

**IN THE SUPREME COURT OF INDIA  
(CIVIL APPELLATE JURISDICTION)**

(Under Article 32 of the Constitution of India)

**WRIT PETITION (C) NO.                      OF 2021**

**IN THE MATTER OF :**

ABHINAV RAMKRISHNA

PETITIONER

Versus

UNION OF INDIA & ANR

RESPONDENTS

WITH

I.A. NO.        OF 2021

Application for Seeking Permission to Appear in Person

WITH

I.A. NO.        OF 2021

Application for Exemption from Filing Attested Affidavit &  
Affixing Welfare Stamp

**PAPER BOOK**

{ FOR INDEX KINDLY SEE INSIDE }

**ADVOCATE FOR THE PETITIONERS:        ABHINAV RAMKRISHNA**

**I N D E X**

S.No.	Particulars of Document	Page No. of part to which it belongs		Remarks
		Part I (Contents of Paper Book)	Part II (Contents of file alone)	
	COURT FEE:			
(i)	(ii)	(iii)	(iv)	(v)
1.	Listing Proforma	A1 - A2	A1 - A2	
2.	Cover Page of Paper Book		A - 3	
3.	Index of Record of Proceedings		A - 4	
4.	Defect List		A - 5	
5.	Note Sheet		NSI to	
6.	List of Dates	B -H		
9.	Writ Petition with Affidavit.	1 -17		
10.	<u>ANNEXURE- P-1</u> A True Copy of RTI Application dated 27.05.2020	18		
11	<u>ANNEXURE- P-2</u> A True Copy of the Reply dated 26.06.2020	19-20		
12.	<u>ANNEXURE- P-3</u> A True Copy of the First	21		

	Appeal dated 27.06. 2020			
13	<u>ANNEXURE- P-4</u> A True Copy of the Reply dated 10.07.2020	22		
14	<u>I. A. NO OF 2021</u> Application for Seeking Permission to Appear in Person	23 -24		
15	<u>I. A. NO OF 2021</u> Application for Exemption from Filing Attested Affidavit & Affixing Welfare Stamp	25 -26		
16	PAN CARD OF THE PETITIONER WITH ADDRESS PROOF	27-31		
17	MEMORANDUM OF APPEARANCE IN PERSON	32		
18	F/M		33	


PROFORMA FOR FIRST LISTING

The case pertains to (Please tick/check the correct box):

<input type="checkbox"/>	Central Act: (Title)	<b>CONSTITUTION OF INDIA</b>
<input type="checkbox"/>	Section:	ARTICLE 32
<input type="checkbox"/>	Central Rule: (Title)	NA
<input type="checkbox"/>	Rule No (s):	NA
<input type="checkbox"/>	State Act: (Title)	NA
<input type="checkbox"/>	Section:	N/A
<input type="checkbox"/>	State Rule: (Title)	NA
<input type="checkbox"/>	Rule No (s):	N/A
<input type="checkbox"/>	Impugned Interim Order: (Date)	N/A
<input type="checkbox"/>	Impugned Final Order/ Decree:(Date)	10.07.2020
<input type="checkbox"/>	High Court : (Name)	N.A
<input type="checkbox"/>	Names of Judges:	N.A
<input type="checkbox"/>	Tribunal/Authority : (Name)	N/A
1.	Nature of matter:	<b>CIVIL</b>
2.	Petitioner	<b>ABHINAV RAMKRISHNA</b>
(a)		
(b)	e-mail ID:	NA
(c)	Mobile phone Number:	NA
3.	Respondent	<b>UNION OF INDIA &amp; ANR</b>
(a)		
(b)	e-mail ID:	N/A
(c)	Mobile phone Number:	N/A
4. (	Main Category Classification:	3802
(b)	Sub classification:	
5.	Not to be listed before:	N/A
6.	i. Similar Decided matter:	<b>NO SIMILAR MATTER DECIDED</b>
	ii. Similar Pending Matter:	NO SIMILAR MATTER PENDING
7.	<b>Criminal Matters:</b>	<b>NO</b>
(a)	Whether accused/convict has surrendered	N/A
(b)	FIR No.	N/A
(c)	Police Station:	N/A
(d)	Sentence Awarded:	N/A

(e)	Sentence Undergone:	N/A
8.	<b>Land Acquisition Matters:</b>	N/A
(a)	Date of Section 4 notification:	N/A
(b)	Date of Section 6 notification:	N/A
(c)	Date of Section 17 notification:	N/A
9.	<b>Tax Matters:</b> State the tax effect:	N/A
10.	<b>Special Category</b> (first petitioner/appellant only):	NA
	<input type="checkbox"/> Senior Citizen > 65 years <input type="checkbox"/> SC/ST <input type="checkbox"/> Disabled <input type="checkbox"/> Woman/Child <input type="checkbox"/> Legal Aid case <input type="checkbox"/> In Custody	CHILD
11.	Vehicle Number (in case of Motor Accident Claim matters):	N/A

Date: 28/05/2021

  
Abhi )

(Name): [ABHINAV RAMKRISHNA]  
PETITIONER IN PERSON

████████████████████  
████████████████████

**SYNOPSIS AND LIST OF DATES**

The instant Writ Petition is being filed by the Petitioner, who is a practicing Advocate on Record before this Hon'ble Court, being a vigilant citizen as well as member of legal fraternity, also being responsible citizen and cautious about economic & social hardship faced by orphans, which a particular section of the citizens of this country who have been for long overlooked and have been ignored, as a result of which they have been deprived of the rights which are conferred upon the citizens of the country in form of reservation and other benefits such as economic security in pursuing education, higher education and reservation in government jobs.

The Convention on the Rights of the Child of 1989 defines more precisely the term "child": "a child is any human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier". The idea, through this definition and all the texts concerning child welfare, is that the child is a human being with rights and dignity. What characterizes the child, it is his youth and vulnerability. Indeed, the child is growing, a future adult, who has no means to protect himself.

That based upon the research paper work available it has been stated that 4 % of India's child population of 20 million are orphans.

Most of these children have been abandoned by their parents. NFHS-4 (2015-16) defines an orphan as a child with one or both parents who are dead.

As per the NFHS- 4 (2015-16), overall, 5%of children under age 18 years are orphans. The percentage of children who are orphans rises rapidly with age, from less than 1% among children under age 2 years to 9% among children age 15-17 years.

The Northeast region has the highest percentage of children who are orphans (6% or more in every State except Tripura).

The percentage of children under age 18 years who do not live with a biological parent decreased only slightly and i.e. from 4% NFHS-3 (2005-06) to 3% NFHS-4 (2015-16) .

The percentage of children under age 18 years who are orphans did not change between 2005-06 and 2015-16 i.e.at (5%).

According to Women and Child Development (WCD) report 2018 there are 9589 CCIs/Homes in the Country and 41730 orphans, 7677 abandoned, 6791 surrendered, 7422 CCL and 370227 CNCPs. An estimated 41 % of India's population is below that age of 18, the largest child population in the world.

It is pertinent to mention that a constitution is an aggregate of fundamental principles or established precedents that constitute the legal basis of a polity, organization or other type of entity, and commonly determine how that entity is to be governed. In layman's language the constitution is a rule book to which all the living, non-living people or things are bound to follow under all conditions.

The petitioner herein tried to explore legal rights and liabilities of orphans which cast light on scenario and status of the orphans across the country and thereby suggesting legal measures contrived for the welfare of orphanage and personal identity of orphan children in the country.

But still few questions are left to be answered like:



- i. Whether there is absence of protection of rights and issues related to Orphans under our Constitution or Juvenile Justice Act is violative of Article 14?
- ii. What is the Status of Orphan Children in India and how does the Respondents herein proposes to secure their educational future not only at primary level but also by way of providing them full scholarship to pursue their higher education in colleges & also by affording them reservation in government jobs at entry level ?
- iii. Whether or not the constitutional rights granted to the backward classes are primarily contained in three constitutional articles - Art 15(4), Art 15(5) and Art 16(4) can be allowed to be extended to orphans who remains un-adopted?

**LIST OF EVENTS**

Date	Particulars of Events
27.05.2020	That the petitioner herein filed an RTI to the office of the Prime Minister of India, Government of India in the subject matter

of the present writ petition.

- 10.06.2020 That the above mentioned RTI was  
--  
14.06.2020 transferred to Ministry of Social Justice & Empowerment which in turn transferred the same to Ministry of Women & Child Development on 14.06.2020
- 26.06.2020 That the Ministry of Women & Child Development gave a partial reply to an RTI stating therein that ministry is implementing a centrally sponsored scheme, namely Child Protection Services (CPS) scheme, erstwhile Integrated Child Protection Scheme, for the welfare of children by implementing Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) for children in conflict with law (CCL) and children in need of care and protection (CNCP). The primary responsibility of execution of the Act lies

with the States/UTs.

It further stated that Central Government is providing financial assistance to the States/UTs on sharing pattern for, setting up and maintenance of various types of CCIs. Under the scheme institutional care is provided through CCIs, as a rehabilitative measure. In these CCIs, children are provided appropriate education either within the institution or outside in a formal education system through convergence with other schemes and programs of the Government or civil society. Under the non-institutional care component, support is extended for adoption, foster care and sponsorship.

However, it refused to answer on the issue of legislation or rules to provide reservation in government jobs to the

eligible orphans.

27.06.2020 That being dissatisfied with incomplete reply the petitioner herein filed an appeal before the first appellate authority.

10.07.2020 The First Appellate Authority disposed of the appeal after answering to the unanswered question stating that in reference to point no-3 of the RTI application, there is no provision in Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) regarding legislation or rules to provide reservations in govt. jobs to the eligible orphans.

28.05.2021 Hence the present writ petition.

**IN THE SUPREME COURT OF INDIA**

(CIVIL ORIGINAL JURISDICTION)

(Under Article 32 of the Constitution of India)

**WRIT PETITION (C) NO. OF 2021**

**POSITION OF PARTIES**

In this Court

BETWEEN

Abhinav Ramkrishna s/o Sh. Mahanand Jha, Petitioner

██

██

██

Versus

Union of India , Through Secretary, Ministry of Respondent

Women & Child Development, Shastri No.1

Bhawan, New Delhi

Ministry of Law & Legal Affairs, Through Respondent

Secretary, Shastri Bhawan, New Delhi No.2

**WRIT PETITION UNDER ARTICLE 32 OF THE**  
**CONSTITUTION OF INDIA**

TO,

THE HON'BLE THE CHIEF JUSTICE OF INDIA  
AND HIS COMPANION JUDGES OF THE  
SUPREME COURT OF INDIA.

THE PETITION ON BEHALF OF THE  
ABOVE NAMED PETITIONER.**MOST RESPECTFULLY SHEWETH:**

1. That the instant Writ Petition is being filed by the Petitioner, who is a practicing Advocate on Record before this Hon'ble Court, being a vigilant citizen as well as member of legal fraternity, also being responsible citizen and cautious about economic & social hardship faced by orphans, which a particular section of the citizens of this country who have been for long overlooked and have been ignored, as a result of which they have been deprived of the rights which are conferred upon the citizens of the country in form of reservation and other benefits such as economic security in pursuing education, higher education and reservation in government jobs.

2. **DECLARATION ORDER XXXVIII RULE 12(2) OF SCR, 2013**

i. [REDACTED]  
[REDACTED]  
[REDACTED]



safeguards under - Art 15(4), Art 15(5) and Art 16(4) of the Constitution

3. That the petitioner will argue the petition in person.
4. That The Convention on the Rights of the Child of 1989 defines more precisely the term “child”: “a child is any human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier”. The idea, through this definition and all the texts concerning child welfare, is that the child is a human being with rights and dignity. What characterizes the child, it is his youth and vulnerability. Indeed, the child is growing, a future adult, who has no means to protect himself.
5. That based upon the research paper work available it has been stated that 4 % of India"s child population of 20 million are orphans.
6. That most of these children have been abandoned by their parents. NFHS-4 (2015-16) defines an orphan as a child with one or both parents who are dead. As per



the NFHS- 4 (2015-16), overall, 5%of children under age 18 years are orphans. The percentage of children who are orphans rises rapidly with age, from less than 1% among children under age 2 years to 9% among children age 15-17 years.

7. The Northeast region has the highest percentage of children who are orphans (6% or more in every State except Tripura).
8. The percentage of children under age 18 years who do not live with a biological parent decreased only slightly and i.e. from 4% NFHS-3 (2005-06) to 3% NFHS-4 (2015-16).The percentage of children under age 18 years who are orphans did not change between 2005-06 and 2015-16 i.e.at (5%).
9. According to Women and Child Development (WCD) report 2018 there are 9589 CCIs/Homes in the Country and 41730 orphans, 7677 abandoned, 6791 surrendered, 7422 CCL and 370227 CNCPs. An

estimated 41 % of India's population is below that age of 18, the largest child population in the world.

10. It is pertinent to mention that a constitution is an aggregate of fundamental principles or established precedents that constitute the legal basis of a polity, organization or other type of entity, and commonly determine how that entity is to be governed. In layman's language the constitution is a rule book to which all the living, non-living people or things are bound to follow under all conditions.

11. The petitioner herein tried to explore legal rights and liabilities of orphans which cast light on scenario and status of the orphans across the country, the details of the same are as under;

i. That the petitioner herein filed an RTI dated 27.05.2020 to the office of the Prime Minister of India, Government of India in the subject matter of the present writ petition. A True Copy of RTI

Application dated 27.05.2020 is annexed and marked herewith as **ANNEXURE P-1** @ Page no.

- ii. That the above mentioned RTI was transferred to Ministry of Social Justice & Empowerment on 10.06.2020 which in turn transferred the same to Ministry of Women & Child Development on 14.06.2020
- iii. That the Ministry of Women & Child Development gave a partial reply to an RTI stating therein that ministry is implementing a centrally sponsored scheme, namely Child Protection Services (CPS) scheme, erstwhile Integrated Child Protection Scheme, for the welfare of children by implementing Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) for children in conflict with law (CCL) and children in need of care and protection (CNCP). The primary responsibility of execution of the Act lies with the States/UTs.

- iv. It further stated that Central Government is providing financial assistance to the States/UTs on sharing pattern for, setting up and maintenance of various types of CCIs. Under the scheme institutional care is provided through CCIs, as a rehabilitative measure. In these CCIs, children are provided appropriate education either within the institution or outside in a formal education system through convergence with other schemes and programs of the Government or civil society. Under the non-institutional care component, support is extended for adoption, foster care and sponsorship.
- v. However, it refused to answer on the issue of legislation or rules to provide reservation in government jobs to the eligible orphans. A True Copy of the Reply dated 26.06.2020 is annexed and marked herewith as **ANNEXURE P-2** @ Page no

- vi. That being dissatisfied with incomplete reply the petitioner herein filed an appeal before the first appellate authority. A True Copy of the First Appeal dated 27.06. 2020 is annexed and marked herewith as **ANNEXURE P-3 @ Page no.**
  - vii. That First Appellate Authority disposed of the appeal after answering to the unanswered question stating that in reference to point no-3 of the RTI application, there is no provision in Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) regarding legislation or rules to provide reservations in govt. jobs to the eligible orphans. A True Copy of the Reply dated 10.07.2020 is annexed and marked herewith as **ANNEXURE P-4 @ Page no**
- 12.The present petition thus raises the following important questions of law

- i. Whether there is absence of protection of rights and issues related to Orphans under our Constitution or Juvenile Justice Act is violative of Article 14?
  - ii. What is the Status of Orphan Children in India and how does the Respondents herein proposes to secure their educational future not only at primary level but also by way of providing them full scholarship to pursue their higher education in colleges & also by affording them reservation in government jobs at entry level ?
  - iii. Whether or not the constitutional rights granted to the backward classes are primarily contained in three constitutional articles - Art 15(4), Art 15(5) and Art 16(4) can be allowed to be extended to orphans who remains un-adopted?
13. That the petitioner herein has got no other judicial remedy than to invoke the original writ jurisdiction of this Hon'ble Court under Article 32 of the Constitution of India.
14. The petitioner has no personal interest in the present matter and is of a bonafide belief that the present matter

involves issues which will have greater ramifications on the society at large.

**GROUND:**

- A. BEACUSE the challenges being faced by the orphaned have a effect on their academic performance. Child protection issues are complex, arise for a variety of reasons.
- B. BECAUSE the Respondents have failed in their duty to protect the interest of the orphaned citizen who are mostly dependent upon the aid and grants given in the orphanages or child care.
- C. BECAUSE the National Commission for Backward Classes (NCBC) has passed a resolution stating that destitute orphaned children should be included in the central list of Other Backward Classes (OBC).
- D. BECAUSE this Hon'ble Court in the case of Ram Singh vs Union of India (2015) 4 SCC 697 , has observed that the

State cannot blind itself to the existence of other forms and instances of backwardness, not based on caste.

E. BECAUSE in the humble submission of the petitioner the section of citizens of this country who have been orphaned due to circumstances beyond their control, comes within one such forms and instances of backwardness.

F. BECAUSE in the humble submission of the petitioner petitioner the section of citizens of this country who have been orphaned loses their social, ethnic identity based on caste after the demise of their biological parents or upon being abandoned at the time of birth and thus there requires urgent judicial intervention for the protection of legal and fundamental rights of the orphaned.

G. BECAUSE the petitioners humbly submits that though the respective state governments may have framed their own rules or provisions to accommodate the orphaned yet the absence of the law by the Union of India in this regard have



severely determined the legal and fundamental rights of the orphaned.

H. BECAUSE the perusal of both replies given by the Respondent No. 1 would reveals that though there is no provision under the Juvenile Justice Act to protect the orphaned by giving them reservation in govt. jobs, yet at the same time it is amply clear that the reply has been evasive to the extent that Respondent No. 1 did not answer to query as to whether there exists constitutional safe guards to protect the orphaned.

I. BECAUSE even if data of past 1 year is taken into account 577 children is stated to have been orphaned in Delhi during pandemic, 555 children living in the state of Uttar Pradesh is reported to have lost one or both parents to Covid.

J. BECAUSE Article 38 calls for providing for a just social, economic and political order and of minimizing inequalities

in status, facilities and opportunities, the absence of any statutory provisions in the Constitution or Central Act increases such gap of inequalities as against the orphaned.

K. BECAUSE this Hon'ble Court in the case of Gaiinda Ram vs MCD (2010) 10 SCC 715 has held that where the matter involves the question of public interest an interim directions under Article 32 of the Constitution, interim scheme resolution regulating fundamental rights, till the finalisation of proper law can be made and as such the mandamus sought herein is maintainable against the Respondents.

15. The petitioner submits that he has not filed any other writ petition in the above subject matter before any other high court or before this Hon'ble Court.
16. That there is mandatory constitutional and social need for structured legislation on the issue raised in the present writ petition as it involves the rights of the orphaned and therefore in light of the decision of this

Hon'ble Court in the case of Gainda Ram vs MCD (2010) 10 SCC 715, the relief sought in the present writ petition is maintainable and hence the petition itself is maintainable.

17. The present Writ Petition does not suffer from any delay or laches and is being filed at first instance. It is submitted that the Petitioner has no other efficacious remedy available to her other than filing the present Writ Petition. The present Writ Petition is maintainable against the Respondents being the instrumentality of the State under Article 12 of the Constitution of India.

18. MAIN PRAYER

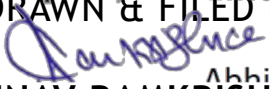
It is, therefore, most respectfully prayed that your lordships may be pleased to:

(i) allow the present writ petition by issuing appropriate writ of mandamus or such other Writ and or direction(s) or order(s) in favour of the Petitioner and against the respondents by directing the respondents herein to

- prepare a uniform national level policy to deal with the legal and fundamental rights of the orphaned; and/or
- (ii) pass such other order or orders as this Hon'ble Court may deem fit and proper.

AND FOR THIS ACT OF KINDNESS YOUR HUMBLE PETITIONERS AS ARE DUTY BOUND SHALL EVER PRAY.

DRAFTED ON 26.05.2021  
FILED ON 28.05.2021  
PLACE : NEW DELHI

DRAWN & FILED BY:  
  
ABHINAV RAMKRISHNA  
Petitioner in Person

**IN THE SUPREME COURT OF INDIA**  
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.            OF 2020

IN THE MATTER OF:

ABHINAV RAMKRISHNA	Versus	PETITIONER
UNION OF INDIA & ORS		RESPONDENTS

**AFFIDAVIT**

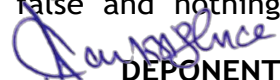
I Abhinav Ramkrishna Age 36 yrs, son of Sh. Mahanand Jha resident of [REDACTED] [REDACTED] presently at Delhi do hereby solemnly affirm and state as under:-

1. That I am the petitioner in the above such matter as such am well acquainted with the facts and circumstances of the present case, hence competent to swear this affidavit.
2. That I have been read understood the contents List of Date and Events from pages B to F, Writ Petition containing para 1 to 1 from pages 1 to 22 along with application at page no. 44 to 49. The facts stated therein are true and correct to the record of the case, which I believe to be true
3. That the annexures filed are true copies of the original.
4. That nothing untrue and incorrect has been stated in the present petition
5. That there is no personal gain, private motive & oblique reasons in filing the public interest litigation.
6. That the court may impose cost if it finds personal gain, private motive & oblique reasons in filing the public interest litigation.

  
DEPONENT

**VERIFICATION:**

Verified at Delhi on 27th day of April, 2020. I, the above-named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.

  
DEPONENT

To,  
The Public Information Officer  
PMO, Govt. of India  
New Delhi

27.05.2020

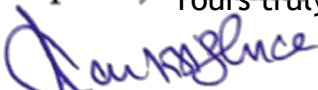
SUB: RIGHT TO INFORMATION

Sir,

The undersigned is a citizen of India would like to have following information from your office, since the website doesn't provide for any link to submit a RTI request with the Ministry of Human Resource Development or there is no proper department with regard to the subject matter of the RTI, therefore the information is being sought from your department. The requisite information is as under

1. As per the data available with the government how many orphanages are running in this country?
2. What is the total number of populations who have declared themselves as orphans?
3. Whether the Govt. of India has framed any legislation or rules to provide reservation in government jobs to the eligible orphans, if yes kindly provide the copy of the same.

Thanking you

Yours truly,  
  
ABHINAV RAMKRISHNA

  
Abhi

//TRUE COPY//

No-CW-II-29/11/2019-CW-II

19

Government of India  
Ministry of Women and Child Development  
(Child Welfare-II Section)

\*\*\*

Room No. 253, Shastri Bhawan, A- Wing,  
New Delhi 110 001

Dated: 26<sup>th</sup> June, 2020

To,

Mr. ABHINAV RAMKRISHNA,  
FLAT NO 54, TOWER NO 14, SUPREME ENCLAVE,  
MAYUR VIHAR PHASE 1, DELHI, Pin:110091

E-mail id: adv.ramkrishna@gmail.com

**Subject: Application under RTI Act, 2005.**

Sir,

I hereby refer to your RTI application with registration No- MOWCD/R/T/20/00238 dated 14/06/2020 transferred electronically from Ministry of Social Justice & Empowerment on 14/06/2020 with reference number-MOSJE/R/T/20/00426.

2. This ministry is implementing a centrally sponsored scheme, namely Child Protection Services (CPS) scheme, erstwhile Integrated Child Protection Scheme, for the welfare of children by implementing Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) for children in conflict with law (CCL) and children in need of care and protection (CNCP). The primary responsibility of execution of the Act lies with the States/UTs.

3. Central Government is providing financial assistance to the States/UTs on sharing pattern for, setting up and maintenance of various types of CCIs. Under the scheme institutional care is provided through CCIs, as a rehabilitative measure. In these CCIs, children are provided appropriate education either within the institution or outside in a formal education system through convergence with other schemes and programs of the Government or civil society. Under the non-institutional care component, support is extended for adoption, foster care and sponsorship. For more information on the scheme and Act, you may refer to guidelines and Act on Ministry's website <https://wcd.nic.in/>.

4. Presently, the number of CCIs assisted by Ministry under CPS are 2162 in the country benefiting 77765 beneficiaries. For more details you are requested to contact respective States/UTs.

5. The First appeal, if any, against the reply of the CPIO may be made to the First Appellate Authority within 30 days of receipt of reply of CPIO.

Smt. Aastha Saxena Khatwani,  
Joint Secretary, Ministry of Women and Child Development,

A-Wing, Room No.607, Shastri Bhawan,  
New Delhi-110001  
Tel. No.: 011-23388576  
E-mail id: aastha.khatwani@nic.in

Yours faithfully,

Sd/  
(Manoj Kumar Singh)  
CPIO & Director to the Govt. of India  
Tel No-011-23386553  
E-mail id: mksingh.ofb@nic.in

**Copy for information to: US (IFC)**

  
Abhi

//TRUE COPY//



To,

27.06.2020

The First Appellate Authority  
Ministry of Women and Child Development,  
A-Wing, Room No.607, Shastri Bhawan,  
New Delhi-110001

SUB: APPEAL UNDER RIGHT TO INFORMATION

Sir,

The undersigned is a citizen of India had filed an RTI, and sought requisite information is as under

1. As per the data available with the government how many orphanages are running in this country?
2. What is the total number of populations who have declared themselves as orphans?
3. Whether the Govt. of India has framed any legislation or rules to provide reservation in government jobs to the eligible orphans, if yes kindly provide the copy of the same.

The undersigned has received the reply today, however, the information provided therein is incomplete, as no information has been with respect to query no. 3. It may be relevant to note that the reservation is a matter which is directly governed by way of constitutional amendment brought by the Parliament and the silence by the PIO over has not done justice to my application, hence the present appeal.

Thanking you.



ABHINAV RAMKRISHNA



Abhi

//TRUE COPY//

No-CW-II-29/11/2019-CW-II  
Government of India  
Ministry of Women and Child Development  
\*\*\*

ANNEXURE P-4

A-Wing, Room No.305,  
Shastri Bhawan,  
New Delhi-110001  
Dated: 10<sup>th</sup> July, 2020

**ORDER**

Perused the bearing registration no. MOWCD/A/E/20/00073 dated 26/06/2020 filed on the grounds of providing incomplete, misleading or false Information on his RTI application.

2. The record in the Ministry shows that your RTI application with registration no. MOWCD/R/T/20/00238 dated 14/06/2020 that was transferred electronically from Ministry of Social Justice & Empowerment on 14/06/2020 with reference number MOSJE/R/T/20/00426 was received in the Ministry. The information pertaining to Child Welfare-II division in the Ministry of Women and Development has already been furnished to you by the CPIO vide letter of even number dated 26.06.2020. (copy enclosed).

3. In reference to point no-3 of the RTI application, there is no provision in Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) regarding legislation or rules to provide reservations in govt. jobs to the eligible orphans.

4. The instant appeal, hence, stands disposed off.

5. Appeal against this order lies with the Central Information Commission.

Yours faithfully,

Sd-

(Anuradha S. Chagti)

First Appellate Authority & Joint Secretary

Tel. No.: 011-23388442

To,

Mr. ABHINAV RAMKRISHNA,  
FLAT NO 54, TOWER NO 14, SUPREME ENCLAVE,  
MAYUR VIHAR PHASE 1, DELHI, Pin: 110091

E-mail id: adv.ramkrishna@gmail.com

  
Abhi

//TRUE COPY//

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

I.A. NO. \_\_\_\_ OF 2021

IN

WRIT PETITION (C) NO.

OF 2021

IN THE MATTER OF:

ABHINAV RAMKRISHNA

PETITIONER

Versus

UNION OF INDIA & ANR

RESPONDENTS

**AN APPLICATION FOR SEEKING PERMISSION TO APPEAR IN  
PERSON**

TO

THE HON'BLE CHIEF JUSTICE OF  
INDIA AND HIS COMPANION JUSTICES  
OF THE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF THE  
PETITIONERS ABOVE NAMED.

MOST RESPECTFULLY SHOWETH:

1. That the instant Writ Petition is being filed by the Petitioner, who is a practicing Advocate on Record before this Hon'ble Court, being a vigilant citizen as well as member of legal fraternity, also being responsible citizen and cautious about economic & social hardship faced by orphans, which a particular section of the citizens of this

country who have been for long overlooked and have been ignored, as a result of which they have been deprived of the rights which are conferred upon the citizens of the country in form of reservation and other benefits such as economic security in pursuing education, higher education and reservation in government jobs.

2. That it is humbly submitted that the petitioner herein will argue the petition in person.
3. That In light of the facts stated above this Hon'ble court may kindly allow the present application in terms of the prayer made hereunder.

**PRAYER**


On the aforesaid submissions the petitioners humbly pray that the Hon'ble Court be pleased to: -

- a) Kindly allow the petitioner to appear in person ; and/or
- b) pass such further and other orders as are necessary in the interest of justice.

AND FOR THIS ACT OF KINDNESS YOUR HUMBLE PETITIONER AS ARE DUTY BOUND SHALL EVER PRAY.

Filed By:

DRAFTED ON: 26.05.2021  
FILED ON 28.05.2021  
PLACE : NEW DELHI

  
Abhinav Ramkrishna  
Petitioner in Person

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

I.A. NO. \_\_\_\_ OF 2021  
IN

SPECIAL LEAVE PETITION (C) NO. \_\_\_\_\_ OF 2021

IN THE MATTER OF:

ABHINAV RAMKRISHNA

PETITIONER

Versus

UNION OF INDIA & ANR

RESPONDENTS

**AN APPLICATION FOR EXEMPTION FROM FILING ATTESTED  
AFFIDAVIT**

TO

THE HON'BLE CHIEF JUSTICE OF  
INDIA AND HIS COMPANION JUSTICES  
OF THE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF THE  
PETITIONERS ABOVE NAMED.

MOST RESPECTFULLY SHOWETH:

1. That the instant Writ Petition is being filed by the Petitioner, who is a practicing Advocate on Record before this Hon'ble Court, being a vigilant citizen as well as member of legal fraternity, also being responsible citizen and cautious about economic & social hardship faced by orphans, which a particular section of the citizens of this country who have been for long overlooked and have been

ignored, as a result of which they have been deprived of the rights which are conferred upon the citizens of the country in form of reservation and other benefits such as economic security in pursuing education, higher education and reservation in government jobs.

2. That for the sake of brevity contents of the Special Leave Petition may be read as part and parcel of the present application.
3. That it is humbly submitted that the petitioners herein is not in the position of the file attested affidavit due to second wave of covid pandemic.
4. That In light of the facts stated above this Hon'ble court may kindly allow the present application in terms of the prayer made hereunder.

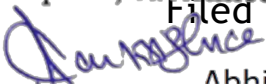
**PRAYER**

On the aforesaid submissions the petitioners humbly pray that the Hon'ble Court be pleased to: -

- a) Kindly exempt the petitioner from attested affidavit ;
- b) pass such further and other orders as are necessary in the interest of justice.

AND FOR THIS ACT OF KINDNESS YOUR HUMBLE PETITIONER AS ARE DUTY BOUND SHALL EVER PRAY.

DRAFTED ON: 26.05.2021  
FILED ON 28.05.2021  
PLACE : NEW DELHI

Filed By:  
  
Abhinav Ramkrishna  
Petitioner in Person

आयकर विभाग  
INCOME TAX DEPARTMENT



भारत सरकार  
GOVT. OF INDIA

ABHINAV RAMKRISHNA

MAHANAND JHA

16/09/1983

Permanent Account Number

ALEPR6497D

Signature



16082016

//true copy//



# SUPREME COURT ADVOCATES-ON-RECORD ASSOCIATION (REGD.)

SUPREME COURT OF INDIA, NEW DELHI-110001

ENROLLMENT - D/82A/2007



AOR CODE- 2370

## ABHINAV RAMKRISHNA

**ADVOCATE-ON-RECORD**

Holder's Signature

(Shivaji M. Jadhav)  
(President)

(Shekharish Mukherjee)  
(Hon. Secretary)



Blood Gr.:	<b>AB+</b>
D.O.B	<b>16.09.1983</b>
Res.Add.:	<b>ALEXANDRA , C-408, GRAND OMAXE, SECTOR-83-B, NOIDA</b>
Res.Tel.	<b>0120-4996662</b>
Office Tel.	
Mobile	<b>9971746533</b>

P-02/2020

### Instruction

If this card is found please return to  
Supreme Court Advocates-on Record  
Association office.



# BAR COUNCIL OF DELHI

(Statutory Body Under Advocates Act, 1961)

H.O.: 2/6, Siri Fort Inst. Area, Khel Gaon Marg, New Delhi-49, Ph. : 26498356/5196  
Website : delhibarcouncil.com, E-mail : barcouncilofdelhi@rediffmail.com



S.No. **2805/A/157-HC** Valid Upto **30/09/2023**


**ABHINAV RAMKRISHNA**

**ADVOCATE**

Enrolment No **D/824/2007**

Date of Enrolment  
**04/08/2007**

  
**K.C. Mittal**  
Chairman

  
**Vishnu Sharma**  
Hony. Secretary



Blood Group : **AB+** Heart Patient : **No** (Yes/No)

Diabetic : **No** (Yes/No) Date of Birth : **16/09/1983**

Residence : **Alexandra C-406, Grand Omaxe,  
Sector-93 B, Noida, UP.**

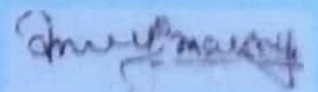
Ph. : **0120-4996662, 9971746533**

Office : **Flat No.54, 3rd Floor, Tower No.14,  
Supreme Encl., Mayur Vihar-I, Delhi-110091.**

Ph. :



**Holder's Signature**



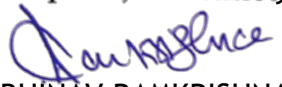
**Checked by**

MEMORANDUM OF APPEARANCE IN PERSON

To,  
The Registrar,  
Supreme Court of India,  
New Delhi

Sir,  
Please enter an appearance for the abovenamed petitioner in person the above-mentioned petition/ case/ appeal/ matter.

Yours faithfully

  
ABHINAV RAMKRISHNA

Place: New Delhi

Date: 28.05.2020

**IN THE SUPREME COURT OF INDIA**

(CIVIL ORIGINAL JURISDICTION)

(Under Article 32 of the Constitution of India)

**WRIT PETITION (CIVIL) NO            OF 2021**

**IN THE MATTER OF :**

ABHINAV RAMKRISHNA

PETITIONER

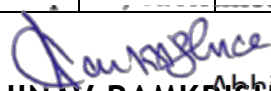
Versus

UNION OF INDIA & ANR

RESPONDENTS

**FILING INDEX**

S.NO	PARTICULARS	COPIES	C/FEE
1	List of Dates & Events	1+3	
2	WRIT Petition with Affidavit	1+3	520
4	Annexure (P1 to P-3)	1+3	NIL
5	I.A NO. /2021- Exemption C/C	1+3	100
6	I. .A NO. /2021- Exemption Affidavit	1+3	100
8	Memo of Parties	1	NIL
	TOTAL		730

  
**ABHINAV RAMKRISHNA**  
Petitioner in Person  
MOB:9971746533

DATE: 28.05.2021