

**THE GAUHATI HIGH COURT**

(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

**NOTIFICATION NO. 4**

Dated Guwahati, the 7<sup>th</sup> of January, 2025

Pursuant to the directions enumerated in paragraph 35 of the judgment dated 20-08-2024 passed by the Hon'ble Supreme Court of India in *Suo Moto Writ Petition (C) No. 3/2023*, the Hon'ble Gauhati High Court is pleased to notify as follows:

- (i) The Special Court (POCSO) or the jurisdictional Sessions Court [where there is no Special Court (POCSO)], on receiving information from the police u/s 19 (6) of the Protection of Children from Sexual Offences Act, 2012, that an offence has been committed under the said Act and that the victim is in need of care and protection, shall forward the information to the jurisdictional Child Welfare Committee without delay for the rehabilitation of the child victim besides directing the police to produce the victim before the jurisdictional Child Welfare Committee.
- (ii) On coming to a finding that the Special Juvenile Police Unit has failed to report that the victim is in need of care and protection and to produce him / her before the Child Welfare Committee, the Special Court (POCSO) or the jurisdictional Sessions Court [where there is no Special Court (POCSO)], shall report the matter to the Superintendent of Police of the concerned district, who shall then ensure compliance. and / or,
- (iii) On coming to a finding that the Child Welfare Committee has failed to act to properly rehabilitate the victim, the Special Court (POCSO) or the jurisdictional Sessions Court [where there is no Special Court (POCSO)], shall report the matter to the District Commissioner of the concerned district, who shall then take steps for getting the victim rehabilitated as per the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015, and the Protection of Children from Sexual Offences Act, 2012.

(iv) The Special Courts shall ensure mandatory compliance of Rule 4 (10) of Protection of Children from Sexual Offences Rules, 2020 by the Special Juvenile Police Unit, viz., ***"where a support person has been provided to the child, the SJPU or local police shall, within 24 hours of making such assignment, inform the Special Court."***

(v) If it comes to the knowledge of the Special Court that a child against whom an offence has been committed is residing with the accused person, the Special Court will immediately apprise the Child Welfare Committee and direct the latter to take appropriate steps for rehabilitation of the child.

(vi) The Special Court will call for annual reports, preferably in the month of January, from the Child Welfare Committee pertaining to the present residence and status of rehabilitation of children against whom offence has been committed and for whom care and protection is provided under section 19 (5) of the Protection of Children from Sexual Offences Act.

This Notification shall come into effect immediately.

By Order,  
Sd/- S. K. Poddar

**REGISTRAR GENERAL**

**Memo No. HC. III-07/2024/153 - 181/ G, Dated the 7<sup>th</sup> January, 2025.**

**Copy to:-**

1. The Secretary General, Supreme Court of India, New Delhi.
2. The Advocate General, Assam / Nagaland / Mizoram / Arunachal Pradesh, Gauhati High Court, Guwahati.
3. The L.R.- cum- Commissioner & Secretary to the Govt. of Assam, Judicial Department, Dispur, Guwahati-6.
4. The Registrar (Vigilance/Admin/Judicial/Estt.(I/c)), Gauhati High Court, Guwahati.
5. The Registrar (Itanagar Permanent Bench/Aizawl Bench/Kohima Bench). *(They are requested to forward the notification to the Hon'ble Judges stationed in the respective benches.)*
6. The Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati. Guwahati.
7. The District & Sessions Judges, \_\_\_\_\_, Assam. *(They are requested to circulate the notification amongst all the Judicial Officers under their jurisdiction.)*

8. The Chairman, Bar Council of Assam, Nagaland, Mizoram, Arunachal Pradesh and Sikkim.
9. The President/Secretary General, Gauhati High Court Bar Association, Guwahati.
10. The President/General Secretary, Gauhati High Court Advocates' Association, Guwahati.
11. The President/Secretary, All Assam Lawyers' Association, Guwahati.
12. The President/Secretary, Lawyers' Association, Guwahati.
13. The Joint Registrar (\_\_\_\_\_), Gauhati High Court, Guwahati.
14. The Deputy Registrar (\_\_\_\_\_), Gauhati High Court, Guwahati.
15. The Deputy Registrar cum Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati.
16. The Asstt. Registrar (\_\_\_\_\_), Gauhati High Court, Guwahati.
17. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati.
18. The P.S. to Hon'ble Mr. Justice Lanusungkum Jamir, Gauhati High Court, Guwahati.
19. The P.S. to Hon'ble Mr. Justice Manas Ranjan Pathak, Gauhati High Court, Guwahati.
20. The P.S. to Hon'ble Mr. Justice Parthivjyoti Saikia, Gauhati High Court, Guwahati.
21. The P.S. to Hon'ble Mr. Justice Robin Phukan, Gauhati High Court, Guwahati.
22. The P.S. to Hon'ble Mrs. Justice Mitali Thakuria, Gauhati High Court, Guwahati.
23. The P.S. to Hon'ble Mr. /Mrs. Justice \_\_\_\_\_, Gauhati High Court, Guwahati.
24. The Project Manager, Gauhati High Court, Guwahati. *He is requested to upload this Notification in the website of the Gauhati High Court.*
25. The Court Manager, Gauhati High Court, Guwahati.
26. The AO (J), \_\_\_\_\_, Section, Gauhati High Court, Guwahati.
27. The Court Master, Court No. \_\_\_\_\_, Gauhati High Court, Guwahati.
28. The C.A. to the Registrar General, Gauhati High Court, Guwahati.
29. The Gauhati High Court Notice Boards.

  
**REGISTRAR GENERAL**

07-01-25