chari Shraif	Complaint U/S 107, 117 (III) Cr.PC.	Chari Shraif	Bailed o 02/9/19
17	2/9/19	Sameer Ah. Najar S/O Ab.Hamid Najar	Sindo Shermal Shopian	Male	13 Years	7 th	JJB Shopian	53 of 2019 U/S 147, 148, 149, 336, 307, 353 RPC.	Shopian	Bailed o 19/9/19
18	3/9/19	Mueed Ah. Baba S/O Shair Ah.	Firdous Colony Idd Gah	Male	15 Years	10 th	JJB Srinagar	123 of 2019 U/S 147, 148, 149, 336, 332, 427 RPC.	Safa Kadal	Present Inquiry
19	6/9/19	Ather Ismail S/O M.Ismail Sheikh	Idd Gah Bijbera	Male	15 Years	10 th	JJB Anantnag	115 of 2019 U/S 147, 148, 149, 336, 302, 427, 120-B RPC.	Bijbera	Bailed on 21/9/19
20	6/9/19	Muzamil Rashid S/O Ab. Rashid Lone	Idd Gah Bijbera	Male	16 Years		JJB Anantnag	115 of 2019 U/S 147, 148, 149, 336, 302, 427, 120-B RPC.	Bijbera	Bailed on 21/9/19

S.No.	Date of Adm.	Name of the child/Parentage	Residence	Gender	Age	Standard in which Studying	Juvenile Justice Board	FIR No/ Offence	Police Station	Status
21	6/9/19	Ab. Mannan Mir S/O M.Shafi Mir	Idd Gah Bijbera	Male	16 Years		JJB Anantnag	115 of 2019 U/S 147, 148, 149, 336, 302, 427, 120-B RPC.	Bijbera	Bailed on 21/9/19
22	7/9/19	Bilal Ah. Khan S/O Amirullah Khan.	Hajin Qazigund	Male	15 Years	11 th	JJB Kupwara	58 of 2019 U/S 302, 201 RPC	Kralgund	Present Inquiry
23	7/9/19	Sameer Ah. Shah S/O M.Yousuf Shah.	Neharpora Sopore	Male	16 Years		JJB Baramulla	230 of 2019 U/S 457, 380 RPC	Sopore	Present Inquiry
24	9/9/19	Tabish Mushtaq S/O Mushtaq Ah. Malik *	Pachkoot Kupwara	Male	17 Years		JJB Kupwara	94 of 2019 U/S 379, 109, 411 RPC.	Viligam.	Bailed o 14/9/19
25	11/9/19	Ubaid Ah. Rai S/O Nishat Ah. Rai.	Surbana Kulgam	Male	15 Years	10 th	JJB Kulgam	49 of 2019 U/S 147, 148, 149, 336, 306, 307 RPC.	Qaimoh	Present Inquiry
26	11/9/19	M.Umar Bhat S/O Bashir Ah. Bhat.	Surbana Kulgam	Male	15 Years	10 th	JJB Kulgam	49 of 2019 U/S 147, 148, 149, 336, 306, 307 RPC.	Qaimoh	Present Inquiry
27	11/9/19	Wahid Ah. Khanday S/O Ab. Hameed	Surbana Kulgam	Male	12 Years	8 th	JJB Kulgam	49 of 2019 U/S 147, 148, 149, 336, 306, 307 RPC.	Qaimoh	Present Inquiry

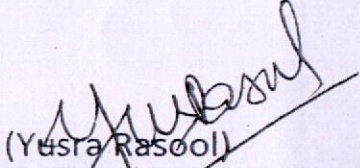
S.No.	Date of Adm.	Name of the child/Parentage	Residence	Gender	Age	Standard in which Studying	Juvenile Justice Board	FIR No/ Offence	Police Station	Status
28	11/9/19	Mujeeb-u-Rehman S/O Ab. Rehman Khanday	Surbana Kulgarn	Male	13 Years	9 th	JJB Kulgam	49 of 2019 U/S 147, 148, 149, 336, 306, 307 RPC.	Qaimoh	Present Inquiry
29	11/9/19	Owais Ah. Thoker S/O Ab. Hameed Thoker	Surbana Kulgarn	Male	15 Years	10 th	JJB Kulgam	96 of 2019 U/S 314 Exp. Act. 13 ULA (P) Act.	Kulgarn	Present Inquiry
30	12/9/19	Sameer Afzal Thoker S/O M.Afzal Thoker.	Kharwath Kulgarn	Male	17 Years		JJB Kulgam	96 of 2019 U/S 314 Exp. Act. 13 ULA (P) Act.	Kulgarn	Present Inquiry
31	16/9/19	Jehangir Kumar S/O Lt. G.Nabi	Hayan. Tregam* Kupwara	Male	14 Years	9 th	JJB Kupwara	45 of 2019 U/S 377 RPC	Trehgarn	Present, Inquiry
32	17/7/19	Mudasir Shafi Mir S/O M.Shafi Mir	Channapora	Male	17 Years	10 th	JJB Srinagar	174 of 2017 U/S 377, 511 RPC	Sadder	Bailed or 21/9/19
33	20/9/19	Hilal Ah.Khan S/O Farooq Ah. Khan	Limber Baramulla	Male	14 Years		JJB Baramulla	47 of 2019 U/S 376 RPC. 4 POCSO Act	Boniyar	Present, Inquiry
34	21/9/19	Salik Feroz S/O Feroz Ah. Sofi	Solina Srinagar	Male	16 Years	10 th	JJB Srinagar	46 of 19 U/S 307, 148, 149, 336 RPC	M.R.Gunj	Present, Inquiry
35	21/9/19	Basit Sidiq S/O Siddiq Ah.	Rainawari Srinagar.	Male	16 Years	10 th	JJB Srinagar	46 of 19 U/S 307, 148, 149, 336 RPC	M.R.Gunj	Present, Inquiry

S.No.	Date of Adm.	Name of the child/Parentage	Residence	Gender	Age	Standard in which Studying	Juvenile Justice Board	FIR No/ Offence	Police Station	Status
36	21/9/19	Aamir Ah. Seh S/O Ab. Ahad Seh	Urpura Shopian	Male	17 Years		JJB Shopian	19 of 2019 U/S 341, 147, 148, 302, 307, 109, 506, 34 RPC.	Zainapora	Present Inquiry

Number of children Lodged since August 5th = 36

Bailed out = 21

Under Inquiry = 15


(Yusra Rasool)

Superintendent Observation Hon
Harwan, Srinagar.

LIST OF CHILDREN RECEIVED AND BAILED OUT IN OBSERVATION HOME SINCE AUGUST 5th 2019 TILL 23rd SEPTEMBER, 2019

S.No.	Date of Adm	Name of the child / parentage	Residence	Gender	Age	Standard in which studying	Through which court	FIR No. / Offence	Police Station	Status
01	06-08-2019	Nikhil Sethi S/o Anil Sethi	Bakshi Nagar, Jammu	Male	17	10 th	JJB, Jammu	107/2019 454/380 RPC	Bakshi Nagar, Jammu	Under investigation
02	10-8-2019	Bunty Sharma S/o Ashok Sharma	Akhnoor, Jammu	Male	17	6 th	JJB, Jammu	308/2019 48-A/Excise Act	Domana, Jammu	Bailed out 19-08-2019
03	22-08-2019	Devansh Anand S/o Ashish Anand	Trikuta Nagar, Jammu	Male	17	12 th	JJB, Jammu	134/2019 379 RPC	Channi Hemmat, Jammu	Bailed out 30-08-2019
04	22-08-2019	Rakshit Koul S/o Rajinder Koul	Trikuta Nagar, Jammu	Male	17	12 th	JJB, Jammu	134/2019 379 RPC	Channi Hemmat, Jammu	Bailed out 02-09-2019
05	26-08-2019	Sandeep Singh S/o Parkash Singh	Udhampur	Male	13	6 th	JJB, Jammu	126/2019 379 RPC	Bakshi Nagar, Jammu	Under investigation
06	30-08-2019	Rahul Sharma S/o Raj Kumar	Billawar, Kathua	Male	16	8 th	JJB, Kathua	112/2019 341, 307 RPC	Billawar, Kathua	Bailed out 09-09-2019
07	03-9-2019	Pradeep Kumar S/o Prakash Chand	Dansal, Jammu	Male	17	9 th	JJB, Jammu	110/2019 419 RPC	Jajjar Kothli, Jammu	Bailed out 07-09-2019
08	04-09-2019	Shiva Kumar S/o Subash Chander	R.S. Pora, Jammu	Male	16	10 th	JJB, Jammu	160/2019 363, 376 RPC & 3/4 POCSO	R.S. Pora, Jammu	Under investigation
09	05-09-2019	Noor Khan S/o Mir Qasim	Dansal, Jammu	Male	16	Nil	JJB, Jammu	109/2019 376 RPC, 3/4 POCSO	Jajjar Kothli, Jammu	Under investigation
10	18-09-2019	Deepak Kumar S/o Govind Kumar	Chatha, Jammu	Male	16	10 th	JJB, Jammu	72/2019 452, 323, 147, 109 RPC	Satwari, Jammu	Bailed out 23-09-2019

No. of Children lodged since August 5th, 2019 till 23rd of September, 2019

= 10

Bailed out = 06

Under Inquiry = 04

[Signature]
S.D. 10/9/19

Sd/-
(Mohammad Shahbaz)
Superintendent
Observation Home, R.S. Pora, Jammu

Annexure - F

C.A.

HIGH COURT OF JAMMU AND KASHMIR AT SRINAGAR.

CrIM 749/2019
In WP (C) 299/19

Date of order 25.09.2019

Umer Bashir Naikoo

...Petitioner/detenu

Through : Mr. Wajid Haseeb, adv.
V/s

State of J&K and ors

...Respondents

Through : Mr. B.A Dar, Sr. AAG

CORAM:

Hon'ble Mr. Justice Ali Mohammad Magrey, Judge

ORDER

1. This Habeas Corpus petition has been filed by applicant namely Umer Bashir Naikoo through his brother-in-law, challenges the detention order no. 25/DMS/PSA/2019 dated 10.08.2019, purporting to have been passed by District Magistrate, Srinagar, which is pending decision before the Court.

2. The applicant-petitioner has filed the instant application seeking a direction for shifting of detenu namely Umer Bashir Naikoo s/o late Bashir Ahmad Naikoo R/o Memender, District Shopian to Juvenile Observation Home, claiming the benefit of Juvenility on the strength of age as recorded 16th March 2005 in the "*Maktabia Islamia High School, Shopian Kashmir*".

3. The claim is made on the strength of photo copy of certificate issued by Principal Maktabia Islamia High School, Shopian on 30.08.2019 under serial no. 126, certifying that the Date of Birth of detenu namely Umer Bashir Naikoo S/o Late Bashir Ahmad Naikoo R/o Memender District Shopian is 16th March 2005. Certificate further mentions that the detenu was enrolled in the institution from 2011 to 2014 and read upto 5th class.

4. When this matter was taken up on motion hearing on 28th August, 2019, the Court while registering the claim made in the petition asked the State counsel Mr. B.A Dar, Sr. AAG to file response by or before 4th Sept.



2019. Response stands filed by District Magistrate, Shopian, indicating therein that the detenu was admitted in the School on 01.03.2012 vide admission no. 823 in class 3rd and at the time of admission no certificate of birth was produced by the parents of applicant-detenu nor the school administration bothered to procure/demand the same from the concerned offices viz Chowkidar, Municipality or Hospital. However, the brother of the detenu furnished an affidavit mentioning the date of birth of the applicant-detenu as 16.03.2005, and school administration has already issued the certificate to this extent. The District Magistrate's response further indicates that many mutilations were notice in the recorded Date of Birth of many candidates from the Admission Registrar of the School.

5. Since in the instant case, the claim of Juvenility has been raised in terms of Section 8 of the *Jammu and Kashmir Juvenile Justice (Care and Protection of Children) Act, 2013* (hereinafter referred to as the Act of 2013), an enquiry is required to be made to determine the age of applicant-detenu as on the date of the detention. The Apex Court in case "*Abuzar Hussain v State of W.B.,(2012) 10 SCC 489*" and "*Shah Nawaz v State of UP.,(2011) 13 SCC 751*" had recorded it's satisfaction that the entry relating to the date of birth entered in the marks sheet is one of the valid proof of evidence for determination of age of an accused person. However, it is further revealed from the portion of the judgment in paragraphs (23) & (24), *that the certificate had been proved by the statement of the Clerk of the concerned School and corroborated by other documents.* The certificate produced in this application in proof of the date of birth of the applicant-detenu is neither the original document nor attested by any person, much less an authorized person, therefore, cannot be taken as conclusively establishing the date of birth of the applicant-detenu.

6. In the aforesaid circumstances and to meet the ends of justice, it is provided as under:

- i) That the Registrar Judicial, High Court Wing of Srinagar, shall hold an enquiry and take such evidence as may be necessary (but not an affidavit) to determine the age of applicant-detenu namely Umer Bashir Naikoo s/o late Bashir Ahmad Naikoo R/o Memendar, District Shopian, as nearly as may be, on the date of the alleged detention, dated on 10.08.2019.



- ii) The Registrar Judicial shall complete such enquiry within a period of 10 days from today and submit the report in sealed cover.
- iii) Registry to list the main WP (C) 299/2019 together with the present application for arguments and consideration before the Court on 14th Oct. 2019.
- iv) Learned counsel for the parties shall ensure full cooperation as required by the Registrar Judicial during the enquiry enabling her to frame her report.
- v) Registrar Judicial shall have all powers to summon the parties in terms of the High Court Rules and Civil Procedure Code.
- vi) Copy of the order be furnished to learned counsel for the parties.

List as directed i.e (14th Oct. 2019.)

**(Ali Mohammad Magrey)
Judge**

Srinagar
25.09.2019
S.A Hussain,