



**JHARKHAND STATE LEGAL SERVICES AUTHORITY**

**PROJECT**  
***VATSALYA***

**(For Overall Development Of Street Children And Saving Them From The Menace of Drug Abuse)**

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FOR PRIVATE CIRCULATION : EDUCATIONAL PURPOSE ONLY

## Jharkhand State Legal Services Authority

# PROJECT VATSALYA

(For Overall Development Of Street Children And Saving Them From The Menace Of Drug Abuse)

## 1. NAME OF THE PROJECT :

This Project shall be called the- '**Project Vatsalya**' (**For Overall Development of Street Children and Saving them from the menace of Drug abuse**). It shall be effective in the State of Jharkhand and shall guide the District Legal Services Authorities of Jharkhand in their action on the Project. (hereinafter referred to as "the Project")

## 2. BACKGROUND :

- UNICEF in 2001 has defined a street child as any boy or girl who has not reached adulthood, for whom the street has become his or her habitual abode and/ or sources of livelihood, one who is inadequately protected, supervised or directed by responsible adults. Such a child does not have a home or leaves home to stay on the street and the street not only becomes the child's home but also the source of a living. Such a child assumes full responsibilities on his or her own life.
- These children, often seen as a threat to public safety, are in fact victims of undeserved want. Many street children come from structurally disadvantaged homes with poor living conditions. Parental loss through deaths or shortages of housing force children onto the streets in order to survive.
- These children are most vulnerable to all kinds of misfortunes (human-trafficking, organ-trafficking, drugs abuse, crime etc) or abuses (bonded labour, sexual abuse, torture etc).
- Without Schools, without education and without protection, these children are in immediate need of care and protection of State and its Agencies including the Legal Services Institutions.

- I. The Order dated 17.01.2022 of the Hon`ble Supreme Court of India passed in SMW(C) No(s). 06/2021 IN RE CHILDREN IN STREET SITUATIONS with SP. (CrI.) No. 274 of 2020 (PIL-W). In it`s Order, the Hon`ble Supreme Court has directed:

*"...Identification of Children in Street Situations ("CiSS") is the first step for the purpose of rescuing them from the streets and rehabilitating them...*

*...We direct all the District Magistrates to involve the SJPU, District Legal Services Authorities and Voluntary Organisation of CiSS. The District Magistrates are also directed to upload the information pertaining to all stages on the Bal Swaraj – CiSS Portal of the NCPDR...*

*...We direct the State Governments/Union Territories to instruct all the concerned authorities to take prompt action in the identification and rehabilitation of children in street situations..."*

### 3. LEGAL BASIS:

- i. A resolution was passed in the 13th All India Meet of State Legal Services Authorities held at Ranchi (Jharkhand), concluding that Drug Addiction and Drug Abuse should be a major area of concern for all Legal Services Institutions and a necessity was felt to examine the issue therein.
- ii. Article 47 of the Constitution of India mandates that State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.
- iii. Article 39(f) of the Constitution obligates the State to provide opportunities and facilities for children to develop in a healthy manner and in conditions of freedom and dignity and to ensure that childhood and youth is protected against exploitation and against moral and material abandonment.
- iv. The United Nations Convention on the Rights of Child stresses the need for protection of children from violence and exploitation.
- v. The National Policy for Children, 2013 (adopted by Government of India, by the resolution dated 26.04.2013). According to The 2013 Policy, the best interest of the children is a primary concern in all decisions and actions affecting the child. The State is committed to ensure that all out-of-school children such as child labourers, migrant children, trafficked children, children of migrant labour, street children, child victims of alcohol and substance of abuse, children in areas in civil unrest, orphans, children with disability (mental and physical), children with chronic ailments, married children, children of manual scavengers, children of sex workers, Children of prisoners, etc. are tracked, rescued, rehabilitated and have access to their right to education.
- vi. The Juvenile Justice (Care and Protection of Children) Act, 2015 and Juvenile Justice (Care and Protection of Children) Model Rules, 2016
- vii. Integrated Child Protection Scheme
- viii. Orders of Hon`ble Supreme Court of India passed in SMW(C) No(s). 06/2021 IN RE CHILDREN IN STREET SITUATIONS with SP. (Crl.) No. 274 of 2020 (PIL-W)
- ix. Sponsorship and Foster Care Scheme

### 4. DEFINITIONS:

- 1) Unless the context otherwise requires:—
  - (a) **“Act”** means the Legal Services Authorities Act, 1987 (39 of 1987);
  - (b) **“NDPS Act”** means The Narcotic Drugs and Psychotropic Substance Act, 1985 (Act No.61 of 1985)
  - (c) **“Schedule”** means a Schedule annexed to the Scheme;
  - (c) **“Front Office”** means a room in the Legal Services Institution where legal services are made available;

- (d) **“Legal Practitioner”** shall have the meaning assigned to it in clause (i) of section 2 of the Advocates Act, 1961 (25 of 1961);
- (e) **“Legal Services Institution”** means the Supreme Court Legal Services Committee, a State Legal Services Authority, the High Court Legal Services Committee, District Legal Services Authority or the Subdivisional Legal Services Committee, as the case may be;
- (f) **“Panel Lawyer”** means a legal practitioner empanelled as a Panel lawyer under regulation 8 of the NALSA (Free & Competent Legal Services) Regulations 2010;
- (g) **“Para-Legal Volunteer”** means a para-legal volunteer trained under the 'National Legal Services Authority Scheme for Para Legal Volunteers' and empanelled by a Legal Services Institution;
- (h) **“Secretary”** means the Secretary of the Legal Services Institution;

## 5. THE OBJECTIVES OF THE PROJECT :

- Street Children Mapping
- Linkage with Sponsorship/Foster Care Schemes
- Counselling and treatment at Central Institute of Psychiatry (CIP)/Ranchi Institute of Neuro-Psychiatry and Allied Science (RINPAS)/ National Institute of Mental Health and Neuro-Sciences (NIMHANS) for de-addiction.
- Admission of such children in Government Schools (preferably Government Residential Schools)
- Individual Child Care Plan
- Proper monitoring till rehabilitation of such children complete.

## 6. PLAN OF ACTION :

### 6.1 Establishment of Special Units

- JHALSA shall, within one month of the communication of this Project, establish Special Units in all the DLSAs/SDLSCs in the State, consisting of young lawyer(s) to be nominated by the Chairman, DLSA, Medical Officer to be nominated by the Chief Medical Officer concerned, social worker, Para Legal volunteer and a representative of NGO(s) having done substantial work for eradication of drug menace or rehabilitation and de-addiction.
- The Special Units shall report to the Secretary, DLSA and work under the overall supervision of the Chairman, DLSA.
- After the constitution of the Special Units, the DLSAs shall conduct training programmes for members of the Special Units.
- The Special Units shall, in terms of the project, within 15 days of its constitution, prepare a

Micro Level Programme to be carried out/ performed in their respective areas for tackling, intervention and prevention of drug abuse.

## **6.2 Assistance in de-addiction**

- The Special Unit shall make awareness about the help of DLSAs/SDLSCs in association with CIP/RINPAS/NIMHANS.
- Children in need of assistance of De-addiction shall be helped in availing the services at the CIP/RINPAS/NIMHANS.

## **6.3 Destruction of illicit cultivation**

The DLSAs shall coordinate with the District Administration for the destruction of illicit cultivation of cannabis and opium as well as any other plant used to derive Narcotic and Psychotropic Substances.

The Special Units shall, as far as possible, associate the Mahila Mandals, VLCPC or other women Self Help Groups (SHG) of the area in such campaigns against substance abuse.

## **6.4 Identification of Children**

The Special Units shall identify the addicted street and urban slum children and make arrangement for admitting them to CIP/RINPSA/NIMHANS, as the case may be.

## **6.5 Awareness in Children Home, Foster Home, Observation Homes, Place of Safety and Special Homes etc.**

The DLSAs shall organise periodical awareness and sensitization programmes for children and staffs in Children Home, Foster Home, Observation Homes, Place of Safety and Special Homes about the ill-effects of the narcotics drugs.

## **6.6 Co-ordination with De-addiction/Rehabilitation Centres**

- DLSA shall co ordinate with the CIP/RINPAS/NIMHANS De-addiction /Rehabilitation Centres for treatment of the child victims.
- DLSA may prefer virtual counselling of patient, if there is no need for physical presence
- The Special Unit shall, as far as practical, visit CIP/RINPAS/NIMHANS
- The Special Units will arrange and organize periodical awareness camps for the victims at the Centre. Cultural and other Socially Active Groups may be associated in such awareness camps with an aim to bring the victims to the main stream of the society.

## **6.7 Association of Reformed Drug Addicts**

The Special Units shall identify former drug addicts in their areas and associate them in the awareness camps to share their experiences.

## **6.8 Anti Drug Clubs**

- The students of Legal Literacy Clubs and Legal Cadet Corps of JHALSA shall be groomed to

be role models for making their colleagues and family members aware of ill effects of drugs.

- The Special Units shall organize sensitization programmes through Legal Literacy Clubs.

## **7. GUIDING PRINCIPLES:**

- Our Constitution mandates us to ensure that the people live with human dignity.
- Children, women and elderly people are always most vulnerable in the family of drugs or substance addict.
- No Person can be allowed to remain a drugs or substance addict. He needs counselling and treatment.
- Legal Services Authority has duty to assist the victims (children) to leave drugs/ substance abuse.
- Legal Services Authority has solemn duty to work in close co-ordination with the Civil Administration to eradicate the menace of drugs/substance abuse or consumption of Hadia/Wine.

## **8. COMMUNITY ACTION:**

JHALSA shall involve the village community as well local bodies in bringing about an eco system as desired. This strategy provides:

- Involvement of Village Level Child protection Committee and Urban Level Child Protection Committee in identification of vulnerable children and street children;
- Coordinating with the Gram Panchayat and Local Bodies (for Urban/Rurban) to play an active role in the awareness, counselling and treatment;
- Awareness drive amongst women and elderly persons for encouraging the child victim to opt for treatment and rehabilitation;
- Involvement of the members of Legal Literacy Clubs and Legal Cadets Corps of JHALSA in identifying the vulnerable children/street children in their surroundings;

## **9. MAINTENANCE OF RECORDS:**

It shall be the duty of the Secretary, DLSA to maintain the records of the:

- Children assisted;
- Kind of assistance;
- How the DLSA or the Vulnerable children/street children reached the other;

Such record is highly helpful in evolving the best practices for JHALSA and also for the guidance of future generations.

## 10. CAPACITY BUILDING OF THE WORK FORCE :

JHALSA shall commence e-learning programme for the PLVs, Panel Lawyers and other persons/stakeholders involved in actualization of this Project. At least one e- Training Programme shall be held on bi-monthly basis.

## 11. ANY PERSON IN NEED OF ASSISTANCE MAY CONTACT :

Member Secretary, JHALSA on his Mobile No. 8986601912 (Whatsapp No. as well); JHALSA Tollfree Helpline No. 1800 345 7019 or on email: jhalsaranchi@gmail.com.

Email IDs of District Legal Services Authorities and Contact No. of Secretaries DLSA are as follows:

Name of DLSA	Emails	Contact No of Secretary
DLSA bokaro	<dlsabokaro@gmail.com>	Ms. Nibha Ranjan Lakra, 9431350936
DLSA Chaibasa	<dlsachaibasa@gmail.com>	Mr. Rajeev Kumar Singh, 6204956312
DLSA Chatra	<dlsachatra@gmail.com>	Ms. Pragya Bajpai, 7970710663
DLSA Deoghar	<deoghardsa@gmail.com>	Sri Mayank Tushar Topno, 9693912400
DLSA Dhanbad	<dlsa.dhanbad@gmail.com>	Ms. Nitasha Barla, 9471725596
DLSA Dumka	<dlsadumka@gmail.com>	Sri Bishwanath Bhagat, 7250576706
DLSA Garhwa	<dlsagarhwa@gmail.com>	Sri Kumar Vipul, 9955684686
DLSA Giridih	<dlsagiridih@gmail.com>	Sri Saurav Kumar Gautam, 7319853377
DLSA Godda	<dalsagodda@gmail.com>	Sri Pradeep Kumar, 9431516559
DLSA Gumla	<dlsagml38@gmail.com>	Sri Parth Sarthi Ghosh, 9835572177
DLSA Hazaribag	<dlsahazaribag@gmail.com>	Sri Gaurav Khurana, 9939201624
DLSA Jamshedpur	<jamshedpurdlsa@gmail.com>	Sri N N Sanga, 9430780325
DLSA Jamtara	<dlsajamtara@gmail.com>	Sri Abhinav, 8102955079
DLSA Khunti	<khuntidlsa@gmail.com>	Sri Manoranjan Kumar No. 1, 8789697778
DLSA Koderma	<dlsakoderma@gmail.com>	Sri Abhishek Prasad, 6200981332
DLSA Latehar	<dlsalatehar@gmail.com>	Ms. Swati Vijay Upadhyay, 8987736366
DLSA Lohardagga	<dlsalohardaga@gmail.com>	Sri Rajesh Kumar No. II, 9431318932
DLSA Pakur	<dlsapakur@gmail.com>	Ms. Shilpa Murmu, 8521495262
DLSA Palamau	<dlsapalamu123@gmail.com>	Sri Arpit Srivastava, 8757269596
DLSA Ramgarh	<secretarydlsaramgarh.court@gmail.com>	Sri Dileep Rajeshwar Tirkey, 8252485344
DLSA Ranchi	<dlsaranchi@gmail.com>	Sri Rakesh Ranjan, 9431319907
DLSA Sahibganj	<dlsasahibganj@gmail.com>	Sri Dharmendra Kumar, 9471521725
DLSA Seraikella	<dlsaseraikellakharswan@gmail.>	Ms. Kavitanjali Toppo, 9334810361
DLSA Simdega	<dlsasimdega@gmail.com>	Sri Manish Kumar Singh, 9955561008



Prepared by :

**JHARKHAND STATE LEGAL SERVICES AUTHORITY**

Nyaya Sadan, Near A.G. Office, Doranda, Ranchi

Email : [jhalsaranchi@gmail.com](mailto:jhalsaranchi@gmail.com), Website : [www.jhalsa.org](http://www.jhalsa.org)