

**SHASHANK SHEKHAR**

**LLB, LLM**

Advocate Supreme Court of India & Former Member,  
Delhi Commission for Protection of Child Rights (DCPCR)  
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Mr. Shashank Shekhar started his career from corporate by holding the post of Secretarial Executive, Management Cadre, at Bihar Hotels Ltd. Patna, Bihar, Joined Bar in the year 2000 and started practicing at Patna Court, Bihar, where he has appeared not only for private litigants but also for State of Bihar and the office of AG, Bihar. Mr. Shekhar also appeared for Election Commission of India, in some cases at Patna High Court.

He began his practice in Supreme Court of India in the year 2007 and has been practicing in the Supreme Court of India, Delhi High Court, National Consumer Forum, National Company Law Board, Competition Commission, etc. He has been Legal Advisor to many reputed NGOs like Prayas Institute of Juvenile Justice, New Delhi, Wildlife Trust of India, New Delhi, Vikramashila Bio-Diversity Research and Education Centre, Bhagalpur, Bihar, Delhi Commission for Protection of Child Rights, etc.,

Mr. Shekhar joined Delhi Commission for Protection of Child Rights and remained Member of the Commission for two consecutive tenures, 03.2009 to 04.03.2012 and from 05.09.2012 to 04.09.2015.

Mr. Shekhar is presently the Founder Director of Ace Advocates (OPC) Pvt Ltd. and is also the Settlor and Lifetime Founding Trustee of CRACR & PD. A Trust Registered under Indian Trust Act, 1882. CRACR & PD is popularly known as Centre for Research and Advocacy for Child Rights and Persons with Disability or Sambhavna-CRACR & PD.

**Settlor and Founding Member & Life Time Trustee CRACR & PD ( Centre for Research and Advocacy for Child Rights and Persons with Disability) @Sambhavna-CRACR & PD.**

CRACR & PD is a Trust Registered under The Indian Trusts Act,1882. CRACR & PD got registered in May 2019 and has following work experience:

1. Framed Child Safeguarding Policy for I-NGO, in India,
2. Framed Police Training Handbook on Child Rights for another I- NGO in India,
3. Conducted “Bal-Swaraj” with NCPCR and DCPCR, in 8 institutions including childcare institutions, university, schools, etc., apprising children of Gandhian Principles and Morals Second phase of Bal-Swaraj is expected to be launched soon,
4. Successfully conducted „ Safety Week“ program phase 1 and phase 2 in North MCD schools with the objective of creating awareness on preventing Sexual Abuse,
5. Member of the Core group constituted at NCPCR for revising the SOP for Children in street situations – SAVE the children.
6. Report writing and data-analysis on status of Child marriage in two districts of Rajasthan, namely Alwar and Bharatpur.
7. Report writing and data-analysis on status of early pregnancy in two districts of Rajasthan namely Alwar and Bharatpur.
8. Report of assessment of JJ Systems in Alwar & Bharatpur Districts of Rajasthan,

#### **Some Projects of Sambhavna-CRACR & PD**

- 1.Sakhee Gharbara, UP : A skilling project for girls and women of Gharbara village at Greater Noida, UP.
2. Sakhee, Danapur, Patna, Bihar : : A skilling project for girls and women of Danapur, Patna, Bihar
3. Inara, Srinagar, Jammu ad Kashmir: A space where children and youth from marginalized communities come together to learn skills and create fresh cultural syntax which sets the foundation for a vibrant and peaceful Kashmir.
- 4.Sambhavna-Pustakaly : A three tiered library in panchayats , one such library is opened at Baramulla, J &K
5. Meri Beti Meri Shan : A project to create social and legal awareness against child Marriage at Sangam Vihar locality of New Delhi.
6. Child Activity Centre, at Sangam Vihar locality of New Delhi.

#### **Experience of Mr. Shekhar as Member, DCPCR:**

A very active Member of Delhi Commission for Protection of Child Rights (DCPCR) since March, 2009 to August, 2015, he opted for the field of child rights because of his innate respect and love for children. He is devoted to the fact that a child being weaker in all respect requires a source to voice his/her grievances and problems.

As Member of DCPCR has taken up approximately 700 cases and out of which he has disposed approximately 500 cases, related to children of Delhi on the basis of complaint received by the

Commission and also suo-motu, in about six years, which include matters related to:

- Differently abled children, children suffering from mental and physical challenges,
- Children who have suffered police brutality,
- Child suffering from terminally ill heart problem in a government run home in Delhi,
- Right to Education of children residing in Jahangirpuri and other areas of Delhi,
- Rescue of child labor and bonded child labor.
- Death of girl child Shanno, corporal punishment,
- Serving of adulterated mid-day meal,
- Home of children of Commercial Sex Workers being run by a NGO situated at G.B. Road, Delhi,
- Delay in adjudication of matter lying before Juvenile Justice Board in Delhi,
- Child marriage of a sixteen and half year-old girl was prevented by the intervention,
- Admission under Economically Weaker Section Scheme,
- Physical and Sexual abuse of children,
- Exposure by media to child Rahul, who was the only eyewitness of Delhi Bomb Blast,
- Matters related to deprivation of the rights of children for free and compulsory education,
- Awarding interim compensation to children and their family who have suffered owing to negligence of authorities, and many more,
- He chaired various “Jan Sunvais/ Public Hearings” related to violation of child rights and un-availability of infrastructural facilities in different resettlement colonies of Delhi.

Mr. Shekhar has been invited as **Resource Person** in several Work-shops, Seminars and Symposia. He has conducted sensitization programs at the Judicial Training Academy, New Delhi, Patna and Jabalpur and also at NIPCCD, New Delhi, Haryana Institute of Public Administration, Gurgaon, Haryana Police, Delhi Police, Rajasthan Police, Punjab Government, Punjabetc He has also been invited as Resource Person at various workshops, seminars organized in the states like, UP, Bihar, Delhi, Assam, Rajasthan, Haryana, Andaman, Punjab, several schools of Delhi, and institutions of eminence like **NHRC**, DCPCR.

### **Experience of Mr. Shekhar as Secretarial Executive:**

1. Handling of Board Meetings:  
Twenty-one Board Meetings, including three adjourned Board Meetings (From Notice to Directors to compliance of Board resolutions).
2. Handling of Annual General Meeting and Extra Ordinary General Meetings:  
three Annual General Meetings & 5 Extra-Ordinary General Meetings  
(Drafting and dispatch of notice, deciding the type of resolution and majority, compliance

of stock Exchange formalities, deciding book closure etc. it include all pre and post General Meeting activities).

3. Appointment of whole Time Director & Re-appointment of Managing Director.
4. Enhancement of Authorized Share Capital of the Company by amending Memorandum and Articles of Association of the Company.
5. Preferential Issue and Preferential Allotment to the Promoters Group.
6. Public Deposit and compliance with the provisions of the Act.
7. Fixed Deposits from friends, relatives and associates, etc.
8. Preparation of documents etc. for mortgage of specific Equity shares.
9. Distribution of Dividends by Cheques and Drafts.
10. Opening of various Bank accounts.
11. Appointment of a relative to place of profit.
12. Agreement in which Directors are interested.
13. Preparation of different documents/resolutions for loans from Financial Institutions.
14. Transfer, Transmission, etc of shares.
15. Investments in the Company in which Directors are interested.
16. Investments in the Company under same management.
17. Compliance of SEBI norms.
18. Retirement of Additional Director under Section 283 of the Companies Act, 1965.
19. Appointment of Additional Directors and to regularize them on the Board.
20. Transfer of Shares involving Substantial Acquisition of Share Regulations, SEBI.
21. Redemption of Preference Shares.

#### **Added Experiences of Mr. Shekhar as Advocate.**

- Mr. Shekhar has been an **Executive Committee Member and in-charge of Legal Cell, Peoples' Union for Civil Liberties (PUCL), Bihar**. PUCL is an Association of Persons working in the field of Human Rights, established by revered Late LokNayak Jai Prakash Narayan. It has many legal luminaries of the country as its members.
- Mr. Shekhar was active member of a Juvenile Justice Committee constituted by Hon'ble Patna High Court for implementation of Juvenile Justice (Care and Protection of Children) Act, 2000 in the State of Bihar.
- Represented Delhi Commission for Protection of Child Rights in the Juvenile Justice Committee of Hon'ble Delhi High Court.
- He was also instrumental in proper implementation of Child Labour (Prohibition and Regulation) Act, 1986, in the state of Bihar.
- He was actively involved in the implementation of Right to Information Act, 2005 in the state of Bihar.
- "Baal Samvad Lok Adalat", has played pivotal role in involving the provisions of Legal Services Authorities Act, 1987, especially the provisions of LokAdalat in the Juvenile

Justice system, which was later adopted by various other states in India.

- Actively participated in formulation of Child and Adolescent Labour (Prohibition and Regulation) Model Rules, 2017
- He has played very important role in preservation of Fresh Water Dolphin in Bihar in a Fresh Water Dolphin Sanctuary situated between Sultanganj and Kahalgaon. Fresh water Dolphin has now been declared “National Mammal”.
- .He has represented Election Commission of India in Patna High Court in some cases and was empaneled advocate for the office of Accountant General, Bihar. He has appeared for individual litigants and also the State of Bihar in Patna High Court
- He has assisted the office of Additional Advocate General at Patna High Court.

### **Some Landmark Cases in the High Court of Judicature at Patna**

**(Cases other than Regular Writs, Bail, Criminal Appeal, Civil Revision, Quashing etc.)**

- ❑ C.W.J.C. No. 1740 of 2003, Shashank Shekhar (In Person) Vs. State of Bihar and another
  - Subject: Implementation of Juvenile Justice (Care & Protection of Children) Act, 2000 in the state of Bihar. Instrumental in implementation of Juvenile Justice (Care & Protection of Children) Act, 2000 in the state of Bihar. Provided unique status by the Hon“ble High Court of Judicature at Patna
  - A member of the team constituted by the Hon“ble High Court for implementation of the Juvenile Justice (Care & Protection of Children) Act, 2000 in the state of Bihar.
  - Appointed Amicus Curiae in child related cases in the Hon“ble High Court.
  - Instrumental in establishment of Bal Samvad Loke Adalat in Bihar and provided legal support, which was thereafter replicated in the whole of India.
  - Mr. Shekhar was active member of a committee constituted by Hon“ble Patna High Court for implementation of Juvenile Justice (Care and Protection of Children) Act, 2000 in the State of Bihar.
  - C.W.J.C. No 5623 of 2001 Suo Motu Action by the Hon“ble High Court in a matter relating to Conservation of Fresh Water Dolphin Vs. The State of Bihar and others (Public Interest Litigation).
  - Subject: Protection of Fresh Water Dolphin, a highly endangered mammal (Cetacean) appearing in Schedule-I of Wild Life Protection Act 1972. Appeared on behalf of the Intervener, Vikramashila Bio-Diversity Research and Education Centre, Bhagalpur.
  - C.W.J.C. No. 5822 of 2004, Jay Prakash Uddyan Sandy“s Compound Vikash Samiti Vs. The State of Bihar (Public Interest Litigation)
  - Subject: Matter related to Environmental Law and Preservation and Maintenance of Parks and Open Spaces, appeared on behalf of 511 Petitioners.
  - C.W.J.C. No. 16386 of 2004, Anand Verma Vs. State of Bihar and others (Public Interest

Litigation).

- Subject: Matter related to bad effect of obscene posters, hoardings etc. on the immature mind of children and also indecent representation of women in public.
- C.W.J.C. NO. 4153 of 2005, Dr. Amar Nath Singh Vs. Union of India and another (Public Interest Litigation).
- Subject: Against closure of the only Badminton Training Centre, a specialized centre for training of Badminton Players selected from all over Bihar, being run and maintained by Sports Authority of India.
- C.W.J.C. NO. 13615/05 Peoples Union for Civil Liberties vs. Union of India& other (Public Interest Litigation).
- Subject: Regarding Child Labour engaged in hazardous processes/Industries in the State of Bihar and also rehabilitation of such child Labour.
- C.W.J.C. No. 15523/2005, GraminEvam Nagar VikashParishad, NGO Vs. State of Bihar and others (Civil Writ)
- Subject: Against blacklisting of NGO working in the field of AIDS Control  
C.W.J.C. No. 15307/05 Peoples Union for Civil Liberties, Bihar Vs. Union of India&another. (Public Interest Litigation)
- Subject: Implementation of Right to Information Act, 2005 in the state of Bihar.
- C.W.J.C.6660/06 ParyavaranSurakshaSamiti, Nath Nagar, Bhagalpur vs. Union of India and others. . (Public Interest Litigation)
- Subject: Against rampant felling of trees in NathNagar block of Bhagalpur in the name of stretching electric lines.
- C.W.J.C. No.10580/06 Santosh Kumar Choudharyvs State of Bihar and others. (Public Interest Litigation)
- Subject: With respect to town planning (Master plan of Bhagalpur) and other related matters.
- Criminal W.J.C. NO. 545/05, Balsakha Vs. State of Bihar and others (Criminal Writ)
- Subject: Matter relates to payment of compensation and exemplary punishment to responsible officials for custodial death of a child in a remand home in Bihar.

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- **Central Administrative Tribunal Matter**

O.A. No. 96 of 2000, Dr. Gorey Lal Yadav (Appellant) Vs. Union of India and others (Respondents): Appeared on behalf of Election Commission of India.

□ **Appearance at Delhi High Court and Supreme Court**

Mr. Shekhar appeared in Delhi High Court in several cases for Delhi Commission for Protection of Child Rights, he has drafted the Intervener SLP for Delhi Commission for Protection of Child Rights, opposing the dilution of section 377 of IPC in a judgment passed by Hon<sup>ble</sup> Delhi High Court.

Habeas Corpus petitions for some Missing Children of Delhi.

Intervener Petition in Writ Petition (CRL) No. 156/2017, Nayayadhar Vs. Union of India, Ministry of Home Affairs, in Supreme Court of India, relating to harassment, cruelty to woman for dowry, dowry death, eve-teasing, domestic violence etc.

**FEW IMPORTANT LATEST INTERVENTIONS . Member DCPCR**

- Withdrawal of advertisement by Delhi Police which was found to be violative of Principal of Dignity and Worth of children and stigmatic to vulnerable children. The matter was taken up on behalf of the Commission with the Commissioner of Police Delhi.
- Delhi Police circular bearing no. 16- 2013, which was found not tenable in the eyes of law nor was in the best interest of the missing children and their parents and also violative of the provisions of Indian Evidence Act, 1872, was taken up on behalf of the Commission with Commissioner of Police, Delhi on behalf of the Commission. The aforesaid circular was withdrawn by the police. The circular provided for closer of cases relating to missing children lying before police for more than one year.
- Played a pivotal role in the drafting of Indian Railways' SOP for unaccompanied/trafficked children travelling through the railways.
- Provided training to NGO personnel, police officials and other stakeholders on the issue of trafficking.
- Provided training to NGO personnel, Bihar Police and SSB (Seema Suraksha Bal) officials, Legal Services Authority Members and Advocates.

**MEMBER**

**Member of Committees Constituted By Department Of Women And Child Development, Government Of India & GNCTD**

1. **Special Invitee Member, of a Committee constituted for Review and Amendments in the Provisions of Juvenile Justice (Care and Protection of Children) Act, 2000,** many suggestions were incorporated in the Juvenile Justice (Care and Protection of Children) Act, 2015

2. Member of a Committee constituted for developing Standard Operating Procedure (SOP) for inter and intra state transfer of Children by Child Welfare Committees.

3. Member Selection Committee constituted by Department of Women and Child Welfare for appointment of Chairperson and Members of different Child Welfare Committees of Delhi

Actively participated in several Committees of National Commission for Protection of Child Rights.

**APPEARED AND ASSISTED PARLIAMENTARY COMMITTEE OF INDIAN PARLIAMENT on the following Bills:**

- JAN LOK PAL BILL, 2011.
- PROTECTION OF CHILDREN FROM SEXUAL OFFENCES BILL, 2011.

**PUBLICATIONS**

- **“Media Laws”**, written by Mr. Shashank Shekhar, published by Vikas Publishing House Pvt. Ltd., Delhi and opted by “Knowledge Axis” University, USA, as Self-Instructional Study Material.
- **A Compendium on Missing Children of Delhi:** Collection of data relating to missing children of Delhi and its analysis, it also consists of the following, collection of all office orders, notifications, SOPs, etc. Issued by Delhi Police for missing children, Important Orders of Hon<sup>ble</sup> Supreme Court and Delhi High Court with regard to missing children, guidelines issued by MHA and NHRC guidelines.
- **Status of Implementation of POCSO Act, 2012, in Delhi** from 14<sup>th</sup> November, 2012 to March 31, 2015.

**Publication of Articles:**

1. Judicial Activism.
2. Capital Punishment.
3. Euthanasia, opted by Sikkim Manipal University as Course Material.

**Legal Advisor:**

2. Analysis of Bonded Labor Rehabilitation Scheme,
3. Analysis of the provisions of Juvenile Justice (Care and Protection of Children) Act,2015,
4. Analysis of the proposed Juvenile Justice (Care and Protection of Children) Rules, 2016,
5. Analysis of the proposed Anti-Human Trafficking Bill, 2016,
6. Actively participated in the process of framing Child and Adolescent Labour(Prohibition and Regulation) Rules,1988,
7. Actively participated in formation of inter-state committee, Bihar- Rajasthan, for repatriation and rehabilitation of child labor and bonded labour including child bonded labour,
8. Senior Advisor Delhi Commission for Protection of Child Rights (DCPCR)on the issue of Missing Children, Consultant “Operation Smile” and making of socialmedia application called, “Meri AwazSuno”, an application to assist children facing sexual abuse or likely to be sexually abused,
9. Member Advisory Committee , CRY on the issue of Child Marriage,
10. Special Invitee in the meeting of Advisors on the issue of Child Rights at NHRC.

**Added Experience in NGOs**

11. Active member of CSO Coalition, a group of NGOs and Professionals working against “child marriage” and also assisting National Human Rights Commission in its forthcoming seminar on the issue of child marriage. Actively engaged with National Human Rights Commission and Delhi Commission for Protection of Child Rights
12. Prepared a report on 5 years of work of North Zone ChildLine – Reflections of North Zone (2014 to 2019),
13. CWC & JJB Brochure
14. Role of CWC & JJB in Child Sexual Abuse (CSA) Case Management
15. Child Protection Handbook for CSOs & other stakeholders

16. Recommendations by the groups, made during the intra group discussions, held on 20.02.2020 during the state consultation on juvenile justice system conducted by DCPCR, ILI and CRACR & PD held at Indian Law Institute (ILI)
17. Sensitization of various stakeholders of POCSO Act, 2012 in various districts of Punjab in collaboration with the Government of Punjab. The sensitization or orientation workshops were organized in four districts of Punjab, namely, Bhatinda, Jalandhar, Patiala, and SBS Nagar between 11th December 2019 to 22nd December 2019. All these programs were attended by various stakeholders like police, members of JJB and CWC, DCPU, media, etc.
18. ssisted **Freedom Fund, UK based Funding Agency** in a „fact-finding“ operation in Bihar.

**Member Ethics Committee for Research**

1. Jawahar Lal Nehru University, Delhi
2. NGO Child Rights and You (CRY)
3. Appollo Hospital, New Delhi.

**Present Status:**

1. Advocate Supreme Court of India,
2. Founder and Director Ace Advocates (OPC) Pvt. Ltd.
3. Settlor and Founding Lifetime Trustee, CRACR & PD,
4. LLM, with specialization in corporate laws and dissertation on, “Access to Life Saving Medicines in Compulsory Licensing”

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